

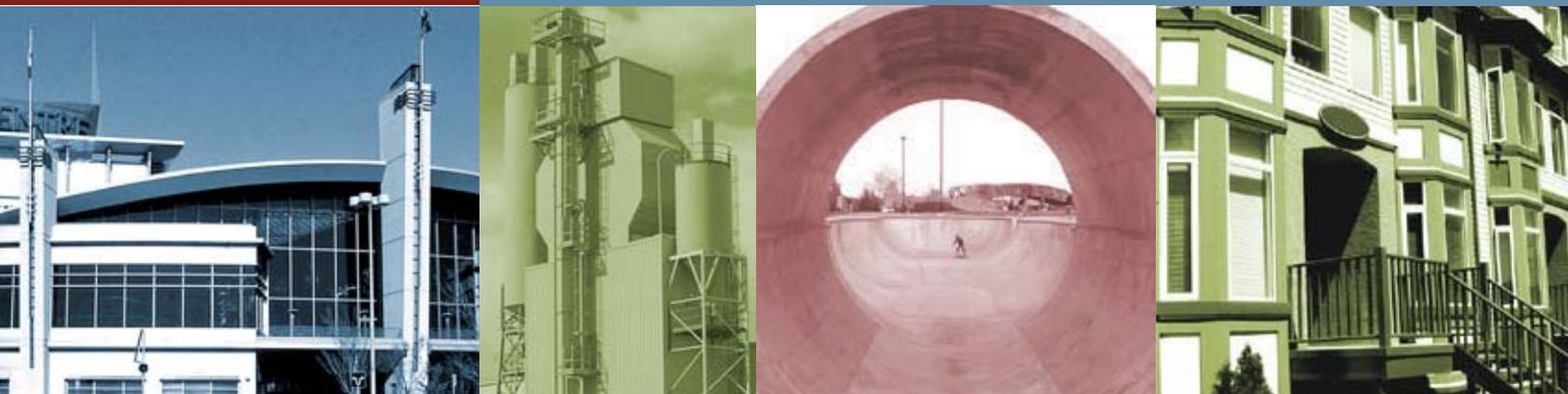


THE CITY OF
CALGARY

THE CITY OF CALGARY LAND USE BYLAW

1P2007

PART 10



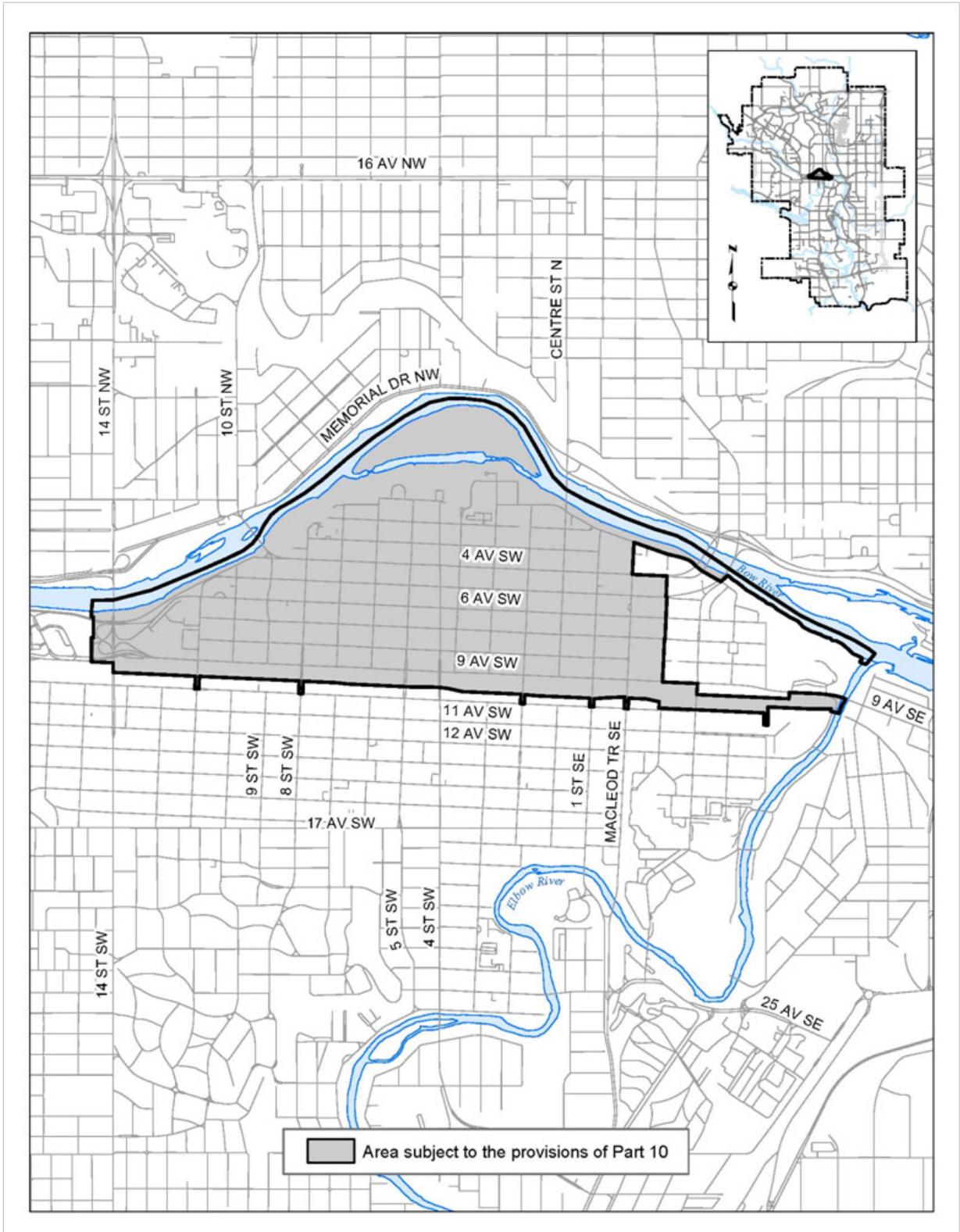
The Land Use Bylaw 1P2007 is comprised of ten parts. This binder encompasses Part 10. Parts 1-9 is not included herein but is available for purchase as a separate document.



This page is for informational purposes only and does not form part of this bylaw.

Map 1: Application of Land Use Bylaw 1P2007

Part 10 only applies to the shaded area shown on the map.





THE CITY OF CALGARY LAND USE BYLAW 1P2007 TABLE OF CONTENTS

PART 10: DOWNTOWN

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

DIVISION 1: GENERAL

1. PURPOSE	1
2. REFERENCE TO “BYLAW AND SECTION NUMBERS”	1
3. INTERPRETATION	1
4. DEFINITIONS	1
5. REFERENCED LEGISLATION	14.2

DIVISION 2: GENERAL OPERATIVE CLAUSES AND ADMINISTRATIVE PROCEDURES

6. GENERAL OPERATIVE CLAUSES	15
(1) Land Use Maps	15
(2) Appendix - Sign Regulations	15
(3) Sections Found Invalid	15
(4) Non-Conformity Through Metrication	15
(5) Mathematical Rounding of Measurements	15
7. LAND USE DESIGNATIONS	16
8. DEVELOPMENT PERMITS	16
(1) Developments Requiring a Development Permit	16
(2) Developments Not Requiring a Development Permit	16
(3) Compliance with Other Legislation	18.1
9. APPROVING AUTHORITIES - DUTIES AND RESPONSIBILITIES	18.1
(1) Development Officer	18.1
(2) Planning Commission	18.1

**DIVISION 3:
THE DEVELOPMENT APPLICATION
AND APPEAL PROCESS**

10.	APPLYING FOR A DEVELOPMENT PERMIT.....	19
	(0.1) Method of Application.....	19
	(0.2) Types of Development Permits.....	19
	(1) Plans and Information Required.....	19
	(2) Non-Compliance with Information Requirements.....	21
	(3) Waiver of Information Requirements.....	21
	(4) Notice Posting Requirement.....	22
	(5) Re-Application for a Development Permit	22
	(6) Revision to Conditions	22
	(7) Dwelling Units on a Lot	22
11.	DECISION PROCESS	23
	(1) Permitted Uses.....	23
	(2) Discretionary Uses	24
	(3) Direct Control Districts	26
	(4) Commencement of Construction	26
	(5) Suspension or Cancellation of a Development Permit	26
	(6) Term of a Development Permit.....	26
12.	APPEALING A DECISION.....	26.1
	(1) Notice of Decisions and Appeals	26.1
	(2) The Appeal Process.....	26.1
13.	COMMENCEMENT OF DEVELOPMENT	26.2

**DIVISION 4:
AMENDING THE BY-LAW**

14.	AMENDING THE BY-LAW	27
	(1) Method of Application.....	27
	(2) Plans and Information Required.....	27
	(3) Non-compliance with Information Requirements	28
	(4) Waiver of Information Requirements.....	28
	(5) The Application Review Process.....	28
	(6) The Public Hearing.....	29
	(7) Re-Application.....	29

**DIVISION 5:
ENFORCING THE BYLAW**

15.	DEVELOPMENT COMPLETION PERMIT	31
16.	OFFENCES AND PENALTIES	31

SECTION

PAGE

**DIVISION 6:
RIGHT-OF-WAY SETBACKS,
PARKING & LOADING, AIRPORT VICINITY
AND FLOODWAY FLOODPLAIN**

17.	RIGHT-OF-WAY PROPERTY LINE SETBACKS	33
	(1) The Basic Right-of-Way (R.O.W.).....	33
	(2) Setbacks from the Basic Right-of-Way (R.O.W.).....	33
	(3) Corner Cut-Offs.....	33
	(4) Density Transfer	33
18.	PARKING AND LOADING REGULATIONS.....	37
	(1) General Provisions for Parking and Loading.....	37
	(1.01) General Rules for Parking Areas.....	38
	(1.1) Special Provisions for the Downtown Parking Area	39
	(1.2) Special Rules for Approved Commercial Parking Areas Located Outside of the Downtown Parking Area.....	41
	(1.3) Specific Guidelines Relating to the 4 Street S.W. Commercial Parking Area.....	44
	(2) Parking Stalls Required.....	45
	(3) Loading Spaces Required.....	49
19.	AIRPORT VICINITY SPECIAL REGULATIONS	51
19.1	FLOODWAY, FLOODPLAIN AND OVERLAND FLOW AREA SPECIAL REGULATIONS.....	53
	(1)	53
	(2) Floodway Regulations	53
	(3) Floodplain Regulations.....	54
	(4) Overland Flow Area Regulations	55

**DIVISION 7:
LAND USE DESIGNATIONS
USES AND RULES**

20.	GENERAL RULES FOR RESIDENTIAL DISTRICTS.....	57
	(1) Projections Over Yards	57
	(1.1) Projections	58
	(1.2) Building Height.....	58
	(2) Construction Beneath Yards.....	60
	(3) Private Garages and Driveways.....	60
	(4) Site Access	60
	(5) Accessory Buildings.....	61
	(6) Fences	62
	(7) <i>deleted</i>	62
	(8) Site Dimensions	62
	(9) Corner Visibility Triangles	62
	(10) Objects Prohibited or Restricted	62
	(11) Home Occupations.....	63
	(12) Special Requirements for Utilities and Essential Public Services	64
	(13) Public and Separate Schools.....	64
	(14) Density	64

SECTION	PAGE
(14.1) <i>deleted</i>	64
(15) Lodgers	64
(16) Lofts	64
(17) Provision of Amenity Space	64
(18) Landscaping.....	64.1
(19) Building Design	64.2
(20) Equipment Screening.....	64.2
(21) Excavation, Stripping and Grading.....	64.2
(23) Private Maintenance Easements	64.2
(24) Established Communities.....	65
(25)	65.1
(26) Special Function Tents	65.1
(27)	65.2
20.1 RULES FOR MODEST RESIDENTIAL DEVELOPMENT	65.4
(1)	65.4
(2) Application.....	65.4
(3) Permitted Use Rules	65.4
21. RR-1 RESTRICTED RESIDENTIAL SINGLE-DETACHED DISTRICT.....	67
(1) Purpose.....	67
(2) Permitted Uses.....	67
(3) Permitted Use Rules	67
(4) Discretionary Uses.....	68.1
(5) Discretionary Use Rules	68.1
(6) Conditions of Development	68.1
22. R-1 RESIDENTIAL SINGLE-DETACHED DISTRICT	69
(1) Purpose.....	69
(2) Permitted Uses.....	69
(3) Permitted Use Rules	69
(4) Discretionary Uses	71
(5) Discretionary Use Rules	72
(6) Conditions of Development	72
22.1 RS-1 & RS-2 RESIDENTIAL SMALL LOT DISTRICTS.....	73
(1) Purpose.....	73
(2) Permitted Uses.....	73
(3) Permitted Use Rules	73
(4) Discretionary Uses.....	75
(5) Discretionary Use Rules	75
(6) Conditions of Development	76
22.2 R-1A RESIDENTIAL NARROW LOT SINGLE-DETACHED DISTRICT.....	77
(1) Purpose.....	77
(2) Permitted Uses.....	77
(3) Permitted Use Rules	77
(4) Discretionary Uses	79
(5) Discretionary Use Rules	79
(6) Conditions of Development	80
23. R-2 RESIDENTIAL LOW DENSITY DISTRICT	81
(1) Purpose.....	81
(2) Permitted Uses.....	81
(3) Permitted Use Rules	81
(4) Discretionary Uses.....	84
(5) Discretionary Use Rules	85
(6) Conditions of Development	85

SECTION	PAGE
24. R-2A RESIDENTIAL LOW DENSITY DISTRICT	87
(1) Purpose.....	87
(2) Permitted Uses.....	87
(3) Permitted Use Rules	87
(4) Discretionary Uses.....	90
(5) Discretionary Use Rules	90
(6) Conditions of Development	91
25. R-MH RESIDENTIAL MOBILE HOME DISTRICT	93
(1) Purpose.....	93
(2) Permitted Uses.....	93
(3) Permitted Use Rules	93
(4) Discretionary Uses.....	94
(5) Discretionary Use Rules	95
(6) Conditions of Development	96
26. RM-1 RESIDENTIAL LOW DENSITY MULTI-DWELLING DISTRICT	97
(1) Purpose.....	97
(2) Permitted Uses.....	97
(3) Permitted Use Rules	97
(4) Discretionary Uses.....	98
(5) Discretionary Use Rules	98
(6) Conditions of Development	99
27. RM-2 RESIDENTIAL LOW DENSITY MULTI-DWELLING DISTRICT	101
(1) Purpose.....	101
(2) Permitted Uses.....	101
(3) Permitted Use Rules	101
(4) Discretionary Uses.....	103
(5) Discretionary Use Rules	104
(6) Conditions of Development	104
28. RM-3 RESIDENTIAL MEDIUM DENSITY MULTI-DWELLING DISTRICT	107
(1) Purpose.....	107
(2) Permitted Uses.....	107
(3) Permitted Use Rules	107
(4) Discretionary Uses.....	108
(5) Discretionary Use Rules	109
(6) Conditions of Development	110
29. RM-4, RM-4/125, RM-4/100, RM-4/75 RESIDENTIAL MEDIUM DENSITY MULTI- DWELLING DISTRICTS	111
(1) Purpose.....	111
(2) Permitted Uses.....	111
(3) Permitted Use Rules	111
(4) Discretionary Uses.....	112
(5) Discretionary Use Rules	113
(6) Conditions of Development	114
30. RM-5 RESIDENTIAL MEDIUM DENSITY MULTI-DWELLING DISTRICT	115
(1) Purpose.....	115
(2) Permitted Uses.....	115
(3) Permitted Use Rules	115
(4) Discretionary Uses.....	116
(5) Discretionary Use Rules	117
(6) Conditions of Development	118

SECTION	PAGE
31. RM-6 RESIDENTIAL HIGH DENSITY MULTI-DWELLING DISTRICT	119
(1) Purpose.....	119
(2) Permitted Uses.....	119
(3) Permitted Use Rules	119
(4) Discretionary Uses.....	120
(5) Discretionary Use Rules	121
(6) Conditions of Development	121
32. RM-7 RESIDENTIAL HIGH DENSITY MULTI-DWELLING DISTRICT	123
(1) Purpose.....	123
(2) Permitted Uses.....	123
(3) Permitted Use Rules	123
(4) Discretionary Uses.....	124
(5) Discretionary Use Rules	125
(6) Conditions of Development	126
33. GENERAL RULES FOR COMMERCIAL DISTRICTS.....	127
(1) Front Yards	127
(2) Construction Beneath Yards.....	127
(3) Projections Over Yards	127
(4) Site Access	127
(5) Corner Visibility Triangles	127
(6) Special Requirements for Utilities and Essential Public Services	127
(7) Special Site Requirements.....	128
(8) Public and Separate Schools	130
(9) Landscaping.....	130
(10) Building Design	130.1
(11) Screening.....	130.1
(12) Garbage Storage.....	130.1
(13) Lighting.....	130.1
(14) Excavation, Stripping and Grading.....	130.2
(15) Home Occupations.....	130.2
(16) Amusement Arcades.....	130.2
(17) Objects Prohibited or Restricted	130.2
(18) <i>deleted</i>	130.2
(19)	130.2
(20) Special Function Tents	130.2
34. CC CONVENIENCE COMMERCIAL DISTRICT	131
(1) Purpose.....	131
(2) Permitted Uses.....	131
(3) Permitted Use Rules	131
(4) Discretionary Uses.....	131
(5) Discretionary Use Rules	132
(6) Conditions of Development	133
35. C-1 & C-1A LOCAL COMMERCIAL DISTRICTS	135
(1) Purpose.....	135
(2) Permitted Uses.....	135
(3) Permitted Use Rules	135
(4) Discretionary Uses.....	136
(5) Discretionary Use Rules	137
(6) Conditions of Development	138.1
36. C-2, C-2(20), C-2(16) AND C-2(12) GENERAL COMMERCIAL DISTRICTS	139
(1) Purpose.....	139
(2) Permitted Uses.....	139

SECTION	PAGE
(3) Permitted Use Rules	139
(4) Discretionary Uses	141
(5) Discretionary Use Rules	142
(6) Conditions of Development	142.1
37. C-3, C-3(38), C-3(30), C-3(27), C-3(23), C-3(20) AND C-3(16) GENERAL COMMERCIAL DISTRICTS	143
(1) Purpose	143
(2) Permitted Uses	143
(3) Permitted Use Rules	143
(4) Discretionary Uses	145
(5) Discretionary Use Rules	146
(6) Conditions of Development	146.1
38. C-4, C-4(38), C-4(30), C-4(27), C-4(23) AND C-4(20) GENERAL COMMERCIAL DISTRICTS	147
(1) Purpose	147
(2) Permitted Uses	147
(3) Permitted Use Rules	147
(4) Discretionary Uses	148
(5) Discretionary Use Rules	149
(6) Conditions of Development	150
39. C-5, C-5/.75, C-5/.5 SHOPPING CENTRE COMMERCIAL DISTRICTS	151
(1) Purpose	151
(2) Permitted Uses	151
(3) Permitted Use Rules	152
(4) Discretionary Uses	153
(5) Discretionary Use Rules	153
(6) Conditions of Development	154.1
40. C-6 HIGHWAY COMMERCIAL DISTRICT	155
(1) Purpose	155
(2) Permitted Uses	155
(3) Permitted Use Rules	155
156	
(4) Discretionary Uses	156
(5) Discretionary Use Rules	158
(6) Conditions of Development	158
41. CS-1 COMMERCIAL AND SERVICE DISTRICT	159
42. CM-1 CENTRAL BUSINESS COMMERCIAL DISTRICT	163
(1) Permitted Uses	163
(2) Permitted Use Rules	163
(3) Discretionary Uses	163
(4) Discretionary Use Rules	165
(5) Conditions of Development	167
(6) Downtown Development Standards	167
(7) Air-Rights Development	170
(8) Bonus Area 'A'	172
(9) Bonus Area 'B'	175
(10) Bonus Area 'C' Residential	178
(11) Area 'C' Residential	179

SECTION	PAGE
42.1 GENERAL RULES FOR DOWNTOWN DISTRICTS	181
(1) Site Access	181
(2) Projections	181
(3) Sidewalk Reconstruction	181
(4) Landscaping	182
(5) Garbage Storage	182
(6) Lighting	182
(7) Special Site Requirements	182
(8) Environmental Requirements	182
42.3 CM-2 DOWNTOWN BUSINESS DISTRICT	185
(1) Purpose.....	185
(2) Permitted Uses.....	185
(3) Permitted Use Rules	185
(4) Discretionary Uses.....	185
(5) Discretionary Use Rules	187
(6) Conditions of Development	205
43. GENERAL RULES FOR INDUSTRIAL DISTRICTS.....	207
(1) Industrial Performance Standards.....	207
(2) Construction Beneath Yards.....	208
(3) Building Height Exception	208
(4) Site Access	208
(5) Corner Visibility Triangles	208
(6) Residential Accessory Buildings	208
(6.1) Drinking Establishments, Restaurants-Licensed.....	208
and Entertainment Establishments	208
(6.2) Liquor Stores.....	209
(7) Public and Separate Schools.....	209
(8) Landscaping.....	209
(9) Excavation, Stripping and Grading.....	210
(10) Lighting.....	210
(11) <i>deleted</i>	210
(12) <i>deleted</i>	210
(13)	210
(14) Special Function Tents	210.1
44. I-1 INDUSTRIAL-BUSINESS PARK DISTRICT	211
(1) Purpose.....	211
(2) Permitted Uses.....	211
(3) Permitted Use Rules	211
(4) Discretionary Uses.....	212
(5) Discretionary Use Rules	212
(6) Conditions of Development	213
45. I-2 GENERAL LIGHT INDUSTRIAL DISTRICT	215
(1) Purpose.....	215
(2) Permitted Uses.....	215
(3) Permitted Use Rules	216
(4) Discretionary Uses.....	218
(5) Discretionary Use Rules	218.2
(6) Conditions of Development	218.2
46. I-3 HEAVY INDUSTRIAL DISTRICT.....	219
(1) Purpose.....	219
(2) Permitted Uses.....	219

SECTION	PAGE
(3) Permitted Use Rules	219
(4) Discretionary Uses	220
(5) Discretionary Use Rules	221
(6) Conditions of Development	221
47. I-4 LIMITED-SERVICED INDUSTRIAL DISTRICT	223
(1) Purpose	223
(2) Permitted Uses	223
(3) Permitted Use Rules	223
(4) Discretionary Uses	224
(5) Discretionary Use Rules	224
(6) Conditions of Development	224.1
48. GENERAL RULES FOR SPECIAL DISTRICTS	225
(1) Construction Beneath Yards	225
(2) Site Access	225
(3) Corner Visibility Triangles	225
(4) Special Requirements for Utilities and Essential Public Services	225
(5) Single-Detached Dwellings	225
(6) Public and Separate Schools	225
(7) Landscaping	225
(8) Parking and Loading Regulations	226
(9) Building Design	226
(10) Equipment Screening	226
(11) Excavation, Stripping and Grading	226
(12) Home Occupations	226
(13) Amusement Arcades	226
(14) Accessory Buildings	227
(15) Use Restrictions	227
(16)	227
(17) Special Function Tents	227
49. A AGRICULTURAL AND OPEN SPACE DISTRICT	229
(1) Purpose	229
(2) Permitted Uses	229
(3) Permitted Use Rules	229
(4) Discretionary Uses	230
(5) Discretionary Use Rules	231
(6) Conditions of Development	231
50. DC DIRECT CONTROL DISTRICT	233
(1) Purpose	233
(2) Uses and Rules	233
(3) The Effect of DC Guidelines	233
51. PE PUBLIC PARK, SCHOOL AND RECREATION DISTRICT	235
(1) Purpose	235
(2) Permitted Uses	235
(3) Permitted Use Rules	235
(4) Discretionary Uses	236
(5) Discretionary Use Rules	237
(6) Conditions of Development	237
52. PS PUBLIC SERVICE DISTRICT	239
(1) Purpose	239
(2) Permitted Uses	239

SECTION	PAGE
(3) Permitted Use Rules	239
(4) Discretionary Uses	240
(5) Discretionary Use Rules	240
(6) Conditions of Development	240.1
53. UNR UNIVERSITY RESEARCH DISTRICT	241
(1) Purpose	241
(2) Permitted Uses	241
(3) Permitted Use Rules	241
(4) Discretionary Uses	242
(5) Discretionary Use Rules	242
(6) Conditions of Development	243
54. UR URBAN RESERVE DISTRICT	245
(1) Purpose	245
(2) Permitted Uses	245
(3) Permitted Use Rules	245
(4) Discretionary Uses	246
(5) Discretionary Use Rules	246
(6) Conditions of Development	247
(7) Existing Uses In The UR Urban Reserve District	247

DIVISION 8:

**LAND USE MAPS
(CONTAINED IN SEPARATE VOLUME)**

**FLOODWAY/FLOODPLAIN MAPS
(CONTAINED IN SEPARATE VOLUME)**

**APPENDIX
SIGN REGULATIONS**

55. PURPOSE	249
56. DEFINITIONS	249
57. PROCEDURES REGULATING SIGNS	255
(1) Permits Required	255
(2) Signs Not Requiring a Development Permit	255
(3) Development Permit Application Requirements	257
58. TYPES OF SIGNS	259
59. GENERAL RULES FOR SIGNS	261
60. RULES FOR IDENTIFICATION SIGNS	265

SECTION	PAGE
(1) Fascia Identification Signs.....	265
(2) Roof Identification Signs	266
(3) Projecting Identification Signs	266
(4) Freestanding Identification Signs	267
(5) Canopy Identification Signs	269
(6) Under-Canopy Identification Signs	269
(7) Awning Identification Signs	270
(8) Community Identification Signs	270
(9) Painted Wall Identification Signs	270
(10) Window Identification Signs	270.1
(11) Art Signs	270.1
61. RULES FOR DIRECTIONAL SIGNS.....	272
62. RULES FOR THIRD-PARTY ADVERTISING SIGNS.....	273
(1) Location.....	273
(2) Siting	275.1
(3) Height and Size.....	275.2
(4) General Rules	275.2
(5) Major Parks	276
63. RULES FOR MESSAGE SIGNS AND MESSAGE PANELS	277
64. REAL ESTATE AND PROPERTY MANAGEMENT SIGNS	278
65. RULES FOR TEMPORARY SIGNS.....	280
(1) Location.....	280
(2) General Rules	280
(3) Freestanding Temporary Signs	281
(4) Banner Signs.....	283
(5) Inflatable Signs.....	283
(6) Flag Signs	284
(7) String of Pennants.....	284
(8) Event Signs	284
(9) Construction Signs.....	284
(10) Real Estate Signs.....	284
66. RULES FOR SIGNS WITHIN THE CIRCA 1912 THEME AREA	286
(1)	286
(2)	286
(3) Signage Restrictions - General	286
(4) Building Name and Address.....	286
(5) Lettering - General	287
(6) Colours.....	287
(7) Illumination	288
(8) Fascia Signs.....	288
(9) Horizontal Roof Signs	288
(10) Projecting Signs	289
(11) Awning Signs and Canopy Signs	289
(12) Painted Wall Signs	290
(13) Window Signs	290



PART 10: DOWNTOWN

DIVISION 1: GENERAL

1. PURPOSE

The Purpose of this Part is to provide an interim set of land use bylaw regulations to accommodate existing approved development, redevelopment, and land use for the portions of the Downtown and Beltline areas identified in Map 1, in Part 1, until such time as a comprehensive set of new land use districts is adopted for these areas.

2. REFERENCE TO “BYLAW AND SECTION NUMBERS”

In this Part, every reference to:

- (a) "this Bylaw", "the Bylaw" or "By-law" must be interpreted to mean "this Part"; and
- (b) a section number must be interpreted to mean such section number as contained only within this Part, unless otherwise stated.

3. INTERPRETATION

In this Part, unless the context otherwise requires, words in the singular include the plural, and words using the masculine gender include the feminine gender. *7P94*

4. DEFINITIONS *30P83*

In this Part,

- (1) **accessory building** means a building which does not accommodate the principal use of a site and which is not attached above grade to a principal building;
- (1.1) **accessory food service** means a portion of the premises of an approved principal use for the sale and consumption of food; *4P98*
- (2) **accessory use** means a use which is subordinate or incidental to the principal use of the site;
- (2.01) **addition** means the subsequent external construction to an existing building which results in increasing the building's area or external dimensions in any manner; *30P94*
- (2.02) **addition, minor dwelling** means an addition that increases the building area of the
 - (a) first storey by no more than
 - (i) 10 square metres on a lot with a width of 9.2 metres or less, or
 - (ii) 20 square metres on a lot with a width greater than 9.2 metres,
 - (b) second storey by no more than 2 square metres; *30P94, 2P99*

- (2.1) **adult mini-theatre** means any premises or part thereof wherein live performances, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory to some other business activity which is conducted on the premises, and wherein each separate viewing area has a capacity of less than 20 seats.
2P91, 25P94
- (3) **air-rights** means an estate, interest, easement or any legal right in or over land which grants or conveys the right to allow development to occur in the airspace over the land;
- (4) **amenity space** means an area comprised of on-site, common or private, indoor or outdoor space, designed for active or passive recreational use;
- (5) **amusement arcade** means any facility where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee;
- (5.01) **ancillary commercial use** means an ancillary retail and/or display area that occupies a portion of a building that is directly related to the primary use of the site.
18P95
- (5.1) **ancillary structure** means, with reference to building height, an essential structural component or an ancillary feature necessary for the functioning of a building such as an elevator housing, mechanical penthouse or chimney but excluding a sign, flag pole, communication equipment or other similar structure;
19P82
- (6) **apartment building** means a single building comprised of three or more dwelling units with shared entrance facilities, where none of the dwelling units are rented or are available for rent or occupation for periods of less than 30 days;
- (7) **apartment-hotel** means a single building comprised of three or more dwelling units with shared entrance facilities, where the dwelling units are rented or are available for rent or occupation for periods of less than 30 days, and which does not include such facilities or services as restaurants, dining rooms, room service or public convention rooms;
- (7.1) **approved** when used in reference to a development permit, shall mean approved with or without conditions and whether or not the development permit is released;
11P84
- (8) **Approving Authority** means Calgary Planning Commission or the Development Officer or both, as the context provides;
- (8.1) **arcade** means a covered over, grade level pedestrian walkway with supporting columns;
11P84
- (8.2) *deleted*
1P81, 8P81, 11P84, 11P94
- (9) **athletic and recreational facility** means a sport facility, including racquet courts, gymnasias, arenas, swimming pools or stadia and includes necessary uses such as cafeterias, pro-shop and amusement arcades exclusively servicing the users of the facility;
7P83
- (10) **auto body and paint shop** means an establishment for the repair or painting of motor vehicle bodies but does not include facilities for the sale of gasoline or lubricating oil, or for the repair or maintenance of mechanical or electrical parts;
- (11) **automobile, compact** means an automobile 4.8 metres or less in length and 1.8 metres or less in width;
- (12) **automobile, full-sized** means an automobile greater than 4.8 metres in length and greater than 1.8 metres in width;
- (13) **automotive service** means an establishment for the sale of automotive fuels, lubricating oils and associated automotive fluids or the routine servicing and minor repair of motor vehicles or both, excluding automotive specialty and auto body and paint shop uses, and may also include the following accessory uses: grocery store, towing service, single bay car wash or the sale of automotive accessories;
1P85, 14P89, 19P96

- (14) **automotive specialty** means an establishment for the servicing and repair of motor vehicles, excluding an automotive service use and an auto body and paint shop, and includes such facilities as alignment shops, muffler shops, transmission repair shops, rustproofing shops and car washes;
- (14.1) **balcony** means a horizontal structure adjoining a building above the first storey floor level, and intended for use as a private outdoor amenity space; *7P94*
- (15) **billiard parlour** means a business where the primary function is the rental of billiard tables, pool tables or any similar games tables to the public for a fee and where no more than three mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement;
- (16) **building** includes any thing 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;
- (16.1) **building, community association** means a facility operated by a community on a non-profit basis for a variety of physical, social and educational activities and which may include an amusement arcade; *7P83*
- (17) **building height** means that height determined: *10P2001*
- (a) in an RM-1, RM-2, RM-3, RM-4, RM-5, RM-6 or RM-7 District by:
 - (i) the maximum vertical distance between grade or a landscaped area and the eaveline of a building, and
 - (ii) the maximum number of storeys in a building;
 - (b) in a commercial, industrial, special and R-MH District by creating a line parallel to grade along each building elevation and separated vertically from grade by the maximum allowable height for the district. Such line may be exceeded only by:
 - (i) part of the building, on no more than one building elevation, and
 - (ii) ancillary structures;
 - (c) in an RR-1, R-1, RS-1, RS-2, R-1A, R-2, R-2A, and DC District (allowing primarily single-detached, semi-detached or duplex dwellings) by establishing the height plane as described in Section 20(1.2) and no part of the building may extend above this plane, except ancillary structures;
 - (d) in an Established Community, notwithstanding Section 4(17)(a) and (b), for single-detached, semi-detached and duplex dwellings by creating a surface parallel to the building reference grade and separated vertically from the building reference grade by the maximum allowable building height for the district, provided that such surface may be exceeded only by:
 - (i) part of the building, on no more than one building elevation, and
 - (ii) ancillary structures;
- (17.1) **building length** when used in reference to modest residential development means the maximum distance, measured at right angles, between the front and rear facades, excluding projections provided for in Section 20.1(3)(o); *30P94*
- (18) **building permit** means a building permit issued pursuant to the Building Permit Bylaw authorizing construction;

- (18.1) **building reference points** means the geodetic elevation points located on each side property line at the front property line, at 6 metres back from the front property line, at 12 metres forward of the rear lot line and at the rear lot line with the building reference points being expressed with reference to geodetic datum; *33P94*
- (19) **Calgary Planning Commission** or **Planning Commission** means the Calgary Municipal Planning Commission constituted pursuant to the Municipal Planning Commission Bylaw;
- (20) **caliper** means the diameter of the trunk of a tree measured at 300 millimetres above the ground;
- (20.1) **canopy** means a fixed shelter which extends from the face of a building and includes a structure commonly known as a theatre marquee but does not include normal architectural features such as lintels, sills, mouldings, architraves and pediments; *11P84*
- (20.2) **canopy, freestanding** means a fixed shelter supported independent of any other building or structure; *11P84*
- (21) **car wash** means a facility for the washing of motor vehicles;
- (22) **Central Business Area** means that area bounded on the north by the Bow River, on the west by 11 Street West, on the east by 6 Street East and on the south by the C.P.R. right-of-way;
- (23) **child care facility** means the use of a building or portion thereof for the provision of care, instruction, maintenance or supervision of seven or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, early childhood services, nurseries and after-school or baby-sitting programs which meet this definition; *19P94*
- (23.1) **church** means a building available for the purpose of assembly and worship and may include a child care facility, and may also include as accessory uses social, recreational and community activities such as group meetings and banquets; *13P85, 18P2001*
- (24) **City of Calgary** or **City** means the Corporation of the City of Calgary or the land lying within the corporate limits of the City, as the context requires;
- (25) **corner visibility triangle** means a triangular area formed on a corner site by the two curb lines and a straight line which intersects them 7.5 metres from the corner where they meet; *15P90*
- (25.01) **custodial quarters** means an area within an industrial building designed and utilized as living accommodation for a custodian as part of the operation or security function of the industrial use of the site; *18P95*
- (25.1) **crematorium** means an establishment with one or more cremation chambers used for the reduction of the human body by heat and the keeping of human bodies other than in cemeteries, related funeral services to include the preparation of the dead, arranging and direction of funerals, and may include mausoleums and columbariums; *18P81*
- (25.2) **deck** means an uncovered horizontal structure, with a surface height greater than 600 millimetres above grade at any point, but no higher than the first storey floor level, and intended for use as a private outdoor amenity space; *7P94*
- (26) **density** means the number of dwelling units on a site expressed in dwelling units per acre or hectare;
- (26.1) **designated flood level** means that theoretical level, indicated on the Floodway/Floodplain Maps to which water would rise in the event of a flood of a magnitude likely to occur once in one hundred years; *5P85*
- (26.2) **developed area** means, with reference to the Floodway and Floodplain Special Regulations, land other than an undeveloped area; *5P85*
- (26.3) **Developing Area** means the area of the City which is identified in Section 20(27) as being subject to a special height rule for single-detached dwellings with walkout basements; *20P2005*

- (27) **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 in, on, over or under land of any of them,
 - (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;
- (28) **development completion permit** means a type of development permit issued by a Development Officer confirming that the requirements and conditions of a development permit have been satisfactorily completed;
- (28.1) **development design guidelines** means a set of guidelines, approved by development permit, to guide the design of sites, buildings and streetscape in a small lot development area; *18P82*
- (29) **Development Officer** means a person appointed as a development authority by bylaw of the City to exercise development powers and duties on behalf of the City but does not include the Calgary Planning Commission; *8P90, 27P95*
- (30) **development permit** means a document authorizing a development, issued by a Development Officer pursuant to this Bylaw or any previous bylaw or other legislation authorizing development within the city, and includes the plans and conditions of approval; *11P84*
- (31) *deleted* *8P90, 1M2000*
- (32) *deleted* *12P82, 4P98*
- (32.1) **drinking establishment** means an establishment licensed by the Alberta Gaming and Liquor Commission where liquor is sold for consumption on the premises and may include the preparation and sale of food for consumption on the premises, and may also include take-out food service and entertainment as accessory uses but does not include a restaurant-licensed; *10P2004*
- (33) **drive-in or drive-through facility** means an establishment providing attendant services or services at drive-up windows for patrons in motor vehicles; *4P98*
- (34) **duplex** means a single building containing two dwelling units, one above the other, each having a separate entrance;
- (35) **dwelling unit** means two or more rooms used or designed to be used as a residence by one or more persons and containing kitchen, living, sleeping and sanitary facilities; *14P83*
- (36) **eaveline** means the line formed by the intersection of the wall and roof of a building;
- (36.1) **educational establishment** means the use of a building, used or previously used as a public or separate school, for:
- (a) post secondary education, including but not limited to, adult education, vocational training, college/university courses; or
 - (b) administration and support services required at the community level by public agencies in the delivery of their programs. *7P90*
- (37) **entertainment establishment** means a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a night club, live theatre or cinema, but does not include a drinking establishment, restaurant-licensed, restaurant-food service only, gaming establishment-bingo, gaming establishment-casino or adult mini-theatre; *1P86, 2P91, 4P98, 10P2004*

- (38) **essential public service** means a fire station, police station or similar service;
- (38.1) **Established Communities** means those communities identified in Section 20(24) as being subject to the Special Rules for Infill Development; *9P93*
- (38.2) **Established Communities Required Front Yard Maps** means those maps which show the Required Front Yards of the Established Communities (except for the Excluded Communities) and which form part of this Bylaw; *30P94*
- (38.3) **Excluded Communities** means the following communities, the location and area of which is shown on Map 1, Established Communities, Section 20(24): Bowness, Inglewood, Montgomery, Ramsey, Belfast, Windsor Park; *30P94, 2P99, 20P2003*
- (39) **extensive agricultural use** refers to any method used to raise crops or rear livestock either separately or in conjunction with one another in unified operation but does not include an intensive agricultural use;
- (40) **fence** means a structure which is used to prevent or restrict passage, to provide visual screening, sound attenuation, protection from dust or the elements, or to mark a boundary; *7P94*
- (41) **financial institution** means:
- (a) a bank, trust company, credit union or similar establishment; or,
 - (b) three or more automated banking machines that are located directly adjacent to each other; *60P2008*
- (41.01) **flea market** means an occasional or periodic sales activity held within an open area, building, shed or other structure where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public, and includes a farmer's market, but does not include a retail store or a shopping centre. *18P95*
- (41.1) **floodplain** means those lands abutting the floodway, the boundaries of which are indicated on the Floodway/Floodplain Maps, that would be inundated by floodwaters of a magnitude likely to occur once in one hundred years; *5P85*
- (41.2) **floodway** means the river channel and adjoining lands indicated on the Floodway/Floodplain 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; *5P85*
- (41.3) **Floodway/Floodplain Maps** means those maps which show the floodway, floodplain and overland flow area of the Bow and Elbow Rivers and the Nose and West Nose Creeks and which form part of this Bylaw; *5P85, 4P95, 4P99*
- (42) **floor area ratio** or **F.A.R.** means the quotient of the gross floor area of a building divided by the gross site area; *11P84*
- (43) **fourplex** means a single building comprised of four dwelling units, each unit having a separate direct entrance from grade;
- (44) **freight terminal** means a facility accommodating the storage and distribution of freight shipped by air, rail or highway transportation;
- (45) **frontage** means the width of a lot or a site where it abuts a street excluding a lane;
- (45.1) **funeral home** means an establishment for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided; *18P81*
- (45.2) **garage, private** means an accessory building or part of a principal building designed and used for the shelter or storage of vehicles and includes a carport; *18P81, 12P82*

- (45.3) **gaming establishment-bingo** means the use of a building or a portion thereof, which has the capacity to accommodate more than 250 persons at any time or times, or which is used on three or more days in any one calendar week, for the holding of bingo games; *3P85*
- (45.4) **gaming establishment-casino** means a facility where the principal use is gambling and includes a casino but not a gaming establishment - bingo or a racetrack; *11P83*
- (45.5) **General Manager, Development and Building Approvals** means the employee of The City of Calgary who is the head of Development and Building Approvals; *1M2000, 20P2001*
- (46) **grade** means the elevation of finished ground surface, excluding an artificial embankment, at any point immediately adjacent to the building;
- (46.1) **grade, building reference** means the surfaces contained within a boundary produced by the joining of the building reference points; *33P94*
- (47) **grocery store** means the use of a building or a portion thereof with a gross floor area of less than 465 square metres, for the sale of foodstuffs and convenience goods to serve the needs of residents in the immediate neighbourhood;
- (48) **gross floor area** means the sum of the areas of all plans 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 floors totally or partially above grade level and all mechanical equipment areas;
- (48.1) **gross site area** or **site area** means the area of the land contained within the property lines of a site including any area dedicated to Right-of-Way Property Line Setbacks as provided for in Section 17; *11P84*
- (49) **ground cover** means low-profile vegetation, other than grass or shrubs, commonly used for landscaping purposes and includes herbaceous perennials and flowers;
- (50) **historical site** means a site or a building designated to be of historical significance by the Government of Canada or the Government of Alberta;
- (50.1) **home occupation - Class 1** means a **Home Occupation - Class 1** as defined in section 207 of Part 4; *12P82, 1P88, 8P93, 57P2008*
- (50.2) **home occupation - Class 2** means **Home Occupation - Class 2** as defined in section 208 of Part 4; *8P93, 57P2008*
- (51) **hostel** means an establishment operated to provide temporary accommodation to transients for remuneration and may include recreational facilities but not additional services such as room service;
- (52) **hotel** means a building which provides sleeping accommodation and which may also contain commercial uses and such additional facilities or services as a restaurant, a dining room, room service or public convention rooms;
- (53) **infill** or **infill development** means development or redevelopment occurring on a vacant site following completion of the initial development of the area;
- (54) **inner city** means that area indicated on Map 1, Boundaries of the Inner City, contained in Section 18;
- (55) **intensive agricultural use** means any concentrated method used to raise crops or to rear or keep animals or their products for market, including such operations as poultry and hog farms, rabbitries, fur farms, greenhouses, nurseries and similar specialty uses, but does not include a feedlot;

- (56) **kennel** means any premises on which dogs or cats are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale;
- (56.1) **kitchen** means facilities for the preparation or cooking of food; 14P83
- (56.2) **landing** means an uncovered platform extending horizontally from a building adjacent to an entry door and providing direct access to grade or stairs; 7P94
- (57) **landscaped area** means that portion of a site which is required to be landscaped;
- (58) **landscaping** means the modification and enhancement of a site through the use of any or all of the following elements
- (a) **soft landscaping** consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
 - (b) **hard landscaping** consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt;
 - (c) **architectural elements** consisting of wing walls, sculpture and the like;
- (58.1) **liquor store** means the use of a building or portion thereof as a retail outlet licensed by the Province of Alberta for the sale of alcoholic beverages for consumption off-premises. 2P94, 28P94
- (59) **loading space** means an area to accommodate a vehicle while being loaded or unloaded; 11P94
- (60) **lodger** means an individual who pays for his accommodation in a lodging house;
- (61) **lodging house** means a building where accommodation is provided for remuneration, with or without meals to four or more persons exclusive of the occupant and his immediate family, but does not include a special care facility; 18P81
- (62) **loft** means the space above the eaveline and within the pitch of the roof of a building;
- (62.1) **lot** means 3P96
- (a) a quarter section, 3P96
 - (b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office, 3P96
 - (c) a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office, 3P96
 - (d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or 3P96
 - (e) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision; 3P96
- (63) **lot area** means the area contained within the boundaries of a lot as shown on a plan of subdivision or described in a certificate of title;
- (63.1) **lot, corner** means a lot that abuts two streets which intersect at an angle not exceeding 135 degrees; 9P93, 11P94
- (64) **lot coverage** means that portion of lot area upon which covered structures are located as measured from a point at grade directly below the outside surface of the exterior walls of the structure at the first storey floor level, including any projections less than 2.4 metres above grade, but excluding accessory buildings which total in area less than 10 square metres; 19P82, 7P94

- (64.01) **lot depth** means the length of a line joining the mid points of the lot frontage and rear lot line; *30P94*
- (64.02) **lot line, rear** means
- (a) the lot line opposite and most distant from the lot frontage, or *30P94*
 - (b) in the case of an irregular shaped lot, a line not less than 3.0 metres in length entirely within the lot, parallel to and a maximum distance from the lot frontage; *30P94*
- (64.1) **lot frontage** means the shortest lot line which abuts a street, and which is parallel to the principal direction of such street, and in the case of a lot which has two equal lot lines, each of which abut a street, means the lot line adjacent to the street to which the lot has been municipally addressed; *9P93, 11P94, 13P96*
- (65) **lot width** means the distance between the side property lines of the lot and measured at right angles from the mid-point of the shortest side property line; *9P93*
- (66) **medical clinic** means a facility for the provision of human health services without overnight accommodation for patients;
- (67) **mobile home** means a year-round portable residential structure containing one dwelling unit that is constructed in one or more parts on a permanent undercarriage or chassis; is specifically designed with the capacity of being easily transported from time to time and from one habitation location to another; and is designed to be occupied without being placed on a permanent foundation; *28P2001*
- (68) **mobile home park** means a site which provides rentable spaces for mobile homes and which shall include on-site laundry and recreation facilities for the use of the occupants and office facilities for the management of the mobile home park and may include a grocery store as an accessory use; *11P94*
- (68.1) **modest duplex dwelling** means the development of, or an addition to, a duplex dwelling located in the Established Communities (except for the Excluded Communities) and which complies with the rules of Section 20.1; *30P94*
- (68.2) **modest residential development** means modest single-detached dwellings, modest semi-detached dwellings or modest duplex dwellings; *30P94*
- (68.3) **modest semi-detached dwelling** means the development of, or an addition to, a semi-detached dwelling located in the Established Communities (except for the Excluded Communities) and which complies with the rules of Section 20.1; *30P94*
- (68.4) **modest single-detached dwelling** means the development of, or an addition to, a single-detached dwelling located in the Established Communities (except for the Excluded Communities) and which complies with the rules of Section 20.1; *30P94*
- (68.5) **modular construction** means a method of constructing a building whereby most of the parts of a building have been constructed in an off-site manufacturing facility and transported to a site where the parts are assembled and anchored to a permanent foundation; *28P2001*
- (69) **motel** means a building or group of buildings on a site designed and operated to provide temporary accommodation for transient motorists and contains separate sleeping units, each of which is provided with an adjoining or conveniently located parking stall; *11P94*
- (69.1) **multi-family dwelling** means a triplex, fourplex, townhouse, stacked townhouse or apartment; *14P80, 8P81*
- (70) **natural area** means an area of land predominantly in its original natural state, which may accommodate minimal development in the form of a public park;

- (71) **net floor area** means the total of the rentable floor area of all floors of a building measured from the glassline or the interior wall dimensions, excluding stairways, elevators, mechanical floors or rooms, vertical service shafts, malls and non-rentable common corridors, lobbies, washrooms, internal garbage storage and internal parking areas; *11P94*
- (71.1) **net site area** means the gross site area minus any area dedicated to Right-of-Way Property Line Setbacks as provided for in Section 17; *11P84*
- (72) **non-conforming building** means a building
- (a) that is lawfully constructed or lawfully under construction at the date this Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective, and
 - (b) that on the date this Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with this Bylaw;
- (73) **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 this Bylaw or any amendment thereof affecting the land or building becomes effective, and
 - (b) that on the date this Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with this Bylaw;
- (73.1) **outdoor cafe** means a facility, operated in conjunction with a restaurant-food service only, drinking establishment, restaurant-licensed, or an accessory food service, where food or beverages are served or offered for sale to the public, or in association with a private club, for consumption on or within a portion or portions of such facility that are not contained within a fully enclosed building; *4P93, 17P99, 10P2004*
- (73.2) **overland flow area** means those lands abutting the floodway or the floodplain, the boundaries of which are indicated on the Floodway/Floodplain Maps, that would be inundated by shallow overland floodwaters in the event of a flood of a magnitude likely to occur once in one hundred years; *4P99*
- (74) **parking area** means a portion of land or of a building set aside for the parking and manoeuvring of motor vehicles, which is accessible to a public thoroughfare and which may include a parking structure; *11P94*
- (74.1) **parking areas (temporary)** means a parking area set aside pursuant to a development permit requirement for a specified time period which shall be a minimum of 3 years where no previous development permit for temporary parking has been granted on that site; *11P94*
- (74.2) **parking area (at grade)** means a use of land for a parking area restricted to ground level parking only and not required as ancillary to another use; *11P94*
- (74.3) **parking stall** means that portion of a parking area, excluding vehicle manoeuvring areas, that will accommodate one vehicle; *11P94*
- (74.4) **parking area - long stay** means an area designed for the parking of motor vehicles within a building where the vehicle may remain parked for more than four hours at one time, but does not include a parking area - short stay. *4P2007*
- (74.5) **parking area - short stay** means an area designed for the parking of motor vehicles within a building where the vehicle remains parked for no more than 4 hours at one time. *4P2007*
- (75) **parking structure** means a structure designed for the parking of motor vehicles in tiers or floors which may be constructed above, below or at grade; *11P94*
- (75.1) **patio** means an uncovered horizontal structure with a surface height, at any point, no greater than 600 millimetres above grade, adjacent to a residential dwelling and intended for use as a private outdoor amenity space; *7P94*

- (76) **personal service business** means a facility for providing a service on a commercial basis to individuals and includes such uses as photography studios, dry-cleaning establishments and barber shops;
- (76.1) **plan of subdivision** means a plan of subdivision registered or approved for registration at the Land Titles Office; *9P93*
- (77) **plus 15 bridge** or **+15 bridge** means that portion of a +15 system located outside of the setback lines of a site over a right-of-way, other than a lane, or over a loading dock or vehicular area; *11P84*
- (77.1) **plus 15 lane link** or **+15 lane link** means that portion of a +15 system located over a lane outside of the property lines of a site; *11P84*
- (77.2) **plus 15 system** or **+15 system** means an above-grade public pedestrian circulation system that includes +15 walkways, +15 bridges, +15 lane links, and connecting stairs from grade; *11P84*
- (77.3) **plus 15 walkway** or **+15 walkway** means that portion of a +15 system located within the setback lines of a site; *11P84*
- (78) **plus 30** or **+30** means a pedestrian system having a minimum of 9.2 metres clearance over any right-of-way, lane, loading dock or any other vehicular area or 4.2 metres above the +15 level, whichever is the greater;
- (78.1) **porch** means an unenclosed, covered, structure forming an entry to a building; *7P94*
- (78.2) **Power Generation Facility** means a Large-scale, Mid-scale or Small-scale Power Generation Facility; *25P2001*
- (78.3) **Power Generation Facility, Large-scale** means a power generation system designed for the purpose of generating electrical power, with a total generating capacity of 12.5 megawatts or more; *25P2001*
- (78.4) **Power Generation Facility, Mid-scale** means a power generation system designed for the purpose of generating electrical power with a total generating capacity between one megawatt and 12.5 megawatts; *25P2001*
- (78.5) **Power Generation Facility, Small-scale** means a power generation system designed for the purpose of generating electrical power with a total generation capacity of one megawatt or less; *25P2001*
- (79) **primary access** means the principal means of vehicular entry to and exit from a site or building;
- (80) **principal building** means a building that accommodates the principal use of a site, and may accommodate one or more accessory uses; *14P80*
- (81) **principal use** means the main purpose for which a building or site is used;
- (82) **private club or organization** means a social or service organization which may include athletic or recreational facilities;
- (83) **property line** means a legal boundary of an area of land;
- (84) **public or quasi-public building** means a building which is available to the public for the purpose of assembly, instruction, culture or community activity, including but not limited to, a church, a library, a museum, an art gallery and the recreational, social, or educational activities of a public group or organization; *7P90*
- (84.1) **public group or organization** means a group or organization within residential communities providing recreational, social, or educational programs for the benefit of youths or seniors, including but not limited to, such groups as the Girl Guides, Boy Scouts, Cadets, youth clubs and senior citizen groups but does not include a private club or organization; *7P90*

- (85) **public thoroughfare** means any public bridge or registered public lane, walkway, service road or street, including but not limited to a collector street, primary collector street, major street, expressway or freeway; 11P94
- (86) **recreational vehicle** means a portable structure designed and built to be carried on a vehicle, or a unit designed and built to be transported on its own wheels to provide temporary living accommodation for travel and recreational purposes and includes such vehicles as a motor home, a camper, a travel trailer, a tent trailer and a boat but does not include a mobile home;
- (86.1) **required** means the standard as defined by this Bylaw or as defined in an approved Development Permit; 11P94
- (86.2) **residential district** means any of the following land use districts: RR-1, R-1, RS-1, RS-2, R-1A, R-2, R-2A, R-MH, RM-1, RM-2, RM-3, RM-4, RM-5, RM-6, RM-7 or a DC, Direct Control District allowing primarily residential uses; 4P98
- (87) *deleted* 1P86, 4P98, 10P2004
- (87.01) **restaurant-food service only** means an establishment for the preparation and sale of food for consumption on the premises but is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission, and may also include take-out food service and entertainment as accessory uses; 4P98
- (87.1) **Restricted Parking Area** means the area as identified on Map 1, Boundaries of the Downtown Parking Area in Section 18(1.1); 11P94
- (87.2) **restaurant-licensed** means an establishment for the preparation and sale of food for consumption on the premises which is only licensed, by the Alberta Gaming and Liquor Commission, for the sale of liquor for consumption on the premises under license which does not prohibit minors from being on the licensed premises, at any time, and which may also include take-out food service and entertainment as accessory uses; 10P2004
- (88) **retail food store** means the use of a building or a portion thereof with a gross floor area in excess of 465 square metres, for the sale of foodstuffs for consumption off-premises and includes a supermarket, but does not include a grocery store;
- (89) **retail store** means the use of a building or a portion thereof for the sale or display of merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment, but does not include a grocery store or a retail food store;
- (89.1) **retaining wall** means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials; 7P94
- (90) **school, commercial** means a place of instruction operated for profit but does not include a public, separate or private school;
- (91) **school, private** means a school, other than a school operated by a School Board under the School Act, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education. 7P90
- (92) **school, public or separate** means a place of instruction operated with public funds pursuant to The School Act;
- (92.1) **school purposes** means those non-instructional uses that a School Board engages in as part of their responsibilities under the School Act; 7P90
- (93) **screening** means the total or partial concealment of a building, structure or activity by a fence, wall, berm or soft landscaping;
- (94) **semi-detached dwelling** means a single building designed and built to contain two side-by-side dwelling units, separated from each other by a party-wall extending from foundation to roof;

- (95) *deleted* 20P97
- (96) **setback, bylawed** means the distance set out for designated public thoroughfares as contained in Section 17, Right-of-Way Property Line Setbacks; 11P94
- (97) **shopping centre** means a group of commercial uses being primarily retail and personal service establishments on a minimum of one acre, with a shared on-site parking area and 5P83, 11P94
- (a) **regional shopping centre** means a shopping centre which provides a wide variety of goods and services on a city-wide scale and may include office and other non-commercial uses; 5P83
- (b) **sector (community) shopping centre** means a shopping centre which provides a wide variety of goods and services to an area beyond the immediate neighbourhoods and may include office and other non-commercial uses; 5P83
- (c) **neighbourhood shopping centre** means a shopping centre which provides commercial uses to meet the frequent needs of the immediate neighbourhoods; 5P83
- (98) **single-detached dwelling** means a single residential building containing one dwelling unit only but does not include a mobile home;
- (99) **site** means an area of land on which a building or use exists or for which an application for a development permit is made;
- (100) **site area** has the same meaning as gross site area; 11P84
- (101) **site, corner** means a site at the intersection or junction of two or more streets;
- (101.1) **site, interior** means a site that is not a corner site; 18P82, 11P84
- (101.1a) **skateboard ramp** means a structure, which is used to provide a surface upon which an individual may use or operate a skateboard, bicycle, roller skates or other similar devices; 17P86
- (101.2) **small lot development area** means an area that is comprehensively designed for low density residential development on small lots and is subject to a set of approved development design guidelines that comply with the requirements of the RS-1 and RS-2 Districts; 11P84
- (102) **special care facility** means a building or portion thereof which provides for the care or rehabilitation of one or more individuals in the case of a half-way house or five or more individuals in all other cases, with or without the provision of overnight accommodation, and includes nursing homes, geriatric centres and group homes but does not include hostels and child care facilities; 1P81, 14P94, 20P97
- (102.1) **Special function – class 1** means a use where temporary structures are erected on a site
- (a) that allow for a educational, recreational, sporting, social, or worship event that includes, but is not limited to a wedding, circus, birthday, trade show and ceremony, or
- (b) that allow an existing approved use to expand within the site that includes, but is not limited to a grand opening, customer appreciation event, staff appreciation event and sale, and
- (c) that may allow for the provision of entertainment or the sale and consumption of liquor but does not include a special function – class 2; 6P2003, 10P2004, 4P2012
- (102.2) **Special function – class 2** means a use where temporary structures are erected on a site which operate as a
- (a) drinking establishment,
- (b) entertainment establishment, or
- (c) restaurant-licensed; 6P2003, 4P2012

- (103) **stacked townhouse** means a single building comprised of five or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another, and each dwelling unit has a separate, direct entrance from grade or a landscaped area;
- (104) **storage area** means the area of a building or site set aside for the storage of products, goods or equipment;
- (105) **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;
- (106) **storey, first** means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade;
- (107) **street** means any registered public roadway, including the boulevards, sidewalks and improvements therein, excluding a lane, bridge or walkway; *11P94*
- (108) **street, collector** means an undivided roadway which serves secondary traffic generators and traffic within a community, with traffic signals at major intersections, direct access permitted to adjacent properties except at major intersections and distinguished from a primary collector street only by its lower design volume;
- (109) **street line** means a lateral boundary of a street right-of-way;
- (110) **street, local** means a discontinuous undivided roadway designed to permit low speed travel within a neighbourhood and direct access to adjacent properties, with intersections at grade and traffic signs or signals provided at intersections with collector streets;
- (111) **street, major** means a roadway, generally divided and with at-grade intersections, designed to collect and distribute traffic to and from freeways and expressways to less important streets or to major traffic generators;
- (112) **street, primary collector** means a divided roadway designed to collect and distribute traffic from major streets to streets of a lesser standard and to serve secondary traffic generators and traffic within a community, with traffic signals at major intersections and direct access permitted to adjacent properties except at major intersections and distinguished from a collector by its higher design volume;
- (113) **structure** means any thing constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground and includes walls, light standards, fences and signs;
- (113.1) **take-out food service** means an establishment for the preparation and sale of food for consumption off the premises and may include a waiting area; *4P98*
- (114) *deleted* *11P94*
- (114.1) **tentative plan** means a subdivision plan approved by the Calgary Planning Commission for registration as a plan of subdivision, in whole or in part; *9P93*
- (115) **townhouse** means a single building comprised of three or more dwelling units separated one from another by party-walls extending from foundation to roof, with each dwelling unit have a separate, direct entrance from grade and includes all row, linked, patio, garden court or other housing which meet such criteria;
- (116) **triplex** means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area;
- (116.1) **undeveloped area** means, with reference to the Floodway and Floodplain Special Regulations, land vacant at July 22nd, 1985, or land that is used for any of the following: agricultural purposes, a pit or quarry, an athletic or recreational facility, automotive purposes, a special care facility, a hospital, a cemetery or crematorium, a radio or television transmitting station or industrial uses involving processing, manufacturing or outside storage; *5P85, 20P97*

- (117) **Utilities or utilities, public** means water treatment and distribution, irrigation and drainage, and waste water collection, treatment and disposal facilities, gas, electricity, public transportation, and cable, telephone and telecommunication transmission lines and related facilities and relevant appurtenances used to provide for public consumption, benefit, convenience or use, but does not include a Power Generation Facility or a Utility Building as defined in this Bylaw;
11P98, 25P2001
- (117.1) **Utility Building** means an above-ground enclosed building used as a part of a work or system to provide for the public consumption, benefit, convenience or use of any of the following:
- (a) irrigation and drainage;
 - (b) natural gas or other fuel used for heating;
 - (c) electric power;
 - (d) waste management;
 - (e) cable, telephone and telecommunications;
- 25P2001
- (118) **veterinary clinic** means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures;
- (119) **veterinary hospital** means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation and confinement in outdoor pens, runs and enclosures;
- (119.1) **walkout basement** means a basement in a building which has an exit door which exits directly from the basement on to an exterior grade which is substantially at the same level as the basement floor;
20P2005
- (120) **warehouse** means the use of a building or portion thereof for the storage and distribution of materials, goods or products, but does not include a warehouse store.
18P95
- (120.1) **warehouse store** means the use of a building for the retail sale of a limited range of bulky goods the size and nature of which typically require large floor areas for direct display to the purchaser, and include, but are not limited to, such bulky goods as furniture, carpets and floor coverings, major appliances, paints and wall coverings, light fixtures, plumbing fixtures and building materials and equipment, but does not include the sale of food, clothing, or other personal goods, wares, substances, articles or things.
18P95
- (121) **yard, front** means that area extending the full width of a site, from the front property line to any part of the front facade of the building, and its depth shall be measured at right angles to the front property line;
7P94
- (122) **yard, rear** means that area extending the full width of a site and from the rear property line of the site to the rear of the principal building, and its depth shall be measured at right angles to the rear lot line;
17P99
- (123) **yard, side** means that portion of the site extending from the front yard to the rear yard and between the side property line of the site and the closest side of the principal building, and its width shall be measured at right angles to the side property line.



5. REFERENCED LEGISLATION

In this Bylaw,

- (1) **Building Permit Bylaw** means the City of Calgary Building Permit Bylaw 53M84 as amended or any Bylaw substituted therefor; *8P90*
- (2) **Calgary International Airport Vicinity Protection Area Regulation** means the Calgary International Airport Vicinity Protection Area Regulation, Alberta Regulation 318/79 as amended or any regulation substituted therefor; *8P90*
- (3) **Calgary International Airport Zoning Regulations** means the Zoning Regulations Respecting Calgary International Airport, pursuant to Section 8 of the Aeronautics Act, Chapter A2, Revised Statutes of Canada, 1985, as amended or any regulation substituted therefor; *8P90*
- (4) **Clean Air Act** means The Clean Air Act, Revised Statutes of Alberta, 1980, Chapter C12, and any amendments thereto or any act substituted therefor; *8P90*
- (5) **Controlled Streets Bylaw** means the City of Calgary Bylaw to Designate Certain Streets of the City as Controlled Streets 12M80 as amended or any Bylaw substituted therefor; *8P90*
- (6) **Development Control Bylaw** means the City of Calgary Development Control Bylaw (Bylaw 8600), the Rules Respecting the Use of Land, the Land Use Classification Guide and a Schedule of Permitted Land Uses and the Land Use Classification Maps, and the resolutions thereunder and any amendments thereto;
- (7) **Electrical Protection Act** means The Electrical Protection Act, Revised Statutes of Alberta, 1980, Chapter E-6, and any amendments thereto or any act substituted therefor; *8P90*
- (8) **Fire Prevention Bylaw** means the City of Calgary Fire Prevention Bylaw 7342 as amended or any Bylaw substituted therefor;
- (9) **License Bylaw** means the City of Calgary License Bylaw 32M88 as amended or any Bylaw substituted therefor; *8P90*
- (9.1) **Municipal Government Act** means the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, and any amendments thereto or any act substituted therefor; *11P98*
- (10) **Municipal Planning Commission Bylaw** means the City of Calgary Bylaw to Establish a Municipal Planning Commission 60/78 as amended or any Bylaw substituted therefor;
- (11) *deleted* *12P82, 8P90, 11P98*
- (11.1) **Provincial Offences Procedures Act** means the Provincial Offences Procedures Act, Statutes of Alberta, 1988, Chapter P-21.5, and any amendments thereto or any act substituted therefor; *21P98*
- (12) **School Act** means The School Act, Revised Statutes of Alberta, 1980, Chapter S-3, and any amendments thereto or any act substituted therefor; *8P90*
- (13) *deleted* *8P90, 20P97*
- (14) *deleted* *8P90, 21P98*
- (15) **Waste Bylaw** means the City of Calgary Waste Bylaw 13M82 as amended or any Bylaw substituted therefor. *8P90*



DIVISION 2:
**GENERAL OPERATIVE CLAUSES AND
ADMINISTRATIVE PROCEDURES**

6. GENERAL OPERATIVE CLAUSES

(1) LAND USE MAPS

(a) This Part applies only to the shaded portion of the Land Use Maps referenced in Section 4 of Part 1, including any area denoted with a Direct Control Bylaw number.

(b) (i) In the case of dispute over any portion of the boundary of any land use district as shown on the Land Use Maps, its location shall be determined by the following rules:

Rule 1 - Where a district boundary is shown as following a public thoroughfare, it shall be deemed to follow the centre line. *11P94*

Rule 2 - A land use district boundary shall be deemed to be the same as a site boundary in as much as both boundaries coincide.

Rule 3 - Where neither Rule 1 or Rule 2 apply, the location of the district boundaries shall be determined by measurement.

(ii) Where, despite the application of the rules in Section 6(1)(c)(i), the land use district boundary is still in dispute, its location shall be determined by Planning Commission provided that only a minor boundary adjustment is required.

(iii) Where Planning Commission has determined any part of a land use district boundary, no further adjustment to it shall be made except by amendment to this Bylaw.

(iv) The owners of all property, whose boundaries are affected by a boundary adjustment dispute, shall be notified of the decision in writing.

(2) APPENDIX - SIGN REGULATIONS

The Appendix is part of this Bylaw and is to be interpreted with reference thereto.

(3) SECTIONS FOUND INVALID

If one or more provisions of this Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.

(4) NON-CONFORMITY THROUGH METRICATION

No existing building, structure or lot shall be deemed a non-conforming building because of non-compliance with a metric equivalent used in this Bylaw where it conformed to the imperial measurement used in the Development Control Bylaw at the date of its repeal.

(5) MATHEMATICAL ROUNDING OF MEASUREMENTS

For the purposes of confirming compliance with this Bylaw with respect to the placement of buildings on a site and building projection over yards, measurements of existing buildings shall be rounded off to the same number of significant figures as set out in this Bylaw. *16P94, 13P96*

7. LAND USE DESIGNATIONS

For each of the land use districts provided for in this Part, except for districts designated DC Direct Control District, there is a list of

- (1) permitted uses, or
- (2) discretionary uses, or
- (3) both permitted and discretionary uses.

8. DEVELOPMENT PERMITS

(1) DEVELOPMENTS REQUIRING A DEVELOPMENT PERMIT

Except as otherwise provided in Section 8(2), a development permit application must be approved and the development permit must be released and subsisting before development can commence or continue. *21P98*

(2) DEVELOPMENTS NOT REQUIRING A DEVELOPMENT PERMIT

It shall not be necessary to obtain a development permit prior to commencement of any of the following types of development, provided that such a development complies with all applicable provisions of the Bylaw and is not subject to the Airport Vicinity Special Regulations set out in Section 19 or located in the floodway: *13P96, 23P96*

- (a) the use of all or a part of a building as a temporary polling station, returning officers' headquarters, revising officers' headquarters, candidates' campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;
- (b) the following projects carried on by or on behalf of the municipality or a corporation owned or controlled by the municipality: *25P2001*
 - roads, traffic management projects, interchanges, Light Rail Transit installations and facilities, vehicular and pedestrian bridges (which are not part of the downtown +15 and +30 walkway systems), water, gas, telephone and power utility installations, substations and pumping stations, water reservoirs, storm and sanitary sewer installations, street furniture, public tennis courts, work depots, major parks and landscaping projects;
 - (b.1) Utilities installed or constructed within a public thoroughfare or a utility right-of-way; *25P2001*
 - (b.2) A Utility Building with a gross floor area less than 10 square metres; *25P2001*
 - (b.3) A Power Generation Facility designed for the purpose of providing electrical power for emergency or back-up purposes with a generation capacity of less than 20 kilowatts; *25P2001*
 - (b.4) A Power Generation Facility required in order to comply with the emergency power provisions of the Alberta Building Code; *25P2001*
 - (c) 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;
 - (d) the construction of, or external addition to, a single-detached, semi-detached or duplex dwelling except where such dwelling is a discretionary use; *5P85, 23P96*

- (d.1) a minor dwelling addition to a single-detached, semi-detached or duplex dwelling located in the Established Communities (except for the Excluded Communities) provided the addition complies with the rules of Section 20.1; *30P94*
- (d.2) the construction of a patio, balcony, landing or deck except where the deck is located in an Established Community on a lot having a width less than 9.14 metres; *7P94, 23P96*
- (d.3) an external addition to a single-detached, semi-detached or duplex dwelling located in the Established Communities on a site which is designated R-2A, provided the rules of Section 24(5)(e) are complied with; *30P94*
- (d.4) an external addition, to a single-detached, semi-detached or duplex dwelling located in the Excluded Communities provided the rules of Section 22(5)(b), 22.2(5)(b), and 23(5)(d) are complied with. *30P94*
- (e) the construction of an accessory building in a residential land use district; *5P85, 23P96*
- (f) residential buildings: internal alterations, external maintenance, including roof repair, mechanical and electrical work, provided the use of the building and the number of dwelling units within the building or on the site does not increase; *13P96*
- (g) commercial or industrial buildings: internal alterations, external maintenance, including roof repair, mechanical and electrical work, provided the use or intensity of use of the building does not change; *19P82, 13P96*
- (h) the erection of any fence, wall or gate;
- (i) the excavation of land or stripping of soil provided
 - (i) that the area concerned is less than 1000 square metres, or
 - (ii) that the stripping or excavation is part of a development for which a development permit has been issued, or
 - (iii) that the applicant has already signed a development agreement with the City for the area concerned;
- (j) 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;
- (k) a sign that is exempt from the requirement for a development permit by the provisions of the Appendix;
- (l) the relocation of a single-detached dwelling or residential garage provided that the site on which it is to be relocated is in a land use district that allows that use;
- (m) a satellite dish antenna *15P83, 19P95*
 - (i) less than 1 metre in diameter unless located *15P83, 19P95*
 - (A) on a site in a residential district either in a front yard or side yard abutting a street; *15P83, 19P95*
 - (ii) 1 metre or greater in diameter unless located *15P83, 19P95*
 - (A) on a site in a residential district either in a front or side yard abutting a street or where any part of the antenna is more than 3 metres above grade level; *15P83, 19P95*

- (B) on a site in a commercial district either in a front or side yard abutting a street or where any part of the antenna is less than 12 metres above grade;
15P83, 19P95
 - (n) an outdoor in-ground or above-ground private swimming pool *14P86*
 - (i) located in a side or rear yard; *14P86*
 - (ii) having a total area not exceeding 15% of the site area; *14P86*
 - (iii) that does not have any part of the above grade component, including a deck, walkway, supporting member, heater or mechanical equipment, located within 1.2 metres of any side or rear property line; *14P86*
 - (o) a home occupation - Class 1; *21P95*
 - (p) the use of all or part of a building as a temporary motion picture production facility for a period not exceeding one year, where such use is a permitted or discretionary use. *18P96*
 - (q) temporary structures
 - (i) affiliated with a City approved street festival, and
 - (ii) granted a permit through the Parks and Pathways Bylaw; *6P2003, 4P2012*
 - (r) a special function – class 1; *6P2003, 4P2012*
 - (s) a special function – class 2 provided
 - (i) it is located on the site for 3 consecutive days or less, excluding the time used to erect and dismantle the temporary structures;
 - (ii) the cumulative area of covered temporary structures is less than or equal to 300.0 square metres; and
 - (iii) where located on the same site as a:
 - (A) drinking establishment,
 - (B) entertainment establishment, or
 - (C) restaurants-licensed; *6P2003, 4P2012*
- (2.1)** Notwithstanding Section 8(2), it shall not be necessary to obtain a development permit for a change of use within an existing building in any commercial or industrial district where: *18P81, 11P94*
- (a) the requirements of the development permit for the existing building have been fulfilled to the satisfaction of the Approving Authority, and *18P81, 11P94*
 - (b) the change of use is from a permitted or discretionary use to a permitted use in the district designation applicable to the site, and *18P81*
 - (c) the change is to a use where the number of required parking stalls is no greater than that of the use it is replacing, or *18P81, 11P94*
 - (d) the change is to a use where the number of required parking stalls is greater than was required for the use it is replacing and the additional parking stalls are provided on site. *18P81, 11P94*

(3) COMPLIANCE WITH OTHER LEGISLATION

Compliance with the requirements of this Bylaw does not exempt any person from

- (a) the requirements of any federal, provincial or municipal legislation;
- (b) complying with any easement, covenant, agreement or contract affecting the development.

9. APPROVING AUTHORITIES - DUTIES AND RESPONSIBILITIES

(1) DEVELOPMENT OFFICER

A Development Officer

8P90, 27P95

- (a) shall administer this Bylaw and decide upon all development permit applications including those for sites designated DC Direct Control District unless the application is referred to Planning Commission pursuant to Section (9)(1)(e);
- (b) shall keep and maintain for the inspection of the public during office hours a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at a reasonable charge;
- (c) shall make available for inspection by the public during office hours a register of all applications for development permits and the decisions made thereon;
- (d) shall collect fees according to a scale to be established by resolution of Council:
- (e)
 - (i) may refer with his report to Planning Commission for its consideration and decision any development permit application for a discretionary use or for land designated DC Direct Control District, and
 - (ii) shall refer with his report to Planning Commission for its consideration and decision such matters as Planning Commission directs.

(2) PLANNING COMMISSION

Planning Commission is hereby authorized to decide upon all development permit applications referred to it by a Development Officer including development permit applications for lands designated DC Direct Control District.



DIVISION 3:
**THE DEVELOPMENT APPLICATION
AND APPEAL PROCESS**

10. APPLYING FOR A DEVELOPMENT PERMIT

(0.1) METHOD OF APPLICATION

7P94

- (a) Any owner of a site or his authorized agent or other persons having legal or equitable interest in the site may apply to the General Manager, Development and Building Approvals for a Development Permit. *1M2000, 20P2001*

- (b) An application for a development permit shall be made on the application form provided and shall be accompanied by:
 - (i) a copy of the certificate of title for the lands affected, copies of any caveats registered by the City of Calgary or restrictive covenants and any other documents satisfactory to the General Manager, Development and Building Approvals verifying that the applicant has a legal interest in the site; *1M2000, 20P2001*

 - (ii) where the applicant is an agent acting for the owner, a letter from the owner must be provided verifying the agent's authority to make the application; and

 - (iii) a fee according to a scale established by resolution of Council.

(0.2) TYPES OF DEVELOPMENT PERMITS

11P98

The types of development permits that an Approving Authority may issue include a development permit for a permitted use and a development permit for a discretionary use.

(1) PLANS AND INFORMATION REQUIRED

- (a) Except in the case of a sign where the application requirements are set out in the Appendix, every application for a development permit **SHALL** be accompanied by the following:
 - (i) copies of a site plan showing the following information:
 - (A) north arrow,
 - (B) scale of plan,
 - (C) legal description of property,
 - (D) municipal address,
 - (E) property lines, shown and labelled,
 - (F) bylawed property line setbacks, shown and labelled,
 - (G) location of sidewalks and curbs,
 - (H) side yard requirements, shown and labelled,
 - (I) site topography and special conditions,

- (J) location and size of existing trees and buildings,
- (K) location of any buildings, dimensioned to property lines, and any structures including utility poles,
- (L) retaining walls, trees, landscaping and other physical features both existing and proposed on the site and adjoining boulevards,
- (M) dimensioned layout of existing and proposed parking areas, entrances and exits, and public thoroughfares, shown and labelled, 11P94
- (N) all easements, shown and labelled,
- (O) outline to scale of adjacent buildings on adjoining sites, indicating building height, yard dimensions, the use of the building and any windows overlooking the new proposal,
- (P) fencing, screening, garbage and storage areas, and
- (Q) geodetic elevation points; 33P94
- (ii) plans showing the elevations, floor plan and a perspective of the proposed development, including a description of the exterior finishing materials;
- (iii) landscaping plans based on the site plan showing
 - (A) the existing topography with the vegetation that is to be retained and that to be removed clearly identified,
 - (B) the layout of soft and hard landscaping, pedestrian circulation and open space systems, screening, berms, slopes and retaining walls, and
 - (C) the types, sizes and numbers of plant material and the types of hard landscaping;
- (iv) a vicinity map of appropriate scale, indicating the location of the proposed development in relation to nearby public thoroughfares and other significant physical features which may have a bearing on the proposed project; 11P94
- (v) *deleted* 7P94
- (vi) a map showing the designated land use of the project site and all properties within 90 metres of the boundaries of the total project site, at a scale of 1:5000;
- (vii) photographic prints showing the site in its existing state;
- (viii) photographic prints, slides or drawings which show, to the satisfaction of a Development Officer, by way of superimposition, overlays or otherwise
 - (A) how the form, mass and character of the proposed development will relate to neighbouring buildings, and
 - (B) how the design, materials and finish of the principal facades of the proposed development will relate to existing or planned facades of neighbouring buildings,

and in addition, a Development Officer MAY require

- (ix) copies of a plan of survey prepared by an Alberta Land Surveyor showing the site to be developed;

- (x) in the case of a mobile home park, a plan showing the proposed layout;
 - (xi) a detailed report showing, to the satisfaction of a Development Officer, the impact of additional traffic resulting from the proposed development;
 - (xii) a report showing the effect of wind and shadow produced by the proposed development;
 - (xiii) samples of exterior finishing materials;
 - (xiv) in the case of an application for an excavation, stripping or grading operation,
 - (A) a plan showing the location of the area of the operation relative to site boundaries and the depth of excavation or the quantity of topsoil to be removed,
 - (B) a description of the excavation, stripping or grading operation proposed,
 - (C) a detailed timing and phasing program covering the length of the proposed operation,
 - (D) a plan showing the final site conditions following completion of the operation and any land reclamation proposals where applicable, and
 - (E) a description of the measures to be taken for the prevention or lessening of dust and other nuisances during and after the operation;
 - (xv) such plans, photographs or other materials as a Development Officer may consider necessary to properly evaluate the proposed development.
- (b) When required for presentations to the Planning Commission, applicants shall submit high quality legible presentation materials (size 216 mm x 280 mm) 5 calendar days before the Planning Commission meeting illustrating *20P2001*
- (i) detailed coloured site plan,
 - (ii) detailed floor plan,
 - (iii) detailed coloured elevation plans,
 - (iv) detailed coloured landscaping plan as required by Section 10(1)(a)(iii), showing all landscaping materials and topography, and
 - (v) detailed coloured perspective.
- (c) All drawings required to be submitted shall be drawn on standard drafting material to a scale of not less than 1:100 or such lesser scale as a Development Officer may approve and shall be fully dimensioned, accurately figured, explicit and complete.

(2) NON-COMPLIANCE WITH INFORMATION REQUIREMENTS

A Development Officer may refuse to accept a development permit application where the information required by Section 10(1) has not been supplied or where, in his opinion, the quality of the material supplied is inadequate to properly evaluate the application.

(3) WAIVER OF INFORMATION REQUIREMENTS

The Approving Authority may deal with an application and make its decision without all of the information required by Section 10(1), if of the opinion that a decision on the application can be properly made without such information.

(4) NOTICE POSTING REQUIREMENT

Prior to an application being considered for a development permit for a discretionary use, which has the letters "N.P." against it in the use lists of any land use district, a Development Officer shall post in a conspicuous place, at least 7 days prior to making a decision on a development permit, a notice stating *7P94*

- (a) the proposed use of the building or site,
- (b) that an application respecting the proposed development will be considered by the Approving Authority, and
- (c) that any person who objects to the proposed development of the site may deliver to a Development Officer a written statement of their objection to the development setting out
 - (i) their full name and the address for service of any notice to be given to them in respect of the objection, and
 - (ii) the reason for their objection to the proposed development,

which statement must be received by a Development Officer not later than the day set out in the notice.

(5) RE-APPLICATION FOR A DEVELOPMENT PERMIT

Where an application for a development permit has been refused, a Development Officer may, at his discretion, refuse to accept another application for the same or a similar development on the same site until 6 months has passed from the date of the Approving Authority's decision, except that the Development Officer shall not accept another such application until 6 months has passed from the date of the Subdivision and Development Appeal Board refusal. *24P95*

(6) REVISION TO CONDITIONS

Development Permit conditions may be amended by application for a development permit. *13P96*

(7) DWELLING UNITS ON A LOT

11P98

Where a land use district allows for dwelling units, no more than one dwelling unit shall be developed on a lot except that

- (a) a duplex or a semi-detached dwelling may be developed on a lot if the proposed development conforms with the use and the rules prescribed for that lot,
- (b) an Approving Authority may approve a development permit that would allow the development of more than one dwelling unit on a lot if the proposed development conforms with the use prescribed for that lot and the additional dwelling unit or units;
 - (i) is contained in a building that, or in buildings each of which, is designed for, or divided into, two or more dwelling units,
 - (ii) is a mobile home forming part of a mobile home park, or
 - (iii) is contained in a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in the Land Titles Office under that Act;
- (c) an Approving Authority may approve an application for a development permit for more than one dwelling unit on a lot in accordance with Subsection 11(1)(a)(iii) or Subsection 11(2)(a)(iv);
- (d) for the purposes of Section 10(7) only, the term "lot" shall have the same meaning as "parcel of land" as defined in Part 17 of the Municipal Government Act. *11P98*

11. DECISION PROCESS

(1) PERMITTED USES

(a) A Development Officer's Discretion

- (i) A Development Officer shall approve an application for a development permit and may impose conditions pursuant to Section 11(1)(a.1) where *11P98*
 - (A) the proposed use of the site is included on the permitted use list of the land use district for which the site is designated, and
 - (B) the proposed development conforms in every respect to the provisions of this Bylaw appropriate to a permitted use for the land use district for which the site is designated.
- (ii) Subject to the provisions of Section 11(1)(a)(iii), a Development Officer shall refuse an application for a development permit if the proposed development does not meet the requirements of this Bylaw for the land use district for which the site is designated.
- (iii) A Development Officer may approve, with or without conditions pursuant to Section 11(1)(a.1), an application for a development permit for a permitted use notwithstanding that the proposed development does not meet the requirements of this Bylaw if, in the opinion of the Development Officer, *11P98*
 - (A) the proposed development would not
 - (I) unduly interfere with the amenities of the neighbourhood, or
 - (II) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
 - (B) the proposed development conforms with the use prescribed for that land or building in this Bylaw.

(a.1) Permitted Use Conditions

11P98

- (i) The Development Officer may, as a condition of issuing a development permit, require the applicant to construct or pay for the construction of:
 - (A) public utilities, other than telecommunications systems or works, and vehicular and pedestrian access, and
 - (B) repairs or reinstatement to original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site, to the satisfaction of the Development Officer.
- (ii) The Development Officer may, as a condition of issuing a development permit, require that an applicant 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 both;

- (C) to install or pay for the 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;
- (F) to give security to ensure that the terms of the agreement under this Section are carried out.

(b) Notification of the Decision

- (i) When an application for a development permit is approved in accordance with Section 11(1)(a)(i), a Development Officer shall forthwith sign the development permit as of the date of the decision and release it to the applicant.
- (ii) When an application for a development permit is approved in accordance with Section 11(1)(a)(iii), a Development Officer shall sign the development permit but shall not, in any circumstance, release it to the applicant until 14 days after the publication of the notice referred to in Section 12. *24P95*
- (iii) When an application for a development permit is refused, the applicant shall forthwith be given written notification of the decision and the reasons for it.

(2) DISCRETIONARY USES

(a) The Approving Authority's Discretion

- (i) The Approving Authority may approve, either permanently or for a limited period of time, a development permit application which meets the requirements of this Bylaw, with or without such conditions as the Approving Authority may deem necessary, based on the merits of the application including any approved statutory plan or approved policy affecting the site.
- (ii) The Approving Authority may refuse a development permit application on its merits even though it meets the requirements of this Bylaw.
- (iii) The Approving Authority shall refuse a development permit application which does not meet the requirements of this Bylaw except as provided for in Section 11(2)(a)(iv).
- (iv) The Approving Authority may approve an application for a development permit for a discretionary use notwithstanding that the proposed development does not meet the requirements of this Bylaw if, in the opinion of the Approving Authority,
 - (A) the proposed development would not
 - (I) unduly interfere with the amenities of the neighbourhood, or

- (II) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
- (B) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (v) The Approving Authority may, without restricting the generality of the foregoing, as a condition of issuing a development permit, require that an applicant enter into an agreement with the City to do any or all of the following: *11P98*
 - (A) to construct or pay for the construction of a public thoroughfare required to give access to the development; *11P98*
 - (B) to construct or pay for the construction of *11P98*
 - (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 both;
 - (C) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development; *11P98*
 - (D) to construct or pay for the construction of *11P98*
 - (I) off-street or other parking facilities, and
 - (II) loading and unloading facilities;
 - (E) to pay an off-site levy or redevelopment levy; *11P98*
 - (F) to give security to ensure that the terms of the agreement under this section are carried out. *11P98*

(b) Certainty of Land Use Only (C.U.)

- (i) Where a discretionary use application is for a use also listed as permitted in the land use district for which the site is designated, the application shall not be refused by the Approving Authority on the grounds of use.
- (ii) Where an application is for a use listed as a discretionary use in the land use district for which the site is designated and is followed by the letters "C.U.", the application shall not be refused by the Approving Authority on the grounds of use
 - (A) if the proposed use conforms to an approved area redevelopment or area structure plan, or
 - (B) if the proposed use conforms to the design brief for
 - Hillhurst/Sunnyside 1977
 - Victoria Park East 1977
 - Bowmont 1978
 - Inglewood 1973
 - Crescent Heights/Regal Terrace 1980, or

- (C) where the Approving Authority is satisfied that the proposed use conforms to a design brief for the area approved by Council subsequent to April 1, 1972, or
- (D) if the site is designated CM-2 Central Business Commercial District, or *11P84, 7P94*
- (E) if the use is a single-detached dwelling, a semi-detached dwelling or a duplex dwelling and included in the discretionary use listing in an RR-1 Restricted Residential Single-Detached District, R-1 Residential Single-Detached District, R-1A Residential Narrow Lot Single-Detached District, RS-1 and RS-2 Residential Small Lot Districts, R-2 Residential Low Density District, or R-2A Residential Low Density District. *7P94*

(c) Notification of the Decision

- (i) When a development permit application is approved, a Development Officer shall sign the development permit as of the date of the decision but shall not, in any circumstance, release the permit to the applicant before the 14-day advertising period referred to in Section 12(1)(b) has expired.
- (ii) When a development permit application is refused, the applicant shall forthwith be given written notification of the decision and the reasons for it.

(3) DIRECT CONTROL DISTRICTS

- (a) Except as provided for in Section 11(3)(b), where a site is designated DC Direct Control District, the Approving Authority’s discretion shall be deemed to be as set out in Section 11(2) as if the rules, guidelines and conditions imposed on the site were “requirements of this Bylaw”.
- (b) Where a DC site has been designated DC Direct Control for a specific use subsequent to April 1975, an application for a development permit shall not be refused on the grounds of use.

(4) COMMENCEMENT OF CONSTRUCTION

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.

(5) SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT *11P98*

If following the issuance of a development permit it is determined by a Development Officer that

- (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; or
- (d) the provisions or conditions of the permit have not been complied with,

the Development Officer may suspend or cancel the development permit and shall give written notification of such suspension or cancellation to the applicant.

(6) TERM OF A DEVELOPMENT PERMIT *11P98*

Except where approved for a limited period of time, a development permit remains in effect unless the development permit is suspended or cancelled or development has not commenced in accordance with Section 13. *11P98*

12. APPEALING A DECISION

(1) NOTICE OF DECISIONS AND APPEALS

24P95

- (a) The procedures for appealing decisions in regard to development permits are set out in the Municipal Government Act.
24P95
- (b) Immediately after approving a development permit application for a discretionary use or for a permitted use where a Development Officer has exercised discretion in accordance with Section 11(1)(a)(iii), the Development Officer shall publish in a local newspaper, on any day other than a Saturday, Sunday or statutory holiday, a notice stating the location of the property for which the application has been approved and the use to be made of the land.
24P95
- (c) Publication of the notice referred to in Section 12(1)(b) shall be the notice referred to in Section 686(1)(b) of the Municipal Government Act.
24P95
- (d) In the event that a development permit application refused by the Approving Authority is on appeal approved by the Subdivision and Development Appeal Board, the subsequent approval of the development permit by a Development Officer, as required in Section 12(2)(d), shall not require further advertising pursuant to Section 12(1).
8P90, 24P95

(2) THE APPEAL PROCESS

- (a) The Manager of the Subdivision and Development Appeal Board shall ensure that
24P95, 20P2001
 - (i) a notice of the hearing is published in a local newspaper at least 5 days prior to the date of the hearing, and
 - (ii) the applicant, appellant and all persons who, in the opinion of the Board, are affected are given 5 days written notice of the date of the hearing.
- (b) When a notice of appeal has been served on the Manager of the Subdivision and Development Appeal Board with respect to a decision of the Approving Authority to approve a development permit application, the development permit shall not be released before
24P95, 20P001
 - (i) the decision of the Approving Authority has been sustained by the Subdivision and Development Appeal Board, or
24P95
 - (ii) the Manager of the Subdivision and Development Appeal Board has received written notification from the appellant that the appeal has been abandoned.
24P95, 20P2001
- (c) If the decision of the Approving Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the development permit shall be null and void.
24P95
- (d) If the decision of the Approving Authority to refuse a development permit application is reversed by the Subdivision and Development Appeal Board, a Development Officer shall forthwith approve the development permit application in accordance with the decision of the Subdivision and Development Appeal Board.
24P95
- (e) If the decision of the Approving Authority to approve a development permit application is varied by the Subdivision and Development Appeal Board, a Development Officer shall forthwith approve the development permit application in accordance with the terms of the decision of the Subdivision and Development Appeal Board.
24P95

13. COMMENCEMENT OF DEVELOPMENT

- (1) Where a development permit application is for a change of use or a change of intensity of use or both, development shall commence within one year of the date of approval of the development permit. *21P83*
- (2) Where a development permit application is for construction, or for construction combined with either a change of use or a change of intensity of use or both, development shall, subject to Section 18(1.1)(b.1), commence within; *30P94, 2P99, 25P2005*
 - (a) one year of the date of approval of the development permit on sites designated RR-1, R-1, RS-1, RS-2, R-2, R-2A, R-MH, RM-1, RM-2, A, UR or UNR,
 - (b) three years of the date of approval of the development permit on sites designated CM-1 or CM-2 *8P90*
 - (c) three years of the date of approval of the development permit, unless otherwise determined by Council, on sites designated DC Direct Control, and
 - (d) two years of the date of approval of the development permit on sites designated by any district not specified in Sections 13(2)(a), (b) and (c). *21P83*
- (2.1) *deleted* *30P94, 5P96, 2P97, 2P99*
- (3) Where development has not commenced in accordance with Sections 13(1), 13(2) or 18(1.1)(b.1) the development permit lapses unless the commencement period has been extended pursuant to Section 44(8) of Part 2. *21P83, 30P94, 2P99, 25P2005, 31P2009*
- (4) For the purposes of this Section, the term “date of approval of the development permit” means the date upon which the Approving Authority approves the permit or, in the case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a decision. *17P99*

DIVISION 4:
AMENDING THE BY-LAW

14. AMENDING THE BY-LAW

(1) METHOD OF APPLICATION

- (a) All amendments to this Part or that portion of the Land Use Maps governed by this Part, shall be made by an amending bylaw following a public hearing in accordance with Section 14(6).
- (b) Any owner of a site or his authorized agent or other persons having a legal or equitable interest in the site may, in accordance with Section 14(2), apply in writing to the General Manager, Development and Building Approvals to have the land use designation of the site amended. *8P90, 20P2001*
- (c) The City may initiate amendments to this Bylaw which shall be advertised in accordance with Section 14(5)(d).

(2) PLANS AND INFORMATION REQUIRED

- (a) All applications for amendments to this Part or that portion of the Land Use Maps governed by this Part pursuant to Section 14(1)(b) shall be made to the General Manager, Development and Building Approvals on the application form provided and shall be accompanied by the following: *8P90, 1M2000, 20P2001*
 - (i) a copy of the certificate of title for the lands affected, copies of any caveats registered by the City of Calgary or restrictive covenants and any other documents satisfactory to the General Manager, Development and Building Approvals verifying that the applicant has a legal interest in the land for at least the period of time necessary to process the application to a public hearing; *8P90, 1M2000, 20P2001*
 - (ii) a statement of the reasons for the request to amend the Bylaw;
 - (iii) properly dimensioned vicinity maps of appropriate scale indicating the site to be amended, its relationship to existing land uses within a 90 metre radius of the boundaries of the site and any prominent geographical or natural features;
 - (iv) a fee, according to a scale to be established by resolution of Council, which shall include the cost of advertising for the public hearing;
 - (v) where the applicant is an agent acting for the owner, a letter from the owner must be provided verifying the agent's authority to make the application;
- (b) If the application is a request to redesignate land to a DC Direct Control District, the General Manager, Development and Building Approvals shall require additional information including the following: *8P90, 1M2000, 20P2001*
 - (i) a statement explaining why special development guidelines are necessary and why the same results could not be achieved through the application of any other land use district of this Bylaw;
 - (ii) the guidelines that the applicant proposes should be applied to the site which must at least cover use, density, height, parking area, access, amenity space and landscaped area; *11P94*
 - (iii) conceptual plans showing how the guidelines referred to in Section 14(2)(b)(ii) will achieve the proposed development.

- (c) In addition to the requirements of Section 14(2)(a) and (b), the General Manager, Development and Building Approvals may request such additional information as he feels necessary to properly evaluate and make a recommendation on the application.
8P90, 1M2000, 20P2001

(3) NON-COMPLIANCE WITH INFORMATION REQUIREMENTS

The General Manager, Development and Building Approvals may refuse to accept an application to amend this Part or portion of the Land Use Maps governed by this Part if the information required by Section 14(2) has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.
8P90, 1M2000, 20P2001

(4) WAIVER OF INFORMATION REQUIREMENTS

Planning Commission or Council may deal with an application and make a decision thereon without all the information required by Section 14(2) if of the opinion that a decision on the application can be properly made without such information.

(5) THE APPLICATION REVIEW PROCESS

- (a) On receipt of an application for an amendment to this Part or portion of the Land Use Maps governing this Part, the General Manager, Development and Building Approvals shall process the application and subsequently make a recommendation on it to Planning Commission.
8P90, 1M2000, 20P2001
- (b) The decision of Planning Commission shall be communicated to the applicant forthwith who shall decide whether or not he wishes to pursue his application through to a public hearing before City Council.
- (c) Should the applicant decide not to pursue the application to City Council, the application will be abandoned and the advertising component of the fees will be refunded.
- (d) Should the applicant decide to proceed, the General Manager, Development and Building Approvals shall forthwith cause to be published in a daily newspaper circulating in the City, a notice of the application identifying the properties concerned, and stating
8P90, 1M2000, 20P2001
 - (i) the purpose of the proposed amending bylaw,
 - (ii) the one or more places where a copy of the proposed amending bylaw may be inspected by the public during reasonable hours,
 - (iii) the one or more dates, places and times that Council will hold a public hearing on the proposed amending bylaw, which shall not be less than 21 calendar days from the date that the notice first appeared in the newspaper,
 - (iv) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing, and
 - (v) an outline of the procedures by which the public hearing will be conducted. *16P87*
- (e) When the City is applying to redesignate land which it does not own, Council shall also, prior to the consideration of the application by Planning Commission, give written notice to the owners of the land that is the subject of the proposed amendment summarizing its effects.

(6) THE PUBLIC HEARING

Council shall hold the public hearing referred to in Section 14(1)(a), at the time and place stated in the notice, at which it shall hear

- (a) the applicant or a person acting for the applicant,
- (b) any person who claims to be affected by the proposed amending bylaw,
- (c) the Secretary of Planning Commission or other City officials, or any of them, and
- (d) any other person that Council agrees to hear.

(7) RE-APPLICATION

Where an application for amendment to this Part or portion of the Land Use Maps governing this Part, has been refused by Council or withdrawn by the applicant after advertisement of the proposed amending bylaw, another application for amendment on the same site for the same or similar use of land shall not be made by the same or any other applicant until

- (a) at least 6 months from the date of Council's decision, or
- (b) from the date that the applicant's letter of withdrawal is received by the General Manager, Development and Building Approvals. *8P90, 20P2001*



DIVISION 5: ENFORCING THE BYLAW

15. DEVELOPMENT COMPLETION PERMIT

- (1) Before a use is commenced or a building occupied for which a development permit was required an applicant shall obtain a development completion permit. *7P94*
- (2) Application for a development completion permit shall be made on the prescribed form, shall list as completed all the conditions of approval of the development permit, and shall be accompanied by two copies of a survey certificate.
- (3) Where a Development Officer is satisfied that all the requirements and conditions of the development permit have been met, he shall issue a development completion permit.
- (4) Where a Development Officer is not satisfied that the requirements and conditions of the development permit have been met, he may require, as a condition precedent to the issuance of a development completion permit, the delivery of a letter of credit or similar acceptable security in an amount and in a form that is satisfactory to him to ensure fulfilment of the outstanding requirements of the development permit. *7P94*
- (5) The development completion permit shall be retained on the premises in a legible condition for a period of 1 year from the date of issuance.

16. OFFENCES AND PENALTIES

- (1) No person shall
 - (a) fail to comply with a development permit or conditions forming part thereof, or *21P98*
 - (b) make use of land in a manner contrary to the provisions of this Bylaw.
- (2) A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment. *11P98*
- (3) Where a Development Officer reasonably believes that a person has contravened any provision of this Bylaw, the Development Officer may, in addition to any other remedy at law, serve upon the person a violation ticket, in the form provided under the Provincial Offences Procedures Act, allowing payment of the specified penalty as provided in Table 16(A) of this Bylaw for the particular offence, and the recording of such payment by the Provincial Court of Alberta shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty. *21P98*
- (4) The minimum fine that may be imposed for a contravention of a particular section of this Bylaw shall be the specified penalty applicable for a first offence against the particular section, as set out in column one of Table 16(A). *21P98*
- (5) Where a person is convicted of a “second” or “third or subsequent” offence against a particular section of this Bylaw, and where those offences have occurred within a 12-month period subsequent to the occurrence of the initial offence against that section of this Bylaw, the specified penalties applicable to the “second” or “third or subsequent” offences shall be those amounts set out in columns two and three, respectively, of Table 16(A). *21P98*

Table 16(A) - SPECIFIED PENALTIES PAYABLE IN RESPECT OF PART 10

21P98

Offence	Specified Penalty (First) Offence	Specified Penalty (Second Offence)	Specified Penalty (Third or Subsequent Offence)
Displaying a Temporary Sign i) without a required development permit ii) in contravention of the Land Use Bylaw, or iii) in contravention of the conditions of an approved development permit	\$200.00	\$400.00	\$800.00

(6) This section shall not prevent any Development 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. 21P98

(7) A Development Officer 21P98

- (a) where he believes that a temporary sign is not authorized pursuant to this Bylaw; and
- (b) where he is in possession of a valid and subsisting letter or other written authorization from the legal owner of the site, on which such sign is located, granting entry for such purposes;

may enter such site and remove and impound such sign without prior notice to any person.

(8) A Development Officer may destroy, without compensation to any party, any sign impounded pursuant to subsection 16(7) of this Bylaw 21P98

- (a) within 14 days of the receipt of notice by the owner from the City, where the ownership of such sign is clearly identified; or 21P98
- (b) where the ownership of such sign is not clearly identified, 14 days after the sign has been impounded unless such sign is claimed by its owner and payment is made in full for any impoundment or storage charges as authorized in Table 16(B) of this Bylaw. 21P98

TABLE 16(B) - IMPOUNDMENT AND STORAGE CHARGES

21P98

Item	Authorized Charge
Towing and impoundment of signs	\$75.00 per sign
Storage of signs: less than or equal to 1.5 m ²	\$3.00 per sign per day
Storage of signs: greater than 1.5 m ²	\$5.00 per sign per day

DIVISION 6:
**RIGHT-OF-WAY SETBACKS,
PARKING & LOADING, AIRPORT VICINITY AND FLOODWAY
AND FLOODPLAIN**

17. RIGHT-OF-WAY PROPERTY LINE SETBACKS

(1) THE BASIC RIGHT-OF-WAY (R.O.W.)

The Approving Authority shall not relax the basic right-of-way requirements contained in Table 1, Setback Table.

(2) SETBACKS FROM THE BASIC RIGHT-OF-WAY (R.O.W.)

(a) When considering an application for a site fronting on a street right-of-way described in Table 1, Setback Table, the Approving Authority shall require, in addition to any yard requirement, that the building be set back from the basic right-of-way by the distance shown in the Setback Table. This is to ensure that adequate space is available to accommodate both future public facilities and a satisfactory pedestrian right-of-way.

(b) The provisions of Section 17(2)(a) may be relaxed or modified in accordance with the provisions of Section II. *30P2001*

(3) CORNER CUT-OFFS

In addition to the setback requirements referred to in Section 17(2)(a), corner cut-offs may be required at certain intersections. Dimensions of the corner cut-offs will depend on individual circumstances.

(4) DENSITY TRANSFER

Where a portion of a site is given at no cost to the City for public thoroughfare purposes, the reduction in site area resulting therefrom may be included for density calculation purposes. *11P94*

**TABLE 1
SETBACK TABLE**

ON (Numbered Streets)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
1 STREET W.	RIVERFRONT AVENUE S.	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
1 STREET E.	RIVERFRONT AVENUE S.	3 AVENUE S.	25.299	27.433	2.134 WEST
1 STREET E.	3 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
2 STREET W.	RIVERFRONT AVENUE S.	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.	40 AVENUE N.	16 AVENUE N.	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 E.	3 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134 Each
4 STREET E.	6 AVENUE S.	9 AVENUE S.	20.117	24.385	2.134 Each
5 STREET W.	3 AVENUE S.	9 AVENUE S.	20.117	24.385	2.134 Each
5 STREET W.	10 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134 Each
<i>Deleted</i>	<i>Deleted</i>	<i>Deleted</i>	<i>Deleted</i>	<i>Deleted</i>	<i>Deleted</i> 17P2005
6 STREET W.	1 AVENUE S.	9 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.	9 AVENUE S.	20.117	24.385	2.134 Each
8 STREET W.	10 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
9 STREET W.	4 AVENUE S.	5 AVENUE S.	22.251	24.385	2.134 WEST
9 STREET W.	7 AVENUE S.	9 AVENUE S.	20.117	24.385	2.134 Each
9 STREET W.	10 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.	LANE S. OF 5 AVENUE N. (S. LEG)	20.117	30.481	5.182 Each
11 STREET E.	12 STREET E. SUBWAY	26 AVENUE S.	20.117	24.385	2.134 Each
11 STREET W.	10 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
12 STREET E.	1 AVENUE N.	SAINT GEORGE'S DRIVE	20.117	24.385	2.134 Each
12 STREET E.	BOW RIVER	12 STREET E. SUBWAY	20.117	24.385	2.134 Each
14 STREET W.	48 AVENUE N.	NORTH HAVEN DRIVE	25.299	30.481	5.182 WEST
14 STREET W.	ROSELAWN CRESCENT N.	38 AVENUE S.	20.117	30.481	5.182 Each
18 STREET W.	10 AVENUE S.	11 AVENUE S.	20.117	24.385	2.134 Each
19 STREET W.	10 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 Each
28 STREET E.	8 AVENUE S.	17 AVENUE S.	22.251	24.385	2.134 WEST
29 STREET W.	8 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134 Each
29 STREET W.	BOW TRAIL	35 AVENUE S.	20.117	24.385	2.134 Each
33 STREET W.	8 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
36 STREET E.	96 AVENUE N.	64 AVENUE N.	20.117	36.577	8.230 Each
36 STREET E.	MCKNIGHT BOULEVARD	39 AVENUE N.	20.117	41.758	21.641 WEST
36 STREET E.	8 AVENUE S.	26 AVENUE S.	20.117	30.481	5.182 Each
37 STREET W.	BOW TRAIL	17 AVENUE S.	25.299	30.481	5.182 WEST
37 STREET W.	28 AVENUE S.	33 AVENUE S.	25.299	30.481	5.182 WEST
37 STREET W.	44 AVENUE S.	45 AVENUE S.	25.299	30.481	5.182 EAST
44 STREET E.	17 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134 Each
45 STREET W.	BOW TRAIL	15 AVENUE S.	22.251	24.385	2.134 EAST
45 STREET W.	17 AVENUE S.	26 AVENUE S.	22.251	24.385	2.134 EAST
45 STREET W.	33 AVENUE S.	35 AVENUE S.	22.251	24.385	2.134 WEST
52 STREET E.	14 AVENUE S.	16 AVENUE S.	25.299	30.481	5.182 WEST
52 STREET E.	50 AVENUE S.	130 AVENUE S.	20.117	45.000	4.942 EAST
52 STREET E.	50 AVENUE S. (S. LEG)	130 AVENUE S.	20.117	45.000	19.941 WEST
53 STREET W.	VARSITY ESTATES DRIVE (N. LEG)	VALPARA PLACE	20.117	24.385	2.134 Each
68 STREET E.	MCKNIGHT BOULEVARD	LANE N. OF COSTA MESA CL.	28.347	36.577	8.230 EAST
68 STREET E.	C.N.R. RIGHT-OF-WAY	26 AVENUE S.	20.117	36.577	8.230 Each
69 STREET W.	17 AVENUE S.	34 AVENUE S.	20.117	36.576	16.459 EAST
83 STREET W.	BOWNESS ROAD	33 AVENUE N.	20.117	30.481	5.182 Each
85 STREET	BOWNESS ROAD	48 AVENUE N.	20.117	30.481	5.182 Each

12P90, 8P92, 11P94, 17P94, 30P2001, 17P2005

TABLE 1 - CONTINUED

ON (Numbered Avenues)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)	
1 AVENUE N.	4 STREET E.	6 STREET E.	20.117	24.385	2.134	Each
1 AVENUE S.	6 STREET W.	7 STREET W.	20.117	24.385	2.134	Each
2 AVENUE S.	3 STREET W.	CENTRE STREET S.	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 S.	1 STREET E.	20.117	22.251	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
4 AVENUE S.	3 STREET E.	RIVERFRONT AVENUE S.	20.117	22.251	2.134	SOUTH
5 AVENUE S.	11 STREET W.	1 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.	11 STREET W.	4 STREET E.	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.	ELBOW RIVER	20.117	24.385	2.134	Each
10 AVENUE S.	BOW TRAIL	18 STREET W.	20.117	24.385	2.134	Each
10 AVENUE S.	14 STREET W.	OLYMPIC WAY	20.117	24.385	2.134	Each
11 AVENUE S.	17 STREET W.	18 STREET W.	24.384	26.518	2.134	NORTH
11 AVENUE S.	17 STREET W.	6 STREET E.	20.117	24.385	2.134	Each
12 AVENUE S.	19 STREET W.	6 STREET E.	20.117	24.385	2.134	Each
16 AVENUE N.	13 STREET W.	5 STREET E.	20.117	40.539	5.182	NORTH
16 AVENUE N.	13 STREET W.	5 STREET E.	20.117	40.539	15.240	SOUTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	5.182	NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	8.230	NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	15.240	SOUTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	8.230	SOUTH
17 AVENUE S.	37 STREET W.	42 STREET W.	25.298	42.672	17.374	NORTH
17 AVENUE S.	37 STREET W.	17 STREET W.	20.117	30.481	5.182	Each
17 AVENUE S.	27 STREET E.	50 STREET E.	20.117	34.747	7.315	Each
17 AVENUE S.	C.N.R. RIGHT-OF-WAY	WEST EDGE OF T.U.C.	20.117	36.577	8.230	Each
26 AVENUE S.	24A STREET W.	37 STREET W.	20.117	24.385	2.134	Each
26 AVENUE S.	4 STREET W.	5 STREET 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	Each
34 AVENUE N.	77 STREET W.	69 STREET W.	22.250	24.384	2.134	NORTH
42 AVENUE S.	BRANDON STREET	LANE E. OF CLEVELAND CR.	25.298	30.480	5.182	NORTH
42 AVENUE S.	BLACKFOOT TRAIL	12 STREET E.	20.117	30.481	5.182	Each
50 AVENUE S.	OGDEN ROAD	C.N.R. RIGHT-OF-WAY	20.117	30.481	5.182	Each
50 AVENUE S.	C.N.R. RIGHT-OF-WAY	52 STREET E.	20.117	30.480	10.363	NORTH
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	1.5	Each
BURNSLAND RD.	34 AVENUE S.	39 AVENUE S.	20.117	24.385	2.134	Each
CENTRE STREET N.	LAYCOCK DRIVE	40 AVENUE N.	24.384	30.480	3.048	Each
CENTRE STREET N.	40 AVENUE N.	32 AVENUE N.	20.117	30.481	5.182	Each
CENTRE STREET N.	32 AVENUE N.	MEMORIAL DRIVE	22.860	30.480	3.810	Each
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
GLENMORE TRAIL	52 STREET E.	WEST EDGE OF T.U.C.	20.117	60.960	12.801	NORTH
GLENMORE TRAIL	52 STREET E.	WEST EDGE OF T.U.C.	20.117	60.960	28.042	SOUTH
MCDONALD AVE.	ELBOW RIVER	SPILLER ROAD	20.117	24.385	2.134	Each
MACLEOD TRAIL	6 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
MCKNIGHT BLVD.	1 STREET E.	TRELLE DRIVE	30.480	36.576	3.048	Each
OGDEN ROAD	24 STREET E.	GLENMORE TRAIL	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
OGDEN ROAD	69 AVENUE S.	24 STREET E.	20.117	30.480	5.182	Each
OLYMPIC WAY	10 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134	Each
RICHMOND ROAD	29 STREET W.	37 STREET W.	22.860	24.384	0.762	Each
RICHMOND ROAD	41 STREET W.	45 STREET W.	25.298	30.480	5.182	NORTH
RIVERFRONT AVENUE	2 STREET W.	4 STREET E.	20.117	24.385	2.134	Each
TRANS-CANADA HIGHWAY	46 STREET W.	MCKAY ROAD	26.213	36.576	10.363	SOUTH



18. PARKING AND LOADING REGULATIONS

11P94

(1) GENERAL PROVISIONS FOR PARKING AND LOADING

11P94

The following provisions shall apply to parking areas and loading spaces unless otherwise provided for in this Bylaw. 11P94

- (a) All parking stalls and loading spaces required by this Bylaw shall be located on the same site as the use requiring it except as provided for in Section 18(1)(b). 11P94
- (b) The Approving Authority may allow for the provision of required parking stalls on a site other than the proposed development site provided that the alternate site is within 120 metres of the approved use, is used exclusively as a parking area and can be secured for a time period equal to that of the approved use. 11P94
- (c) Where the calculation of the required number of parking stalls or loading spaces results in a fractional number of parking or loading spaces, the next higher number shall be taken. 11P94
- (d) A parking stall or loading space located within a setback distance listed in Table 1, Setback Table, contained in Section 17 shall not be used in the calculation of required parking stalls or loading spaces. 11P94
- (e) For apartment development, a parking area shall not be located in the front yard unless otherwise allowed by the Approving Authority. 11P94
- (f) For other than single-detached, semi-detached or duplex dwellings, the required parking area shall be surfaced and screened as directed by the Approving Authority. 14P83
- (f.1) For a single-detached, semi-detached or duplex dwelling, each required parking stall shall
 - (i) be accessible from a public thoroughfare,
 - (ii) be surfaced with gravel, asphalt, concrete or a similar material, and
 - (iii) have a minimum parking stall depth of 5.9 metres and a minimum width of 2.5 metres, except a minimum width of 3.1 metres where the side of the parking stall is within 600 millimetres of a physical barrier or a property line. 7P94
- (g) Developments containing or providing for more than one use shall provide parking stalls and loading spaces equal to the sum of the requirements for the individual uses. 11P94
- (h) Unless otherwise allowed by the Approving Authority, the minimum dimensions for the design of parking areas shall be as set out in Table 1, Minimum Dimensions for the Design of Parking Areas. 8P94
- (i) *deleted* 1P81, 8P94
- (j) For apartment developments with more than 20 units, adequate loading space shall be provided to the satisfaction of the Approving Authority. 11P94
- (k) A minimum of one parking stall, having a minimum width of 4 metres, shall be provided for the handicapped in all parking areas or parking structures, and shall be clearly designated as such and located close to building entrances. 11P94
- (l) A loading space shall be designed and located so that all vehicles using that space can be parked and manoeuvred entirely within the bounds of the site before moving onto adjacent streets. 11P94

- (m) A loading space shall be a minimum width of 3.1 metres and a minimum depth of 9.2 metres and maintain a minimum overhead clearance of 4.3 metres. 11P94
- (n) Parking stall and loading space requirements for uses other than those set out in Section 18(2) and (3) shall be determined by the Approving Authority, having regard to similar uses for which specific parking stall and loading space requirements are set. 11P94
- (o) The location of required parking stalls for residential use shall be identified to the satisfaction of the Approving Authority. 11P94

**TABLE 1
MINIMUM DIMENSIONS FOR THE
DESIGN OF PARKING AREAS**

8P94

Stall Width (Metres)	Parking Angle (Degrees)	Aisle Width (Metres) (A)	Stall Depth Perpendicular to Aisle (Metres) (D)	Stall Width Parallel to Aisle (Metres)	Half Parking Module (Metres) (A + D)	Parking Module (Metres) (M) (D + A + D)
2.50	90	7.20	5.40	2.50	12.60	18.00
2.50	75	6.12	5.64	2.59	11.76	17.40
2.50	60	4.82	5.49	2.89	10.31	15.80
2.50	45	4.00	5.00	3.54	9.00	14.00
2.60	90	7.20	5.40	2.60	12.60	18.00
2.60	75	6.12	5.64	2.69	11.76	17.40
2.60	60	4.82	5.49	3.00	10.31	15.80
2.60	45	4.00	5.00	3.68	9.00	14.00

NOTE:

- (a) Table 1 represents a composite standard which assumes a general mix of large and small vehicles. Where the mix of vehicles differs from the general mix, alternative dimensions to the satisfaction of the Approving Authority may be required.
- (b) Parking Angle - The angle between the access aisle and the parking stall which can have a value of 90 degrees or range from 75 degrees to 45 degrees.
- (c) Parking Module is a portion of a parking area consisting of one access aisle with a parking stall on each side of it, and a half parking module consists of one access aisle with a parking stall on one side only.

8P94

(1.01) GENERAL RULES FOR PARKING AREAS

1P81, 8P94

- (a) Parking stalls for dwelling units shall be a minimum width of 2.5 metres.
- (b) Parking stalls for all uses, other than dwelling units, shall be a minimum width of 2.6 metres.
- (c) Parking stalls abutting a physical barrier shall be a minimum width of 3.1 metres.
- (d) Handicapped parking stalls shall be a minimum width of 4 metres.
- (e) Parking stall dimensions shall be clear of all obstructions, other than wheel stops.
- (f) Wheel stops shall not exceed 100 millimetres in height above the parking stall surface and shall be placed perpendicular to the parking stall depth, 600 millimetres from the front of the parking stall.
- (g) The maximum grade of a parking stall shall not exceed 4 percent in any direction.
- (h) Parking Angle (degrees) may have a value of 90 degrees or range from 75 degrees to 45 degrees.
- (i) Parking dimensions for parking angles between 75 degrees and 45 degrees shall be calculated using a straight line interpolation between dimensions. 8P94

(1.1) SPECIAL PROVISIONS FOR THE DOWNTOWN PARKING AREA 11P84, 11P94

In addition to the other requirements of Section 18, the following provisions shall apply: 11P94

- (a) Within the area shown on Map 1, Boundaries of the Downtown Parking Area
 - (i) parking areas and loading spaces shall be designed and located so as to minimize any disruption to the continuity of the pedestrian system of sidewalks and on-site pedestrian spaces;
 - (ii) all parking areas shall be landscaped and screened to the satisfaction of the Approving Authority; 11P94
 - (iii) notwithstanding the requirements of Section 18(1.1)(b) and (c), sites on which a parking structure existed on October 10, 1984 may be redeveloped to include the same number of stalls as formerly existed provided that the engineering and access requirements are met to the satisfaction of the Approving Authority.
- (b) Within the area indicated as the Restricted Parking Area on Map 1, Boundaries of the Downtown Parking Area:
 - (i) the number of parking stalls provided on a site shall be restricted to 50 percent of the number required for the uses on that site except where: 11P94
 - (A) the area of the site is less than 1800 square metres and the development has a density of 3.0 F.A.R. or less; or 11P94, 25P2005
 - (B) the parking is for a residential use, or for non-residential uses on the ground floor of a building the balance of which is used for a residential use, where a maximum of 100 per cent of the required number of parking stalls may be provided on site; or 11P94, 25P2005
 - (C) the retail component of a development is 9,300 square metres of net floor area or greater and a maximum of 100 percent of the required number of parking stalls for retail use may be provided on site, provided that the engineering and access requirements are met to the satisfaction of the Approving Authority; or 13P87, 11P94, 13P2008

MAP 1, BOUNDARIES OF THE DOWNTOWN PARKING AREA 25P2005, 13P2008



Restricted Parking Area

(D) the site is utilizing stalls transferred to it under the provisions of section 18(1.1) (e) in which case the maximum number provided on site shall be restricted to the number of stalls that can be provided under section 18(1.1)(b)(i)(A), (B) or (C) plus the number of stalls transferred under this subsection, provided:

13P2008

(i) the additional stalls do not exceed 20 per cent of the number of stalls the development is providing on site in accordance with the provisions of section 18(1.1)(b)(i)(A), (B) or (C); and

13P2008

(ii) that the Approving Authority is satisfied that the adjacent road network is capable of handling the additional vehicles entering and leaving the parking facility.

13P2008

(ii) a cash-in-lieu payment shall be provided for the difference between the total number of required parking stalls and the number of parking stalls provided within the development. Such payment shall be based on the cost of constructing the required number and type of parking stalls in accordance with Council's policy and calculated at the rate per parking stall established by Council at the time the payment is made.

11P94

(b.1) Within the area indicated as the Restricted Parking Area on Map 1, Boundaries of the Downtown Parking Area:

25P2005

(i) the time within which a development must commence pursuant to Section 13(2) for development permits approved but not expired prior to the passage of Bylaw Number 25P2005, which include construction of parking stalls in a building, shall continue to be three years from the date of approval as specified by Section 13(2)(b), and

(ii) development permits approved after the passage of Bylaw Number 25P2005 and prior to October 1, 2007 may, at the option of the applicant for the permit, comply with:

(A) the provisions of Sections 18(1.1) (a), (b) and (c) as such sections existed immediately prior to the passage of Bylaw Number 25P2005 in which case the development must commence pursuant to Section 13(2) prior to January 1, 2008; or

(B) the provisions of Sections 18(1.1) (a), (b) and (c) as such sections presently exist.

(c) Within the area shown on Map 1, Boundaries of the Downtown Parking Area, but outside of the Restricted Parking Area:

(i) a minimum of 75 percent and a maximum of 100 percent of the required parking stalls shall be provided on site unless limiting transportation and engineering constraints are demonstrated to the satisfaction of the Approving Authority;

11P94

(ii) a cash-in-lieu payment shall be provided for the difference between the total number of required parking stalls and the number of parking stalls provided within the development. Such payment shall be based on the cost of constructing the required number and type of parking stalls in accordance with Council's policy and calculated at the rate per parking stall established by Council at the time the payment is made.

11P94

(d) Provision of Short Stay Parking Stalls

4P2007

Where included as part of a development application the Approving Authority may allow an increase in the number of parking stalls for uses which are restricted to providing a maximum of 50 percent of the number required for that use on site, as provided for in Section 18(1.1) (b), subject to the following conditions:

- (i) Up to a total of 10 additional stalls where such stalls are:
 - (A) Located in a portion of the development approved and assigned for use as a parking area – short stay; or
 - (B) Included in a parking area which is operated as part of a scramble parking arrangement that members of the public have access to; and
 - (C) Prominently signed at the street level indicating the availability and conditions of use of such stalls.
 - (D) For the purpose of section B above scramble parking means a parking area where the stalls are not assigned to individual users or vehicles and access is available to vehicles wishing to park for no more than 4 hours at one time.

all to the satisfaction of the Approving Authority; or

- (ii) More than 10 additional stalls, to a maximum of 10 percent of the number of stalls required or 125 stalls, whichever is less, where such stalls are:
 - (A) Located in a portion of the development approved and assigned for use as a parking area – short stay that is conveniently and easily accessible to the parking area - short stay user and provides convenient pedestrian access to the street level and publicly accessible uses within the project;
 - (B) Identified through appropriate signage, as parking area - short stay stalls; and
 - (C) Prominently signed at the street level indicating the availability and conditions of use of such stalls.

all to the satisfaction of the Approving Authority; or

- (iii) More than 10 percent, to a maximum of 25 percent, of the number of stalls required or 125 stalls, whichever is less, where such stalls are;
 - (A) Within a development site that is located within the shaded areas shown on Map 1a and the immediate thoroughfare system providing access to the development is capable of handling the additional vehicles entering and leaving the parking facility or;
 - (B) Within a development that is located outside of the shaded areas identified on Map 1a, and the immediate thoroughfare system providing access to the development is capable of handling the additional vehicles entering and leaving the parking facility where the Approving Authority is satisfied:

- (l) There is a potential ongoing demand for additional short-stay parking based on the provision within the development of space dedicated to:
 - (aa) Entertainment establishments and dedicated meeting facilities with a seating capacity of at least 300 seats;
 - (bb) For purposes of this Section “dedicated meeting facilities” means space designed to accommodate such uses as, but not limited to, meetings conferences, presentations etc, other than within a normal office setting; and
 - (cc) Retail uses of at least 4,000 square metres, but not more than 9,300 square metres in total; or
 - (ll) There is an unsatisfied demand for short stay parking in the area attributable to uses that are anticipated to remain in the area and there are no plans for the provision of publicly owned parking facilities in the area to meet the demand.
- (iv) When approving a development permit incorporating parking area – short stay stalls, provided under 18(1.1) (d) (ii) the Approving Authority shall impose appropriate conditions requiring the development to:
- (A) Indicate the mechanism by which the development will be managed to ensure the operation of the stalls as parking area - short stay stalls only; and
 - (B) Establish a mechanism that provides the Approving Authority the ability to monitor, the operation of the stalls as parking area – short stay.
- (v) Parking area – short stay stalls provided in accordance with Section 18 (1.1) (d) (iii) above shall be:
- (A) Located in a portion of the development approved and assigned for use as a parking area – short stay that is conveniently and easily accessible to the parking area - short stay user and provides convenient pedestrian access to the street level and publicly accessible uses within the project;
 - (B) Identified through appropriate signage as parking area – short stay stalls
 - (C) Prominently signed at the street level indicating the availability and conditions of use of such stalls
 - (D) Managed in accordance with the requirements of Section (vi); and
 - (E) Available to the public from 7:00 a.m. until 11:00 p.m. – seven days a week;
- all to the satisfaction of the Approving Authority.
- (vi) Development Permits incorporating parking area - short stay stalls provided under Section 18(1.1) (d) (iii) require a Special Development Agreement to the satisfaction of the Approving Authority that obligates; the owner of the building to enter into and maintain for the life of the project, an operating arrangement for the parking area short stay with the Calgary Parking Authority including, but not limited to;
- (A) Provisions and responsibilities for the day to day management and operation of the short stay stalls by the Calgary Parking Authority;
 - (B) Signage requirements;

- (C) Method of establishing parking charge rates;
- (D) A mechanism to allow modification of the hours of operation set out under Section (d) (v) (E) above; and
- (E) A dispute resolution mechanism.

(e) Parking Stall Transfer from Municipal Historic Resource Sites 13P2008

Any site (the Transferring Site) within the Restricted Parking Area as shown on Map 1, may transfer to another site (the Receiving Site) within the Restricted Parking Area, parking stalls which have not been provided on the Transferring Site subject to the following:

13P2008

- (i) the Transferring Site is designated as a municipal historic resource pursuant to the Historical Resources Act by a bylaw approved by City Council prior to the transfer of the parking stalls to a Receiving Site and no later than 2011 December 31st, has not been the subject of a density transfer pursuant to section 42.3(5)(h) and is listed as a Category A, B or C site on the City of Calgary's Inventory of Potential Heritage Sites as approved from time to time by the Calgary Heritage Authority;

13P2008

- (ii) the number of parking stalls which may be transferred to a Receiving Site shall be determined by:

13P2008

- (A) calculating the amount of development that could be built on the area of the Transferring Site that is designated as a municipal historic resource at 7 FAR, then

13P2008

- (B) calculating the total parking requirement for that amount of development at a ratio of 1 stall per 140 sq. metres of net floor area, then

13P2008

- (C) based on the categorization of the site on the City of Calgary's List of Potential Heritage Sites take the following percentage of that figure for:

Category A sites – 50 per cent

Category B sites – 25 per cent

Category C sites – 10 per cent

then

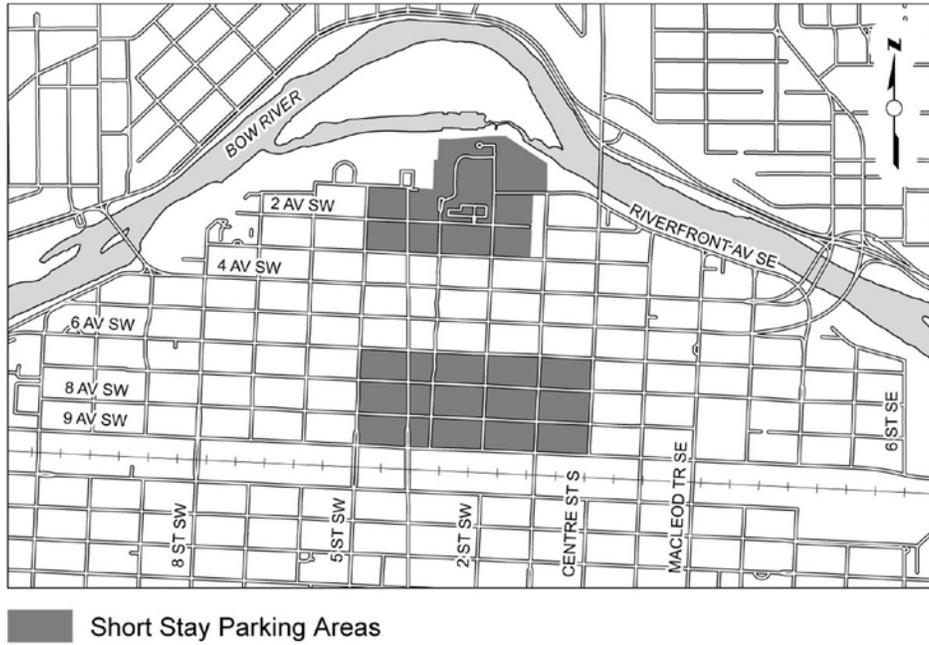
13P2008

- (D) subtracting from the resulting figure the number of parking stalls contained within a building existing on the Transferring Site.

13P2008

**MAP 1A BOUNDARIES OF DOWNTOWN SHORT STAY
PARKING AREAS**

4P2007



(1.2) SPECIAL RULES FOR APPROVED COMMERCIAL PARKING AREAS LOCATED OUTSIDE OF THE DOWNTOWN PARKING AREA

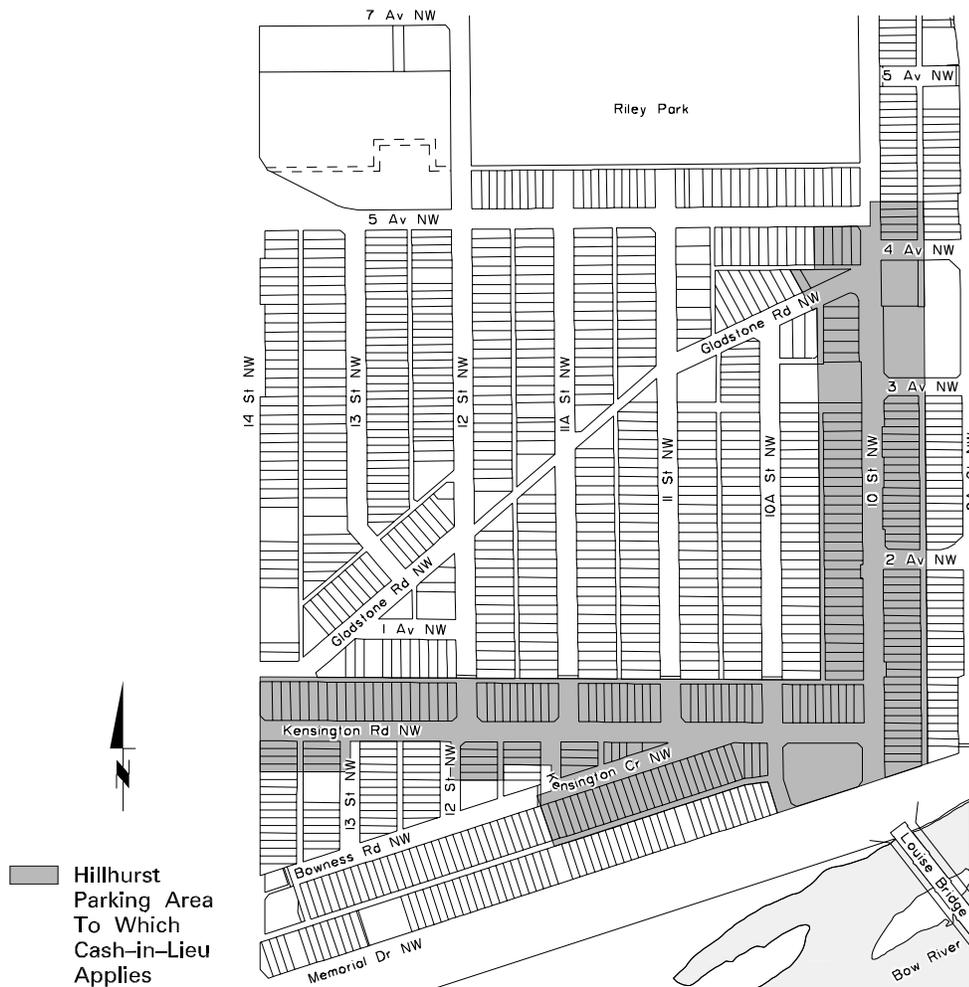
10P89, 17P89

In addition to the other requirements of Section 18, the following rules shall apply within the Commercial Parking Areas specifically approved by Council as shown on Map 1.2:

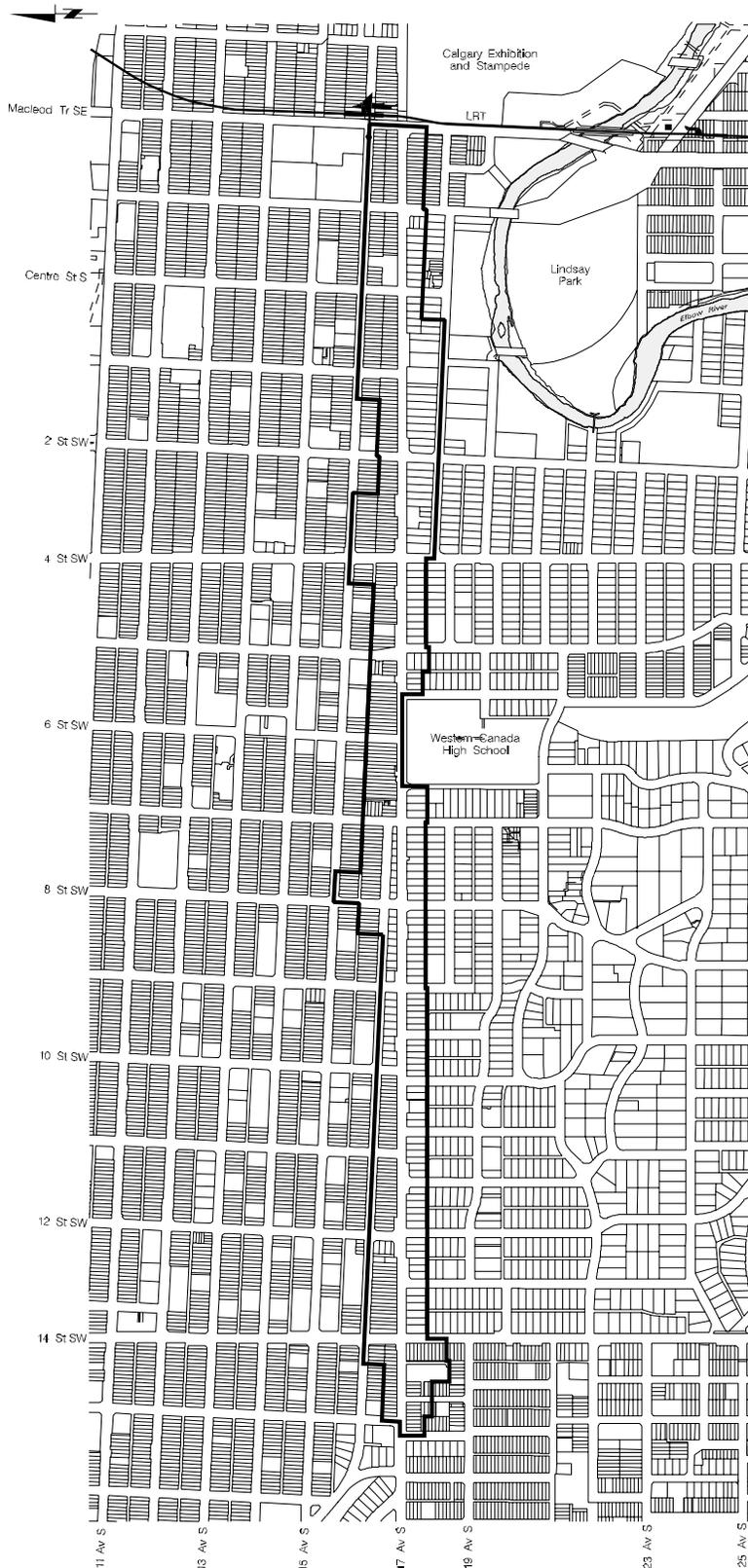
- (i) Except for new and existing restaurants located within the boundaries of the 4 Street S.W. Commercial Parking Area shown on Map 1.2(c), an option to pay cash-in-lieu of parking stalls may be considered, upon application, for new and existing drinking establishment, restaurant-licensed and restaurant-food service only, retail stores and personal services uses where the applicant has demonstrated to the satisfaction of the Approving Authority that it is not possible or practical to provide on site, or on an alternate site as provided for in Section 18(1)(b), all parking stalls required by the development. 11P94, 21P94, 4P98, 10P2004
- (ii) Where a cash-in-lieu payment is considered and is acceptable to the Approving Authority in accordance with (i) above, payment shall be provided for the difference between the total number of parking stalls required and the number of parking stalls provided. Such payment shall be in accordance with Council's policy and any specific guidelines relating to the specific Commercial Parking Area and calculated at the rate per parking stall established by City Council for that area and in effect at the time the payment is made. 11P94

MAP 1.2(a) BOUNDARIES OF THE HILLHURST COMMERCIAL PARKING AREA

10P89



MAP 1.2(b) BOUNDARIES OF AND SPECIFIC GUIDELINES RELATING TO THE 17TH AVENUE COMMERCIAL PARKING AREA 17P89

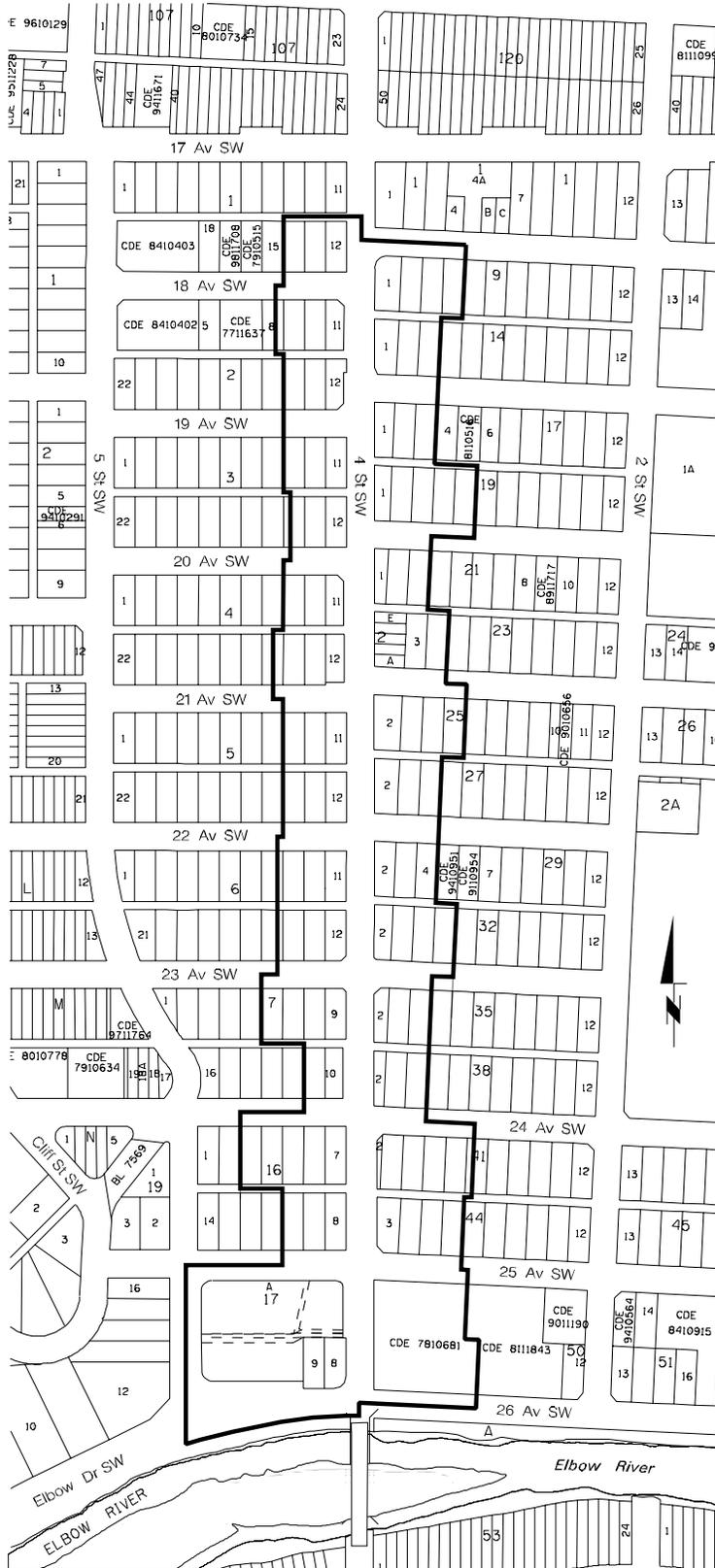


Specific Guidelines Relating to 17 Avenue Commercial Parking Area

- (a) for those sites with a frontage of 50 feet (15.2 metres) or less, the option of 100% of the parking stall requirements being met by a cash-in-lieu payment shall be considered only where appropriate in accordance with Council's approved policy for this area. 11P94
- (b) for those sites with a frontage between 50 feet (15.2 metres) and 100 feet (30.4 metres), some parking stalls shall be provided on site and the balance of the parking stall requirements being met by a cash-in-lieu payment in accordance with Council's approved policy for this area. 11P94
- (c) for those sites with a frontage of 100 feet (30.4 metres) or more, the option to pay cash-in-lieu shall only be available under exceptional circumstances and shall be determined by the Approving Authority in each case in accordance with Council's approved policy for this area. 11P94

MAP 1.2(c) BOUNDARIES OF AND SPECIFIC GUIDELINES RELATING TO THE 4TH STREET S.W. COMMERCIAL PARKING AREA

21P94, 4P98



Specific Guidelines Relating to 4th Street S.W. Commercial Parking Area

- (a) for those sites with a total site area of 557.4 square metres (6,000 sq.ft.) or less, a minimum of 100 percent of the required number of parking stalls should be provided on site for drinking establishments, restaurants-licensed and restaurant-food service only uses. However, up to 100 percent of the required number of parking stalls for retail/personal service uses may be met through a cash-in-lieu payment. *10P2004*
- (b) for those sites with a total site area between 557.4 square metres (6,000 sq.ft.) and 1114.8 square metres (12,000 sq.ft.), a minimum of 100 percent of the required number of parking stalls should be provided on site for a drinking establishment, a restaurant-licensed and restaurant-food service only uses. Retail and personal service uses may provide 50 percent of their required number of parking stalls with a cash-in-lieu payment. *10P2004*
- (c) for existing older buildings (those buildings built or approved prior to approval of this policy, particularly those buildings constructed prior to bylaw requirements) which provide little or no parking stalls on-site, cash-in-lieu of the required parking stalls for retail/personal service uses should be considered at the discretion of the Approving Authority. Drinking establishments, restaurants-licensed and restaurant-food service only may not use cash-in-lieu to fulfill their parking stall requirements. *10P2004*

(1.3) SPECIFIC GUIDELINES RELATING TO THE 4 STREET S.W. COMMERCIAL PARKING AREA

21P94, 4P98

- (i) for those sites with a total site area of 557.4 square metres (6,000 sq.ft.) or less, a minimum of 100 percent of the required number of parking stalls should be provided on site for drinking establishment, restaurant-licensed and restaurant-food service only uses. However, up to 100 percent of the required number of parking stalls for retail/personal service uses may be met through a cash-in-lieu payment. *10P2004*
- (ii) for those sites with a total site area between 557.4 square metres (6,000 sq.ft.) and 1114.8 square metres (12,000 sq.ft.), a minimum of 100 percent of the required number of parking stalls should be provided on site for drinking establishment, restaurant-licensed and restaurant-food service only uses. Retail and personal service uses may provide 50 percent of their required number of parking stalls with a cash-in-lieu payment. *10P2004*
- (iii) for existing older buildings (those buildings built or approved prior to approval of this policy, particularly those buildings constructed prior to bylaw requirements which provide little or no parking stalls on-site, cash-in-lieu of the required parking stalls for retail/personal service uses should be considered at the discretion of the Approving Authority. Drinking establishments, restaurants-licensed and restaurant-food service only may not use cash-in-lieu to fulfill their parking stall requirements. *10P2004*

(2) PARKING STALLS REQUIRED

11P94

Unless otherwise specifically listed within a district or otherwise allowed by the Approving Authority, the required parking stalls for a use are as follows: 11P94

USE OF BUILDING OR SITE	MINIMUM NUMBER OF PARKING STALLS	
		11P94
Accessory food service	(i) As for retail stores, and (ii) Within shopping centres: as per shopping centre requirements.	4P98 4P98
Adult mini-theatres	1 parking stall per 3 seating spaces, with a minimum of 1 parking stall for each individual viewing area containing 3 seating spaces or less.	2P91, 11P94
Apartment-hotels	As for apartments.	
Automotive service, automotive specialty and autobody and paint shops.	1 parking stall per 46 square metres of gross floor area.	11P94
Billiard Parlours and amusement arcades	1 parking stall per 9 square metres of gross floor area.	11P94
Bottle return depots	As for retail stores	14P83
Bowling Alleys	(i) 5 parking stalls per alley, and (ii) 5 parking stalls for staff, and (iii) 1 parking stall per 10 seating spaces for spectators, drinking establishment, restaurant-licensed or restaurants-food service only or other activities, or 1 parking stall per 9 square metres of space for the accommodation of the public, whichever is the greater.	11P94, 4P98, 10P2004
Car washing establishments	5 automobile stack-up parking stalls per bay.	11P94
Child care facilities	1 parking stall per 2 employees.	14P83, 11P94
Churches	1 parking stall per 5 seating spaces.	11P94
Curling Rinks	(i) 8 parking stalls per curling sheet of ice, and (ii) 5 parking stalls for staff, and (iii) 1 parking stall per 10 seating spaces for spectators and drinking establishment, restaurant-licensed or restaurant - food service only.	11P94 11P94 11P94, 4P98, 10P2004
Drinking establishments	(i) No requirement within the area shown on Map 1, Boundaries of the Downtown Parking Area. (ii) In all other areas, 1 parking stall per 3.5 square metres of net floor area.	11P84, 11P94
Drive-in or drive-through facilities	(i) Minimum of 5 automobile stack-up parking stalls per drive-up window and (ii) an additional 5 parking stalls per drive-up window, all to be located on the site.	11P94, 4P98 11P94, 4P98

Financial institutions	(i) In the Central Business Area, 1 parking stall per 46 square metres of gross floor area. <i>11P94</i> (ii) In all other areas, 1 parking stall per 46 square metres of gross floor area, and a minimum of 5 parking stalls for employees. <i>11P94</i>
Freight terminals	1 parking stall for each 3 employees and any additional parking stalls the Approving Authority designates for public use of the terminal. <i>11P94</i>
Gaming establishment - bingo	1 parking stall per 2.3 seating spaces. <i>3P85, 11P94</i>
Hospitals	1 parking stall per bed. <i>11P94</i>
Hotels	(i) In the Central Business Area, 1 parking stall per 3 guest rooms. <i>11P94</i> (ii) In all other areas, unless otherwise allowed by the Approving Authority, 1 parking stall per guest room. <i>11P94</i>
Laboratories	1 parking stall per 3 employees with a minimum of 5 parking stalls. <i>11P94</i>
Liquor stores	Within shopping centres: as per shopping centre requirements. <i>2P94</i> Within the area shown on Map 1, Boundaries of the Downtown Parking Area: as per retail stores. <i>2P94</i> In all other areas, 8 parking stalls per 93 square metres of net floor area. <i>2P94, 11P94</i>
Lodging houses	As for apartments.
Manufacturing and industrial plants	5 parking stalls per individual establishment, or 1 parking stall per 3 employees on a maximum shift, or 1 parking stall per 93 square metres up to 1860 square metres and 1 additional parking stall for each subsequent 465 square metres, whichever is the greatest. <i>11P94</i>
Medical clinics	1 parking stall per 25 square metres of gross floor area. <i>11P94</i>
Motels	1 parking stall per guest room. <i>11P94</i>
Museums and libraries	1 parking stall per 46 square metres of net floor area. <i>11P94</i>
Nursing homes	1 parking stall per 5 patient beds. <i>11P94</i>
Offices	(i) 1 parking stall per 140 square metres of net floor area within the area north of the C.P.R. tracks shown on Map 1, Boundaries of the Downtown Parking Area. <i>11P94</i> (ii) 1 parking stall per 90 square metres of net floor area within the area south of the C.P.R. tracks shown on Map 1, Boundaries of the Downtown Parking Area. <i>11P94</i> (iii) In all other areas, 1 parking stall per 46 square metres of net floor area. <i>11P84, 11P94</i>
Personal service businesses	As for retail establishments.

Private clubs and organizations	1 parking stall per 3.5 square metres of net floor area. <i>11P94</i>
Public and quasi-public auditoriums	1 parking stall per 3 seats. <i>11P94</i>
Racquet sport facilities	4 parking stalls per court. <i>11P94</i>
Restaurant-licensed and restaurants-food service only	(i) Within the area shown on Map 1, Boundaries of the Downtown Parking Area, no requirement. <i>11P94, 4P98, 10P2004</i> (ii) In all other areas, 1 parking stall per 3.5 square metres of net floor area, excluding kitchen area. <i>11P84, 11P94, 4P98</i>
Retail food stores	As for retail stores.
Retail stores	(i) Within the area north of the C.P.R. tracks shown on Map 1, Boundaries of the Downtown Parking Area: (a) 1 parking stall per 140 square metres of net floor area where the retail component of any development is less than 9,300 square metres of net floor area, <i>11P94</i> (b) a minimum of 1 parking stall per 140 square metres to a maximum of 1 parking stall per 56 square metres of net floor area where the retail component of any development is 9,300 square metres of net floor area or greater. <i>13P87, 11P94</i> (ii) 1 parking stall per 90 square metres of net floor area within the area south of the C.P.R. tracks shown on Map 1, Boundaries of the Downtown Parking Area. <i>11P94</i> (iii) If the site on which such stores are located is in excess of 0.4 hectares (1 acre), then parking stalls shall be provided as for a neighbourhood shopping centre. <i>11P94</i> (iv) In all other areas, 1 parking stall per 46 square metres of net floor area with no less than 1 parking stall for each individual store or shop. <i>11P84, 11P94</i>
Schools:	
Elementary and junior high schools	1 parking stall per 20 students based on the projected design capacity. <i>11P94</i>
Senior high schools	(i) 1 parking stall per 5 day time students based on operating capacity. <i>11P94</i> (ii) 1 parking stall per 1.2 staff based on operating capacity. <i>7P90, 11P94</i>
Educational Establishment	1 parking stall per 1.5 students based on the operating capacity. <i>7P90, 11P94</i>
<i>deleted</i>	<i>11P94, 20P97</i>

Shopping centres:

Regional centre	5 parking stalls per 93 square metres of net floor area. <i>11P94</i>
Sector (community) centre	5.5 parking stalls per 93 square metres of net floor area. <i>11P94</i>
Neighbourhood centre	(i) 5.5 parking stalls per 93 square metres of net floor area excluding any liquor store or drinking establishment, restaurant-licensed or restaurant-food service only net floor area. <i>11P94, 4P98, 10P2004</i> (ii) Where a liquor store is included, it shall provide 8 parking stalls per 93 square metres of its net floor area. <i>11P94</i> (iii) Where a drinking establishment, restaurant-licensed or restaurant-food service only is included, it shall provide 1 parking stall per 3.5 square metres of its net floor area. <i>11P94, 4P98, 10P2004</i>
Take-out food service	As for retail stores. <i>4P98</i>
Theatres and cinemas	(i) No requirement in the area shown on Map 1, Boundaries of the Downtown Parking Area. (ii) In all other areas, 1 parking stall per 3 seats. <i>11P84, 11P94</i>
Veterinary clinics	As for medical clinics.
Warehouses and wholesale establishments	1 parking stall per 93 square metres of gross floor area up to 1860 square metres, and 1 additional parking stall for each subsequent 465 square metres. <i>11P94</i>

(3) LOADING SPACES REQUIRED

11P94

Unless otherwise allowed by the Approving Authority, the required loading spaces for any use are as follows: *11P94*

USE OF BUILDING OR SITE

MINIMUM NUMBER OF LOADING SPACES

<i>deleted</i>	<i>4P98</i>
Drinking establishment	1 loading space per 9300 square metres of gross floor area. <i>10P2004</i>
Funeral homes	1 loading space per 9300 square metres of gross floor area.
Hospitals	1 loading space per 9300 square metres of gross floor area.
Hotels and motels	1 loading space per 9300 square metres of gross floor area.
Liquor stores	1 loading space per store. <i>13P2003</i>
Office buildings	1 loading space per 9300 square metres of gross floor area.
Public and quasi-public buildings	1 loading space per 9300 square metres of gross floor area.
Restaurant-licensed and restaruants-food service only	1 loading space per 9300 square metres of gross floor area. <i>4P98, 10P2004</i>
Retail food stores	1 loading space per 9300 square metres of gross floor area.

Retail stores	1 loading space per 9300 square metres of gross floor area.
Sports arenas	1 loading space per 9300 square metres of gross floor area.
Freight terminals and railroad yards	1 loading space per 9300 square metres of gross floor area.
Manufacturing and industrial plants	1 loading space per 9300 square metres of gross floor area.
Warehouses	1 loading space per 9300 square metres of gross floor area.

11P94

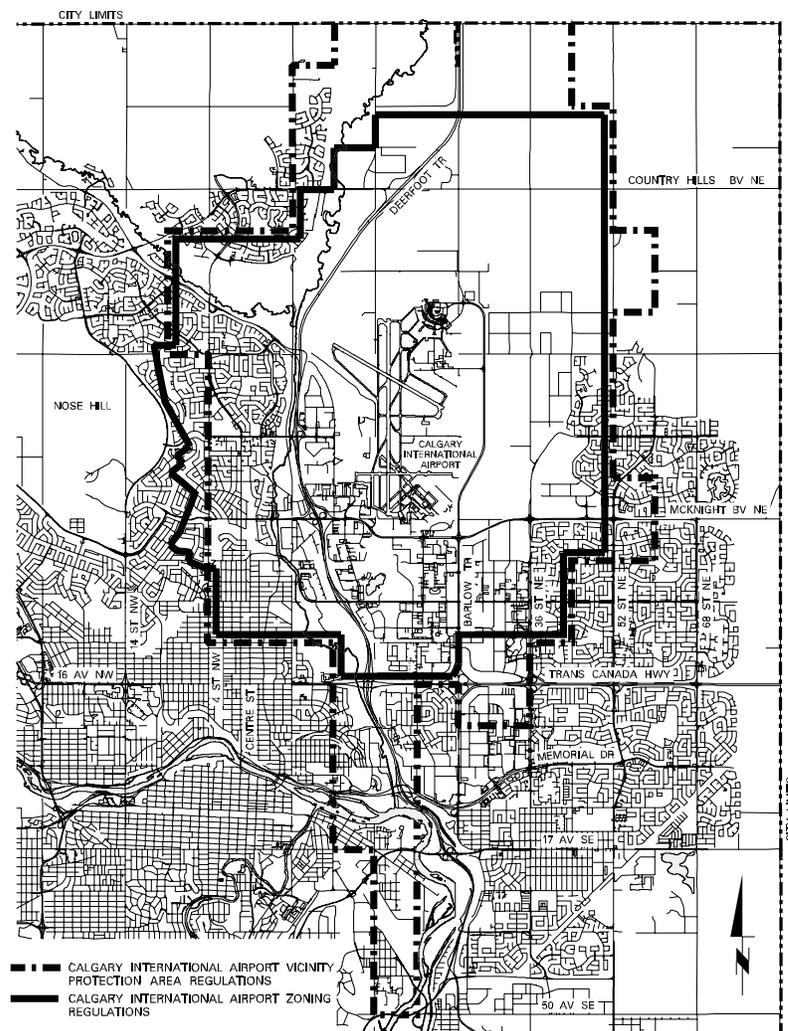
19. AIRPORT VICINITY SPECIAL REGULATIONS

The following regulations apply to lands that are close to or affected by the Calgary International Airport.

- (1) The Approving Authority shall not approve a development permit application which contravenes the following regulations:
 - (a) The Calgary International Airport Vicinity Protection Area Regulation;
 - (b) The Calgary International Airport Zoning Regulations.
- (2) The requirements of Section 19(1) shall not preclude the Approving Authority or Development Appeal board from refusing a development permit application or attaching conditions to a development permit as provided for in this Bylaw.

Note: The precise boundaries of the areas concerned are described in the regulations, but the boundaries are approximately as shown in Map 1, Airport Vicinity Special Regulation Boundaries.

MAP 1 AIRPORT VICINITY SPECIAL REGULATION BOUNDARIES





19.1 FLOODWAY, FLOODPLAIN AND OVERLAND FLOW AREA SPECIAL REGULATIONS

5P85, 4P99

- (1) For sites located in the floodway, floodplain or overland flow area, the provisions of both Section 19.1 and those of the land use district for which the site is designated shall apply and, where more restrictive, the provisions of Section 19.1 shall prevail. 4P99

(2) FLOODWAY REGULATIONS

(a) Restrictions on Uses

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 site is designated, shall apply:

Athletic and recreation facilities

Extensive agricultural uses

Horticultural nurseries

Natural areas

Parking areas (if not involving buildings or structures and if used exclusively in conjunction with parks or playgrounds)

Parks and playgrounds

Utilities

Any use of a site approved as of September 9, 1985 provided that it is listed as a permitted or discretionary use in the Land Use District for which the site is designated and the principal building already exists.

(b) New Buildings and Alterations

(i) No new buildings or other new structures shall be allowed except for the replacement of existing single family, semi-detached, duplex dwellings and accessory buildings on the same locations.

(ii) No replacement of, external alterations or additions to existing buildings that might increase the obstruction to floodwaters on that site, or have a detrimental effect on the hydrological system or water quality, shall be allowed.

(c) Storage

(i) No inside storage of chemicals, explosives, flammable liquids, toxic or waste materials is permitted.

(ii) No outside storage is permitted.

(d) Alterations to Floodways and Riverbanks

No alterations shall be made to a floodway and no structures including, but not limited to, rip-rap, berms, fences, walls, gates, patios, docks or decks shall be constructed on, in or under a floodway unless in the opinion of the Approving Authority there will be no obstruction to floodwaters and no detrimental effect on the hydrological system or water quality, including the natural interface of the riparian and aquatic habitats. 23P96

(3) FLOODPLAIN REGULATIONS

(a) All Buildings - Restrictions on Uses

In the floodplain the uses listed in the land use district for which the site is designated shall continue to apply.

(b) All Buildings - Restrictions on Storage

No inside or outside storage of chemicals, explosives, flammable liquids, toxic or waste materials that cannot readily be removed in the event of a flood shall be allowed.

(c) All Buildings - Proximity to Rivers

(i) Undeveloped Areas

In undeveloped areas, buildings shall be set back by the following minimum distances:

- 60 metres from the edge of the Bow River,
- 30 metres from the edge of the Elbow River, Nose and West Nose Creeks, or
- 6 metres from the edge of the floodway,

whichever is the greater distance.

(ii) Developed Areas

In developed areas, buildings shall be setback by the following minimum distances:

(A) Buildings, except for single-detached, semi-detached or duplex dwellings that are being redeveloped to any other than those three uses:

- 6 metres from the floodway.

(B) Single-detached, semi-detached and duplex dwellings

(I) that are infill or are existing buildings, either being redeveloped as a single-detached, semi-detached or duplex dwellings or being altered or added to:

- 6 metres from the edge of the floodway, or
- no minimum distance from the edge of the floodway if the Approving Authority is satisfied that the velocity of the flood will not result in serious damage to the building.

(II) that are being redeveloped for uses other than single-detached, semi-detached or duplex dwellings:

- 60 metres from the edge of the Bow River,
- 30 metres from the edge of the Elbow River, Nose or West Nose Creeks, or
- 6 metres from the edge of the floodway,

whichever is the greater distance.

(d) All Buildings Except for Existing Low Density Residential

The following rules shall apply to all buildings except for single-detached, semi-detached or duplex dwellings that are infill development or are existing buildings, either being redeveloped to one of those three uses, or are being altered or added to.

(i) Building Design

- (A) Buildings shall be designed so as to prevent structural damage by floodwaters.
- (B) The first floor of all buildings shall be constructed at or above the designated flood level.
- (C) All electrical and mechanical equipment within a building shall be located at or above the designated flood level.

(ii) Access Roads

On site access roads shall be constructed at or above the designated flood level.

(e) Existing Low Density Residential Buildings

Single detached, semi-detached or duplex dwellings that are infill development or are existing residential buildings undergoing external alterations, additions or redevelopment, shall be allowed within 6 metres of the edge of the floodway, or up to the edge of the floodway if the Approving Authority is satisfied that the flow velocity of the flood will not result in serious damage to the building.

(4) OVERLAND FLOW AREA REGULATIONS

4P99

(a) All Buildings - Restrictions on Uses

In the overland flow area, the uses listed in the land use district for which the site is designated shall continue to apply.

(b) All Buildings - Restrictions on Storage

See Section 19.1(3)(b).

(c) All Buildings - Proximity to Rivers

See Section 19.1(3)(c).

(d) All Buildings Except for Existing Low Density Residential

The following rules shall apply to all buildings except for single-detached, semi-detached or duplex dwellings that are infill development or are existing buildings, either being redeveloped to one of those three uses, or are being altered or added to.

(i) Building Design

- (A) Buildings shall be designed so as to prevent structural damage by floodwaters.
- (B) The first floor of all buildings shall be constructed no less than 0.3 metres above the highest grade existing on the street abutting the site which contains the buildings.
- (C) All electrical and mechanical equipment within a building shall be located at or above the first floor referred to in (B) above.

(e) Existing Low Density Residential Buildings

See Section 19.1(3)(e)



DIVISION 7:
LAND USE DESIGNATIONS
USES AND RULES

20. GENERAL RULES FOR RESIDENTIAL DISTRICTS

(1) PROJECTIONS OVER YARDS

No portion of a building shall project into a required minimum yard except that:

(a) Front Yards

Eaves and landings may project over or onto a required front yard to a maximum of 0.6 metres. *14P80, 7P94, 16P94*

(b) Side Yards

Portions of the principal building, excluding decks and balconies, may project a maximum of 0.6 metres over or onto a required side yard except *16P94, 17P99*

(i) projections less than 2.4 metres above grade, other than in the case of a building on a corner lot, shall only be allowed over or onto one required side yard, and *23P94*

(ii) no part of a projection into a required side yard, except for eaves, shall be closer than 0.9 metres to the front facade and 0.9 metres to the rear facade on one side only. *7P94*

(iii) only eaves may project

(A) into a 3 metre required side yard in a laneless subdivision where no provision is made for a garage or carport to the front or side of a dwelling, or

(B) into a 3 metre side yard required for vehicular access to the rear of the property. *17P97*

(C) *deleted* *14P80, 19P82, 7P94, 17P99*

(c) Rear Yards

(i) Eaves, balconies, bay windows, canopies, chimneys, decks, fire escapes, porches and landings may project a maximum of 1.5 metres over or onto a required rear yard.

(ii) In addition to the provisions of Section 20(1)(c)(i), a garage or carport which is part of a single-family, semi-detached or duplex dwelling may project more than 1.5 metres into a minimum required rear yard provided that the garage or carport, where it projects into the rear yard,

(A) does not exceed 4.6 metres in height, and *14P89*

(B) has no part that is located closer than 0.6 metres to the rear property line. *14P80, 16P94*

(1.1) PROJECTIONS

9P95

(a) Landings

- (i) Landings providing entry to the basement or first floor of a principal building may project over or onto a required front, rear, or side yard except that no landing may project
 - (A) into a 3 metre side yard required in a laneless subdivision where no provision is made for a garage or carport to the front or side of a dwelling, or
 - (B) into a 3 metre side yard required for vehicular access to the rear of the property, or
 - (C) *deleted* 17P99
- (ii) A landing shall not exceed 2.2 square metres in area.
- (iii) Notwithstanding Section 20(1)(b)(i), where a landing is located in a minimum required side yard and is accessible from both the front and rear yards, projections less than 2.4 metres above grade are allowed in the other required side yard. 17P99

(b) Decks

- (i) A deck in the Established Communities shall not exceed 1.2 metres in height above grade at any point, except where it projects over a rear yard where the grade is such that the building has an at-grade basement level entry. 4P96
- (ii) A deck shall not be located closer than
 - (A) 1.2 metres to a side property line, or
 - (B) 3.0 metres to a side property line on the street side of a corner lot, where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after March 31, 1980.
- (iii) For semi-detached dwellings, no separation from a party wall property line is required for a deck where a privacy wall extends the full depth of the deck. 17P99

(c) Balconies

- (i) A balcony shall not project more than 1.8 metres from a building facade.
- (ii) For semi-detached dwellings, no separation from a party wall property line is required for a balcony where a privacy wall extends the full depth of the balcony. 17P99

(d) Projection Limits

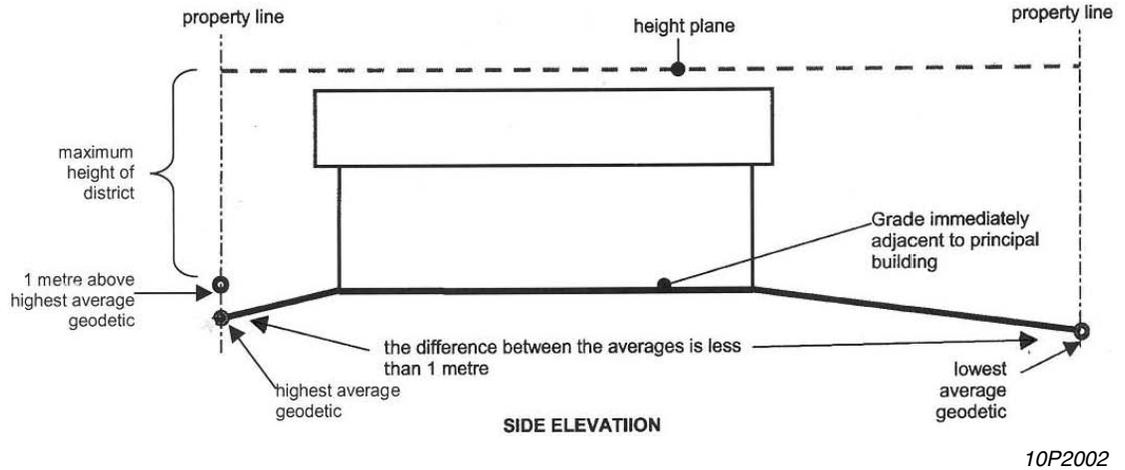
Notwithstanding Subsections 20(1)(a), (b) and (c), no individual projection into a required yard except for eaves and decks shall exceed 3 metres in length and the total length of all projections on a facade shall not exceed 40 percent of that facade length on each storey. 7P94, 23P94, 17P99

(1.2) BUILDING HEIGHT

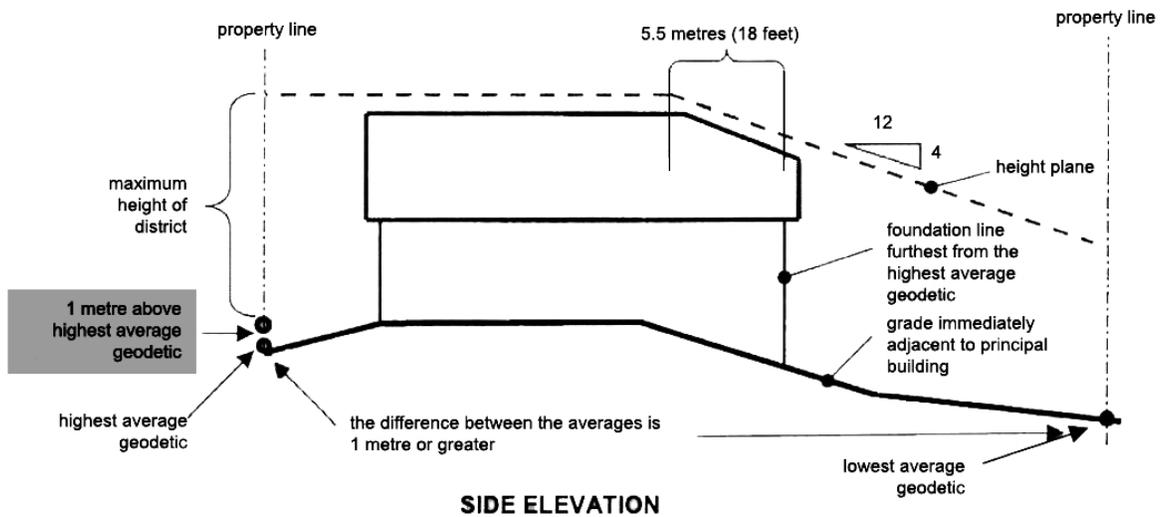
10P2001

- (a) The height of a principal building, except for ancillary structures, in an RR-1, R-1, RS-1, RS-2, R-1A, R-2, R-2A and the height of a single-detached, semi-detached or duplex dwelling in a Direct Control District shall not exceed the height plane determined in accordance with this Section 20(1.2).

- (b) If the difference between the average of the geodetic elevation points of the two front corners of the lot and the average of the geodetic elevation points of the two rear corners of the lot, as shown on the approved building grade plan, for the lot, is less than 1 metre, or is 1 metre or greater and no at-grade basement level entry is provided, the height plane is that horizontal plane which is established by adding the maximum allowable building height for the district to a point 1 metre above the highest of such averages. 3P2002



- (c) If the difference between the average of the geodetic elevation points of the two front corners of the lot and the average of the geodetic elevation points of the two rear corners of the lot, as shown on the approved building grade plan, for the lot, is 1 metre or greater, and an at-grade basement level entry is provided, the height plane is that plane which is established by adding the maximum allowable building height for the district to a point 1 metre above the highest of such averages, provided that such plane shall extend at such height horizontally from the geodetic elevation points with the highest average towards the other end of the lot until a point is reached which is 5.5 metres closer to such geodetic elevation points than the portion of the building foundation point furthest from such geodetic elevation points at which point the plane shall slope downwards at a 4 to 12 slope towards the other end of the lot. 3P2002



- (d) The difference between:
- (i) the grade at any point immediately adjacent to a façade of the building that faces a side yard, and

- (ii) the highest point shown on a cross-section of the building taken at said point, except for ancillary structures, shall not exceed the building height specified in the Land Use district for the site.
- (e) No principal building or any addition thereto (other than a minor dwelling addition) shall be constructed on a lot until such time as a building grade plan has been approved by the Approving Authority for the lot.
- (f) For the purposes of this Section 20(1.2), "approved building grade plan" shall mean a building grade plan for a lot approved by an Approving Authority.

(2) CONSTRUCTION BENEATH YARDS

The requirements for the provision and maintenance of yards do not apply to construction wholly beneath the surface of the ground.

(3) PRIVATE GARAGES AND DRIVEWAYS

- (a) The driveway connecting a private garage, whether it be an accessory building or incorporated within a principal building, to a public thoroughfare shall be
 - (i) a minimum length of 6.0 metres when measured from the back of a sidewalk or curb where no sidewalk is provided. *16P94*
 - (ii) a minimum length of 0.6 metres when measured from the property line where the public thoroughfare is a lane. *7P94, 16P94, 22P94*
 - (iii) *deleted* *7P94, 16P94, 22P94*
 - (iv) a minimum length of 1.5 metres when measured from the property line where the public thoroughfare is a lane having a width of 6 metres and created after 1992 December 31. *7P94*
 - (v) *deleted* *7P94, 16P94, 22P94*
- (b) The construction of a driveway from a site to a major street shall not be allowed unless *11P94*
 - (i) there is no practical alternative method of vehicular access to the site,
 - (ii) turning space is provided on the site to permit all traffic exiting therefrom to face the major street, and
 - (iii) the location of such driveway is acceptable to the Approving Authority.
- (c) For single-detached, semi-detached and duplex dwellings, on-site parking shall not be located in a front yard except on a parking area provided in accordance with Subsection 18(1)(f.1). *7P94*
- (d) In an Established Community, the construction of a new driveway in a front yard or across a side property line on the street side of a corner site shall not be allowed unless there is no practical alternative method of vehicular access to a site. *7P94*

(4) SITE ACCESS

An application for a development permit shall not be approved unless it complies with the access requirements of the Controlled Streets Bylaw.

(5) ACCESSORY BUILDINGS

(a) Separation from Side and Rear Property Line

- (i) A minimum of 0.6 metres except as provided for in Section 20(5)(a)(ii) and (iii).
16P94
- (ii) Except as provided for driveways under Section 20(3)(a) and for corner sites under Section 20(5)(a)(iii), no separation from a side or rear property line is required where
 - (A) the wall of the accessory building is constructed of materials which do not require maintenance and there is no overhang of eaves, or
 - (B) the owner of the adjacent site grants a 2.4 metre private maintenance easement which shall
 - (I) be registered by caveat against the title of the site proposed for development and the adjacent site;
 - (II) include a 0.6 metres eave and footing encroachment easement; and
16P94
 - (C) all roof drainage from the accessory building is directed onto the site by eavestroughs and downspouts.

(iii) Street Side on Corner Sites

- (A) A minimum separation of 1.2 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980.
- (B) A minimum separation of 3 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after March 30, 1980, except a minimum of 1.2 metres
 - (I) where a corner lot was approved prior to March 31, 1980, and
 - (II) the lot was designed and intended to accommodate a semi-detached dwelling, and
 - (III) the lot is further subdivided to provide a separate lot for each unit of a semi-detached dwelling.
14P80, 19P82

(b) *deleted* *14P80, 19P82*

(c) Exclusion from Front Yards

An accessory building shall not be located in a front yard. *14P80, 14P89*

(d) Exclusion from Side Yards

An accessory building shall not encroach into the area of a required 3 metre side yard.

(e) Separation from Principal Buildings

A minimum of 1.0 metres for accessory buildings exceeding 10 square metres in area.
14P80, 7P94, 16P94

(f) Building Height

A maximum of one storey not exceeding 4.6 metres with a maximum height of 3 metres at any eaveline when measured from the finished floor level of the building.

14P80, 8P89, 14P89

(g) Restrictions on Use

(i) An accessory building shall not be used as a dwelling unit. *7P94*

(ii) A private garage or accessory building in the rear yard shall not have a roof deck. *14P80, 8P89*

(h) Building Coverage

Subject to lot coverage requirements of a district, the maximum site area covered by accessory buildings, excluding buildings which total in area less than 10 square metres, shall be 74 square metres or the lot coverage of the principal building, whichever is the lesser. *14P89, 7P94*

(6) FENCES

The height of a fence above grade measured at any point along a fence line, including the height of any retaining wall which represents a logical vertical extension of the fence, shall not exceed *7P94*

(a) 2.0 metres for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site; *12P97*

(b) 1.2 metres in height for the portion of the fence that does extend beyond the foremost portion of the principal building on the site;

(c) 2.5 metres to the highest point of a gateway.

(7) *deleted* *9P93*

(8) SITE DIMENSIONS *6P88*

(a) The area and dimensions of a lot to be created in an already subdivided and developed residential area shall be:

(i) consistent with the general character of the surrounding area in terms of parcel size and dimensions or,

(ii) appropriate for the area having regard to the design of the dwelling units proposed to be constructed on the lot.

(b) The width and area of any lot created by subdivision after the adoption of this Bylaw must comply with the discretionary use rules of the applicable land use district.

(9) CORNER VISIBILITY TRIANGLES

Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished lot grade, building or structure shall exceed the general elevation of the street by more than 750 millimetres within the area defined as a corner visibility triangle.

(10) OBJECTS PROHIBITED OR RESTRICTED

(a) A motor vehicle which is in a dilapidated condition shall not be allowed to remain outside a building in a residential district.

- (b) No more than one commercial vehicle shall be allowed to remain on a lot except while actively engaged in loading or unloading.
- (c) A commercial vehicle of a gross vehicle weight in excess of 4000 kilograms shall not be allowed to remain on a lot except while actively engaged in loading or unloading.
- (d) A commercial motor vehicle or recreational vehicle shall not be allowed in a front yard for longer than 24 hours.
- (e)
 - (i) A satellite dish antenna shall not be located in a front yard or side yard abutting a street. *15P83*
 - (ii) Where any part of a satellite dish antenna is more than 3 metres above grade level, it shall be both screened and located to the satisfaction of the Approving Authority. *15P83*
 - (iii) Sections 20(10)(e)(i) and (ii) shall not apply where the applicant can show, to the satisfaction of the Approving Authority, that compliance with these sections would prevent signal reception. *15P83*
 - (iv) No advertising shall be allowed on a satellite dish antenna. *15P83*
 - (v) The illumination of a satellite dish antenna is prohibited. *15P83*
- (f) A skateboard ramp shall not be erected or allowed to remain in or upon a lot in a residential district. *17P86*

(11) HOME OCCUPATIONS

8P93

- (a) Home occupations Class 1 must meet the rules of a **Home Occupation – Class 1** in Section 207 of Part 4. *57P2008*

- (b) Home occupations Class 2 must meet the rules of a **Home Occupation – Class 2** in Section 208 of Part 4. *1P88, 57P2008*

(12) SPECIAL REQUIREMENTS FOR UTILITIES AND ESSENTIAL PUBLIC SERVICES

- (a) The maximum height restrictions in residential districts do not apply to utility buildings or essential public service buildings.
- (b) Where a utility building or an essential public service building is located in a residential district, side yards shall be a minimum of 3 metres or 10 percent of the site width to a maximum of 6 metres.
- (c) Where a utility building or an essential public service building is constructed in accordance with Section 20(12)(a), the minimum depth requirements for the front and side yards of the building shall be increased by 300 millimetres for every 1 metre or portion thereof by which the height of the building exceeds the maximum height for the district.

(13) PUBLIC AND SEPARATE SCHOOLS

Where public and separate schools were built as of the date of adoption of this Bylaw, the schools and their use by any of the uses listed in Section 51, shall be deemed to be conforming as if they were so designated by Section 51 of this Bylaw. *7P90*

(14) DENSITY

- (a) Except as provided in Section 20(14)(b), the Approving Authority should not allow an increase in density beyond the maximum stated within each residential district.
- (b) *deleted* *20P97*

(14.1) *deleted* *11P98*

(15) LODGERS

A maximum of three lodgers, in addition to the family of the owner, lessee or tenant, may be allowed within a residential dwelling.

(16) LOFTS

A separate, self-contained dwelling unit shall not be located within a loft above the top storey allowed.

(17) PROVISION OF AMENITY SPACE

Where private outdoor amenity space is required pursuant to the discretionary use rules of a residential multi-dwelling (RM) district, it shall be provided as follows:

(a) Patios and Courtyards

A minimum dimension of 2.4 metres and a minimum area of 7.4 square metres for each dwelling unit located at or below grade.

(b) Balconies and Terraces

(i) A minimum dimension of 1.5 metres and a minimum area of 4.5 square metres for each dwelling unit located not more than four storeys above grade.

(ii) A minimum dimension of 1.8 metres and a minimum area of 5.6 square metres for each dwelling unit located more than four storeys above grade.

(c) Private outdoor amenity space shall be located immediately adjacent to and be accessible from the dwelling unit.

(d) Private outdoor amenity space shall be designed so as to provide visual privacy.

(e) *deleted*

20P97

(18) LANDSCAPING

(a) Where a landscaped area is required, it shall be provided in accordance with a landscape plan and in conformity with the following requirements and standards:

(i) All areas of a site not covered by buildings or parking areas shall be landscaped.

11P94

(ii) Where a landscaped deck is considered in fulfillment of part of the landscaped area requirement, the number of trees placed thereon shall be generally proportional to the area of the deck, in keeping with structural limitations.

(iii) Where a private outdoor amenity space is provided within a required minimum landscaped area, it shall be considered as satisfying both requirements.

(iv) Existing soft landscaping retained on a site may be considered in fulfillment of the total landscaping requirement.

(v) Except for City boulevards, trees shall be planted in the overall minimum ratio of one tree per 45 square metres of landscaped area provided, except that the ratio shall be one tree per 70 square metres for public and separate schools.

1P85

(vi) The quality and extent of the landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development. Adequate means of irrigating and maintaining the landscaping shall be provided.

(b) Soft landscaping shall be provided as follows:

(i) All plant materials shall be of a species capable of healthy growth in Calgary and shall conform to the standards of the Canadian Nursery Trades Association for nursery stock.

(ii) The mixture of tree sizes at the time of planting shall be equivalent to a minimum of 50 percent larger trees.

(iii) The minimum size for deciduous trees shall be:

1P85

(A) for smaller deciduous trees, 50 millimetres caliper except 35 millimetres caliper for flowering ornamental trees, and

1P85

(B) for larger deciduous trees, 85 millimetres caliper.

1P85

- (iv) The minimum size for smaller coniferous trees shall be a height of 2 metres and for larger coniferous trees, a height of 3 metres.
- (v) Coniferous trees shall comprise a minimum proportion of 1/3 of all trees planted.
- (vi) Wherever space permits, trees shall be planted in groups.
- (vii) Shrubs shall be a minimum height or spread of 600 millimetres at the time of planting.

(19) BUILDING DESIGN

The design, character and appearance of a building approved as a discretionary use shall be compatible with and complementary to the surrounding area.

(20) EQUIPMENT SCREENING

All mechanical equipment on a roof shall be screened from public view.

(21) EXCAVATION, STRIPPING AND GRADING

Excavation, stripping and grading shall be deemed to be a discretionary use as if it were so designated in the use lists of this Bylaw and shall comply with the requirements of Section 10(1).

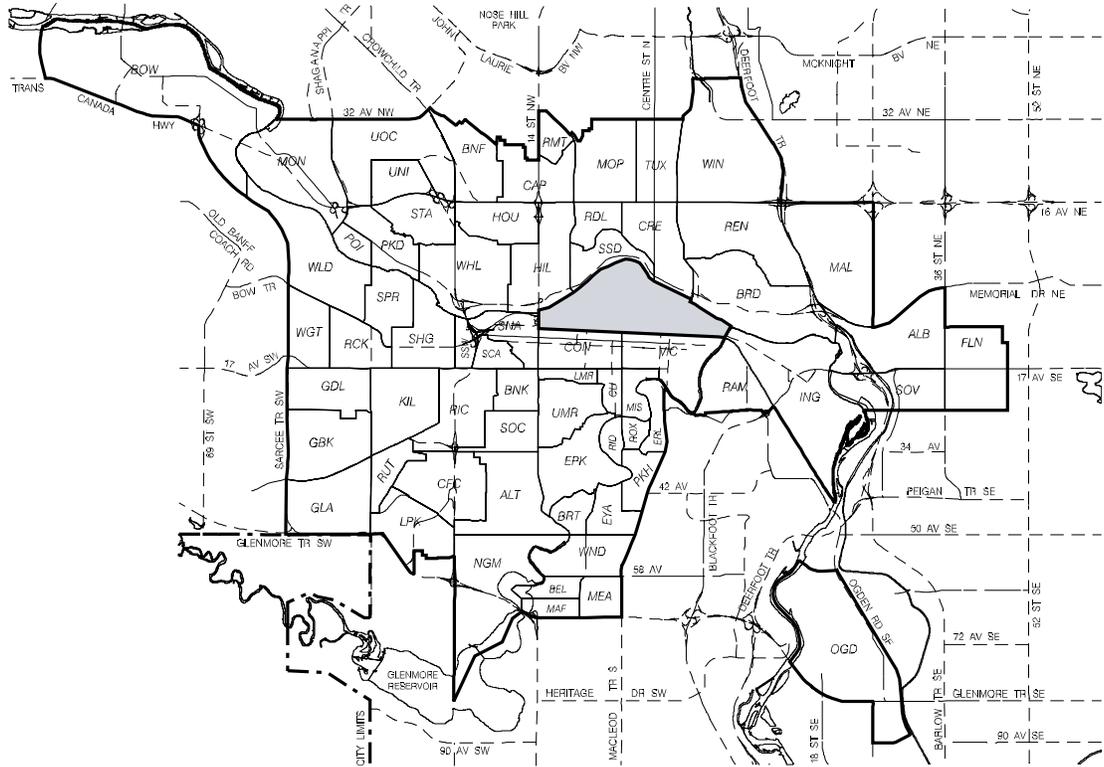
(23) PRIVATE MAINTENANCE EASEMENTS

- (a) Where a private maintenance easement is provided, it shall extend a minimum of 1.2 metres beyond the end of the building face on the common property line. 19P82
- (b) The private maintenance easement agreement shall provide that the easement be kept free of all buildings and structures and all objects that would restrict the use of the easement for maintaining the building. 19P82

(24) MAP 1, ESTABLISHED COMMUNITIES

30P94

(a) The following map and list identifies communities within the boundary of the Established Communities and which are subject to special rules for infill development:



ALB	Albert Park/ Radisson Heights	ING	Inglewood	SCA	Scarboro
ALT	Altadore	KIL	Killarney/Glengarry	SSW	Scarboro/Sunalta West
BNF	Banff Trail	LPK	Lincoln Park	SHG	Shaganappi
BNK	Bankview	LMR	Lower Mount Royal	SOC	South Calgary
BEL	Bel-Aire	MAF	Mayfair	SOV	Southview
BOW	Bowness	MAL	Mayland Heights (including Belfast)	SPR	Spruce Cliff
BRD	Bridgeland/Riverside	MEA	Meadowlark Park	STA	St. Andrews Heights
BRT	Britannia	MIS	Mission	SNA	Sunalta
CAP	Capitol Hill	MON	Montgomery	SSD	Sunnyside
CFC	CFB (Currie)	MOP	Mount Pleasant	TUX	Tuxedo
CLI	Cliff Bungalow	NGM	North Glenmore	UOC	University of Calgary
CON	Connaught	OGD	Ogden	UNI	University Heights
CRE	Crescent Heights/ Regal Terrace	PKD	Parkdale	UMR	Upper Mount Royal
EPK	Elbow Park	PKH	Parkhill/Stanley Park	VIC	Victoria Park
EYA	Elboya	POI	Point McKay	WHL	West Hillhurst
ERL	Erlton	RAM	Ramsay	WGT	Westgate
FLN	Forest Lawn	REN	Renfrew	WLD	Wildwood
GLA	Glamorgan	RIC	Richmond	WND	Windsor Park
GBK	Glenbrook	RID	Rideau Park	WIN	Winston Heights/ Mountview
GDL	Glendale	RDL	Rosedale		
HIL	Hillhurst	RMT	Rosemont		
HOU	Hounsfield Heights/ Briar Hill	RCK	Rosscarrock		
		ROX	Roxboro		
		RUT	Rutland Park		

9P89, 16P89, 7P94

(25) For the purposes of this Bylaw, a building may be constructed using modular construction methods but a mobile home does not qualify as modular construction. *28P2001*

(26) SPECIAL FUNCTION TENTS *6P2003*

(a) Temporary Use

A special function tent (recreational) shall not be erected on a site, or portion thereof, for any longer than 10 cumulative days in any one calendar year. *6P2003*

(b) Rules

(i) Front Yard

A special function tent (recreational) shall not be erected in a front yard.

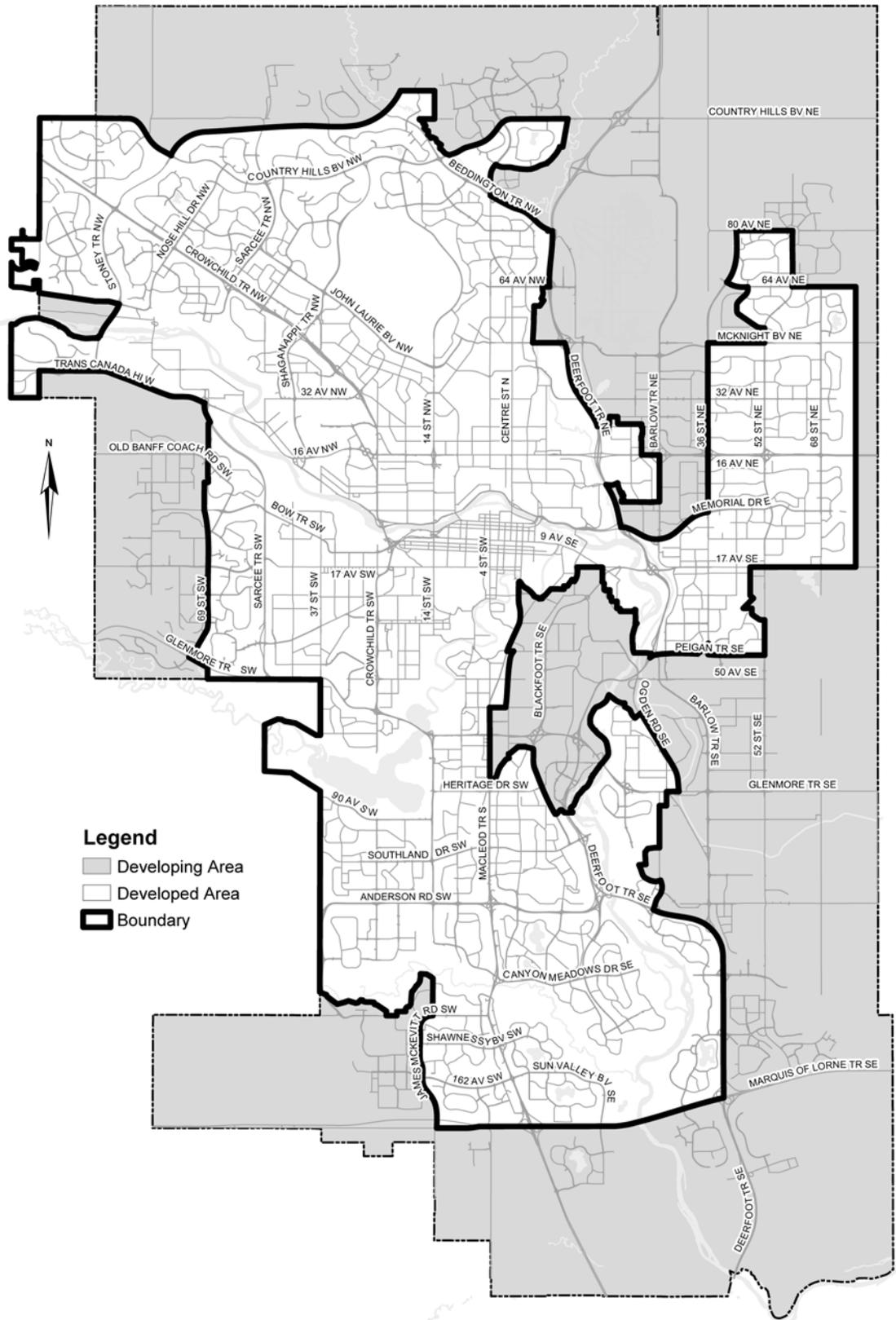
(ii) Separation from Side and Rear Property Line

No separation from a side or rear property line is required.

(iii) Lot Coverage

There is no maximum lot coverage. *6P2003*

(27) The following map identifies the area of the City which is within the Developing Area and is subject to a special height rule for single-detached dwellings with walkout basements on sites designated RR-1 and R-1: 20P2005





20.1 RULES FOR MODEST RESIDENTIAL DEVELOPMENT

30P94

- (1) The following rules are to encourage development, redevelopment, and additions thereto, of modest single-detached, semi-detached and duplex dwellings that are reflective of the existing scale and siting of buildings in the Established Communities (except for the Excluded Communities).

(2) APPLICATION

- (a) This Section shall apply to modest residential development in the Established Communities (except for the Excluded Communities), Section 20(24).

- (b) *deleted* *5P96, 2P97, 2P99*

- (c) Where an existing single-detached, semi-detached or duplex dwelling does not conform to the rules of Section 20.1, but a proposed addition

(i) complies with the rules of Section 20.1, and

(ii) does not create a further non-compliance of the existing building with any rule of this Bylaw,

that addition shall be deemed to be a permitted use and shall be issued a permitted use development permit and the building, for the purpose of such permit, shall be deemed to be conforming.

- (d) Where a proposed development under Section 20.1 does not comply with one or more of the rules, it shall not be granted a relaxation to the permitted use rules, but shall be considered a discretionary use and be subject to the rules of the district within which it is located.

- (e) Except for Sections 10(1)(a)(viii) to (xv) inclusive, the requirements of Section 10(1)(a) shall apply to applications for modest residential development.

(3) PERMITTED USE RULES

For sites with a land use district of R-1, R-1A, R-2, RM-2 and DC (for single-detached, semi-detached or duplex dwellings or any combination thereof except where the land use is for a comprehensively designed development or where the development guidelines require comprehensive development plans) in the Established Communities (except for the Excluded Communities), where modest residential development is proposed, the provisions of both Section 20.1 and those of the land use district for which the site is designated, shall apply including the General Rules of Section 20 and, where the rules conflict, the provisions of Section 20.1 shall take precedence.

(a) Front Yard

(i) A minimum depth of 6 metres except as otherwise identified on the Established Communities Required Front Yard Maps, *2P99*

(ii) Notwithstanding Subsection (3)(a)(i), where a minimum required front yard setback is 8 metres or greater, the first storey of the principal building may encroach into the minimum required front yard a maximum of 10 percent of the minimum required front yard. *2P99*

(b) Side Yard

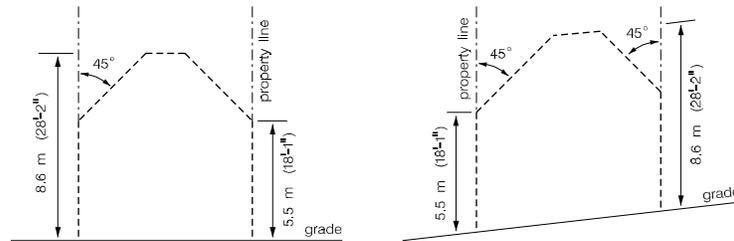
A minimum width of 1.2 metres except a minimum of 3 metres for the street side of a corner site where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after March 30, 1980.

(c) Rear Yard

- (i) A minimum of 40 percent of the lot depth. 2P99
- (ii) Notwithstanding Subsection (3)(c)(i), where an existing building has a minimum required front yard of 8 metres or greater a first storey addition may encroach into the minimum required rear yard a maximum depth of 2 metres and no greater than 5 square metres in area. 2P99

(d) Building Height

- (i) The height of a principal building shall not exceed the maximum dimensions formed by
 - (A) planes extending vertically above each side property line to a point 5.5 metres in height above grade, and
 - (B) planes starting from 5.5 metres above grade at the property line then extending inward and upward at an angle of 45 degrees, and intersecting with
 - (C) a plane parallel to and 8.6 metres above grade.



- (ii) Notwithstanding (i)(C) above, the maximum height for a building having a pitch less than 4:12 for its primary roof shall be 5.5 metres.
- (iii) No portion of a building facade shall be exposed below the grade line upon which building height is derived in Subsection (d)(i) above except for window wells that shall not exceed 3 metres in total length and 0.6 metres in width.
- (iv) Notwithstanding Section 20.1(3)(d)(i) a dormer may project outside the building height plane provided that 2P99
 - (A) there is no more than 1 dormer per side elevation, 2P99
 - (B) the dormer does not exceed 3 metres in length, 2P99
 - (C) the dormer does not project more than 1.2 metres higher than the building plane, and 2P99
 - (D) the portion of the dormer exceeding the building height plane is no more than 3 square metres in area. 2P99

(e) Building Length

A maximum of 16.8 metres for the first storey and a maximum of 15.2 metres for any other storey. 3P99

(f) Lot Width

The minimum lot width shall be the required minimum lot width for the Land Use District within which the site is located.

(g) Lot Depth

A minimum of 30.4 metres.

(h) Lot Area

A minimum of 228 square metres for single-detached dwellings and a minimum of 456 square metres for semi-detached and duplex dwellings.

(i) Lot Coverage

(i) Total Site Coverage

A maximum of 45 percent.

(ii) Principal Building Coverage

(A) Subject to Section 20.1(3)(i)(i), (iii) and (iv), for single-detached dwellings

- (I) on a lot with a width less than or equal to 9.2 metres, lot coverage for the principal building shall not exceed:

(lot area - 41 square metres) x 33 percent.

- (II) *deleted* *2P99*

- (II) on a lot with a width greater than 9.2 metres the lot coverage for the principal building shall not exceed: *2P99*

- for a single storey building:
(lot area - 41 square metres) x 33 percent. *2P99*

- for a building with any portion more than one storey:
(lot area - 41 square metres) x 25 percent.

- (B) Subject to Section 20.1(3)(i)(i), (iii) and (iv) for semi-detached and duplex dwellings, the principal building lot coverage shall not exceed:

(site area - 82 square metres) x 30 percent + 18.6 square metres.

- (iii) When calculating lot coverage for the principal building under (ii)(A) and (ii)(B) above, where a site area exceeds 697 square metres, the maximum lot area or site area used shall be 697 square metres.

- (iv) For the purpose of complying with lot coverage for the principal building in (ii)(A), (ii)(B) and (iii) above, the area of a porch or portion thereof which does not have any portion of principal building above, and has no portion exceeding 4.5 metres in height, shall not be included. *2P99*

(j) Landscaping

Subject to Section 20(18)(a)(iv), (b)(iii) and (iv), trees shall be provided on site no later than six months from the issuance of the Development Completion Permit, as follows:

- (i) On a lot having a width less than 12 metres, a minimum of two trees with a minimum of one tree located in the front yard; and
- (ii) On a lot having a width of 12 metres or greater, a minimum of four trees with a minimum of one tree located in the front yard.

(k) Floor Area

The second storey floor area, excluding the area of any projections on a side elevation, shall not exceed 100 per cent of the first storey floor area. *2P99*

(l) Building Features

(i) Building Entry

- (A) The primary entry door shall be located on the front facade and shall be located no further than 2 metres back from the foremost portion of the front facade, excluding a porch.
- (B) Notwithstanding (A), where a building on a corner site has a primary entry door on the side facade facing a street, a primary entry door on the front facade shall not be required.
- (C) The landing for a door on a side elevation shall be no more than 0.3 metres above grade where located within a minimum required side yard except where the side elevation faces a public thoroughfare. *2P99*
- (D) A portion of the front facade shall project forward, or be recessed, a minimum of 0.6 metres in depth and a minimum of 2 metres in length. *2P99*

(ii) Windows

Where the lot abuts a lot designated RR-1, R-1, RS-1, RS-2, R-1A, R-2, R-2A or a lot where a single-detached, semi-detached or duplex dwelling exists, no part of a window above the first storey on a side elevation which *2P99*

(A) is below 1.5 metres from the floor, and *2P99*

(B) contains transparent glazing *2P99*

shall be located closer than 4.5 metres to the required rear yard. *2P99*

(iii) Finishing Materials

The finishing materials of an addition to an existing dwelling shall be visually the same as the finishing materials on the building to which it is added. *2P99*

(m) Right-of-Way Setbacks

See Section 17.

(n) Parking and Loading Regulations

- (i) See Section 18.
- (ii) Any parking stall or private garage provided on-site, shall be accessible only from a rear lane and shall be located entirely within 8.5 metres of the rear lot line.

- (iii) Where an existing front-drive crossing provides access to a parking area to be removed, or a private garage to be demolished, the applicant shall remove the front drive crossing or contract its removal with the City prior to an application for modest residential development.

(o) Projections Over Yards

- (i) See Section 20(1) and (1.1). *2P99*
- (ii) Notwithstanding Section 20(1)(a) a porch, which does not have any portion of a principal building above, and has no portion exceeding 4.5 metres in height, may project a maximum of 1.5 metres into a required front yard or beyond a projection allowed in Section 20.1(3)(a)(ii). *2P99*
- (iii) Notwithstanding Section 20(1)(c) the maximum depth of a projection into a required rear yard shall be 0.6 metres, except 1.5 metres for a landing.
- (iv) Notwithstanding Section 20(1.1)(c) a balcony shall not be allowed on a rear or side elevation except where a balcony on a side elevation is part of a front facade and is not recessed more than 4.5 metres back from the front facade. *2P99*
- (v) Subject to Section 20(1)(a) and (c) a deck shall not be located within 1.2 metres of a side property line.

(p) Accessory Buildings

- (i) See Section 20(5).
- (ii) No portion of an accessory building or private garage, except accessory buildings which total in area less than 10 square metres, shall be located more than 8.5 metres forward of the rear lot line.



21. RR-1 RESTRICTED RESIDENTIAL SINGLE-DETACHED DISTRICT

(1) PURPOSE

The purpose of this district is to provide for very low density residential development in areas where compatibility with special environmental characteristics is essential.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Single-detached dwellings

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Front Yard

A minimum depth of 6.0 metres.

16P94

(b) Side Yard

7P94

(i) Interior Sides of a Site

(A) Laned Subdivision

A minimum width of 2.4 metres.

(B) Laneless Subdivision

A minimum width of 2.4 metres except a minimum width of 3.0 metres on one side of a site where no provision is made for a private garage to the front or side of a building.

16P94

(ii) Streetside of a Corner Lot

A minimum of 2.4 metres except a minimum width of 3.0 metres on the street side of a corner lot where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after March 30, 1980.

14P80, 16P94

(c) Rear Yard

A minimum depth of 7.5 metres.

- (d) Building Height** *20P2005*
- (i) For single-detached dwellings with walkout basements in the Developing Area:
A maximum of 11 metres.
 - (ii) For all other cases:
A maximum of 10 metres.
- (e) Lot Width**
A minimum of 24 metres.
- (e.1) Lot Depth** *6P88*
A minimum lot depth of 22.75 metres.
- (f) Lot Area**
A minimum of 1100 square metres.
- (g) Lot Coverage**
A maximum of 40 percent.
- (h) Right-of-Way Setbacks**
See Section 17.
- (i) Parking and Loading Regulations**
See Section 18. *11P94*
- (j) Airport Vicinity Special Regulations**
See Section 19.
- (k) Projections Over Yards**
See Section 20(1). *14P80*
- (l) Accessory Buildings**
See Section 20(5). *14P80*
- (m) Floodway Floodplain Special Regulations**
See Section 19.1. *5P85*

(4) DISCRETIONARY USES

deleted 13P85

deleted 28P83

Home occupations - Class 2 (N.P.) 1P88, 8P93

Power Generation Facility, Small-scale 25P2001

Public and quasi-public buildings (N.P.)

Signs

Utility Building 25P2001

Note: N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).
28P83

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 21(3), the following rules shall apply:

(a) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11. 11P98



22. R-1 RESIDENTIAL SINGLE-DETACHED DISTRICT

(1) PURPOSE

The purpose of this district is to provide for residential development in the form of single-detached housing.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Modest single-detached dwellings

(in Established Communities except for the Excluded Communities)

30P94

Parks and playgrounds

Single-detached dwellings (not in Established Communities)

9P89,7P94

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply, except that for modest residential development within the Established Communities (except for the Excluded Communities), Section 20.1 shall also apply: 30P94

(a) Front Yard

A minimum depth of 3.0 metres.

16P94

(b) Side Yard

(i) Interior Sides of a Site

(A) Laned Subdivision

A minimum width of 1.2 metres.

(B) Laneless Subdivision

A minimum width of 1.2 metres except a minimum width of 3.0 metres on one side of a site where no provision is made for a private garage to the front or side of a building.

16P94

(C) Modified Lot Line

A required 3.0 metre side yard may be reduced to less than 3.0 metres where the owner of the adjacent site grants a private access easement which shall

16P94

(I) in combination with the reduced side yard, provide for a separation of 3.0 metres from buildings on the adjacent site,

16P94

(II) be registered by caveat against the title of the site proposed for development and the title of the adjacent site, and

(III) be maintained free of any fences, trees, or other obstructions to vehicular traffic.

(ii) **Street Side of a Corner Site**

In a laned or laneless subdivision, a minimum width of 3.0 metres except a minimum width of 1.2 metres where the lot forms part of plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980. *16P94*

(iii) **Zero Lot Line**

A 1.2 metre required side yard may be reduced to 0 metres where, on the opposite side of the site, a side yard is provided in accordance with Section 22(3)(b)(ii) for a corner site and Section 22(3)(b)(i) for all other sites and where

(A) the owner of the adjacent site grants a 2.4 metre private maintenance easement which shall

(I) be registered by caveat against the title of the site proposed for development and the title of the adjacent site,

(II) include a 600 millimetre eave and footing encroachment easement, and

(B) all roof drainage from the building is directed onto the site by eavestroughs and downspouts. *14P80, 18P81, 12P82*

(c) Rear Yard

A minimum depth of 7.5 metres.

(d) Building Height

20P2005

(i) For single-detached dwellings with walkout basements in the Developing Area:

A maximum of 11 metres.

(ii) For all other cases:

A maximum of 10 metres.

(e) Lot Width

(i) A minimum of 12 metres for lots subdivided after the date of adoption of this Bylaw except that a minimum of 10.9 metres may be provided where a minimum of 12 metres averaged over all R-1 lots within a tentative plan is maintained. *9P93, 7P94*

(ii) A minimum of 12 metres for infill developments.

(e.1) Lot Depth

6P88

A minimum lot depth of 22.75 metres.

(f) Lot Area

(i) A minimum of 330 square metres for lots subdivided after the date of adoption of this Bylaw. *9P93*

(ii) A minimum of 370 square metres for infill developments.

(g) Lot Coverage

A maximum of 45 percent which shall be reduced by a minimum area of 18 square metres for each required on-site parking stall except where the required parking stall is provided within a carport or private garage. 7P94

(h) Right-of-Way Setbacks

See Section 17.

(i) Parking and Loading Regulations

See Section 18. 11P94

(j) Airport Vicinity Special Regulations

See Section 19.

(k) Projections Over Yards

See Section 20(1). 14P80

(l) Accessory Buildings

See Section 20(5). 14P80

(m) Floodway Floodplain Special Regulations

See Section 19.1. 5P85

(4) DISCRETIONARY USES

deleted 28P83

deleted 13P85

Home occupations - Class 2 (N.P.) 1P88, 8P93

Power Generation Facility, Small-scale 25P2001

Public and quasi-public buildings (N.P.)

Signs

Single-detached dwellings (in Established Communities) (C.U.) 9P89, 7P94

Special care facilities (N.P.)

Utility Building 25P2001

Note: N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4). 28P83

C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b). 7P94

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 22(3), the following rules shall apply:

(a) Signs

See Appendix.

- (b)** Notwithstanding the limitation on building height, the height of any portion of a roof of an existing dwelling in Excluded Communities may be raised only by a maximum of 1.5 metres above the ridge of that portion of the roof, or, in the case of a flat or shed roofed building, 1.5 metres above the highest point of the roof. *30P94*

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

22.1 RS-1 & RS-2 RESIDENTIAL SMALL LOT DISTRICTS

(1) PURPOSE

18P92

The purpose of this district is to provide for comprehensively-designed residential development in the form of single-detached or semi-detached dwellings on small lots.

(2) PERMITTED USES

The following uses shall be permitted within a small lot development area:

(a) RS-1

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Single-detached dwellings

Special function tents (recreational)

6P2003

Utilities

(a) RS-2

In addition to the uses contained in Section 22.1(2)(a), the following uses shall apply:

Semi-detached dwellings

(3) PERMITTED USE RULES

Except for Sections 20(1) and 20(3)(a), the General Rules for Residential Districts contained in Section 20 shall apply in addition to the following:

(a) Compliance with Development Design Guidelines

All dwellings and accessory buildings shall comply with the development design guidelines.

(b) Yards

(i) A minimum width of 1.2 metres for all yards.

(ii) A 1.2 metre required yard may be reduced to 0 metres where a private maintenance easement is provided in accordance with Section 22.1(3)(d).

(iii) A minimum width of 3 metres on one side of a site or on both sides of a site in the case of a semi-detached dwelling in a laneless subdivision where no provision is made for a private garage to the front or side of a building.

(c) Projections

(i) Eaves, balconies, bay windows, canopies, chimneys, unenclosed decks, fire escapes and porches may project a maximum of 600 millimetres over or onto a required yard, other than a yard required by Section 22.1(3)(b)(iii).

(ii) Unenclosed steps providing entry only to the basement or first storey of a principal building may project over or onto a required yard other than a yard required by Section 22.1(3)(b)(iii).

(iii) No projection other than eaves may extend into a public or private right-of-way.

(d) Private Maintenance Easement

Where the owner of an adjacent site provides the private maintenance easement referred to in Section 22.1(3)(b)(ii):

(i) it shall:

(A) be of 1.5 metres in width,

(B) be registered by caveat against the title of the site proposed for development and the title of the adjacent site,

(C) include a 600 millimetre eave and footing encroachment easement.

(ii) All roof drainage from the building is directed onto the site by eavestroughs and downspouts.

(e) Building Height

A maximum of 10 metres.

(e.1) Lot Depth

6P88

A minimum lot depth of 22.75 metres.

(f) Lot Area

A minimum as follows:

(i) Single-detached - 233 square metres

(ii) Semi-detached - 466 square metres per building with a minimum of 186 square metres for one of the two dwelling units.

(g) Lot Coverage

A maximum of 60 percent which shall be reduced by a minimum area of 18 square metres for each required on-site parking stall except where the required parking stall is provided within a carport or private garage.

7P94

(h) Private Outdoor Amenity Space

A private outdoor amenity space shall be provided for each dwelling unit at or below the floor level of the first storey and it shall have a minimum area of 14 square metres and a minimum dimension of 3 metres.

(i) Courtyards

Notwithstanding Section 20(6), courtyard walls, that are architecturally and structurally integrated with the principal building and were approved with the development design guidelines for the site, may be provided in front yards to a maximum height of 2 metres.

(j) Right-of-Way Setbacks

See Section 17.

(k) Parking and Loading Regulations

11P94

- (i) See Section 18.
- (ii) Notwithstanding Section 18, a minimum of two on-site parking stalls shall be provided for each dwelling unit of which no more than one parking stall may be located in a front yard, except where the front yard is developed in accordance with Section 22.1(3)(i).

11P94

(l) Airport Vicinity Special Regulations

See Section 19.

(m) Accessory Buildings

- (i) See Section 20(5).
- (ii) Notwithstanding Section 20(5), unless provided for in the approved development design guidelines of a small lot development area, accessory buildings and additions shall not be located in a front yard.

(n) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

deleted

28P83

Small lot development areas (C.U.)

In addition, the following uses may be allowed in small lot development areas:

deleted

13P85

Home occupations - Class 2 (N.P.)

1P88, 8P93

Public and quasi-public buildings (N.P.)

Power Generation Facility, Small-scale

25P2001

Signs

Special care facilities (N.P.)

Utility Building

25P2001

(5) DISCRETIONARY USE RULES

Except for Sections 20(1) and 20(3)(a), the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 22.1(3) shall apply in addition to the following:

(a) Rules for Small Lot Development Areas

- (i) Development design guidelines shall be provided for all dwellings and accessory buildings in a small lot development area.

- (ii) Development design guidelines shall be to the satisfaction of the Development Officer and shall regulate the provision, co-ordination and integration of the following:
 - (A) streetscape,
 - (B) impact on adjacent sites,
 - (C) outdoor amenity space and
 - (D) any other matters considered necessary by the Development Officer.

(b) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

22.2 R-1A RESIDENTIAL NARROW LOT SINGLE-DETACHED DISTRICT

9P93

(1) PURPOSE

The purpose of this district is to provide for residential development in the form of narrow lot single-detached housing.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Modest single-detached dwellings

(in Established Communities except for the Excluded Communities)

30P94

Parks and playgrounds

Single-detached dwellings (not in Established Communities)

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply, except that for modest residential development within the Established Communities (except for the Excluded Communities), Section 20.1 shall also apply:

30P94

(a) Front Yard

A minimum depth of 3.0 metres.

16P94

(b) Side Yard

(i) Interior Sides of a Site

(A) Laned Subdivision

A minimum width of 1.2 metres.

(B) Laneless Subdivision

A minimum width of 1.2 metres except a minimum width of 3.0 metres on one side of a site where no provision is made for a private garage to the front or side of a building.

16P94

(C) Modified Lot Line

A required 3.0 metre side yard may be reduced to less than 3.0 metres where the owner of the adjacent site grants a private access easement which shall

16P94

(I) in combination with the reduced side yard, provide for a separation of 3.0 metres from buildings on the adjacent site,

16P94

(II) be registered by caveat against the title of the site proposed for development and the title of the adjacent site, and

(III) be maintained free of any fences, trees, or other obstructions to vehicular traffic.

(ii) **Street Side of a Corner Site**

In a laned or laneless subdivision, a minimum width of 3.0 metres except a minimum width of 1.2 metres where the lot forms part of plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980. *16P94*

(iii) **Zero Lot Line**

A 1.2 metre required side yard may be reduced to 0 metres where, on the opposite side of the site, a side yard is provided in accordance with Section 22.2(3)(b)(ii) for a corner site and Section 22.2(3)(b)(i) for all other sites and where

(A) the owner of the adjacent site grants a 2.4 metre private maintenance easement which shall

(I) be registered by caveat against the title of the site proposed for development and the title of the adjacent site,

(II) include a 600 millimetre eave and footing encroachment easement, and

(B) all roof drainage from the building is directed onto the site by eavestroughs and downspouts.

(c) Rear Yard

A minimum depth of 7.5 metres.

(d) Building Height

A maximum of 9 metres, except a maximum of 10 metres where a building has an at-grade basement level entry. *20P2001*

(e) Lot Width

(i) A minimum of 9.7 metres, except a minimum of 8.5 metres may be provided where a minimum of 9.7 metres averaged over all the R-1A lots within a tentative plan is maintained.

(ii) A maximum of 12.2 metres, except a maximum of 14 metres for corner lots. *7P94*

(iii) Notwithstanding Subsection (3)(e)(ii) above, a lot shall not be considered to be over width where:

(A) the width of a utility right-of-way running parallel to a side property line is included; or

(B) a non-rectangular lot exceeds 12.2 metres in width but does not exceed 12.2 metres in lot frontage.

(iv) For the purposes of determining average lot width in accordance with Subsection (3)(e)(i) above, lots exceeding 12.2 metres in width shall be deemed to be 12.2 metres in width.

(f) Lot Depth

A minimum of 30.4 metres.

(g) Lot Area

A minimum of 258 square metres.

(h) Lot Coverage

A maximum of 45 percent which shall be reduced by a minimum area of 18 square metres for each required on-site parking stall except where the required parking stall is provided within a carport or private garage. 7P94

(i) Right-of-Way Setbacks

See Section 17.

(j) Parking and Loading Regulations

11P94

See Section 18.

(k) Airport Vicinity Special Regulations

See Section 19.

(l) Projections Over Yards

See Section 20(1).

(m) Accessory Buildings

See Section 20(5).

(n) Floodway Floodplain Special Regulations

See Section 19.1.

(4) DISCRETIONARY USES

Home occupations - Class 2 (N.P.)

8P93

Power Generation Facility, Small-scale

25P2001

Public and quasi-public buildings (N.P.)

Signs

Single-detached dwellings (in Established Communities) (C.U.)

Special care facilities (N.P.)

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 22.2(3), the following rules shall apply:

(a) Signs

See Appendix.

- (b)** Notwithstanding the limitation on building height, the height of any portion of a roof of an existing dwelling in Excluded Communities may be raised only by a maximum of 1.5 metres above the ridge of that portion of the roof, or, in the case of a flat or shed roofed building, 1.5 metres above the highest point of the roof. *30P94*

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

23. R-2 RESIDENTIAL LOW DENSITY DISTRICT

(1) PURPOSE

The purpose of this district is to provide for low density residential development in the form of single-detached, semi-detached and duplex dwellings.

(2) PERMITTED USES

Accessory buildings

Duplex dwellings (not in Established Communities) *9P89, 7P94*

Essential public services

Home occupations - Class 1 *8P93*

Modest duplex dwellings
(in Established Communities except for the Excluded Communities) *30P94*

Modest semi-detached dwellings
(in Established Communities except for the Excluded Communities) *30P94*

Modest single-detached dwellings
(in Established Communities except for the Excluded Communities) *30P94*

Parks and playgrounds

Semi-detached dwellings (not in Established Communities) *9P89, 7P94*

Single-detached dwellings (not in Established Communities) *9P89, 7P94*

Special function tents (recreational) *6P2003*

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply, except that for modest residential development within the Established Communities (except for the Excluded Communities), Section 20.1 shall also apply: *30P94*

(a) Front Yard

A minimum depth of 3.0 metres. *16P94*

(b) Side Yard

(i) Interior Sides of a Site

(A) Laned Subdivision

A minimum width of 1.2 metres.

(B) Laneless Subdivision

A minimum width of 1.2 metres except a minimum width of 3.0 metres on one side of a site or on both sides of a site in the case of a semi-detached dwelling, where no provision is made for a private garage to the front or side of a building. *16P94*

(C) Modified Lot Line

A required 3.0 metre side yard may be reduced to less than 3.0 metres where the owner of the adjacent site grants a private access easement which shall *16P94*

- (I) in combination with the reduced side yard, provide for a separation of 3.0 metres from buildings on the adjacent site, *16P94*
- (II) be registered by caveat against the title of the site proposed for development and the title of the adjacent site, and
- (III) be maintained free of any fences, trees, or other obstructions to vehicular traffic.

(D) Semi-detached dwellings

Subject to Section 23(3)(i), no side yard is required where a party wall is on a side property line. *17P99*

(ii) Street Side of a Corner Site

- (A) A minimum of 1.2 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980.
- (B) A minimum of 3.0 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after March 30, 1980, except a minimum of 1.2 metres where *16P94*
 - (I) a corner lot was approved prior to March 31, 1980, and
 - (II) the lot was designed and intended to accommodate a semi-detached dwelling, and
 - (III) the lot is further subdivided to provide a separate lot for each unit of a semi-detached dwelling.

(iii) Zero Lot Line

A 1.2 metre required side yard may be reduced to 0 metres where, on the opposite side of the site, a side yard is provided in accordance with Section 23(3)(b)(ii) for a corner site and Section 23(3)(b)(i) for all other sites and where

- (A) the owner of the adjacent site grants a 2.4 metre private maintenance easement which shall
 - (I) be registered by caveat against the title of the site proposed for development and the title of the adjacent site,
 - (II) include a 600 millimetre eave and footing encroachment easement, and
- (B) all roof drainage from the building is directed onto the site by eavestroughs and downspouts. *14P80, 18P81, 12P82*

(c) Rear Yard

A minimum depth of 7.5 metres.

(d) Building Height

A maximum of 10 metres.

(d.1) Lot Mix

- (i) With respect to any lot designated R-2 on or after 1993 May 11, and not in an Established Community, no more than 50 percent of the total number of R-2 lots within a tentative plan shall be for single-detached buildings.
- (ii) With respect to any lot designated R-2 on or after 1993 May 11, in any area other than an Established Community, single-detached dwellings shall only be constructed on lots approved for single-detached dwellings at the time of approval of the tentative plan. *9P93*

(e) Lot Width

A minimum as follows:

- (i) Single-detached
 - (A) Areas designated R-2 prior to 1993 May 11, a minimum of 7.5 metres except a minimum of 12 metres for infill development outside of the Established Communities. *17P99*
 - (B) Areas designated R-2 on or after 1993 May 11, in any area other than an Established Community, 9.7 metres, except a minimum of 7.9 metres where no more than 4 contiguous lots are to accommodate single-detached buildings.
 - (C) Areas designated R-2 on or after 1993 May 11, in an Established Community, a minimum of 7.5 metres, except a minimum of 12 metres for infill development outside of the Established Communities. *9P93, 17P99*
- (ii) Duplex - 15 metres.
- (iii) Semi-detached - 15 metres per building, with a minimum of 6 metres for one of the two dwelling units.

(e.1) Lot Depth

6P88

A minimum lot depth of 22.75 metres.

(f) Lot Area

A minimum as follows:

- (i) Single-detached - 233 square metres
- (ii) Duplex - 466 square metres
- (iii) Semi-detached - 466 square metres per building, with a minimum of 186 square metres for one of the two dwelling units.

(g) Lot Coverage

A maximum of 45 percent which shall be reduced by a minimum area of 18 square metres for each required on-site parking stall except where the required parking stall is provided within a carport or private garage. *7P94*

(h) Infill Development

No single-detached or semi-detached building shall be allowed which

- (i) provides more than two points of entry for each unit, with not more than one entry per facade, excluding sliding glass patio doors and garage entrances;
- (ii) has the connecting stairway accessing onto an entrance hall;
- (iii) provides independent access to the basement area from outside the building.

7P94

(i) Right-of-Way Setbacks

See Section 17.

(j) Parking and Loading Regulations

11P94

- (i) See Section 18.
- (ii) Notwithstanding the requirements of Section 18, two parking stalls per unit shall be provided for a lot less than 9 metres in width or 270 square metres in area where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after September 7, 1982.

18P82, 11P94

(k) Airport Vicinity Special Regulations

See Section 19.

(l) Projections Over Yards

See Section 20(1).

14P80

(m) Accessory Buildings

See Section 20(5).

14P80

(n) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

deleted 28P83

deleted 13P85

Duplex dwellings (in Established Communities) (C.U.) 9P89, 7P94

Home occupations - Class 2 (N.P.) 1P88, 8P93

Power Generation Facility, Small-scale 25P2001

Public and quasi-public buildings (N.P.)

Semi-detached dwellings (in Established Communities) (C.U.) 9P89, 7P94

Signs

Single-detached dwellings (in Established Communities) (C.U.)

9P89, 7P94

Special care facilities (N.P.)

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b). *7P94*

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 23(3), the following rules shall apply:

(a) Lot Width

Single-detached - a minimum of 7.5 metres for infill development.

(b) Additional Units

No building shall be allowed which could readily be converted to result in more dwelling units being provided than are permissible within this district.

(c) Signs

See Appendix.

(d) Notwithstanding the limitation on building height, the height of any portion of a roof of an existing dwelling in Excluded Communities may be raised only by a maximum of 1.5 metres above the ridge of that portion of the roof, or, in the case of a flat or shed roofed building, 1.5 metres above the highest point of the roof. *30P94*

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



24. R-2A RESIDENTIAL LOW DENSITY DISTRICT

(1) PURPOSE

The purpose of this district is to provide for the option of townhouse development at similar densities to single-detached, semi-detached and duplex development in order to increase the variety of dwelling types.

(2) PERMITTED USES

Accessory buildings

Duplex dwellings (not in Established Communities) *9P89, 7P94*

Essential public services

Home occupations - Class 1 *8P93*

Parks and playgrounds

Semi-detached dwellings (not in Established Communities) *9P89, 7P94*

Single-detached dwellings (not in Established Communities) *9P89, 7P94*

Special function tents (recreational) *6P2003*

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Front Yard

A minimum depth of 3.0 metres. *16P94*

(b) Side Yard

(i) Interior Sides of a Site

(A) Laned Subdivision

A minimum width of 1.2 metres.

(B) Laneless Subdivision

A minimum width of 1.2 metres except a minimum width of 3.0 metres on one side of a site or on both sides of a site in the case of a semi-detached dwelling, where no provision is made for a private garage to the front or side of a building. *16P94*

(C) Modified Lot Line

A required 3.0 metre side yard may be reduced to less than 3.0 metres where the owner of the adjacent site grants a private access easement which shall *16P94*

(I) in combination with the reduced side yard, provide for a separation of 3.0 metres from buildings on the adjacent site, *16P94*

(II) be registered by caveat against the title of the site proposed for development and the title of the adjacent site, and

(III) be maintained free of any fences, trees, or other obstructions to vehicular traffic.

(D) Semi-detached dwellings

Subject to Section 24(3)(b)(i), no side yard is required where a party wall is on a side property line. *17P99*

(ii) Street Side of a Corner Site

(A) A minimum of 1.2 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980.

(B) A minimum of 3.0 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after March 30, 1980, except a minimum of 1.2 metres where *16P94*

(I) a corner lot was approved prior to March 31, 1980, and

(II) the lot was designed and intended to accommodate a semi-detached dwelling, and

(III) the lot is further subdivided to provide a separate lot for each unit of a semi-detached dwelling.

(iii) Zero Lot Line

A 1.2 metre required side yard may be reduced to 0 metres where, on the opposite side of the site, a side yard is provided in accordance with Section 24(3)(b)(ii) for a corner site and Section 24(3)(b)(i) for all other sites and where

(A) the owner of the adjacent site grants a 2.4 metre private maintenance easement which shall

(I) be registered by caveat against the title of the site proposed for development and the title of the adjacent site,

(II) include a 600 millimetre eave and footing encroachment easement, and

(B) all roof drainage from the building is directed onto the site by eavestroughs and downspouts. *14P80, 18P81, 12P82*

(c) Rear Yard

A minimum depth of 7.5 metres.

(d) Building Height

A maximum of 10 metres.

(e) Lot Width

A minimum as follows:

(i) Single-detached

- (A) Areas designated R-2A prior to 1993 May 11, a minimum of 7.5 metres except a minimum of 12 metres for infill development outside of the Established Communities. *17P99*
 - (B) Areas designated R-2A on or after 1993 May 11, in any area other than an Established Community, 9.7 metres, except a minimum of 7.9 metres where no more than 4 contiguous lots are to accommodate single-detached buildings.
 - (C) Areas designated R-2A on or after 1993 May 11, in an Established Community, a minimum of 7.5 metres, except a minimum of 12 metres for infill development outside of the Established Communities. *9P93, 17P99*
- (ii) Duplex - 15 metres
 - (iii) Semi-detached - 15 metres per building, with a minimum of 6 metres for one of the two dwelling units.

(e.1) Lot Depth

6P88

A minimum lot depth of 22.75 metres.

(f) Lot Area

A minimum as follows:

- (i) Single-detached - 233 square metres
- (ii) Duplex - 466 square metres
- (iii) Semi-detached - 466 square metres per building, with a minimum of 186 square metres for one of the two dwelling units.

(g) Lot Coverage

A maximum of 45 percent which shall be reduced by a minimum area of 18 square metres for each required on-site parking stall except where the required parking stall is provided within a carport or private garage. *7P94*

(h) Infill Development

No single-detached or semi-detached building shall be allowed which *7P94*

- (i) provides more than two points of entry for each unit, with not more than one entry per facade, excluding sliding glass patio doors and garage entrances;
- (ii) has the connecting stairway accessing onto an entrance hall;
- (iii) provides independent access to the basement area from outside the building.

(i) Right-of-Way Setbacks

See Section 17.

(j) Parking and Loading Regulations

11P94

See Section 18.

(k) Airport Vicinity Special Regulations

See Section 19.

- (l) **Projections Over Yards**
See Section 20(1). 14P80
- (m) **Accessory Buildings**
See Section 20(5). 14P80
- (n) **Floodway Floodplain Special Regulations**
See Section 19.1. 5P85

(4) DISCRETIOANRY USES

- deleted* 28P83
- deleted* 13P85
- Duplex dwellings (in Established Communities) (C.U.) 9P89, 7P94
- Home occupations - Class 2 (N.P.) 1P88, 8P93
- Power Generation Facility, Small-scale 25P2001
- Public and quasi-public buildings (N.P.)
- Semi-detached dwellings (in Established Communities) (C.U.) 9P89, 7P94
- deleted* 20P97
- Signs
- Single-detached dwellings (in Established Communities) (C.U.) 9P89, 7P94
- Special care facilities (N.P.)
- Townhouses
- Utility Building 25P2001
- Note:** C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b). 7P94

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 24(3), the following rules shall apply:

- (a) **Lot Width**
Single-detached - a minimum of 7.5 metres for infill development.
- (b) **Townhouse Developments**
 - (i) **Front Yard**

A townhouse building which fronts onto a public street shall not have a front yard less than the deepest front yard of the principal building on any adjoining site or 9 metres, whichever is the lesser.

(ii) Site Area

A minimum of 233 square metres per unit where each unit has public street frontage.

(iii) Density

A maximum density of 30 units per hectare (12 units per acre) for comprehensive developments where any unit does not have public street frontage.

(iv) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(v) Compatibility

Where townhouse units front onto a public street, they shall be compatible in terms of mass and character with existing residential buildings on neighbouring sites.

(vi) Laneless

A townhouse development in a laneless subdivision shall not be subdivided into lots for individual dwelling units unless the Approving Authority is satisfied with the provisions made for

(A) the required parking stalls, and *11P94*

(B) any necessary emergency or utility maintenance access to the rear of the individual lots.

(c) Additional Units

No building shall be allowed which could readily be converted to result in more dwelling units being provided than are permissible within this district.

(d) Signs

See Appendix.

(e) Notwithstanding the limitation on building height, the height of any portion of a roof of an existing dwelling may be raised only by a maximum of 1.5 metres above the ridge of that portion of the roof, or, in the case of a flat or shed roofed building, 1.5 metres above the highest point of the roof. *9P89, 20P91*

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



25. R-MH RESIDENTIAL MOBILE HOME DISTRICT

(1) PURPOSE

The purpose of this district is to provide for residential development in the form of mobile home parks and mobile home subdivisions.

(2) PERMITTED USES

Accessory buildings

Attached structures

Double-wide mobile homes

Essential public services

Home Occupations - Class 1

8P93

Parks and playgrounds

Single-wide mobile homes

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Rules for Uses in Mobile Home Subdivisions

(i) Front Yard

A minimum depth of 3 metres.

(ii) Side Yard

A minimum width of 1.2 metres for each side yard.

(iii) Rear Yard

A minimum depth of 3 metres.

(iv) Frontage

A minimum of 9 metres.

(v) Lot Width

A minimum of 9.8 metres.

(vi) Lot Area

A minimum of 270 square metres.

(vii) Lot Coverage

A maximum of 45 percent.

(b) Rules for Uses in Mobile Home Parks

- (i) Each mobile home and any attached structure shall be located entirely within the bounds of a mobile home space as shown on an approved site plan for a mobile home park.
- (ii) Each mobile home shall be sited on a mobile home stand.
- (iii) Accessory buildings and attached structures shall be located a minimum of 1.2 metres from any accessory building, attached structure or mobile home on an adjacent mobile home space.

(c) Open Area

On each mobile home lot or mobile home space, a minimum usable open area of at least 42 square metres with a minimum mean dimension of 3.6 metres shall be provided adjacent to the main entrance of the mobile home, and such space shall be maintained free of a parking area, accessory buildings or attached structures. 11P94

(d) Installation

Each mobile home shall be fixed to a permanent foundation or blocked and anchored on the site, and shall be skirted and the hitch removed or skirted.

(e) Building Height

A maximum of 5 metres.

(f) Right-of-Way Setbacks

See Section 17.

(g) Parking and Loading Regulations

11P94

See Section 18.

(h) Airport Vicinity Special Regulations

See Section 19.

(i) Projections Over Yards

See Section 20(1).

14P80

(j) Accessory Buildings

See Section 20(5).

14P80

(k) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

deleted

28P83

Home occupations - Class 2 (N.P.)

1P88, 8P93

Mobile home parks (C.U.)

Power Generation Facility, Mid-scale 25P2001

Power Generation Facility, Small-scale 25P2001

Signs

Utility Building 25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b). 28P83

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4). 1P88

(5) DIISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 25(3), the following rules shall apply:

(a) Mobile Home Parks

(i) A mobile home park shall comprise a minimum site area of 8 hectares (20 acres) but not more than 16 hectares (40 acres).

(ii) Each mobile home space in a mobile home park shall

(A) abut an internal road and have an accessway with a minimum width of 4.3 metres; 11P94

(B) be clearly defined on the ground by permanent flush stakes or markers and permanently addressed with a number;

(C) be of a minimum area of 240 square metres with a minimum mean width of 9 metres;

(D) be provided with a mobile home stand upon which a mobile home may be suitably installed, and each stand shall be located

(I) a minimum of 5 metres from any adjacent mobile home stand;

(II) a minimum of 3 metres from any park boundary;

(III) a minimum of 3 metres from any internal road; 11P94

(IV) a minimum of 15 metres from any mobile home stand or a permanent park structure located on the opposite side of a park street.

(iii) A minimum of 10 percent of the total area of a mobile home park shall be provided in a suitable location for the recreational use and the enjoyment of the park occupants.

(iv) A mobile home park shall be provided with street lighting.

(b) Separation

Where a mobile home park abuts another residential district or a public thoroughfare separating a mobile home park from another residential district, the spatial separation between such a district or public thoroughfare and the mobile home park, and the treatment of such spatial separation shall be to the satisfaction of the Approving Authority.

(c) Landscaped Area

All areas of a mobile home park not developed or occupied by internal roads, walkways, driveways, mobile home stands, buildings or other facilities shall be landscaped. 11P94

(d) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(e) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



26. RM-1 RESIDENTIAL LOW DENSITY MULTI-DWELLING DISTRICT

(1) PURPOSE

The purpose of this district is to provide for comprehensive townhouse developments, primarily within outer city areas.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Yards

(i) A minimum of 3.0 metres from the front of a building to a property line. *16P94*

(ii) A minimum of 1.2 metres from the side of a building to a property line; a minimum of 3.0 metres where adjacent to a street. *11P94, 16P94*

(iii) A minimum of 6.0 metres from the rear of a building to a property line. *16P94*

(b) Building Separation

No residential building shall be situated closer than 3.0 metres to any other building on the site. *16P94*

(c) Building Height

A maximum of three storeys not exceeding 9 metres at any eaveline.

(d) Landscaped Area

A minimum of 40 percent of the site area plus all adjoining City boulevards.

(e) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(f) Right-of-Way Setbacks

See Section 17.

(g) Parking and Loading Regulations

11P94

See Section 18.

(h) Airport Vicinity Special Regulations

See Section 19.

(i) Projections Over Yards

See Section 20(1).

14P80

(j) Accessory Buildings

See Section 20(5).

14P80

(k) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

deleted

28P83

deleted

13P85

Home occupations - Class 2 (N.P.)

1P88, 8P93

Lodging houses

Power Generation Facility, Mid-scale

25P2001

Power Generation Facility, Small-scale

25P2001

Public and quasi-public buildings (N.P.)

deleted

20P97

Signs

Special care facilities (N.P.)

Townhouses (C.U.)

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 26(3), the following rules shall apply:

(a) Density

(i) A maximum of 44 units per hectare (18 units per acre).

(ii) A maximum of 54 units per hectare (22 units per acre) where all parking areas, exclusive of access to such areas, are completely below grade. 11P94, 16P94

(b) Private Amenity Space

Each dwelling unit shall be provided with a private outdoor amenity space in conformity with Section 20(17).

(c) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



27. RM-2 RESIDENTIAL LOW DENSITY MULTI-DWELLING DISTRICT

(1) PURPOSE

The purpose of this district is to provide for a mixture of family-oriented dwelling units in the low density range. This district shall only be used within the inner city as shown on Section 18(2) Map 2, Boundaries of the Inner City. *1P84, 7P94*

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1 *8P93*

Modest duplex dwellings
(in Established Communities except for the Excluded Communities) *30P94*

Modest semi-detached dwellings
(in Established Communities except for the Excluded Communities) *30P94*

Modest single-detached dwellings
(in Established Communities except for the Excluded Communities) *30P94*

Parks and playgrounds

Special function tents (recreational) *6P2003*

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply, except that for modest residential development within the Established Communities (except for the Excluded Communities), Section 20.1 shall also apply: *30P94*

(a) Front Yard

(i) A minimum depth of 3.0 metres. *16P94*

(ii) Where the average of the front yards of the two adjoining properties is less than 3.0 metres, that average may be the minimum front yard. *16P94*

(b) Side Yard

(i) Interior Sides of a Site

A minimum width of 1.2 metres except a minimum width of 3.0 metres where a side of the site is used to provide vehicular access to the rear of a property. *16P94*

(ii) Street Side of a Corner Site

(A) A minimum of 1.2 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980.

(B) A minimum of 3.0 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission after March 30, 1980, except a minimum of 1.2 metres where *16P94*

(l) a corner lot was approved prior to March 31, 1980, and

(II) the lot was designed and intended to accommodate a semi-detached dwelling, and

(III) the lot is further subdivided to provide a separate lot for each unit of a semi-detached dwelling.

(iii) **Zero Lot Line**

A 1.2 metre required side yard may be reduced to 0 metres where, on the opposite side of the site, a side yard is provided in accordance with Section 27(3)(b)(ii) for a corner site and Section 27(3)(b)(i) for all other sites and where

(A) the owner of the adjacent site grants a 2.4 metre private maintenance easement which shall

(I) be registered by caveat against the title of the site proposed for development and the title of the adjacent site,

(II) include a 600 millimetre eave and footing encroachment easement, and

(B) all roof drainage from the building is directed onto the site by eavestroughs and downspouts. *14P80, 18P81*

(c) Rear Yard

(i) A minimum depth of 7.5 metres where not abutting a rear lane.

(ii) A minimum depth of 5.0 metres where abutting a rear lane. *16P94*

(d) Building Height

A maximum of three storeys not exceeding 9 metres at any eaveline.

(e) Landscaped Area

A minimum of 40 percent of the site area plus all adjoining City boulevards.

(e.1) Lot Depth

6P88

A minimum lot depth of 22.75 metres.

(f) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(g) Right-of-Way Setbacks

See Section 17.

(h) Parking and Loading Regulations

11P94

See Section 18.

(i) Airport Vicinity Special Regulations

See Section 19.

- (j) **Projections Over Yards**
See Section 20(1). 14P80
- (k) **Accessory Buildings**
See Section 20(5). 14P80
- (l) **Floodway Floodplain Special Regulations**
See Section 19.1. 5P85

(4) DISCRETIONARY USES

- deleted* 28P83
- Apartment buildings (C.U.)
- deleted* 13P85
- Duplex dwellings (C.U.)
- Fourplex Dwellings
- Home occupations - Class 2 (N.P.) 1P88, 8P93
- deleted* 18P81
- Lodging houses
- Power Generation Facility, Mid-scale 25P2001
- Power Generation Facility, Small-scale 25P2001
- Public and quasi-public buildings (N.P.)
- Semi-detached dwellings (C.U.)
- deleted* 20P97
- Signs
- Single-detached dwellings (C.U.)
- Special care facilities (N.P.)
- Stacked townhouses (C.U.)
- Townhouses (C.U.)
- Triplex dwellings
- Utility Building 25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).
18P81, 28P83

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 27(3), the following rules shall apply:

(a) Lot Width

A minimum of 7.5 metres.

(b) Site Area

A minimum of 233 square metres.

(c) Site Area per Dwelling Unit

A minimum of 139 square metres.

(d) Dwelling Unit Mix

In all developments, a minimum of 50 percent of the total number of dwelling units shall contain two or more bedrooms, and those same units shall have direct access to at-grade amenity space.

(e) Private Amenity Space

Each dwelling unit shall be provided with a private outdoor amenity space in conformity with Section 20(17).

(f) Courtyards

Notwithstanding Section 20(1) and (6), courtyard walls not exceeding 2 metres in height which enclose a private outdoor amenity space may, when architecturally and structurally integrated with the principal building, project to a property line.

(g) Signs

See Appendix.

(h) Single-detached, Semi-detached and Duplex Dwellings

Except when an integral part of a comprehensive multi-dwelling development, single-detached, semi-detached and duplex dwellings shall comply with the rules contained in Section 23, R-2 Residential Low Density District. *7P94*

(i) Townhouse Developments

Townhouse development shall comply with the rules contained in Section 26, RM-1 Residential Low Density Multi-Dwelling District. *7P94*

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

MAP 1 HILLHURST-SUNNYSIDE	<i>deleted</i>	<i>1P84</i>
MAP 2 CRESCENT HEIGHTS-REGAL TERRACE	<i>deleted</i>	<i>1P84</i>
MAP 3 BANKVIEW	<i>deleted</i>	<i>1P84</i>
MAP 4 SUNALTA	<i>deleted</i>	<i>1P84</i>
MAP 5 CLIFF BUNGALOW	<i>deleted</i>	<i>1P84</i>



28. RM-3 RESIDENTIAL MEDIUM DENSITY MULTI-DWELLING DISTRICT

(1) PURPOSE

The purpose of this district is to provide for a variety of housing forms in the medium density range, primarily within Established Communities, with each unit having separate direct access to grade. *7P84*

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1 *8P93*

Parks and playgrounds

Special function tents (recreational) *6P2003*

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Front Yard

(i) A minimum depth of 3.0 metres. *16P94*

(ii) For infill developments where the average of the front yards of the two adjoining properties is less than 3.0 metres, that average may be the minimum front yard. *16P94*

(b) Side Yard

(i) Street Side on Corner Sites

A minimum of 3.0 metres except a minimum of 1.2 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980. *16P94*

(ii) Interior Side

A minimum of 1.2 metres except a minimum of 3.0 metres where a side of a site is used to provide vehicular access to the rear of a property. *14P80, 16P94*

(c) Rear Yard

(i) A minimum depth of 7.5 metres where not abutting a rear lane.

(ii) A minimum depth of 5.0 metres where abutting a rear lane. *16P94*

(d) Building Height

A maximum of three storeys not exceeding 9 metres at any eaveline.

- (e) Lot Width**
A minimum of 7.5 metres.
 - (f) Landscaped Area**
A minimum of 40 percent of the site area plus all adjoining City boulevards.
 - (g) Garbage Storage**
Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.
 - (h) Right-of-Way Setbacks**
See Section 17.
 - (i) Parking and Loading Regulations** 11P94
See Section 18.
 - (j) Airport Vicinity Special Regulations**
See Section 19.
 - (k) Projections Over Yards** 14P80
See Section 20(1).
 - (l) Accessory Buildings** 14P80
See Section 20(5).
 - (m) Floodway Floodplain Special Regulations** 5P85
See Section 19.1.
- (4) DISCRETIONARY USES**
- deleted* 28P83
 - Child care facilities (N.P.)
 - Duplex dwellings
 - Fourplex dwellings (C.U.)
 - deleted* 18P81
 - Home occupations - Class 2 (N.P.) 1P88, 8P93
 - Lodging houses
 - Power Generation Facility, Mid-scale 25P2001
 - Power Generation Facility, Small-scale 25P2001
 - Public and quasi-public buildings (N.P.)

Semi-detached dwellings

deleted

20P97

Signs

Single-detached dwellings

Special care facilities (N.P.)

Stacked townhouses (C.U.)

Townhouses (C.U.)

Triplex dwellings (C.U.)

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 28(3), the following rules shall apply:

(a) Side Yard

Notwithstanding Section 28(3)(b), side yards may not be required for multi-dwelling developments when all necessary easements are obtained.

(b) Single-detached, Semi-detached and Duplex Dwellings

7P94

Except when an integral part of a comprehensive multi-dwelling development, single-detached, semi-detached and duplex dwellings shall comply with the rules contained in Section 23, R-2 Residential Low Density District.

(b.01) Townhouse Development

Townhouse development shall comply with the rules contained in Section 26, RM-1 Residential Low Density Multi-Dwelling District.

7P94

(b.1) Site Area

Notwithstanding Section 28(5)(b), a minimum of 279 square metres for a duplex on an existing site or for any development of three units or more.

8P82

(c) Density

A maximum of 111 units per hectare (45 units per acre).

(d) Private Amenity Space

Each dwelling unit shall be provided with a private outdoor amenity space in conformity with Section 20(17).

(e) Courtyards

Notwithstanding Section 20(1) and (6), courtyard walls not exceeding 2 metres in height which enclose a private outdoor amenity space may, when architecturally and structurally integrated with the principal building, project to a property line.

(f) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

29. RM-4, RM-4/125, RM-4/100, RM-4/75 RESIDENTIAL MEDIUM DENSITY MULTI-DWELLING DISTRICTS

7P82

(1) PURPOSE

The purpose of this district is to provide for a variety of residential dwellings in low profile form in a medium density range.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Front Yard

- (i) A minimum depth of 3.0 metres. 16P94
- (ii) For infill developments where the average of the front yards of the two adjoining properties is less than 3.0 metres, that average may be the minimum front yard. 16P94

(b) Side Yard

- (i) Street Side on Corner Sites

A minimum of 3.0 metres except a minimum of 1.2 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980. 16P94
- (ii) Interior Side
 - (A) A minimum of 3.0 metres where a side of a site is used to provide vehicular access to the rear of the property. 16P94
 - (B) A minimum of 1.2 metres except no side yard is required for a parking structure which does not require external maintenance and which is located to the side or rear of the building. 14P80

(c) Rear Yard

- (i) A minimum depth of 7.5 metres where not abutting a rear lane.
- (ii) A minimum depth of 5.0 metres where abutting a rear lane. 16P94
- (iii) No rear yard is required for a parking structure which does not require external maintenance.

(d) Building Height

- (i) A maximum of three storeys not exceeding 9 metres at any eaveline.
- (ii) For the purpose of this district, height shall be measured from grade at all points adjacent to a building and from an approved landscaped deck where such a deck is adjacent to the rear wall of a building.

(e) Lot Width

A minimum of 7.5 metres.

(f) Landscaped Area

- (i) A minimum of 40 percent of the site area plus all adjoining City boulevards.
- (ii) All landscaped areas may be at grade or within 3 metres of grade, provided the average elevation of any raised area does not exceed 2 metres.

(g) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(h) Right-of-Way Setbacks

See Section 17.

(i) Parking and Loading Regulations

11P94

See Section 18.

(j) Airport Vicinity Special Regulations

See Section 19.

(k) Projections Over Yards

See Section 20(1).

14P80

(l) Accessory Buildings

See Section 20(5).

14P80

(m) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

deleted

28P83

Apartment buildings (C.U.)

Child care facilities (N.P.)

Duplex dwellings

Fourplex dwellings (C.U.)	
Home occupations - Class 2 (N.P.)	1P88, 8P93
Hostels (N.P.)	
Lodging houses	
Power Generation Facility, Mid-scale	25P2001
Power Generation Facility, Small-scale	25P2001
Public and quasi-public buildings (N.P.)	
Semi-detached dwellings	
<i>deleted</i>	20P97
Signs	
Single-detached dwellings	
Special care facilities (N.P.)	
Stacked townhouses (C.U.)	
Townhouses (C.U.)	
Triplex dwellings (C.U.)	
Utility Building	25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 29(3), the following rules shall apply:

(a) Side Yard

Notwithstanding Section 29(3)(b), side yards may not be required for multi-dwelling developments when all necessary easements are obtained.

(b) Single-detached, Semi-detached and Duplex Dwellings

7P94

Except when an integral part of a comprehensive multi-dwelling development, single-detached, semi-detached and duplex dwellings shall comply with the rules contained in Section 23, R-2 Residential Low Density District.

(b.01) Townhouse Development

Townhouse development shall comply with the rules contained in Section 26, RM-1 Residential Low Density Multi-Dwelling District.

7P94

(b.1) Site Area

Notwithstanding Section 29(5)(b), a minimum of 279 square metres for a duplex on an existing site or for any development of three units or more. *8P82*

(c) Density

RM-4	A maximum of 148 units per hectare (60 units per acre),	
RM-4/125	A maximum of 125 units per hectare (50 units per acre),	
RM-4/100	A maximum of 100 units per hectare (40 units per acre),	
RM-4/75	A maximum of 75 units per hectare (30 units per acre).	<i>7P82</i>

(d) Private Amenity Space

Each dwelling unit shall be provided with a private outdoor amenity space in conformity with Section 20(17).

(e) Courtyards

Notwithstanding Section 20(1) and (6), courtyard walls not exceeding 2 metres in height which enclose a private outdoor amenity space may, when architecturally and structurally integrated with the principal building, project to a property line.

(f) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

30. RM-5 RESIDENTIAL MEDIUM DENSITY MULTI-DWELLING DISTRICT

(1) PURPOSE

The purpose of this district is to provide for a variety of low profile residential building forms in a medium density range.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Front Yard

A minimum depth of 3.0 metres.

16P94

(b) Side Yard

(i) Street Side on Corner Sites

A minimum of 3.0 metres except a minimum of 1.2 metres where the lot forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980.

16P94

(ii) Interior Side

(A) A minimum of 3.0 metres where a side of a site is used to provide vehicular access to the rear of the property.

16P94

(B) A minimum of 1.2 metres except no side yard is required for a parking structure which does not require external maintenance and which is located to the side or rear of the building.

14P80

(c) Rear Yard

(i) A minimum depth of 7.5 metres where not abutting a rear lane.

(ii) A minimum depth of 5.0 metres where abutting a rear lane.

16P94

(iii) No rear yard is required for a parking structure which does not require external maintenance.

(d) Building Height

(i) A maximum of four storeys not exceeding 12 metres at any eaveline.

- (ii) For the purpose of this district, height shall be measured from grade at all points adjacent to a building and from an approved landscaped deck where such a deck is adjacent to the rear wall of a building.

(e) Lot Width

A minimum of 7.5 metres.

(f) Landscaped Area

- (i) A minimum of 40 percent of the site area plus all adjoining City boulevards.
- (ii) All landscaped areas may be at grade or within 3 metres of grade, provided the average elevation of any raised area does not exceed 2 metres.

(g) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(h) Right-of-Way Setbacks

See Section 17.

(i) Parking and Loading Regulations

11P94

See Section 18.

(j) Airport Vicinity Special Regulations

See Section 19.

(k) Projections Over Yards

See Section 20(1).

14P80

(l) Accessory Buildings

See Section 20(5).

14P80

(m) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

deleted

28P83

Apartment buildings (C.U.)

Child care facilities (N.P.)

Duplex dwellings

Fourplex dwellings (C.U.)

Home occupations - Class 2 (N.P.)

1P88, 8P93

Hostels (N.P.)	
Lodging houses	
Power Generation Facility, Mid-scale	25P2001
Power Generation Facility, Small-scale	25P2001
Public and quasi-public buildings (N.P.)	
Semi-detached dwellings	
<i>deleted</i>	20P97
Signs	
Single-detached dwellings	
Special care facilities (N.P.)	
Stacked townhouses (C.U.)	
Townhouses (C.U.)	
Triplex dwellings (C.U.)	
Utility Building	25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 30(3), the following rules shall apply:

(a) Side Yard

Notwithstanding Section 30(3)(b), side yards may not be required for multi-dwelling developments when all necessary easements are obtained.

(b) Single-detached, Semi-detached and Duplex Dwellings

7P94

Except when an integral part of a comprehensive multi-dwelling development, single-detached, semi-detached and duplex dwellings shall comply with the permitted use rules contained in Section 23, R-2 Residential Low Density District.

(b.01) Townhouse Development

Townhouse development shall comply with the rules contained in Section 26, RM-1 Residential Low Density Multi-Dwelling District.

7P94

(b.1) Site Area

Notwithstanding Section 30(5)(b), a minimum of 279 square metres for a duplex on an existing site or for any development of three units or more.

8P82

(c) Density

A maximum of 210 units per hectare (85 units per acre).

(d) Private Amenity Space

Each dwelling unit shall be provided with a private outdoor amenity space in conformity with Section 20(17).

(e) Courtyards

Notwithstanding Section 20(1) and (6), courtyard walls not exceeding 2 metres in height which enclose a private outdoor amenity space may, when architecturally and structurally integrated with the principal building, project to a property line.

(f) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

31. RM-6 RESIDENTIAL HIGH DENSITY MULTI-DWELLING DISTRICT

(1) PURPOSE

The purpose of this district is to provide for high density, medium profile apartment development.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Front Yard

(i) A minimum depth of 3.0 metres for buildings up to three storeys in height. *16P94*

(ii) A minimum depth of 6.0 metres for buildings over three storeys in height. *16P94*

(b) Side Yard

(i) A minimum width of 3.0 metres for each side yard. *16P94*

(ii) No side yard is required for a parking structure which does not require external maintenance and which is located to the side or rear of the building.

(c) Rear Yard

(i) A minimum depth of 7.5 metres.

(ii) No rear yard is required for a parking structure which does not require external maintenance.

(d) Building Height

(i) A maximum of six storeys not exceeding 16 metres at any eaveline.

(ii) For the purpose of this district, height shall be measured from grade at all points adjacent to a building and from an approved landscaped deck where such a deck is adjacent to the rear wall of a building.

(e) Lot Width

A minimum of 7.5 metres.

(f) Landscaped Area

(i) A minimum of 35 percent of the site area plus all adjoining City boulevards.

- (ii) All landscaped areas may be at grade or within 3 metres of grade, provided the average elevation of any raised area does not exceed 2 metres.

(g) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(h) Right-of-Way Setbacks

See Section 17.

(i) Parking and Loading Regulations

11P94

See Section 18.

(j) Airport Vicinity Special Regulations

See Section 19.

(k) Projections Over Yards

See Section 20(1).

14P80

(l) Accessory Buildings

See Section 20(5).

14P80

(m) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

deleted

28P83

Apartment buildings (C.U.)

Child care facilities (N.P.)

Duplex dwellings

Fourplex dwellings

Home occupations - Class 2 (N.P.)

1P88, 8P93

Hostels (N.P.)

Lodging houses

Power Generation Facility, Mid-scale

25P2001

Power Generation Facility, Small-scale

25P2001

Public and quasi-public buildings (N.P.)

Semi-detached dwellings

deleted

20P97

Signs

Single-detached dwellings

Special care facilities (N.P.)

Stacked townhouses (C.U.)

Townhouses (C.U.)

Triplex dwellings

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 31(3), the following rules shall apply:

(a) Single-detached, Semi-detached and Duplex Dwellings

7P94

Except when an integral part of a comprehensive multi-dwelling development, single-detached, semi-detached and duplex dwellings shall comply with the rules contained in Section 23, R-2 Residential Low Density District.

(a.1) Site Area

Notwithstanding Section 31(5)(a), a minimum of 279 square metres for a duplex on an existing site or for any development of three units or more.

8P82

(b) Density

A maximum of 321 units per hectare (130 units per acre).

(c) Private Amenity Space

Each dwelling unit shall be provided with a private outdoor amenity space in conformity with Section 20(17).

(d) Courtyards

Notwithstanding Section 20(1) and (6), courtyard walls not exceeding 2 metres in height which enclose a private outdoor amenity space may, when architecturally and structurally integrated with the principal building, project to a property line.

(e) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



32. RM-7 RESIDENTIAL HIGH DENSITY MULTI-DWELLING DISTRICT

(1) PURPOSE

The purpose of this district is to provide for high profile, high density residential buildings.

(2) PERMITTED USES

Accessory buildings

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Special function tents (recreational)

6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Residential Districts contained in Section 20, the following rules shall apply:

(a) Front Yard

A minimum depth of 6.0 metres.

16P94

(b) Side Yard

(i) A minimum width of 3.0 metres for buildings up to six storeys in height.

16P94

(ii) A minimum width of 6.0 metres for buildings over six storeys in height.

16P94

(iii) No side yard is required for a parking structure which does not require external maintenance and which is located to the side or rear of the building.

(c) Rear Yard

(i) A minimum depth of 7.5 metres.

(ii) No rear yard is required for a parking structure which does not require external maintenance.

(d) Building Height

(i) A maximum of 17 storeys not exceeding 46 metres.

(ii) For the purpose of this district, height shall be measured from grade at all points adjacent to a building and from an approved landscaped deck where such a deck is adjacent to the rear wall of a building.

(e) Lot Width

A minimum of 7.5 metres.

(f) Landscaped Area

(i) A minimum of 40 percent of the site area plus all adjoining City boulevards.

- (ii) All landscaped areas may be at grade or within 3 metres of grade, provided the average elevation of any raised area does not exceed 2 metres.

(g) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(h) Right-of-Way Setbacks

See Section 17.

(i) Parking and Loading Regulations

11P94

- (i) See Section 18.

- (ii) For residential developments, 100 percent of the required parking stalls must be provided in a parking structure. 11P94

- (iii) Additional parking stalls at grade may be allowed to a maximum of 10 percent of the total parking stalls required or 10 stalls, whichever is the lesser. 11P94

(j) Airport Vicinity Special Regulations

See Section 19.

(k) Projections Over Yards

See Section 20(1). 14P80

(l) Accessory Buildings

See Section 20(5). 14P80

(m) Floodway Floodplain Special Regulations

See Section 19.1. 5P85, 8P90

(4) DISCRETIONARY USES

deleted 28P83

Apartment buildings (C.U.)

Child care facilities (N.P.)

Duplex dwellings

Fourplex dwellings

Grocery stores 12P82

Home occupations - Class 2 (N.P.) 1P88, 8P93

Hostels (N.P.)

Lodging houses

Offices	
Personal service businesses	
Power Generation Facility, Mid-scale	25P2001
Power Generation Facility, Small-scale	25P2001
Public and quasi-public buildings (N.P.)	
Retail stores	
Semi-detached dwellings	
<i>deleted</i>	20P97
Signs	
Single-detached dwellings	
Special care facilities (N.P.)	
Stacked townhouses (C.U.)	
Townhouses (C.U.)	
Triplex dwellings	
Utility Building	25P2001
Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).	
N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).	

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Residential Districts contained in Section 20 and the Permitted Use Rules contained in Section 32(3), the following rules shall apply:

(a) Single-detached, Semi-detached and Duplex Dwellings 7P94

Except when an integral part of a comprehensive multi-dwelling development, single-detached, semi-detached and duplex dwellings shall comply with the rules contained in Section 23, R-2 Residential Low Density District.

(a.1) Site Area

Notwithstanding Section 32(5)(a), a minimum of 279 square metres for a duplex on an existing site or for any development of three units or more. 8P82

(b) Density

- (i) For sites up to 1600 square metres in area, a maximum of 321 units per hectare (130 units per acre).

(ii) For sites between 1600 and 4000 square metres in area, the density may be increased from 321 units per hectare (130 units per acre) to a maximum of 395 units per hectare (160 units per acre) at a rate of 2.47 additional units per hectare (one additional unit per acre) for every 80 square metres of site area in excess of 1600 square metres. *18P81*

(iii) For sites in excess of 4000 square metres in area, a maximum of 395 units per hectare (160 units per acre).

(c) Private Amenity Space

Each dwelling unit shall be provided with a private outdoor amenity space in conformity with Section 20(17).

(d) Commercial

(i) Commercial uses may be allowed only where a site fronts on a street classified as a major street, expressway or freeway. *11P94*

(ii) Commercial uses shall be limited to the first and second storeys and shall have separate entry from that of the residential component of the building.

(iii) The gross floor area for the commercial component shall not exceed a maximum of 10 percent of the gross floor area of the building.

(iv) Where commercial uses are included within a building, the maximum number of residential units allowed for the site by Section 32(5)(b) shall be reduced by one unit for every 100 square metres or fraction thereof of commercial gross floor area provided. *18P81*

(v) Notwithstanding Section 32(3)(a), the front yard may be reduced to zero for the commercial component of a building.

(e) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

33. GENERAL RULES FOR COMMERCIAL DISTRICTS

(1) FRONT YARDS

- (a) Any yard fronting on a street shall comply with the rules for front yards.
- (b) Any commercial site which adjoins a residential site on the same street shall provide a front yard equal to the minimum depth of the yard required by the adjoining residential district.

(2) CONSTRUCTION BENEATH YARDS

The requirements for the provision and maintenance of yards do not apply to construction wholly beneath the surface of the ground.

(3) PROJECTIONS OVER YARDS

- (a) No portion of a building shall project over or onto a required yard unless
 - (i) the projection does not extend more than 1.5 metres into a rear yard;
 - (ii) the projection does not extend more than 0.6 metres into a side yard; 16P94
 - (iii) the projection is an exterior fire escape not more than 1.2 metres wide;
 - (iv) the projection and the supports of the projection do not create an obstruction within the yard;
 - (v) the projection is an awning or a canopy which is not part of a structural component of the building.
- (b) *deleted* 17P97

(4) SITE ACCESS

An application for a development permit shall not be approved unless it complies with the access requirements of the Controlled Streets Bylaw.

(5) CORNER VISIBILITY TRIANGLES

Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished lot grade, building or structure shall be allowed between 750 millimetres and 4.6 metres above the general elevation of the street within the area defined as a corner visibility triangle.

(6) SPECIAL REQUIREMENTS FOR UTILITIES AND ESSENTIAL PUBLIC SERVICES

- (a) The maximum height restrictions in commercial districts do not apply to utility buildings or essential public service buildings.
- (b) Where a utility building or an essential public service building is constructed, the minimum requirements for the yards of the building shall be increased by 300 millimetres for every 1 metre or portion thereof by which the height of the building exceeds the maximum height for the district.

(7) SPECIAL SITE REQUIREMENTS

(a) Drive-in or Drive-through Facilities 4P98

(i) Site Area 4P98

Drive-in or drive-through facilities shall have a minimum site area of 930 square metres except for 4P98

(A) a car wash, which shall have a minimum site area of 1160 square metres, and

(B) a drive-in or drive-through drinking establishment, restaurant-licensed and restaurant-food service only, which shall be a minimum site area of 1670 square metres. 4P98, 10P2004

(ii) Outdoor Speaker Systems

Any outdoor speaker system for the operation of a drive-in or drive-through facility shall not be located within 23 metres of a residential district. 4P98

(iii) On-Site Vehicular Circulation

Access aisles, queuing and stacking lanes for drive-in or drive-through facilities shall be oriented so as to minimize impacts on a residential district, and no part of a facility shall be located closer than 5 metres from any residential district. 4P98

(b) Automotive Service 4P98

(i) Site Area 4P98

An automotive service use shall have a minimum site area of 1400 square metres except for an automotive service use limited to the sale of automotive fuels, lubricating oils and associated fluids only, which 19P96, 4P98

(A) shall have a minimum site area of 930 square metres where access is provided from a street, or 11P94, 19P96, 4P98

(B) may be allowed a minimum site area of 240 square metres where access is provided only from within a shopping centre site. 19P96, 4P98

(ii) Frontage 4P98

An automotive service use shall have a principal frontage of not less than 30 metres on a primary collector or a collector street or 45 metres on a major street exclusive of any other site boundaries.

(iii) Vehicle Display 4P98

On the site of an automotive service use, no more than five motor vehicles or trailers or any combination of them shall be displayed for sale or rent.

(iv) Site Area With Car Wash 4P98

Where a car wash is provided as part of an automotive service use, an additional 465 square metres of site area shall be provided.

(v) Grocery Store Area 4P98

Where a grocery store is provided as part of an automotive service use, the gross floor area of the building or the portion of the building used for the grocery store shall not exceed 200 square metres.

(c) Drinking Establishments, Restaurants-Licensed and Entertainment Establishments

4P98, 10P2004

(i) Openings

Where the facade of a drinking establishment, restaurant-licensed or entertainment establishment faces an abutting residential district or abuts a lane separating the site from a residential district, no openings except emergency exits, loading-bay doors or non-opening windows shall be allowed. *4P98, 10P2004*

(ii) Entrance Location

Where a drinking establishment, restaurant-licensed or entertainment establishment has an exterior entrance, the entrance shall not be located on any building facade that faces a residential district, unless separated by a street. *4P98, 10P2004*

(iii) Parking Area Screening

Where a site abuts or is separated by a lane from a residential district, parking areas shall be screened to prevent glare from motor vehicles. *4P98*

(iv) Outdoor Cafe Location

(A) An outdoor cafe shall be located a minimum of 25 metres from a residential district except where: *4P98*

(I) the outdoor cafe is completely separated by a building from a residential district, or *4P98*

(II) the outdoor cafe is separated by a street, other than a local street, from a residential district. *4P98*

(B) The floor of an outdoor cafe shall not exceed 600 millimetres above the height of the first storey floor level where the outdoor cafe is located within 100 metres of a residential district. *4P98*

(v) Outdoor Cafe Speaker Systems

The use of outdoor speaker systems is prohibited. *4P98*

(d) Liquor Stores

27P2000, 13P2003

(i) Separation Distance Between Liquor Stores

(A) No liquor store shall be located closer than 300 metres to any other liquor store.

(B) The 300 metre separation distance shall be measured from the closest point of a liquor store to the closest point of another liquor store.

(C) Section 33(7)(d)(i)(A) shall not apply to sites designated as C-4 or C-5.

(ii) Separation Distance to Schools

(A) No liquor store shall be located closer than 150 metres to a site that contains a Public School, Separate School, or Private School.

(B) The 150 metre separation distance shall be measured from the closest point of a liquor store to the closest point of a site that contains a Public School, Separate School, or Private School.

(C) Section 33(7)(d)(ii)(A) shall not apply to sites designated as C-4 or C-5.

(iii) Parking

Section 18(1)(b) shall not apply.

(iv) Visual Screening

Where a liquor store abuts a residential district, or a local street, or a lane separating the liquor store site from a residential district; the entrance, loading facilities, parking, vehicular and pedestrian access and other activity areas of the liquor store site shall be visually screened and landscaped so as to minimize any impact on the residential district, to the satisfaction of the Approving Authority.

(8) PUBLIC AND SEPARATE SCHOOLS

Where public and separate schools were built as of the date of adoption of this Bylaw, the schools and their use by any of the uses listed in Section 51, shall be deemed to be conforming as if they were so designated by Section 51 of this Bylaw. *7P90*

(9) LANDSCAPING

(a) Where a landscaped area is required, it shall be provided in accordance with the landscape plan and in conformity with the following requirements and standards:

(i) All areas of a site not covered by buildings, outside storage or parking areas shall be landscaped. *11P94*

(ii) Where required private outdoor amenity space for dwelling units is provided within a required minimum landscaped area, it shall be considered as satisfying both requirements.

(iii) Existing soft landscaping retained on a site may be considered in fulfillment of the total landscaping requirement.

(iv) Except for City boulevards, trees shall be planted in the overall minimum ratio of one tree per 35 square metres of landscaped area provided.

(v) The quality and extent of the landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development.

(vi) All areas of soft landscaping shall be provided with an underground sprinkler irrigation system or other adequate means of irrigation.

(vii) In addition to all other landscaping requirements, all City boulevards adjoining the site shall be landscaped.

(b) Soft landscaping shall be provided as follows:

(i) All plant materials shall be of a species capable of healthy growth in Calgary and shall conform to the standards of the Canadian Nursery Trades Association for nursery stock.

(ii) The mixture of tree sizes at the time of planting shall be equivalent to a minimum of 50 percent larger trees.

- (iii) The minimum size for deciduous trees shall be:
 - (A) for smaller deciduous trees, 50 millimetres caliper except 35 millimetres caliper for flowering ornamental trees, and
 - (B) for larger deciduous trees, 85 millimetres caliper. *1P85*
- (iv) The minimum size for smaller coniferous trees shall be a height of 2 metres and for larger coniferous trees, a height of 3 metres.
- (v) Coniferous trees shall comprise a minimum proportion of 1/3 of all trees planted.
- (vi) Wherever space permits, trees shall be planted in groups.
- (vii) Shrubs shall be a minimum height or spread of 600 millimetres at the time of planting.

(10) BUILDING DESIGN

The design, character and appearance of a building approved as a discretionary use shall be compatible with and complementary to the surrounding area.

(11) SCREENING

- (a) Visual screening to a minimum height of 1.8 metres shall be provided by a fence or a combination of a fence and soft landscaping where a site abuts a residential district or a lane separating the site from a residential district and
 - (i) the site accommodates a use operating wholly or partially outside a building, or
 - (ii) the side or rear yard of the site is used for a parking area, access, loading space or other servicing activity. *11P94*
- (b) Except for shopping centres greater than 0.5 hectares (1.2 acres) in area, wherever a parking area is provided in the front yard of a site, visual screening to a minimum height of 1 metre shall be provided by a fence, soft landscaping or a combination of both between the parking area and the front property line.
- (c) All mechanical equipment on a roof shall be screened from public view.

(12) GARBAGE STORAGE

- (a) Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be located
 - (i) within the principal building, or
 - (ii) to the side or rear of the principal building other than in a required minimum yard.
- (b) All outside garbage containers and garbage areas shall be visually screened from all adjacent sites and public thoroughfares in a manner compatible with the design and external materials of the principal building on the site.

(13) LIGHTING

All on-site lighting shall be located, oriented and shielded so as not to adversely affect the adjacent residential properties.

(14) EXCAVATION, STRIPPING AND GRADING

Excavation, stripping and grading shall be deemed to be a discretionary use as if it were so designated in the use lists of this Bylaw and shall comply with the requirements of Section 10(1).

(15) HOME OCCUPATIONS

Home occupations shall comply with the rules contained in Section 20(11). 19P82

(16) AMUSEMENT ARCADES

The use or operation of an amusement arcade shall not cause or create any condition such as noise or lighting which may, in the opinion of the Development Officer, be objectionable beyond the amusement arcade. 7P83

(17) OBJECTS PROHIBITED OR RESTRICTED

(a) A satellite dish antenna shall not be located in a yard abutting a street. 15P83

(b) Where any part of a satellite dish antenna is lower than 12 metres above grade level, it shall be both screened and located to the satisfaction of the Approving Authority. 15P83

(c) Sections 33(17)(a) and (b) shall not apply where the applicant can show, to the satisfaction of the Approving Authority, that compliance with these sections would prevent signal reception. 15P83

(d) No advertising shall be allowed on a satellite dish antenna. 15P83

(e) The illumination of a satellite dish antenna is prohibited. 15P83

(18) *deleted* 4P93, 4P98

(19) For the purposes of this Bylaw, a building may be constructed using modular construction methods but a mobile home does not qualify as modular construction. 28P2001

(20) *deleted* 6P2003, 4P2012





34. CC CONVENIENCE COMMERCIAL DISTRICT

(1) PURPOSE

The purpose of this district is to provide for small grocery stores, primarily within the inner city, to serve the day-to-day convenience needs of the immediate neighbourhood.

(2) PERMITTED USES

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Signs - Class 1

21P98

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33, the following rules shall apply:

(a) Front Yard

A minimum depth of 3 metres.

(b) Side Yard

A minimum width of 1.2 metres.

(c) Rear Yard

A minimum depth of 7.5 metres.

(d) Right-of-Way Setbacks

See Section 17.

(d.1) Parking and Loading Regulations

11P94

See Section 18.

(e) Airport Vicinity Special Regulations

See Section 19.

(f) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

Dwelling units

Grocery stores (C.U.)

Home occupations - Class 2 (N.P.)	8P93
Power Generation Facility, Mid-scale	25P2001
Power Generation Facility, Small-scale	25P2001
Signs - Class 2	21P98
Special function tents (commercial)	6P2003
Utility Building	25P2001
Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).	19P82, 28P83

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33 and the Permitted Use Rules contained in Section 34(3), the following rules shall apply:

(a) Building Height

A maximum of two storeys not exceeding an overall height of 10 metres.

(b) Site Frontage

A maximum of 16 metres.

(c) Site Area

A maximum of 560 square metres.

(d) Site Coverage

A maximum of 45 percent.

(e) Grocery Store

The grocery store shall be limited to the first storey.

(f) Dwelling Units

Dwelling units may be allowed in a building where

- (i) the first storey contains a grocery store, and
- (ii) the dwelling units have an entrance from grade separate from the entrance to the grocery store.

(g) Amenity Space

Each dwelling unit shall be provided with private outdoor amenity space in conformity with Section 20(17).

(h) Proposed Conversion of Existing Buildings for Commercial Uses

Where an existing non-commercial building is proposed for a commercial use and the building does not conform with the rules of this district, it may be allowed at the discretion of the Approving Authority.

(i) Outside Storage

No outside storage shall be allowed.

(j) Parking and Loading Regulations

11P94

(i) See Section 18.

(ii) Notwithstanding the requirements of Section 18, the following shall be provided:

(A) For grocery stores, one parking stall per 46 square metres of net floor area.
11P94

(B) For dwelling units, 1.25 parking stalls per dwelling unit.
11P94

(iii) Parking areas shall be located in the rear yard.
11P94

(k) *deleted*

11P94

(l) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



35. C-1 & C-1A LOCAL COMMERCIAL DISTRICTS

(1) PURPOSE

The purpose of this district is to provide for retail commercial and personal service uses which do not rely on patronage from beyond the immediate neighbourhoods.

(2) PERMITTED USES

Except for utilities, essential public services and parks and playgrounds, the following uses shall be permitted only within existing buildings and where no drive-in or drive-through facility is provided: *18P81, 14P83, 4P98*

Essential public services

Home occupations - Class 1 *8P93*

Financial institutions

Medical clinics

Offices

Parks and playgrounds

Personal service businesses

deleted *4P98*

Restaurants-food service only *4P98*

Retail food stores

Retail stores

Signs - Class 1 *21P98*

Utilities

Veterinary clinics

(3) PERMITTED USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33, the following rules shall apply:

(a) Front Yard

A minimum depth of 3 metres.

(b) Side Yard

A minimum width of 5 metres where the side of a site abuts a residential district.

(c) Rear Yard

A minimum depth of 5 metres where the rear of a site abuts a residential district.

(d) Building Height

A maximum of 2 storeys not exceeding an overall height of 10 metres.

(d.1) Floor Area

Restaurant-food service only, a maximum net floor area of 75 square metres, excluding kitchen area. 4P98

(e) Site Area

A maximum of 2.4 hectares (5.9 acres).

(f) Landscaped Area

All minimum required front and side yards shall be landscaped except for accessways from public thoroughfares.

(g) Outside Storage

No outside storage shall be allowed.

(h) *deleted*

14P83

(i) Right-of-Way Setbacks

See Section 17.

(j) Parking and Loading Regulations

11P94

See Section 18.

(k) Airport Vicinity Special Regulations

See Section 19.

(l) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

In addition to the following uses, those uses that are Permitted in existing buildings, or which provide a drive-in or drive-through facility, shall be Discretionary in proposed buildings:

28P83, 4P98

(a) C-1

Accessory food services 4P98

Athletic and recreational facilities

Automotive services (not containing a Grocery store)

Billiard parlours

Child care facilities

Commercial schools

Dwelling units	
<i>deleted</i>	1P86
Drinking establishments	10P2004
Home occupations - Class 2 (N.P.)	19P82, 8P93
Liquor stores	
Outdoor cafes (N.P.)	4P93
Parking areas	
Power Generation Facility, Mid-scale	25P2001
Power Generation Facility, Small-scale	25P2001
Public and quasi-public buildings	
<i>deleted</i>	4P98, 10P2004
Restaurants-licensed	10P2004
Shopping centres, neighbourhood (C.U.)	
Signs - Class 2	21P98
Special care facilities	
Special function tents (commercial)	6P2003
Take-out food services	4P98
Utility Building	25P2001

(b) C-1A

In addition to the uses contained in Section 35(4)(a), the following uses may apply: 1P85

Automotive services (containing a Grocery store)

Grocery stores

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33 and the Permitted Use Rules contained in Section 35(3), the following rules shall apply:

(a) Front Yard

Notwithstanding Section 35(3)(a), the minimum depth may be determined by the Approving Authority having regard to the front yards of neighbouring sites.

(b) Dwelling Units

Dwelling units may be allowed in buildings where the first storey is used for commercial purposes provided that

- (i) the dwelling units are not located below the second storey of a building, and
- (ii) the dwelling units have an entrance from grade separate from the entrance to any commercial use in the building.

(b.1) Net Floor Area

A maximum of 8500 square metres for a neighbourhood shopping centre. *5P83*

(b.2) Floor Area

4P98

- (i) Accessory Food Service

A maximum gross floor area of 15 square metres.

- (ii) Outdoor Cafe

A maximum gross floor area of 25 square metres.

- (iii) Drinking Establishment and Restaurant-Licensed

10P2004

A maximum net floor area of 75 square metres, excluding kitchen area.

- (iv) Take-out Food Service

A maximum net floor area of 15 square metres, excluding kitchen area.

(c) Landscaped Area

For neighbourhood shopping centres greater than 1.6 hectares (4 acres) in site area, soft landscaping shall be located to enhance

- (i) pedestrian areas,
- (ii) building walls,
- (iii) both in and around parking areas, and
- (iv) alongside vehicular accessways, extending from the point of access to or from the site to the nearest internal circulation roadway.

(d) Amenity Space

Each dwelling unit shall be provided with private outdoor amenity space in conformity with Section 20(17).

(e) Proposed Conversion of Existing Buildings for Commercial Uses

Where an existing non-commercial building is proposed for a commercial use and does not conform with the rules of this district, it may be allowed at the discretion of the Approving Authority.

(f) *deleted*

14P83

(g) Parking and Loading Regulations

11P94

Notwithstanding the requirements of Section 18, where a grocery store is provided as a part of an automotive service use, one parking stall per 15 square metres of net floor area of the building or portion thereof used by the store shall be provided.

1P85, 11P94

(g.1) Special Site Requirements

27P2000

A liquor store shall only be located on a site with frontage on a major street or primary collector.

(h) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



36. C-2, C-2(20), C-2(16) AND C-2(12) GENERAL COMMERCIAL DISTRICTS

1P81

(1) PURPOSE

The purpose of this district is to provide for a wide variety of retail commercial and personal service uses at moderate intensity which serve areas beyond the surrounding community.

(2) PERMITTED USES

Except for utilities, essential public services and parks and playgrounds, the following uses shall be permitted only within existing buildings: 18P81

Commercial schools

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Personal service businesses

deleted

4P98

Power Generation Facility, Small-scale

25P2001

Restaurants-food service only

4P98

Retail food stores

Retail stores

Signs - Class 1

21P98

Take-out food services

4P98

Utilities

Veterinary clinics

(3) PERMITTED USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33, the following rules shall apply:

(a) Front Yard

No minimum requirement except a minimum of 1.5 metres at the first storey level for development located within the inner city. 30P2001

(b) Side Yard

A minimum width of 5 metres where the side of the site abuts a residential district.

(c) Rear Yard

A minimum depth of 5 metres where the rear of a site abuts a residential district. 1P81

- (d) Building Height** 1P81
- C-2 A maximum of 23 metres,
- C-2(20) A maximum of 20 metres,
- C-2(16) A maximum of 16 metres,
- C-2(12) A maximum of 12 metres.
- (e) Gross Floor Area**
- A maximum of 2 times the site area.
- (e.1) Floor Area** 4P98
- (i) Restaurant - Food Service Only
- Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.
- (ii) Take-out Food Service
- A maximum net floor area of 15 square metres, excluding kitchen area.
- (f) Landscaped Area**
- The following areas, except for accessways from public thoroughfares, shall be landscaped:
- (i) all minimum required front and side yards;
- (ii) where a parking area is provided in the front yard, an area extending the full width of the front yard to a minimum depth of 2 metres measured from the front property line.
- (g) Outside Storage**
- Outside storage shall be visually screened to a minimum height of 1.8 metres.
- (h) Right-of-Way Setbacks**
- See Section 17.
- (i) Parking and Loading Regulations** 11P94
- See Section 18.
- (j) Airport Vicinity Special Regulations**
- See Section 19.
- (k) Floodway Floodplain Special Regulations**
- See Section 19.1. 5P85

(4) DISCRETIONARY USES

In addition to the following uses, those uses that are Permitted in existing buildings, or which provide a drive-in or drive-through facility, shall be Discretionary in proposed buildings:

28P83, 4P98

Accessory food services	<i>4P98</i>
Amusement arcades	
Athletic and recreational facilities	
Auto body and paint shops	
Automotive sales and rentals	
Automotive services	
Automotive specialties	
Billiard parlours	
Child care facilities	
<i>deleted</i>	<i>4P98</i>
Drinking establishments	<i>10P2004</i>
Dwelling units	
Entertainment establishments	
Financial institutions (C.U.)	
Funeral Homes	
Grocery stores	
Home occupations - Class 2 (N.P.)	<i>19P82, 8P93</i>
Hotels and motels	
Laboratories	
Liquor stores	
Mechanical reproduction and printing establishments (C.U.)	
Medical clinics (C.U.)	
Motion picture production facilities	<i>18P96</i>
Offices (C.U.)	
Outdoor cafes (N.P.)	<i>4P93</i>
Parking areas and parking structures	<i>11P94</i>
Power Generation Facility, Mid-scale	<i>25P2001</i>

Private clubs and organizations

Private schools

Public and quasi-public buildings

Radio and television studios

deleted

4P98, 10P2004

Restaurants-licensed

10P2004

Signs - Class 2

21P98

Special care facilities

Special function tents (commercial)

6P2003

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33 and the Permitted Use Rules contained in Section 36(3), the following rules shall apply:

(a) Commercial Component

A minimum of 25 percent of the gross floor area of the building shall be used for commercial purposes.

(b) Dwelling Units

(i) No dwelling unit shall be located below any storey used for commercial purposes.

(ii) Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

(iii) The maximum density of dwelling units allowed is 150 units per hectare. *18P81*

(b.1) Floor Area

4P98

(i) Accessory Food Service

A maximum gross floor area of 15 square metres.

(ii) Outdoor Cafe

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum gross floor area of 25 square metres.

(iii) Drinking Establishment and Restaurant-Licensed

10P2004

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

(c) Landscaped Area

- (i) Where the number of dwelling units provided exceeds 50 percent of the maximum number of dwelling units allowed on a site, a minimum of 40 percent of the site area shall be landscaped.
- (ii) A landscaped area may be credited toward the required landscape area only if it is situated at or below the level of the lowest dwelling unit in the building.
- (iii) Where the number of dwelling units provided is less than 50 percent of the maximum number of dwelling units allowed, the Approving Authority shall require that an outdoor landscaped area be provided having regard to the landscape requirements in the residential districts of this Bylaw and the number and type of units provided.

18P81

(d) Amenity Space

Each dwelling unit shall be provided with private outdoor amenity space in conformity with Section 20(17).

(e) Proposed Conversion of Existing Buildings for Commercial Uses

Where an existing non-commercial building is proposed for a commercial use and does not conform with the rules of this district, it may be allowed at the discretion of the Approving Authority.

(f) Parking and Loading Regulations

11P94

Notwithstanding the requirements of Section 18, where a grocery store is provided as part of an automotive service use, one parking stall per 15 square metres of net floor area of the building or portion thereof used by the store shall be provided.

11P94, 20P2001

(g) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



**37. C-3, C-3(38), C-3(30), C-3(27), C-3(23), C-3(20) AND C-3(16)
GENERAL COMMERCIAL DISTRICTS**

1P81

(1) PURPOSE

The purpose of this district is to provide for a wide variety of retail commercial and personal service uses at high intensity.

(2) PERMITTED USES

Except for utilities, essential public services and parks and playgrounds the following uses shall be permitted only within existing buildings: 18P81

Commercial schools

Essential public services

Home occupations - Class 1 8P93

Parks and playgrounds

Personal service businesses

deleted 4P98

Power Generation Facility, Small-scale 25P2001

Restaurants-food service only 4P98

Retail food stores

Retail stores

Signs - Class 1 21P98

Take-out food services 4P98

Utilities

Veterinary clinics

(3) PERMITTED USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33, the following rules shall apply:

(a) Front Yard

No minimum requirement except a minimum of 1.5 metres at the first storey level for development located within the inner city. 30P2001

(b) Side Yard

A minimum width of 5 metres where the side of the site abuts a residential district.

(c) Rear Yard

A minimum depth of 5 metres where the rear of a site abuts a residential district.

(d) Building Height

1P81

- C-3 A maximum of 46 metres,
- C-3(38) A maximum of 38 metres,
- C-3(30) A maximum of 30 metres,
- C-3(27) A maximum of 27 metres,
- C-3(23) A maximum of 23 metres,
- C-3(20) A maximum of 20 metres,
- C-3(16) A maximum of 16 metres.

(e) Gross Floor Area

A maximum of 3 times the site area.

(e.1) Floor Area

4P98

(i) Restaurant - Food Service Only

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

(ii) Take-out Food Service

A maximum net floor area of 15 square metres, excluding kitchen area.

(f) Landscaped Area

The following areas, except for accessways from public thoroughfares, shall be landscaped:

- (i) all minimum required front and side yards;
- (ii) where a parking area is provided in the front yard, an area extending the full width of the front yard to a minimum depth of 2 metres measured from the front property line.

(g) Outside Storage

Outside storage shall be visually screened to a minimum height of 1.8 metres.

(h) Right-of-Way Setbacks

See Section 17.

(i) Parking and Loading Regulations

11P94

See Section 18.

(j) Airport Vicinity Special Regulations

See Section 19.

(k) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

In addition to the following uses, those uses that are Permitted in existing buildings, or which provide a drive-in or drive-through facility, shall be Discretionary in proposed buildings:

28P83, 4P98

Accessory food services

4P98

Amusement arcades

Athletic and recreational facilities

Auto body and paint shops

Automotive sales and rentals

Automotive services

Automotive specialties

Billiard parlours

Child care facilities

deleted

4P98

Drinking establishments

10P2004

Dwelling units

Entertainment establishments

Financial institutions (C.U.)

Funeral homes

Grocery stores

Home occupations - Class 2 (N.P.)

19P82, 8P93

Hotels and motels

Laboratories

Liquor stores

Mechanical reproduction and printing establishments (C.U.)

Medical clinics (C.U.)

Motion picture production facilities

18P96

Offices (C.U.)

Outdoor cafes (N.P.)

4P93

Parking areas and parking structures	11P94
Power Generation Facility, Mid-scale	25P2001
Private clubs and organizations	
Private schools	
Public and quasi-public buildings	
Radio and television studios	
<i>deleted</i>	4P98, 10P2004
Restaurants-licensed	10P2004
Signs - Class 2	21P98
Special care facilities	
Special function tents (commercial)	6P2003
Utility Building	25P2001
Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).	

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33 and the Permitted Use Rules contained in Section 37(3), the following rules shall apply:

(a) Commercial Component

A minimum of 25 percent of the gross floor area of the building shall be used for commercial purposes.

(b) Dwelling Units

- (i) No dwelling unit shall be located below any storey used for commercial purposes.
- (ii) Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.
- (iii) The maximum density of dwelling units allowed is 225 units per hectare. 18P81

(b.1) Floor Area

4P98

- (i) Accessory Food Service

A maximum gross floor area of 15 square metres.

- (ii) Outdoor Cafe

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum gross floor area of 25 square metres.

(iii) Drinking Establishment and Restaurant-Licensed

10P2004

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

(c) Landscaped Area

- (i) Where the number of dwelling units provided exceeds 50 percent of the maximum number of dwelling units allowed on a site, a minimum of 40 percent of the site area shall be landscaped.
- (ii) A landscaped area may be credited toward the required landscape area only if it is situated at or below the level of the lowest dwelling unit in the building.
- (iii) Where the number of dwelling units provided is less than 50 percent of the maximum number of dwelling units allowed on a site, the Approving Authority shall require that an outdoor landscaped area be provided having regard to the landscape requirements in the residential districts of this Bylaw and the number and type of units provided. 18P81

(d) Amenity Space

Each dwelling unit shall be provided with private outdoor amenity space in conformity with Section 20(17).

(e) Proposed Conversion of Existing Buildings for Commercial Uses

Where an existing non-commercial building is proposed for a commercial use and does not conform with the rules of this district, it may be allowed at the discretion of the Approving Authority.

(f) Shopping Centres

Existing shopping centres or those for which a development permit has been approved on or before the date of adoption of this Bylaw are deemed to be conforming in this district.

(g) Parking and Loading Regulations

11P94

Notwithstanding the requirements of Section 18, where a grocery store is provided as a part of an automotive service use, one parking stall per 15 square metres of net floor area of the building or portion thereof used by the store shall be provided. 11P94, 20P2001

(h) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



**38. C-4, C-4(38), C-4(30), C-4(27), C-4(23) AND C-4(20)
GENERAL COMMERCIAL DISTRICTS**

1P81

(1) PURPOSE

The purpose of this district is to provide for a mixture of medium to high intensity commercial and residential uses. The district shall be situated in areas, other than the downtown, which are appropriate for mixed use development due to their location, transportation facilities and compatibility with the surrounding area.

(2) PERMITTED USES

Essential public services

Home occupations - Class 1

8P93

Parks and playgrounds

Power Generation Facility, Small-scale

25P2001

Signs - Class 1

21P98

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33, the following rules shall apply:

(a) Front Yard

No minimum requirement except a minimum of 1.5 metres at the first storey level for development located within the inner city.

30P2001

(b) Side Yard

A minimum width of 5 metres where the side of the site abuts a residential district.

(c) Rear Yard

A minimum depth of 5 metres where the rear of a site abuts a residential district.

(d) Building Height

1P81

C-4 A maximum of 46 metres,

C-4(38) A maximum of 38 metres,

C-4(30) A maximum of 30 metres,

C-4(27) A maximum of 27 metres,

C-4(23) A maximum of 23 metres,

C-4(20) A maximum of 20 metres,

(e) Landscaped Area

The following areas, except for accessways from public thoroughfares, shall be landscaped:

- (i) all minimum required front and side yards;
- (ii) where a parking area is provided in the front yard, an area extending the full width of the front yard to a minimum depth of 2 metres measured from the front property line.

(f) Outside Storage

No outside storage shall be allowed.

(g) Right-of-Way Setbacks

See Section 17.

(g.1) Parking and Loading Regulations

11P94

See Section 18.

(h) Airport Vicinity Special Regulations

See Section 19.

(i) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

28P83

Accessory food services

4P98

Amusement arcades

7P83

Child care facilities

deleted

4P98

Drinking establishments

10P2004

Dwelling units (C.U.)

Entertainment establishments

Financial institutions (C.U.)

Gaming establishment - bingo

3P85

Grocery stores

Home occupations - Class 2

19P82, 8P93

Hotels

Medical clinics (C.U.)

Offices (C.U.)

Outdoor cafes (N.P.)	4P93
Parking areas and parking structures	11P94
Personal service businesses (C.U.)	
Power Generation Facility, Mid-scale	25P2001
Public and quasi-public buildings	
<i>deleted</i>	4P98
<i>deleted</i>	4P98, 10P2004
Restaurants-food service only (C.U.)	4P98
Restaurants-licensed	10P2004
Retail food stores (C.U.)	
Retail stores (C.U.)	
Signs - Class 2	21P98
Special care facilities	
Special function tents (commercial)	6P2003
Take-out food services	4P98
Utility Building	25P2001
Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).	

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33 and the Permitted Use Rules contained in Section 38(3), the following rules shall apply:

(a) Gross Floor Area

A maximum of 4 times the site area.

(b) Commercial Component

A minimum of 25 percent of the total gross floor area of the building or buildings on the site shall be used for commercial purposes.

(b.1) Floor Area

4P98

(i) Accessory Food Service

A maximum gross floor area of 15 square metres.

(ii) Outdoor Cafe

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum gross floor area of 25 square metres.

- (iii) Drinking Establishment and Restaurant-Licensed, Restaurant-Food Service Only and Entertainment Establishment 10P2004

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

- (iv) Take-out Food Service

A maximum net floor area of 15 square metres, excluding kitchen area.

(c) Dwelling Units

- (i) In a building, no dwelling unit shall be located below any storey used for commercial purposes.
- (ii) Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.
- (iii) The maximum density of dwelling units allowed is 300 units per hectare. 18P81

(d) Landscaped Area

- (i) Where the number of dwelling units provided exceeds 50 percent of the maximum number of dwelling units allowed on a site, a minimum of 40 percent of the site area shall be landscaped.
- (ii) A landscaped area may be credited toward the required landscaped area only if it is situated at or below the level of the lowest dwelling unit in the building.
- (iii) Where a site contains more than one building, the area of the site of any predominantly residential building shall be determined by the Approving Authority and shall be the basis for determining the required landscaped area.
- (iv) Where the number of dwelling units provided is less than 50 percent of the maximum number of dwelling units allowed on a site, the Approving Authority shall require that an outdoor landscaped area be provided having regard to the landscape requirements in the residential districts of this Bylaw and the number and type of units provided. 18P81

(e) Amenity Space

Each dwelling unit shall be provided with private outdoor amenity space in conformity with Section 20(17).

- (f) **Drive-in or Drive-through Facility** 4P98

No use which has a drive-in or drive-through facility shall be allowed.

- (g) *deleted* 11P94

(h) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11. 11P98

39. C-5, C-5/.75, C-5/.5 SHOPPING CENTRE COMMERCIAL DISTRICTS

5P83

(1) PURPOSE

The purpose of this district is to provide for the development of sector (community) shopping centres. 5P83

(2) PERMITTED USES

Except for utilities, essential public services and parks and playgrounds, the following uses shall be permitted only in an approved sector (community) shopping centre building. 5P83

Accessory food services 4P98

Athletic and recreational facilities

Automotive services

Child care facilities

Entertainment establishments

Essential public services

Financial institutions

Home occupations - Class 1 8P93

Liquor stores

Medical clinics

Offices

Parking areas and parking structures 11P94

Parks and playgrounds

Personal service businesses

deleted 4P98

Power Generation Facility, Small-scale 25P2001

Restaurant-food service only 4P98

Retail food stores

Retail stores

Signs - Class 1 21P98

Take-out food services 4P98

Utilities

Veterinary clinics

(3) PERMITTED USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33, the following rules shall apply:

(a) Right-of-Way Setbacks

See Section 17.

(b) Parking and Loading Regulations

11P94

See Section 18.

(c) Airport Vicinity Special Regulations

See Section 19.

(c.1) Floor Area

4P98

(i) Accessory Food Service

A maximum gross floor area of 15 square metres.

(ii) Restaurant-Food Service Only and Entertainment Establishment

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, except where entrance to the premises is gained solely from within a shopping centre building, a maximum net floor area of 75 square metres, excluding kitchen area.

(iii) Take-out Food Service

A maximum net floor area of 15 square metres, excluding kitchen area.

(d) Rules for Utilities and Essential Public Services

The following rules shall apply to utilities and essential public services only:

(i) Front Yard

A minimum depth of 3 metres.

(ii) Side Yard

A minimum width of 3 metres where the side of the site abuts a residential district.

(iii) Rear Yard

A minimum depth of 3 metres where the rear of the site abuts a residential district.

(iv) Landscaped Area

All minimum required front and side yards, except for accessways from public thoroughfares, shall be landscaped.

(e) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

28P83

Shopping Centres, sector (community) (C.U.)

The following uses may apply only within an approved sector (community) shopping centre:

5P83

Amusement arcades

Automotive specialties

Billiard parlours

Bottle return depots

14P83

Commercial schools

deleted

4P98

Drinking establishments

10P2004

Dwelling units (C.U.)

Gaming establishment - bingo

3P85

Grocery stores

Home occupations - Class 2 (N.P.)

19P82, 8P93

Hotels and motels

Outdoor cafes (N.P.)

4P93

Power Generation Facility, Mid-scale

25P2001

Private clubs and organizations

Public and quasi-public buildings

Radio and television studios

deleted

4P98, 10P2004

Restaurants-licensed

10P2004

Signs - Class 2

21P98

Special function tents (commercial)

6P2003

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33 and the Permitted Use Rules contained in Section 39(3), the following rules shall apply:

(D) alongside vehicular accessways, extending from the point of access to or from the shopping centre site to the nearest internal circulation roadway.

(f) Amenity Space

Each dwelling unit shall be provided with private outdoor amenity space in conformity with Section 20(17).

(g) Outside Storage

Outside storage shall be visually screened to a minimum height of 1.8 metres.

(h) Parking and Loading Regulations

11P94

(i) See Section 18.

(ii) All outside loading spaces shall be visually screened and designed as an integral part of the shopping centre structure.

11P94

(i) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



40. C-6 HIGHWAY COMMERCIAL DISTRICT

(1) PURPOSE

The purpose of this district is to provide for certain commercial uses which, in order to serve the motoring public, locate on streets with heavy traffic volumes and a high level of exposure.

(2) PERMITTED USES

Except for utilities, essential public services and parks and playgrounds, the following uses shall be permitted only within existing buildings: *18P81*

Automotive sales and rentals

Automotive services

Automotive specialties

Essential public services

Parks and playgrounds

Power Generation Facility, Small-scale *25P2001*

Recreational and commercial vehicle repair, service, sales and rental

deleted *4P98*

Restaurants-food service only *4P98*

Signs - Class 1 *21P98*

Take-out food services *4P98*

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33, the following rules shall apply:

(a) Front Yard

A minimum depth of 6 metres.

(b) Side Yard

A minimum width of 6 metres where the side of the site abuts a residential district.

(c) Rear Yard

A minimum depth of 5 metres where the rear of the site abuts a residential district.

(d) Building Height

A maximum of three storeys not exceeding an overall height of 12 metres.

(e) Site Frontage

A minimum of 45 metres except a minimum of 15 metres where access is derived from a service road.

(e.1) Floor Area

4P98

(i) Restaurant - Food Service Only

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

(ii) Take-out Food Service

A maximum net floor area of 15 square metres, excluding kitchen area.

(f) Landscaped Area

All minimum required front and side yards, except for accessways from public thoroughfares, shall be landscaped.

(g) Outside Storage

Outside storage shall be visually screened to a minimum height of 1.8 metres.

(h) Right-of-Way Setbacks

See Section 17.

(i) Parking and Loading Regulations

11P94

(i) See Section 18.

(ii) Notwithstanding the requirements of Section 18, where a grocery store is provided as a part of an automotive service use, one parking stall per 15 square metres of net floor area of the building or portion thereof used by the store shall be provided.

11P94, 20P2001

(j) Airport Vicinity Special Regulations

See Section 19.

(k) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

In addition to the following uses, those uses that are Permitted in existing buildings, or which provide a drive-in or drive through facility, shall be Discretionary in proposed buildings:

28P83, 4P98

Accessory food services

4P98

Amusement arcades

7P83

Auto body and paint shops

Bottle return depots	14P83
Child care facilities	
Commercial schools	18P81
<i>deleted</i>	4P98
Drinking establishments	10P2004
Entertainment establishments (C.U.)	
Financial institutions	
Gaming establishment - bingo	3P85
Grocery stores	
Hotels and motels (C.U.)	
Liquor stores	
Medical clinics	
Offices	
Outdoor cafes (N.P.)	4P93
Parking areas and parking structures	11P94
Personal service businesses	
Power Generation Facility, Mid-scale	25P2001
Private clubs and organizations	
Public and quasi-public buildings	
Radio and television studios	
<i>deleted</i>	4P98, 10P2004
Restaurants-licensed	10P2004
Retail food stores	
Retail stores	
Signs - Class 2	21P98
Special function tents (commercial)	6P2003
Utility Building	25P2001
Veterinary clinics	

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Commercial Districts contained in Section 33 and the Permitted Use Rules contained in Section 40(3), the following rules shall apply:

(a) Hotel Building Height

A maximum of 30 metres where the boundary of the district adjacent to the hotel site does not abut a residential district for which the height limit is 10 metres or less. *1P81*

(a.1) Floor Area

4P98

(i) Accessory Food Service

A maximum gross floor area of 15 square metres.

(ii) Outdoor Cafe

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum gross floor area of 25 square metres.

(iii) Drinking Establishment and Restaurant-Licensed and Entertainment Establishment

10P2004

Where a site abuts a residential district or a local street or lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

(b) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

41. CS-1 COMMERCIAL AND SERVICE DISTRICT

deleted

20P2001







42. CM-1 CENTRAL BUSINESS COMMERCIAL DISTRICT

11P84

(1) PERMITTED USES

Home occupations - Class 1

8P93

Signs - Class 1

21P98

Note: Where public and separate schools were built as of the date of the adoption of this Bylaw, they shall be deemed to be permitted uses and deemed to be conforming in these districts.

(2) PERMITTED USE RULES

Nil.

Note: The rules for permitted uses contained in Section 51, PE Public Park, School and Recreation District shall apply to public and separate schools.

(3) DISCRETIONARY USES

Accessory buildings

Accessory food services

4P98

Air-rights development

Amusement arcades

Apartment buildings

Apartment-hotels

Athletic and recreational facilities

Auto body and paint shops

Automotive sales and rental

Automotive services

Automotive specialties

Billiard parlours

Child care facilities

Commercial schools

Community association buildings

deleted

4P98

Drinking establishments

10P2004

Dwelling units

Entertainment establishments

Essential public services

Financial institutions	
Gaming establishment - bingo	3P85, 8P90
Grocery stores	
Home occupations - Class 2 (N.P.)	19P82, 8P93
Hotels	
Laboratories	
Light manufacturing	
Liquor stores	
Lodging houses	
Mechanical reproduction and printing establishments	
Medical clinics	
Motion picture production facilities	18P96
Offices	
Outdoor cafes (N.P.)	4P93
Parking areas (at grade)	11P94
Parking structures	
Parks and playgrounds	
Personal service establishments	
Power Generation Facility, Mid-scale	25P2001
Power Generation Facility, Small-scale	25P2001
Private clubs and organizations	
Private schools	
Public and quasi-public buildings	
Public and separate schools	
Radio and television studios	
<i>deleted</i>	4P98
<i>deleted</i>	4P98, 10P2004
Restaurants-food service only	4P98
Restaurants-licensed	10P2004
Retail food stores	
Retail stores	

Signs - Class 2	21P98
Special care facilities	
Special function tents (commercial)	6P2003
Take-out food services	4P98
Universities, colleges, provincial training centres	
Utilities	
Utility Building	25P2001
Veterinary clinics	

(4) DISCRETIONARY USE RULES 30P83

The following rules shall apply:

(a) Deleted 8P81

(b) In evaluating development projects involving dwelling units, the Approving Authority shall have due regard to the need to provide adequate building setbacks, landscaping and amenities.

(c) Gross Floor Area

In order to determine the maximum gross floor area in the district, an applicant may use either of the two following methods in Areas A, B and C shown in Map 1, the Bonus Area Boundaries Map of these districts of the Downtown Development Standards. Otherwise, Method I must be used.

(i) Method I

CM-1 District: a maximum gross floor area equal to 3 times the site area. 11P84

(ii) Method II

The maximum gross floor area achieved from the sum of the floor areas allowed in each of the bonuses as detailed in the Downtown Development Standards.

(d) Maximum Building Height

(i) A maximum of 45.8 metres if the proposed building is within 152.4 metres of the banks of the Bow River.

(ii) No restrictions otherwise.

(e) Land Use Requirements

(i) Developments in Area A as defined on Map 1, Bonus Area Boundaries Map, must have a minimum of 50 percent of the ground-floor area occupied by retail, cultural, entertainment, service or amusement facilities and have a minimum of 50 percent of the frontage along the public pedestrian passageway at the +15 level in the building occupied by these same uses.

(ii) These uses at ground-level and at the +15 level shall be visually and physically accessible.

(f) +15

Development must make provision for connection to and maintaining the continuity of the +15 system.

(g) Parking and Loading Regulations

11P94

(i) See Section 18.

(ii) Notwithstanding the requirements of Section 18, the following rules shall apply:

(A) One parking stall per dwelling unit plus one parking stall per 139.4 square metres of commercial net floor area. 11P94

(B) Sites in the district between 6 and 9 Avenues South and 7 Street West and 3 Street East may contain a maximum of 20 percent of the required parking stalls or 50 parking stalls, whichever is the greater within the building, and the balance shall be provided on that site approved by the Approving Authority. 11P94

(C) Should the Approving Authority deem it advisable, it may accept a payment-in-lieu of the required number of parking stalls based on the amount of monies necessary to construct the required number of parking stalls in a parking structure at the time of approval. 11P94

(D) A parking area shall not disrupt the continuity of any pedestrian system. 11P94

(E) All parking areas (at-grade) shall be landscaped and screened to the satisfaction of the Approving Authority. 11P94

(F) Drinking establishments, restaurants-licensed, restaurants-food service only, or theatres require a minimum of 1 loading space. 11P94, 4P98, 10P2004

(G) Retail, commercial, business and hotel developments require 1 loading space for the first 2320 square metres of usable floor area and 1 loading space for each 4640 square metres of usable floor area or portion thereof. 11P94

(H) Residential developments require 1 loading space for the first 100 dwelling units plus 1 loading space for each additional 200 dwelling units or portion thereof. 11P94

(h) Site Access

Except for emergency purposes, no vehicular access is allowed from 7 and 8 Avenue South and any vehicular access elsewhere shall be so designed to create minimum disruption of traffic flows.

(i) Building Finishes

All buildings shall have finishes which normally will not require reapplication during the life of the building and are an integral part of the cladding of the development.

(j) Building Orientation

Building orientation shall be such as to create minimal adverse effects on surrounding properties with regard to wind, shadowing, sound and ventilation of mechanical floors.

(k) Garbage Storage

Garbage shall

- (i) be stored in weatherproof and animal-proof containers,
- (ii) be screened from adjacent sites and public thoroughfares,
- (iii) be in a location readily accessible for pick-up,
- (iv) comply with the provisions of the Waste Bylaw, and
- (v) be provided with a storage area sufficient for 3 days' accumulation of refuse.

(l) Outside Storage

No outside storage shall be allowed.

(m) *deleted* *11P94*

(n) Unless the Approving Authority otherwise allows, all operations involved in carrying on a public garage or an auto body and paint shop, including

- (i) the parking of motor vehicles awaiting repair or painting or, having been repaired or painted, awaiting collection, and
- (ii) the storage of motor vehicle parts, shall be carried on within a building which shall be sufficiently sound-insulated to confine the noise to the premises and any flashing, fumes, gases, smoke and vapour created on the premises shall be effectively confined to the premises.

(o) The assembly or production of ornamental metal works shall be carried on in a CM-1 District only in connection with or accessory to the retail or display of such ornamental metal. *11P84*

(p) Notwithstanding the definition of a veterinary clinic in these districts, a veterinary clinic shall not be used for boarding animals.

(q) Provision must be made in the structure of any new building to support any future plazas or pedestrian bridges which are required to ensure the continuity of the +15 system.

(r) Floodway Floodplain Special Regulations *5P85*

See Section 19.1.

(s) Signs *15P90*

See Appendix.

(5) CONDITIONS OF DEVELOPMENT

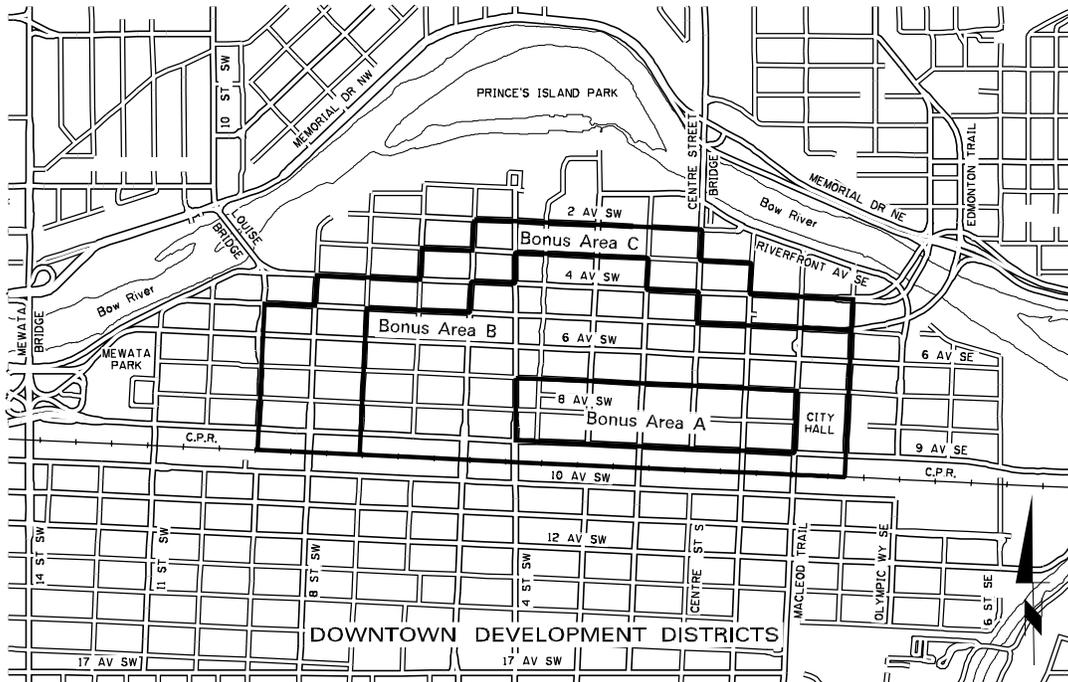
See Section 11. *11P98*

(6) DOWNTOWN DEVELOPMENT STANDARDS

(a) Objectives

- (i) Maximize development potential and design in accordance with the Calgary General Municipal Plan adopted or under preparation.
- (ii) Co-ordinate development of the downtown areas in order to maximize the efficiency of public expenditures for utility and service systems.
- (iii) Organization of block developments around open areas and public plazas.

MAP 1, BONUS AREA BOUNDARIES MAP



- (iv) Ensure the continuity of the segregated pedestrian-vehicular traffic system in Areas A and B.

(b) Bonus Area Boundaries

The bonus area boundaries are as indicated on Map 1, Bonus Area Boundaries Map:

(c) Principles

- (i) Bonuses are provided in order to achieve public open spaces and public facilities.
- (ii) Increased building density is obtained through the provision of bonuses and is expressed as a factor of bonus area to additional floor area.
- (iii) The bonuses are designed to implement the objectives.

(d) General

- (i) Where developments propose floor elevations differing from existing or future street or lane grades, access steps or ramps will not be allowed within the right-of-way or setback areas.
- (ii) The Approving Authority may change the order of the bonuses for those developments which, in its opinion, do not comply with the order of the Bonus Sequence due to site size restriction or location but which can provide the continuity of movement systems and open space requirements in accordance with the intent and objectives defined in Section 42(6)(a).

(e) Lighting

Public plazas and pedestrian systems shall be illuminated to the recommended practices of the Illuminating Engineers Society of North America.

(f) Landscaping

- (i) In addition to any other provision of this Bylaw, each owner is responsible for the landscaping and maintenance of all exterior plazas, bridges and decks which were used to accrue density for development.
- (ii) Design live loading for landscaped decks and plazas shall be a minimum of 11.97 Kilopascals.

(g) Bonus Transfer

Bonus transfer shall be at the discretion of the Approving Authority and may accrue from

- (i) the construction or provision of cash-in-lieu for pedestrian bridges elsewhere in the bonus areas, or
- (ii) the dedication of a site to the City for public parks and open spaces in or abutting the bonus areas.

(h) Bonus Area Boundary Extension

Developments outside but adjacent to the present boundaries of Bonus Areas A and B may be included in A or B, for the purpose of calculating density only, if the following requirements are observed:

- (i) the developer must construct an elevated public walkway over the public right-of-way connecting the site to property within Areas A or B without by-passing or going through other private property or pay cash-in-lieu for same;
- (ii) this walkway must provide adequate public access to grade at either end of the connection.

(i) Calculations for Bonus Areas A, B and C

- (i) Plan measurements will be based on the gross floor area of the building and taken to the nearest 0.1 square metre.
- (ii) The public areas at the +15 level are deemed to include
 - (A) the plan area of stairs or ramps connecting two public areas;
 - (B) voids or breaks in the decking which permit snow removal and the dissipation of vehicle exhaust fumes.
- (iii) The at-grade bonuses shall apply only if the continuity of the pedestrian path at +15 is maintained through the development.
- (iv) Floor area calculations and their resultant densities are calculated beginning at the +15 level.

(7) AIR-RIGHTS DEVELOPMENT

(a) Objectives

- (i) To permit development over public rights-of-way.
- (ii) To permit consolidation of adjoining private or public properties.
- (iii) To improve the downtown pedestrian environment.

(b) Development Over Streets and Avenues

- (i) An elevated pedestrian system shall be constructed and maintained in the following manner:

- (A) it shall provide for 24-hour public access;

- (B) it shall, if across a public right-of-way, provide connections to grade level at both ends. *11P94*

- (ii) Development shall be allowed only in the centre portions of the blocks with the frontage and flankage as shown on Illustration 1, Development Over Streets and Avenues.

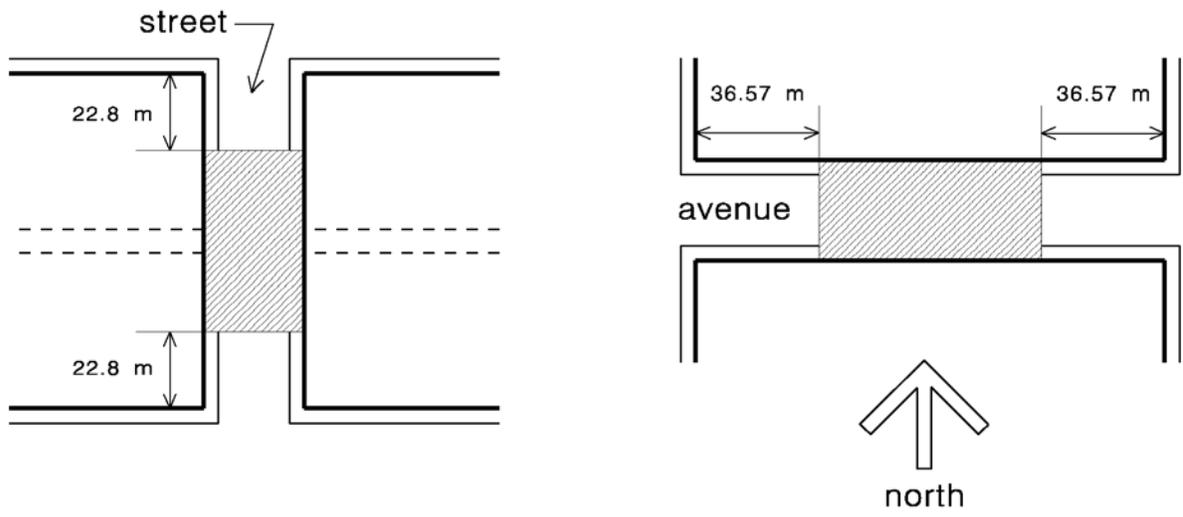
- (iii) **Width**

The width of development (measured along the public thoroughfare) shall not exceed 30.5 metres and the distance between two developments shall not be less than 30.5 metres. *11P94*

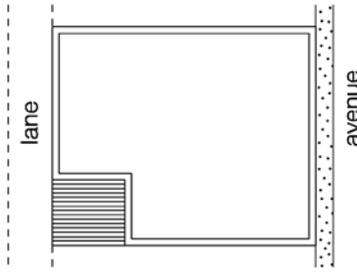
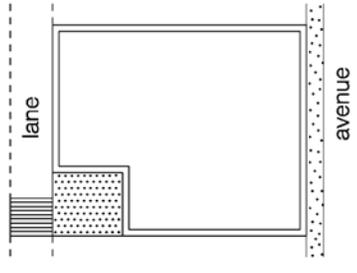
- (iv) **Building Height**

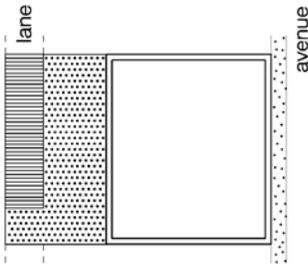
A maximum of 5 storeys not exceeding an overall height of 19.8 metres above grade level. *11P94*

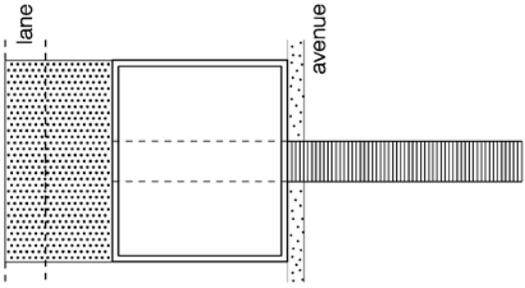
ILLUSTRATION 1, DEVELOPMENT OVER STREETS AND AVENUES



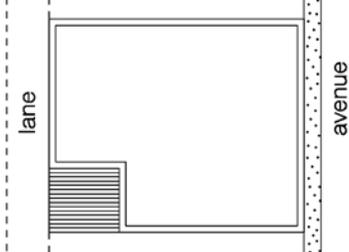
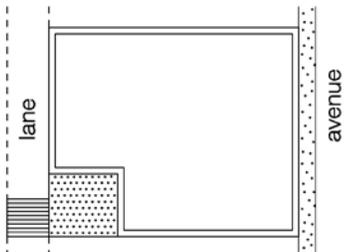
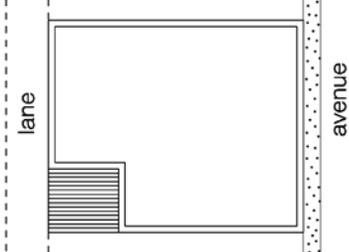
(8) BONUS AREA 'A'

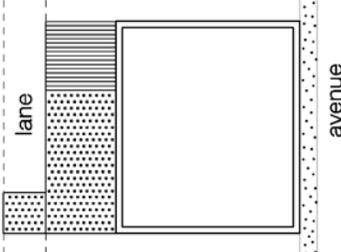
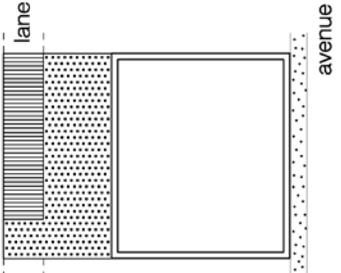
	PUBLIC AREA TO BE DEVELOPED	SIZE	DEVELOPMENT FLOOR AREA BONUSES
<p>AREA A STANDARD #1 MANDATORY</p> 	<p>Public plaza or walkway at the +15 level.</p>	<p>10 percent of net site area.</p>	<p>The provisions of Standards 1 and 2 permit a basic Floor to Site Area Ratio of 2.00.</p>
<p>AREA A STANDARD #2 MANDATORY</p> 	<p>Public plaza over the full width of the lane at the +15 level.</p>	<p>An area of 18.6 square metres is required for every 15.2 metres or part thereof, of site frontage.</p>	
<p>AREA A STANDARD #3 Previous standards must be fulfilled.</p>	<p>Public space at grade abutting 7 Avenue, 8 Avenue or 3 Street West.</p>	<p>Minimum dimension 1.5 metres, and continuous along the property line abutting the street or avenue.</p>	

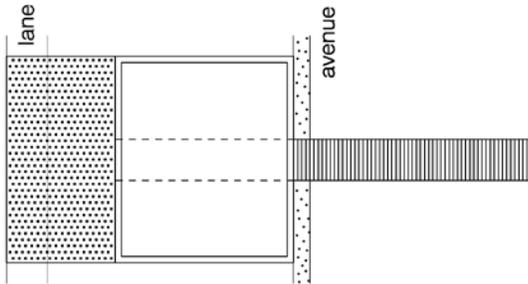
<p>AREA A STANDARD #4 Previous standards must be fulfilled.</p> 	<p>Public plaza over the full width of the lane at the +15 level.</p>	<p>Area of lane abutting the site not developed under Standard 2.</p>	<p>15 square metres of floor area for every square metre of public plaza.</p> <p>Ratio: 15:1</p>
<p>AREA A STANDARD #5 Previous standards must be fulfilled.</p>	<p>Public space at the +15 level.</p>	<p>Minimum dimension 1.5 metres.</p>	<p>10 square metres of floor area for every square metre of covered public space.</p> <p>Ratio: 10:1</p> <p>15 square metres of floor area for every square metre of public space open to the sky.</p> <p>Ratio: 15:1</p>
<p>AREA A STANDARD #6 Previous standards must be fulfilled.</p>	<p>Public space open to the sky at the +30 level.</p>	<p>Minimum dimension 3 metres.</p>	<p>5 square metres of floor area for every square metre of covered public open space.</p> <p>Ratio: 5:1</p>

<p>AREA A STANDARD #7 MANDATORY where in the opinion of the Calgary Planning Commission the facility is required to complete the system.</p> 	<p>Pedestrian bridge connections at the +15 level across streets and avenues</p>	<p>Minimum dimension 3 metres.</p>	<p>30 square metres of floor area for every square metre of overhead walkway. Ratio: 30:1</p>
<p>AREA A STANDARD #8</p>	<p>Bonus for public space above the +15 will be allowed if:</p> <ol style="list-style-type: none"> 1. It is vertically contiguous with a +15 public space. 2. There is a minimum of 30 percent of the public space open between each level. 3. (i) There is direct public access between each level, and (ii) Levels at +30 or above must be connected by escalators. 4. 50 percent of the roof covering this public space is transparent letting in natural light. 	<p>10 square metres of floor area for every square metre of public space. Ratio: 10:1</p>	
<p>An additional bonus of:</p> <ol style="list-style-type: none"> (a) 5 square metres of floor area for every square metre of open space will be allowed if the space is covered by a permanent transparent cover letting in natural light such as skylights, space frames or domes. (b) 5 square metres of floor area for every square metre of +15 walkway over streets when the walkway is completely enclosed and environmentally controlled. 			

(9) BONUS AREA 'B'

	PUBLIC AREA TO BE DEVELOPED	SIZE	DEVELOPMENT FLOOR AREA BONUSES
<p>AREA B STANDARD #1 MANDATORY</p> 	<p>Public plaza or walkway open to the sky at the +15 or at grade level.</p>	<p>10 percent of net site area.</p>	<p>The provisions of Standards 1 and 2 permit a basic Floor to Site Area Ratio of 2.00.</p>
<p>AREA B STANDARD #2 MANDATORY</p> 	<p>Public plaza open to the sky built over the full width of the lane or access-easement at the +15 level.</p>	<p>An area of 18.6 square metres is required for every 15.2 metres or part thereof, of site frontage.</p>	
<p>AREA B STANDARD #3 Previous standards must be fulfilled.</p> 	<p>Public plaza open to the sky at the +15 level or at ground level.</p>	<p>Not more than 10 percent of net site area.</p>	

<p>AREA B STANDARD #4 Previous standards must be fulfilled.</p> 	<p>Public or private plaza open to the sky at the +15 or at grade level.</p>	<p>Not more than 10 percent of net site area.</p>	<p>20 square metres of floor area for every square metre of public or private open space. Ratio: 20:1</p>
<p>AREA B STANDARD #5 Previous standards must be fulfilled.</p> 	<p>Public plaza built over the lane open to the sky at the +15 level.</p>	<p>Remaining area of lane or access - easement which has not been developed under previous standards.</p>	<p>20 square metres of floor area for every square metre of public plaza. Ratio: 20:1</p>
<p>AREA B STANDARD #6 Previous standards must be fulfilled.</p>	<p>Arcades or public areas not necessarily open to the sky abutting the sidewalk at grade level or at the level above. 11P94</p>	<p>No restrictions.</p>	<p>5 square metres of floor area for every square metre of public space. Ratio: 5:1</p>

<p>AREA B STANDARD #7 where in the opinion of the Calgary Planning Commission the facility is required to complete the system.</p> 	<p>Pedestrian bridge connections at the +15 level across streets.</p>	<p>Only the area of the walkway over the street (including widening) can be related to this standard for density purposes.</p>	<p>30 square metres of floor area for every square metre of overhead walkway. Ratio: 30:1</p>
<p>AREA B STANDARD #8</p>	<p>Public spaces such as plazas arcades or public areas which may or may not be open to the sky at the +15 level.</p>	<p>No restrictions.</p>	<p>10 square metres of floor area for every square metre of public area. Ratio: 10:1</p>
<p>AREA B STANDARD #9</p>	<p>Public spaces at grade abutting 7 Avenue, 8 Avenue or 3 Street West.</p>	<p>Minimum dimension 1.5 metres.</p>	<p>10 square metres of floor area for every square metre of covered public space. Ratio: 10:1 15 square metres of floor area for every square metre of public space open to the sky. Ratio: 15:1</p>

An additional bonus of:

- (a) 5 square metres of floor area for every square metre of public open space will be allowed if the space is covered by a permanent transparent cover letting in natural light such as skylights, space frames, or domes.
Ratio: 5:1
- (b) 5 square metres of floor area for every square metre of +15 walkway over streets when the walkway is completely enclosed and environmentally controlled.

(10) BONUS AREA 'C' RESIDENTIAL

(a) Residential Requirements

(i) Density

The density of a development is based on the following occupancy rates:

(A) Apartments

Bachelor	1.2 persons
1-bedroom	1.7 persons
2-bedroom	2.3 persons
3-bedroom	2.4 persons
4-bedroom	2.7 persons

(B) Townhousing

2-bedroom	3.3 persons
3-bedroom	4.2 persons
4-bedroom	4.4 persons

(b) Mandatory Requirements

- (i) Public space open to the sky at grade or the +15 level comprising at least 20 percent of net site area.
- (ii) Parking stalls to a total of 100 percent of the number of dwelling units must be supplied.

(c) Use of Standards

The Downtown Residential Standards require a minimum open space per person which is determined from Table 1 according to site size. Table 2 defines minimum open space according to density and is included only to check the under-development of sites and not to calculate development potential. Each type of open space is assigned a factor (Table 3) by which the actual area is multiplied in calculating the total open space. The total open space may be comprised of any combination of the open space listed except that the mandatory requirements must be included.

(d) Public Open Spaces

Public open spaces must

- (i) be developed such that they can become part of a consolidated block open space plan;
- (ii) have access from grade on all streets that they abut.

(e) Public Easement

All development must provide for or allow for future development of +15 public pedestrian easements at the mid-points of the block North-South and the East-West, and be a minimum of 6.1 metres wide.

(f) Townhousing

If 10 percent of the dwelling units in a development are townhousing units, the density of the site may be increased 10 percent, with no increase in amenity area requirement per person.

(11) AREA 'C' RESIDENTIAL

TABLE 1

MINIMUM OPEN SPACE/PERSONS/SITE										
Site Area										
(square metres)	613	901	1,189	1,505	1,820	2,136	2,638	3,363		Half city block or greater
Open Space/Persons										
(square metres)	17.9	17.3	16.5	15.7	14.8	13.8	12.6	11.4	9.3	

TABLE 2

MINIMUM OPEN SPACE BASED ON DENSITY									
Person/Net Acre	100	150	220	240	260	280	300		400+
/Net Hectare	40.4	60.7	89	97.1	105.2	113.3	121.4		161.8+
Open Space/Persons									
(square metres)	19	17.8	16.9	16.1	15.2	14.4	13.6		9.3

TABLE 3

RESIDENTIAL OPEN SPACE STANDARDS			
	Facility To Be Provided	Factor	Specifications
Open Space Standard #1	Public open space at +15 or below open to the sky.	1.25	Actual floor may not be higher than 6.1 metres above grade.
Open Space Standard #2	Public lane plaza.	3.50	Full width of lane.
Open Space Standard #3	Bridges over streets and avenues at +15.	7.00	Minimum effective width 3 metres are applicable only to developments equal to or larger than a quarter of a standard city block.
Open Space Standard #4	Balconies.	1.25	Minimum area 4.6 square metres. Minimum dimension 1.5 metres and shall comprise a maximum of 50 percent of the open space requirements.
Open Space Standard #5	Public or private open space between +15 and +30.	1.00	

Bonus Density can be accrued from parcels under common ownership which are not adjoining if the parcels are connected by a public bridge or lane plaza.

CALCULATIONS: (FACTOR) X (FACILITY PROVIDED) = EQUIVALENT AMENITY



42.1 GENERAL RULES FOR DOWNTOWN DISTRICTS

11P84

(1) SITE ACCESS

- (a) Except for emergency purposes, or where the Approving Authority determines that there is no alternative access available, no site access for vehicles shall be allowed to or from

7 Avenue S. between 11 Street W. and 4 Street E.
 8 Avenue S. between 4 Street W. and 2 Street E.
 6 Avenue S. between 11 Street W. and 3 Street E. - north side only.
 9 Street W. between 3 Avenue S. and 7 Avenue S.
 4 Street E. between 5 Avenue S. and 7 Avenue S., and
 3 Street W. between 9 Avenue S. and 2 Avenue S.

8P92

- (b) All vehicular accessways shall be located so as to minimize disruption of traffic and pedestrian movement, and
- (c) Access steps or ramps shall not be located within the right-of-way or setback areas.

(2) PROJECTIONS

Awnings and canopies may extend 0.6 metres into a setback of 5 metres or less, and 1.5 metres into a setback of more than 5 metres, where the underside of the projection is a minimum of 2.75 metres above grade.

13P87, 16P94

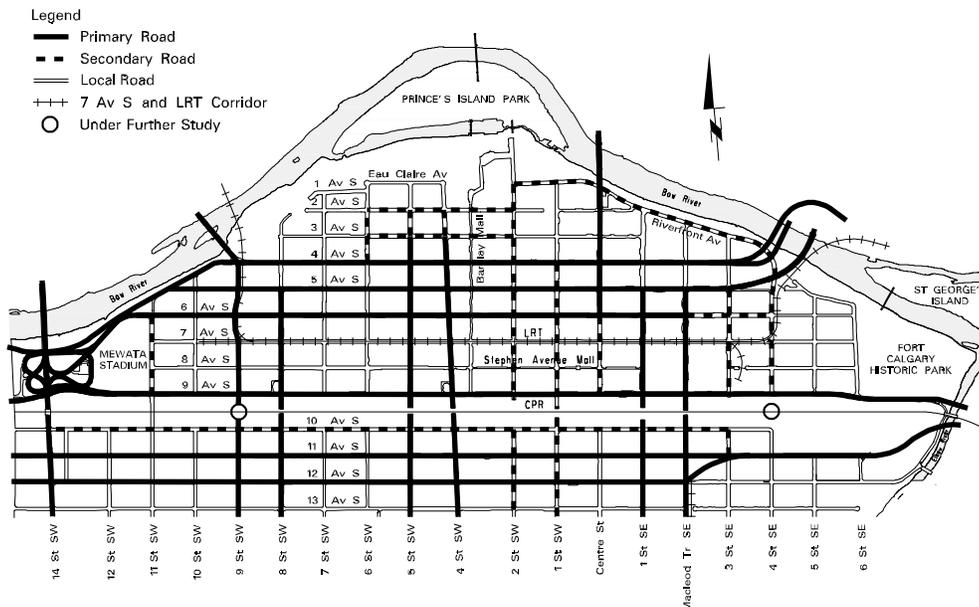
(3) SIDEWALK RECONSTRUCTION

Where sidewalks are reconstructed within the public right-of-way and setback areas, along roadways or in the transit corridors indicated on Map 1 Roadway Network, they shall:

- (a) conform with the dimensions specified in Council's policy for public improvements in the Downtown
- (b) if located in a transit corridor, have dimensions that conform to those for secondary roads
- (c) if located on Stephen (8th) Avenue Mall or the Barclay (3rd Street) Mall, have dimensions that are satisfactory to the Approving Authority.

MAP 1 ROADWAY NETWORK

8P92, 14P92, 11P95



(4) LANDSCAPING

All areas of a site not covered by buildings or parking areas shall be landscaped in accordance with Section 33(9). 11P94

(5) GARBAGE STORAGE

- (a) Garbage and waste material shall be stored inside the building in a completely enclosed, lockable space.
- (b) Neither garbage, nor any installations for its collection, storage, compaction or disposal, shall be visible from outside the building.
- (c) The space for storage and collection of garbage shall be readily accessible for pick-up.

(6) LIGHTING

All on-site lighting shall be located, oriented and shielded so as not to adversely affect adjacent residential properties.

(7) SPECIAL SITE REQUIREMENTS

(a) Automotive Uses

Unless the Approving Authority otherwise allows, all operations involving automotive uses, including those that result in noise, flashing, fumes, gas, smoke and vapour, shall be carried on within a properly ventilated and sound-insulated building.

(b) Building Finishes

The exterior finish of buildings shall be sufficiently durable so as not to require reapplication or extensive maintenance during the life of the building.

(c) Mechanical Equipment and Associated Structures

All mechanical equipment and associated structures on a roof or similar surface, shall be architecturally integrated into the building design.

(d) Pedestrian Environment

Both the design and use of any portion of a building that abuts an open space to which the public has access, shall reinforce and enhance that open space.

(8) ENVIRONMENTAL REQUIREMENTS

(a) Wind and Noise

Adverse impacts of wind and noise on pedestrians at street and +15 levels shall be minimized through the design and orientation of buildings and the location of ventilation and other mechanical equipment.

(b) Sunlight on Important Public Spaces

No building shall place more of the following areas in shadow, on the dates and times indicated, than was already in shadow as a result of buildings constructed at the date that the development permit application is made.

(i) Stephen (8th) Avenue Mall

The northerly 7 metres of the right-of-way and setback area from 12:00 noon to 2:00 p.m. Mountain Daylight Time on September 21st.

(ii) Barclay (3rd Street) Mall

- The westerly 8 metres of the right-of-way and setback area from 12:30 p.m. to 1:30 p.m. Mountain Daylight Time on September 21st.

- The easterly 8 metres of the right-of-way and setback area from 1:30 p.m. to 2:30 p.m. Mountain Daylight Time on September 21st.

(iii) Century Gardens

Those lands contained within Plan 8050 EJ, Block 46, Lots B, C, D and E from 12:00 noon to 2:00 p.m. Mountain Daylight Time on September 21st.

(iv) McDougall School

The north half of the block bounded by 4 and 5 Avenues S. between 6 and 7 Streets W. from 12:00 noon to 2:00 p.m. Mountain Daylight Time on September 21st.

(v) Courthouse Block

The northerly 18 metres of the block bounded by 6 and 7 Avenues S. between 4 and 5 Street W. from 12:00 noon to 2:00 p.m. Mountain Daylight Time on September 21st.

(vi) Mewata Stadium Site

The northerly 160 metres of the Mewata Stadium site on Plan 3445 JK, Block 2, from 12:00 noon to 2:00 p.m. Mountain Daylight Time on September 21st.

(vii) Riverbank except Riverbank Promenade and between 3 and 7 Streets W.

An area 20 metres wide throughout abutting the top of the south bank of the Bow River, as determined by the Approving Authority, from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time on September 21st.

(viii) Riverbank Promenade between 3 Street W. and Centre Street

An area 9 metres wide throughout abutting the top of the south bank of the Bow River, as determined by the Approving Authority, from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time on September 21st.

(9) SPECIAL FUNCTIONS

- (a) A special function— class 1 may only be located on a site, excluding the time used to erect and dismantle the temporary structures, for a maximum of:
 - (i) 15 consecutive days, and
 - (ii) 30 cumulative days in a calendar year.
- (b) A special function— class 2 may only be located on a site, excluding the time used to erect and dismantle the temporary structures, for a maximum of 15 cumulative days in a calendar year.

- (c) The a maximum height for covered temporary structures associated with a special function– class 1 or class 2 is one storey.
- (d) A special function– class and class 2 may be temporarily located on any part of the site, other than a corner visibility triangle.
- (e) A special function– class and class 2 does not require parking stalls. *4P2012*

42.3 CM-2 DOWNTOWN BUSINESS DISTRICT

11P84

(1) PURPOSE

The purpose of this district is to

- (a) provide for predominantly commercial development as well as allowing for a wide range of institutional and residential uses;
- (b) establish a comprehensive system for the provision of at-grade and +15 level amenities available to the public to meet the special needs of Downtown;
- (c) encourage the preservation of heritage buildings and features located within the Downtown; and
- (d) provide for the special character and function of the Downtown retail area.

(2) PERMITTED USES

Home occupations - Class 1	8P93
Power Generation Facility, Small-scale	25P2001
Signs - Class 1	21P98
Special function - class 1	4P2012

Notwithstanding any other requirement of this Bylaw, proposed or existing uses of a site shall be permitted uses on that site if they

- (a) are included in the list of discretionary uses in Section 42.3(4); and
- (b) have been approved on or before October 10, 1984, by a development permit that has not expired.

(3) PERMITTED USE RULES

Notwithstanding any other requirement of this Bylaw, a proposed or existing structure may be developed, redeveloped, or continue to exist provided that

- (a) there is no variation whatsoever, except as may be allowed pursuant to Section 11(1)(a)(iii), in that structure except as may be necessary to comply with other applicable legislation; and
- (b) it has been approved on or before October 10, 1984, by a development permit that has not expired.

(4) DISCRETIONARY USES

Accessory food services	4P98
Amusement arcades	
Apartment buildings (C.U.)	
Apartment-hotels	
Athletic and recreational facilities	
Automotive sales and rental	
Automotive services	
Automotive specialties	
Billiard parlours	
Child care facilities	
Commercial schools (C.U.)	

Community association buildings	
<i>deleted</i>	4P98
Drinking establishments	10P2004
Dwelling units	
Entertainment establishments	
Essential public services (C.U.)	
Excavation, stripping and grading	
Financial institutions (C.U.)	
Gaming establishment - bingo	3P85
Grocery stores (C.U.)	
Home occupations - Class 2 (N.P.)	8P93
Hostels	
Hotels	
Laboratories	
Liquor stores	
Lodging houses	
Mechanical reproduction and printing establishments	
Medical clinics (C.U.)	
Motion picture production facilities	18P96
Offices (C.U.)	
Outdoor cafes (N.P.)	4P93
Parking areas (temporary)	
Parking area - long stay	4P2007
Parking area - short stay	4P2007
Parking structures	
Parks and playgrounds	
Personal service businesses (C.U.)	
Power Generation Facility, Mid-scale	25P2001
Private clubs and organizations	
Private schools (C.U.)	
Public and quasi-public buildings (C.U.)	
Public and separate schools (C.U.)	
Public transportation facilities	
Radio and television studios	
<i>deleted</i>	4P98
<i>deleted</i>	4P98, 10P2004
Restaurants-food service only (C.U.)	4P98
Restaurants-licensed	10P2004
Retail food stores (C.U.)	
Retail stores (C.U.)	
<i>deleted</i>	20P97
Signs – Class 2 (N.P.)	21P98, 30P2011
Special care facilities	
Special function - class 2	6P2003, 4P2012

Stacked townhouses	
Take-out food services	4P98
Townhouses	
Universities, colleges, and provincial training centres (C.U.)	
Utilities	
Utility Building	25P2001
Veterinary clinics	

Qualifications:

- (a) C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b), except for offices and financial institutions on the ground and second floors, and medical clinics on the ground floor, and where there is a change of use from residential to any discretionary use.
- (b) Automotive uses, parking areas and parking structures shall only be allowed where sites front on primary and secondary roadways as illustrated on Map 1, Roadway Network, in Section 42.1.
- (c) *deleted* 11P94

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Downtown Districts contained in Section 42.1, the following rules shall apply:

(a) Gross Floor Area

(i) Method of Calculation

All development, regardless of density, shall provide all Bonus Group A features to the satisfaction of the Approving Authority. The maximum gross floor area, calculated using the Bonus Density Table, shall be

- (A) 7 F.A.R., which shall not be refused on the grounds of density only, where all Group A features are provided to the satisfaction of the Approving Authority;
- (B) 15 F.A.R. where, in addition to provision of all Group A features, Group B features of a type, location, and design required by and acceptable to the Approving Authority are provided;
- (C) 20 F.A.R. where, in addition to provision of all Group A and acceptable Group B features, Group C features of a type, location, and design are provided in accordance with Council's policy for public improvements in the Downtown.
- (D) Notwithstanding the requirements of Section 42.3(5)(a)(i)(A), the maximum gross floor area for the development of sites of 3,020 square metres gross site area or less, calculated using the Bonus Density Table, where all Group A features are provided to the satisfaction of the Approving Authority, shall be 7 F.A.R. for sites of 3,020 square metres gross site area, increasing proportionately to 9 F.A.R. for sites of 1,812 square metres gross site area or less. 13P87

(ii) Exceptions and Qualifications

- (A) Bonus Groups B and C are not available for use, south of the C.P.R. tracks except in the case of a building on the north side of 10 Avenue South that is linked to a building on 9 Avenue South by a bridge or other structure containing a pedestrian walkway.
- (B) Where the Approving Authority so requires, a +15 bridge (Bonus Standard B8a) must be provided before extra density is granted for any other Bonus Group B feature.
- (C) Notwithstanding the requirements of Section 42.3(5)(a)(i), the Approving Authority may allow up to an additional 0.5 F.A.R. for purpose-built public

BONUS DENSITY TABLE

BONUS GROUP A: A maximum of 7 F.A.R. may be achieved through provision of group A features.

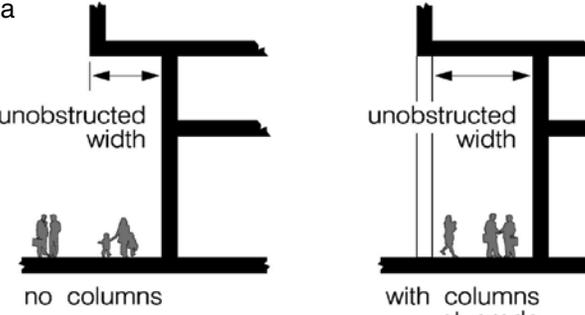
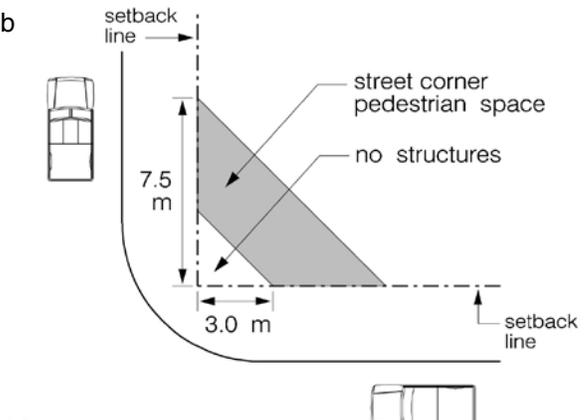
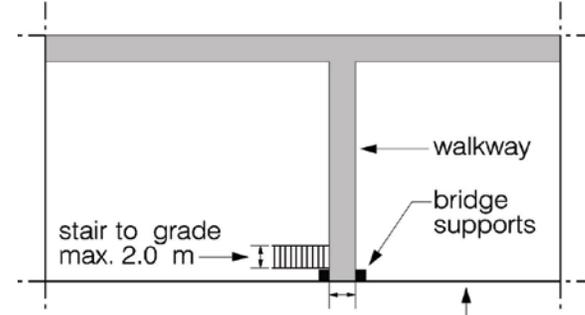
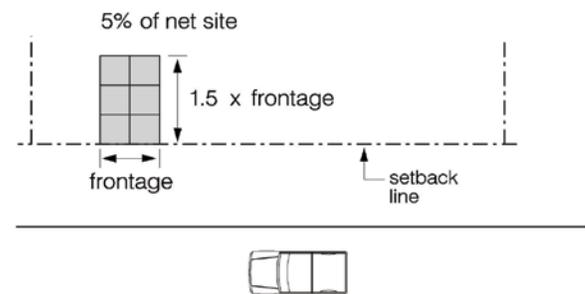
STANDARD	PUBLIC AMENITY TO BE PROVIDED	LOCATION AND ACCESS REQUIREMENTS	
A1	<p>At-Grade Pedestrian Circulation</p> <p>(a) On-Site Pedestrian Space</p> <p>(b) Street Corner Pedestrian Space</p>	<ul style="list-style-type: none"> o Abutting primary roads, the 7 Avenue S. and future L.R.T. alignments and the secondary roads of 1 and 2 Streets S.W., all as shown on Map 1, Roadway Network. o Directly accessible to and level with public sidewalks. o At all intersections. o Directly accessible to and level with public sidewalks. 	
A2	<p>+15 System</p> <p>(a) Development must make provision for connecting to the +15 System by:</p> <p>(i) Walkways (See also Bonus B7b)</p> <p>(ii) Supports</p> <p>(iii) Vertical Movement Between Grade and +15 Level</p> <p>(b) Contribution to +15 Fund</p>	<ul style="list-style-type: none"> o Where required by the Approving Authority, routes shall be oriented in north/south and east/west directions, continuous with existing and potential +15 routes on neighbouring sites. o Within the net site area. o Where required by the Approving Authority. o Must provide for public use either interior stair, ramp, escalator or elevator between grade and +15 levels. o One elevator must provide access to both the grade and +15 level. o Where a +15 bridge is to be located adjacent to the site, a means of vertical movement (indoors or outdoors) shall be in a location convenient to the +15 bridge. 	
A3	Open Space At Grade	<ul style="list-style-type: none"> o At grade. o Abutting street or avenue. 	

See Section 42.3(5)(a)(ii)(C) for special exemption for public auditoria, cinemas and theatres.

See Section 42.3(5)(a)(ii)(D) for special exceptions for the development of sites of 3,020 square metres gross site area or less.

8P90

13P87

	PERFORMANCE REQUIREMENTS	ILLUSTRATION
	<ul style="list-style-type: none"> o If arcaded, a minimum unobstructed width of 3.5 metres. o If no structure to grade, a minimum unobstructed width of 2.2 metres from the setback line along primary roads and L.R.T. Corridors or 1.5 metres along 1 and 2 Streets S.W. o Open to sky or built-over above second storey. o A triangular area formed by the two setback lines and a straight line which intersects them 7.5 metres from the corner where they meet. o Open to sky or built-over above second storey. o No vegetation, finished lot grade, building or structure within the triangular area formed by the two setback lines and a straight line which intersects them 3 metres from the corner where they meet. Beyond this distance, columns permitted to satisfaction of the Approving Authority. 	<p>A1</p> <p>a</p>  <p>b</p> 
	<ul style="list-style-type: none"> o Clearly and appropriately signed for pedestrians. o A minimum unobstructed width of 4.5 metres. o Pedestrian path shall be a minimum of 5.5 metres above grade. o Capable of accepting +15 bridges and lane links. o A minimum unobstructed width of 2.0 metres. o May be indoors or outdoors. o Clearly visible and directly adjacent and accessible to street or avenue sidewalk and +15 system. o In accordance with approved policy. 	<p>A2</p> 
	<ul style="list-style-type: none"> o 5 percent of net site area. o Open to sky. o Depth of open space may not exceed 1.5 times the street or avenue frontage of such open space. 	<p>A3</p> 

BONUS DENSITY TABLE

BONUS GROUP B: A maximum additional 8 F.A.R. may be achieved through provision of Group B features.

STANDARD	PUBLIC AMENITY TO BE PROVIDED	BONUS RATIO DEVELOPMENT : FEATURE AREA AREA	LOCATION AND ACCESS REQUIREMENTS	
B1	At-Grade Plaza (Excludes any Standard A1 and A3 spaces)	<p>Plazas 250 square metres to 499 square metres in size - 10:1</p> <p>Plazas 500 square metres or over in size - 15:1</p> <p>Maximum of 20 percent of gross site area eligible for bonus density.</p> <p>Where plazas abut north/south streets, an additional 25 percent bonus for that portion of the plaza where the north/south street frontage equals or exceeds the depth.</p>	<ul style="list-style-type: none"> o At-grade or within 450 millimetres above or below grade with no wall along the sidewalk higher than 450 millimetres. o Direct access to sidewalk or on-site pedestrian space amounting to at least 50 percent of each of the plaza's street and avenue frontage. o Retail or personal service units abutting a plaza shall front onto it and have individual direct plaza level access to it. 	
B2	<p>Space: Other At-Grade (Excludes any Standard A3 spaces)</p> <ul style="list-style-type: none"> o Standard A1 space eligible for this bonus where open to sky. 	7.5:1	<ul style="list-style-type: none"> o At-grade or within 450 millimetres above or below grade, with no wall along the sidewalk higher than 450 millimetres. o Accessible and visible from public sidewalk or on-site pedestrian space. 	
B3	Sloped or Terraced Open Space	5:1	<ul style="list-style-type: none"> o Between grade and +15. o Physically accessible to, and visible from, sidewalk or on-site pedestrian space, and where required by the Approving Authority, from the +15 walkway. 	

	PERFORMANCE REQUIREMENTS	ILLUSTRATION
	<ul style="list-style-type: none"> o Open to sky. o A minimum contiguous area of 250 square metres. o A minimum dimension of 9 metres in all directions. o A minimum frontage along street or avenue of 9 metres, with that frontage equal to or greater than the plaza depth. o The combined width of all entranceways and lobbies of office developments shall not exceed 15 percent of the perimeter distance of all building fronting onto the plaza, or 10 metres whichever is the greater. o A minimum ratio of 1 seat or 750 millimetres of bench seating for each 10 square metres of plaza area. 	<p>B1</p>
	<ul style="list-style-type: none"> o Open to sky. o Depth of open space may not exceed 1.5 times the street or avenue frontage. o Other at-grade, open to the sky areas (A1, A3, B1) must be included in the measurement depth. 	
	<ul style="list-style-type: none"> o Open to sky. o A minimum dimension of 6 metres in all directions. 	

STANDARD	PUBLIC AMENITY TO BE PROVIDED	BONUS RATIO DEVELOPMENT : FEATURE AREA AREA	LOCATION AND ACCESS REQUIREMENTS	
B4	Open Space at +15 Level	4:1	<ul style="list-style-type: none"> o At +15 level. o Visible from +15 walkway for its whole length where the walkway abuts the open space. o Direct access from walkway to abutting open space at least every 9 metres. 	
B5	<p>Outdoor Built-Over Space</p> <p>Standard A1(a) space ar-caded or built over is eligible for this bonus.</p>	4:1	<ul style="list-style-type: none"> o Directly accessible to and level with public sidewalk, on-site pedestrian area and/or at-grade open space. 	
B6.1	Indoor Park	<p>Where provided at grade level - 12.5:1</p> <p>Where provided at +15 level - 10:1</p> <p>Maximum of one third of gross site area eligible for this bonus.</p>	<p>At-Grade</p> <ul style="list-style-type: none"> o Must front on, have direct access to, and be visible from the sidewalk, grade level open space or on-site pedestrian space. o Must be a distinctly separate area from lobby or reception area. <p>+15 Level</p> <ul style="list-style-type: none"> o Must front on and be visible from the street or avenue. o Must have direct access to street or avenue by indoor stairs, escalators or elevators. o Directly accessible to, and visible from, +15 walkway. For the whole length of the +15 walkway where it abuts the indoor park, it must be glazed, with direct access between the walkway and the park at least every 9 metres, or else completely open without barriers. 	
B6.2	<p>"Cultural space" means space built for the intended purpose of, developing, creating, presenting or administering artistic practices in any cultural tradition. The appropriate uses for "Cultural space" are:</p> <ul style="list-style-type: none"> o Entertainment establishment (excluding night club) 	<p>Where provided at grade level – 12.5:1</p> <p>Where provided at +15 level – 10:1</p> <p>Where provided below grade level – 10:1</p> <p>Maximum of 1/3 of gross site area eligible for this bonus.</p>	<p>At-Grade</p> <ul style="list-style-type: none"> o Must front on, have direct access to, and be visible from the sidewalk, grade level open space or on-site pedestrian space. o Must be a distinctly separate area from building lobby or reception area. 	

	PERFORMANCE REQUIREMENTS	ILLUSTRATION
	<ul style="list-style-type: none"> o Open to sky. o A minimum width of 6 metres in all directions. o Frontage of open space along the +15 walkway must be greater than the depth of the open space. 	<p>B4</p>
	<ul style="list-style-type: none"> o Built over above second storey but not enclosed. o If arcaded, a minimum unobstructed width of 3.5 metres up to a maximum of 5 metres with a minimum contiguous area of 30 square metres. o If no structure to grade, a maximum unobstructed width of 5 metres. 	<p>B5</p>
	<p>At-Grade and +15 Levels</p> <ul style="list-style-type: none"> o A minimum width of 9 metres and a minimum contiguous area of 150 square metres, excluding accessways to elevators and required +15 walkways. o Exterior walls shall be glazed except where they abut another property. o Minimum 8 metres vertical clearance between floor and non-glazed roof or ceiling and 4.5 metres between floor and glazed roof. o Intensively landscaped to create a park-like setting which must include seating, and may include playgrounds and performance areas. o A minimum of 50 percent of the area of the park shall have a glazed roof. o The depth of any area of the park without a glazed roof shall not exceed 8 metres measured from the point where it abuts the area with a glazed roof. o Where a park area without glazing above is separated from an exterior wall by a glazed-over area, the depth of that area without glazing above shall not exceed the distance that it is separated from the exterior wall. o Where a +15 walkway covers a portion of at-grade indoor park, the area directly under the walkway which, may not exceed 4.5 metres in width, is eligible for a B6 bonus only where that walkway is separated from the exterior glazed walls surrounding the park by a distance of not less than 4.75 metres. No more than 15 percent of the indoor park may be covered by a +15 walkway. 	<p>B6.1</p> <p>B7</p>
	<p>At-Grade, +15 Level and Below Grade</p> <ul style="list-style-type: none"> o A minimum width of 7.5 metres contiguous area of 150 square metres, excluding accessways to elevators and required +15 walkways. o Entrance ways and lobbies of cultural space shall be glazed except where they abut another property. <p>The configuration of any space provided as cultural space must be to the satisfaction of the Approving Authority.</p> <p style="text-align: right;">11P2008</p>	

BONUS DENSITY TABLE

BONUS GROUP B Continued

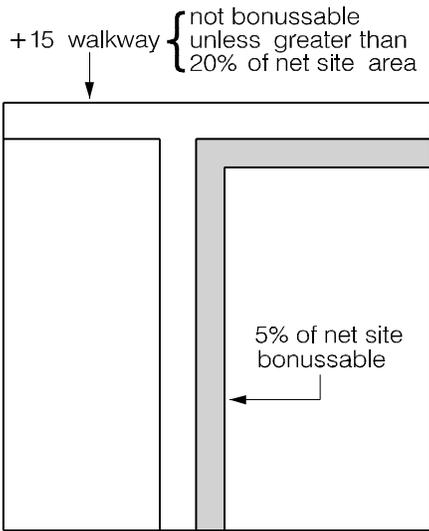
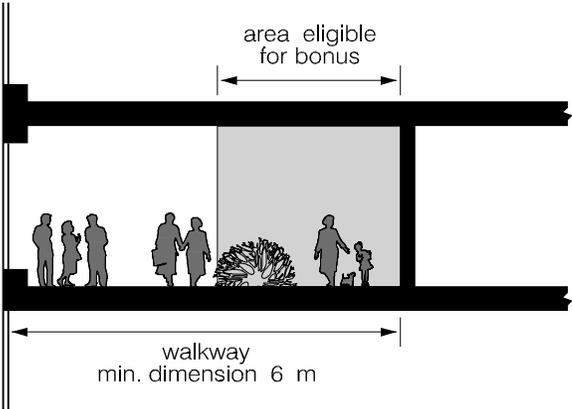
STANDARD	PUBLIC AMENITY TO BE PROVIDED	BONUS RATIO DEVELOPMENT AREA : FEATURE AREA	LOCATION AND ACCESS REQUIREMENTS	
11P2008	<ul style="list-style-type: none"> o Public and quasi public uses (excluding a church, and recreational activities of a public group or organization.) o Ancillary commercial use. 	11P2008	<p>+15 Level</p> <ul style="list-style-type: none"> o Components of space must front on and be visible from street or avenue. o Must have direct access to street or avenue by indoor stairs, escalators or elevators. o Entrance and cultural space lobby areas must be glazed, directly accessible to, and visible from +15 walkway. <p>Below Grade</p> <ul style="list-style-type: none"> o Must have direct access to street or avenue by indoor stairs, escalators or elevators. o Directly accessible to public and visible from avenue or street. 	11P2008

BONUS DENSITY TABLE

BONUS GROUP B Continued

	PERFORMANCE REQUIREMENTS	ILLUSTRATION

STANDARD	PUBLIC AMENITY TO BE PROVIDED	BONUS RATIO DEVELOPMENT : FEATURE AREA AREA	LOCATION AND ACCESS REQUIREMENTS	
B7	<p>+15 Walkway Enhancement</p> <p>(a) Maximum of 5 percent of the net site area, excluding area of basic on-site north/south and east/west +15 walkway connections required as in Standard A2, with the following exception.</p> <p>(b) Where a required A2 walkway exceeds 20 percent of the net site area, the amount by which it exceeds that 20 percent is eligible for this bonus. If this amount exceeds 5 percent of the net site area, the B7(a) bonus is not available. If the amount is less than 5 percent, a total of 5 percent may be bonussed as B7(a) and B7(b).</p>	4:1	<ul style="list-style-type: none"> o At +15 level. o Directly accessible to the +15 system. 	
B8	<p>+15 Bridge</p> <p>(a) Standard Bridge Sites may build or contribute to the system the equivalent of 1 bridge from an area of up to and including 3020 square metres; 2 bridges from an area of over 3020 square metres but not more than 6040 square metres; 3 bridges from an area of over 6040 square metres but not more than 9060 square metres; and 4 bridges from an area over 9060 square metres.</p> <p>(b) Bridge With Extra Sky-lighting</p>	<p>20:1 Calculated on bridge floor area over right-of-way.</p> <p>Where more than 50 percent of a bridge is skylit, the whole skylit portion will be bonussed at 2.5:1.</p>		

	PERFORMANCE REQUIREMENTS	ILLUSTRATION
	<ul style="list-style-type: none"> o A minimum unobstructed width of 6 metres which may be measured in combination with the +15 walkway required in Standard A2. o Widened walkways shall provide landscaping, seating areas, information and other public facilities. 	<p>B7</p>  <p>+15 walkway { not bonussable unless greater than 20% of net site area</p> <p>5% of net site bonussable</p>
	<ul style="list-style-type: none"> o A minimum clearance of 4.75 metres except a minimum clearance of 6 metres over the L.R.T. Corridors. o A minimum unobstructed width of 4.5 metres. o A maximum unobstructed width of 6 metres eligible for bonus density. o Magnetically controlled doors. o No air conditioning or other equipment shall be located on the roof of the bridge. o Minimum of 75 percent of total wall surface clear glazed between 0.5 and 2.5 metres above bridge floor for the total length of the bridge. <ul style="list-style-type: none"> o More than 50 percent of floor area with transparent glazing directly above. 	<p>B8</p>  <p>area eligible for bonus</p> <p>walkway min. dimension 6 m</p>

	PERFORMANCE REQUIREMENTS	ILLUSTRATION
		B9
	<ul style="list-style-type: none"> o A minimum unobstructed width of 4.5 metres. o A maximum unobstructed width of 6 metres eligible for bonus except a maximum of 10 metres where the lane link abuts a bridge. o A minimum clearance of 4.75 metres above grade with the elevation of the pedestrian path a minimum of 5.5 metres above grade. 	<p>escalator footprint area eligible for bonus</p> <p>setback line</p> <p>bridge area eligible for bonus</p> <p>unobstructed width min. 4.5 m</p>
	<ul style="list-style-type: none"> o Enhanced treatment and materials over and above basic standards for sidewalk reconstruction consistent with Council's policy for public improvements in the Downtown. o Area limited to the frontage of the site. o Mall construction or enhancement consistent with Council's policy. o Area limited to the frontage of the site by the full width of the mall. 	

BONUS DENSITY TABLE

BONUS GROUP B Continued

STANDARD	PUBLIC AMENITY TO BE PROVIDED	BONUS RATIO DEVELOPMENT : FEATURE AREA AREA	LOCATION AND ACCESS REQUIREMENTS	
B12	<p>Sculpture in Public Spaces</p> <p>(a) Provided on Site</p> <p>(b) Contribution to Public Art Fund</p>	<p>1 square metre of floor area for every \$110 (October 1984 dollars) of sculpture provided. Maximum of 1 F.A.R. 13P87</p> <p>1 square metre of floor area for every \$110 (October 1984 dollars) contributed to Public Art Fund. Maximum of 1 F.A.R.</p>	<ul style="list-style-type: none"> o Setting acceptable to Approving Authority on site. If off the development site, on the Stephen (8th) Avenue Mall, Barclay (3rd Street) Mall or a Downtown public park. o Minimum of 75 percent of total value contributed to sculpture used outdoors at-grade or on building exterior visible from the sidewalk. o Maximum of 25 percent of total value contributed to sculpture used in indoor park. 	
STANDARD	SITE TO BE DEVELOPED	BONUS	LOCATION AND ACCESS REQUIREMENTS	
B13	Sites Retaining Heritage Features	Up to a maximum of 1 F.A.R. of the site originally covered by the Heritage Building.		
B14*	Sites Receiving Density from Heritage Buildings	Up to a maximum of 3 F.A.R., except on sites with a net site area of 1812 square metres or less where this limit may be exceeded.		
B15*	<p>(a) Sites Receiving Density from the Density Transfer Area - Stephen (8th) Avenue Mall</p> <p>(b) Sites Receiving Density as a result of the protection of sunlight on Public Spaces</p>	Up to a maximum of 3 F.A.R., except on sites with a net site area of 1812 square metres or less where this limit may be exceeded.		

* In combination, bonus density from B14 and B15(a) and (b) may not exceed 4 F.A.R. except on sites with a net site area of 1812 square metres or less where this limit may be exceeded.

	PERFORMANCE REQUIREMENTS	
	<ul style="list-style-type: none"> o Unique not mass-produced sculpture by a practitioner in the visual arts who is generally recognized by critics and peers as a professional of serious intent and ability. o Value of sculpture provided calculated in accordance with Council's approved policy. o In accordance with Council policy. 	
	PERFORMANCE REQUIREMENTS	
	<ul style="list-style-type: none"> o Amount of density to be determined by the Approving Authority based on importance of retained feature, cost of retention and relative size of heritage feature. o Features of heritage significance to be retained and integrated into the new building to the satisfaction of the Approving Authority. 	
	<ul style="list-style-type: none"> o Available only in accordance with Council policy where density is being transferred from another site, as per Section 42.3(5)(h), or by purchase from a heritage preservation fund. 	
	<ul style="list-style-type: none"> o Available only in accordance with Council policy where density is being transferred from another site, as per Section 42.3(5)(f). o Available only in accordance with Section 42.3(5)(i). 	

BONUS DENSITY TABLE

BONUS GROUP C: Once a density of 15 F.A.R. is achieved through the provision of Group A and B features, a maximum additional 5 F.A.R. may be achieved through provision of Group C.

STANDARD	SITE TO BE DEVELOPED	BONUS	LOCATION AND ACCESS REQUIREMENTS	
C1	Sites Receiving Density from Heritage Buildings as per Section 42.3(5)(h).	Up to 5 F.A.R.		
C2	Off-Site Improvements	Up to 3 F.A.R.		
C3	<p>(a) Sites Receiving Density from the Density Transfer Area - Stephen (8th) Avenue Mall</p> <p>(b) Sites Receiving Density as a result of the protection of sunlight on Public Spaces</p>	Up to a maximum of 3 F.A.R., except on sites with a net site area of 1812 square metres or less where this limit may be exceeded.		

	PERFORMANCE REQUIREMENTS	
	<ul style="list-style-type: none"> o Available only in accordance with Council policy where density is being transferred from another site, as per Section 42.3(5)(h), or by purchase from a heritage preservation fund. 	
	<ul style="list-style-type: none"> o Available only in accordance with Council policy for a contribution to, or the construction of, features identified in Council's policy for public improvements in Downtown, and where such features are not located abutting the development site. 	
	<ul style="list-style-type: none"> o Available only in accordance with Council policy where density is being transferred from another site, as per Section 42.3(5)(f). o Available only in accordance with Section 4.23(5)(i). 	

- (iii) Where a lane abuts a site, all vehicular access shall be from the lane.
- (iv) Financial institutions and offices must not be located on the ground floor, except within the existing buildings located at the following addresses:

- (A) Dominion Bank Building - 200 8 Avenue SW;
- (B) Imperial Bank of Canada - 100 8 Avenue SW;
- (C) Molson's Bank - 114 8 Avenue SW;
- (D) Criterion Block - 121 8 Avenue SW;
- (E) Bank of Nova Scotia - 125 8 Avenue SW; and,
- (F) Bank of Montreal - 136, 140 8 Avenue SW.

60P2008

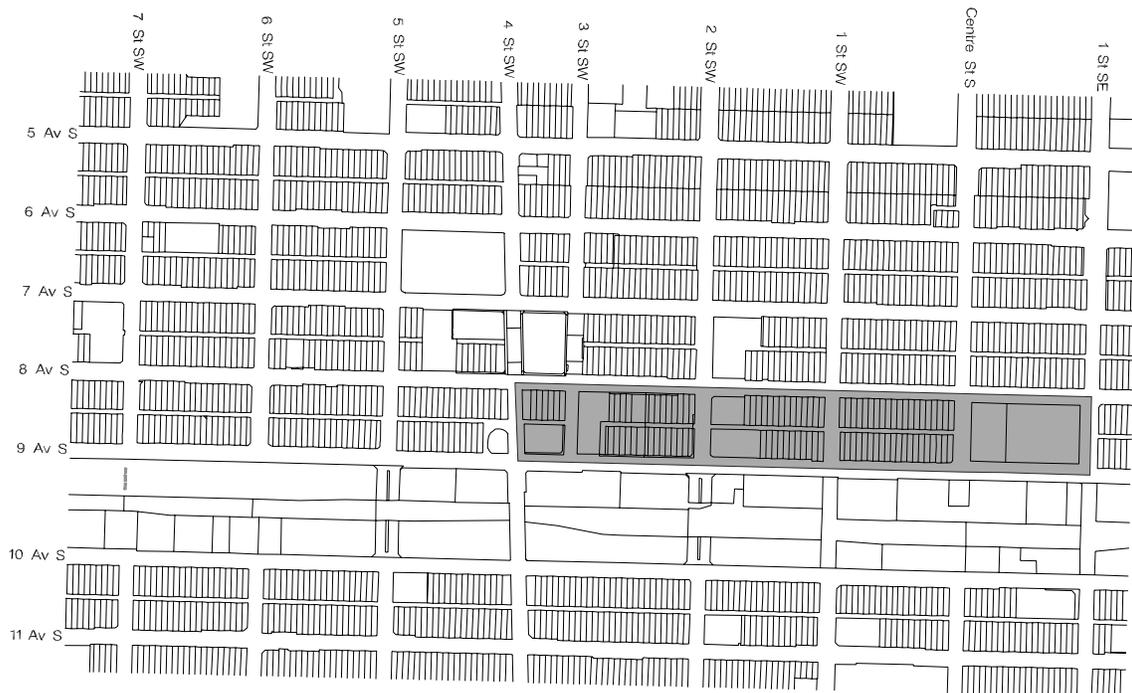
(e) Stephen (8th) Avenue Mall - Building Orientation

All sites abutting the Stephen (8th) Avenue Mall between 2 Street E. and 4 Street W. shall provide a continuous building frontage located within 3.5 metres of the setback line required by Section 17 and shall not be required to provide Standard A3 open space.

(f) Stephen (8th) Avenue Mall - Density Transfer

- (i) Sites within the area shown on Map 2, Density Transfer Area - Stephen (8th) Avenue Mall, except those subject to Section 42.3(5)(h), are assumed, for the purpose of establishing the amount of transferrable density only, to have a potential density of 7 F.A.R., except where the Approving Authority requires or approves the on-site provision of Group B features which, on other CM-2 sites, would result in a higher F.A.R.. In such cases that higher F.A.R. shall be assumed to be the potential density.
- (ii) The difference between the density existing on a site after completion of a new development, that includes all required or approved bonus features, and the potential density of that site may be transferred to other sites in the district.
- (iii) The density transfer provision of Standard B15 in the Bonus Density Table is available

MAP 2 DENSITY TRANSFER AREA - STEPHEN (8th) AVENUE MALL



■ Density Transfer Area

only to receiving sites in this district where the redevelopment of the transferring site has been completed and the requirements of this Bylaw, including the provision of Group A features, any Group B features provided pursuant to Section 42.3(5)(f)(i) and the sunlight standards of Section 42.1(8)(b), have been met to the satisfaction of the Approving Authority.

- (iv) A density transfer agreement that is satisfactory to the City Solicitor shall be registered against the Certificate of Title of the sites from which the density has been transferred.

(g) Special Heritage Area - Building Design

In addition to the rules for the Retail Area and the Stephen (8th) Avenue Mall contained in Sections 42.3(5)(d) and 42.3(5)(e), the heritage character of buildings within the Special Heritage Area shown on Map 1, Retail Area, should be preserved and reinforced through designs, which include the use of compatible materials and retain heritage features.

(h) Heritage Buildings - Density Transfer

- (i) The density transfer provisions of Standards B13 and C1 in the Bonus Density Table are available only to receiving sites in this district where the transferring site is designated as a municipal heritage site pursuant to the Historical Resources Act.
- (ii) (A) For the purpose of establishing the amount of transferrable density only, heritage sites are assumed to have a potential density of 10 F.A.R.

(B) The difference between the existing and potential density of a heritage site may be transferred to other sites in this district.
- (iii) A density transfer agreement that is satisfactory to the City Solicitor shall be registered against the Certificate of Title of the heritage site.
- (iv) Where a site has transferred parking stalls in accordance with the provisions of section 18(1.1)(e), the parking obligations of the transferred density shall be reduced by the number of stalls that have been transferred. *13P2008*

(i) Sunlight on Public Spaces - Preservation through Density Transfer

- (i) Sites affected by the sunlight standards of Sections 42.1(8)(b)(ii) to (viii) are assumed, for the purpose of establishing the amount of transferrable density only, to have a potential density equal to the amount that they would have achieved through bonus features required or approved by the Approving Authority had those sunlight standards not existed.
- (ii) The difference between the density existing on a site after completion of a new development that includes all required or approved bonus features, and the potential density of that site may be transferred to other sites in this district.
- (iii) The density transfer provision of Standard B15 in the Bonus Density Table is available only to receiving sites in this district where the redevelopment of the transferring site has been completed and the requirements of this Bylaw, including the provision of Group A features, any Group B features provided pursuant to Section 42.3(5)(i)(i) and the sunlight standards of Section 42.1(8)(b), have been met to the satisfaction of the Approving Authority.
- (iv) A density transfer agreement that it is satisfactory to the City Solicitor shall be registered against the Certificate of Title of the sites from which the density has been transferred.

(j) Dwelling Units

Buildings containing residential units shall be subject to the following:

- (i) No residential unit in a mixed use building shall be located below the third floor level unless, in the opinion of the Approving Authority, the location of such units still

permits the satisfactory provision of Group A features and an acceptable residential environment.

- (ii) No residential unit, other than a superintendent's or caretaker's apartment, shall be located below a commercial use.
- (iii) No window of a living room or bedroom shall be located closer than a horizontal distance of 7.5 metres from a side or rear property line or 15 metres from the facing windows of any other building on the same site.
- (iv) For each dwelling unit, a private amenity space, having a minimum area of 5.6 square metres, shall be provided either in the form of an open or enclosed balcony with a glazed opening to the outside amounting to no less than 75 percent of the exterior wall and a minimum dimension of 1.8 metres.
- (v) All on-site horizontal surfaces greater than 5.6 square metres in size, that are overlooked by residential units and not required for parking or access, shall be landscaped to the satisfaction of the Approving Authority.
- (vi) Where 50 percent or more of the gross floor area of a building is comprised of dwelling units, a minimum of 40 percent of the gross site area shall be provided as common amenity space for all residents through a combination of indoor and outdoor spaces, which may include spaces provided under Section 42.3(5)(j)(iv) and (v).

(k) Right-of-Way Setbacks

See Section 17.

(l) Parking and Loading Regulations

11P94

See Section 18.

(m) Signs

See Appendix.

(n) Outside Storage

No outside storage shall be allowed.

(o) Floodway/Floodplain Special Regulations

See Section 19.1.

5P85

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

(7) NOTICE POSTING OF SIGNS – CLASS 2

A Digital third-party advertising signs and an electronic message centre must always be notice posted when adjacent to a site containing a dwelling unit.

30P2011



43. GENERAL RULES FOR INDUSTRIAL DISTRICTS

(1) INDUSTRIAL PERFORMANCE STANDARDS

(a) Purpose

The purpose of performance standards in the control of industrial uses is to permit potential nuisances to be identified; to ensure that all uses will provide methods to protect the community from hazards and nuisances which can be prevented by processes of control and nuisance elimination; and to protect industries from arbitrary exclusion based solely on the nuisance production by any particular type of use in the past.

(b) Application

After the date of adoption of this Bylaw:

- (i) Any new use, building or structure shall comply with all of the performance standards contained in this Section.
- (ii) Any existing use, building or structure which is extended, enlarged, moved, structurally altered or reconstructed shall comply with all of the performance standards contained in this Section.
- (iii) These performance standards shall be the minimum standards to be met and maintained by all uses.
- (iv) The Approving Authority may require an applicant to submit verification that the conditions of any senior government authority having jurisdiction over any performance standard contained herein have been met.

(c) Air Contaminants, Visible and Particulate Emissions

- (i) No use or operation in any industrial district shall cause or create air contaminants, visible emissions or particulate emissions which exceed those measures prescribed by the Province of Alberta within The Clean Air Act and the regulations pursuant thereto.
- (ii) Airborne particulate matter originating from open storage areas, yards or roads shall be kept to a minimum by appropriate landscaping, paving, oiling, wetting or other means.

(d) Odorous Matter

No use or operation shall cause or create the emission of odorous matter or vapour in amounts or quantities that exceed those levels prescribed by the Province of Alberta within The Clean Air Act and the regulations pursuant thereto.

(e) Toxic Matter

No use or operation shall cause or create the emission of toxic matter in amounts or quantities that exceed the levels prescribed by the Province of Alberta within The Clean Air Act and the regulations pursuant thereto.

(f) Fire and Explosion Hazards

All uses and operations which store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics shall comply with the Fire Prevention Bylaw or the regulations of the senior government authority having jurisdiction.

(2) CONSTRUCTION BENEATH YARDS

The requirements for the provision and maintenance of yards do not apply to construction wholly beneath the surface of the ground.

(3) BUILDING HEIGHT EXCEPTION

The maximum height restrictions in industrial districts do not apply to utility buildings or essential public service buildings.

(4) SITE ACCESS

An application for a development permit shall not be approved unless it complies with the access requirements of the Controlled Streets Bylaw.

(5) CORNER VISIBILITY TRIANGLES

Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished lot grade, building or structure shall exceed the general elevation of the street by more than 750 millimetres within the area defined as a corner visibility triangle.

(6) RESIDENTIAL ACCESSORY BUILDINGS

Notwithstanding any other provisions contained in this Bylaw, where a residential building exists on a site in an industrial district, a private garage or other accessory building may also be erected on the site.

(6.1) DRINKING ESTABLISHMENTS, RESTAURANTS-LICENSED AND ENTERTAINMENT ESTABLISHMENTS

4P98, 10P2004

(a) Openings

Where the facade of a drinking establishment, restaurant-licensed or entertainment establishment faces an abutting residential district, or abuts a lane separating the site from a residential district, no openings except emergency exits, loading-bay doors or non-opening windows shall be allowed.

(b) Entrance Location

Where a drinking establishment, restaurant-licensed or entertainment establishment has an exterior entrance, the entrance shall not be located on any building facade that faces a residential district, unless separated by a street.

(c) Parking Area Screening

Where a site abuts or is separated by a lane from a residential district, parking areas shall be screened to prevent glare from motor vehicles.

(d) Outdoor Cafe Location

(i) An outdoor cafe shall be located a minimum of 25 metres from a residential district except where:

(A) the outdoor cafe is completely separated by a building from a residential district, or

(B) the outdoor cafe is separated by a street from a residential district.

- (ii) The floor of an outdoor cafe shall not exceed 600 millimetres above the height of the first storey floor level where the outdoor cafe is located within 100 metres of a residential district.

(e) Outdoor Cafe Speaker Systems

The use of outdoor speaker systems is prohibited.

(6.2) LIQUOR STORES

27P2000, 13P2003

(i) Separation Distance Between Liquor Stores

- (A) No liquor store shall be located closer than 300 metres to any other liquor store.
- (B) The 300 metre separation distance shall be measured from the closest point of a liquor store to the closest point of another liquor store.
- (C) *deleted* *3P2004*

(ii) Separation Distance to Schools

- (A) No liquor store shall be located closer than 150 metres to a site that contains a Public School, Separate School, or Private School.
- (B) The 150 metre separation distance shall be measured from the closest point of a liquor store to the closest point of a site that contains a Public School, Separate School, or Private School.
- (C) *deleted* *3P2004*

(iii) Parking

Section 18(1)(b) shall not apply.

(iv) Visual Screening

Where a liquor store abuts a residential district, or a local street, or a lane separating the liquor store site from a residential district; the entrance, loading facilities, parking, vehicular and pedestrian access and other activity areas of the liquor store site shall be visually screened and landscaped so as to minimize any impact on the residential district, to the satisfaction of the Approving Authority.

(7) PUBLIC AND SEPARATE SCHOOLS

Where public and separate schools were built as of the date of adoption of this Bylaw, the schools and their use by any of the uses listed in Section 51, shall be deemed to be conforming as if they were so designated by Section 51 of this Bylaw. *7P90*

(8) LANDSCAPING

- (a) Where a landscaped area is required, it shall be provided in accordance with a landscape plan and in conformity with the following requirements and standards:
 - (i) Existing soft landscaping retained on a site may be considered in fulfillment of the total landscaping requirement.
 - (ii) Except for City boulevards, trees shall be planted in the overall minimum ratio of one tree per 45 square metres of landscaped area provided.

- (iii) The quality and extent of the landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development. Adequate means of irrigating and maintaining the landscaping shall be provided.
- (b) Soft landscaping shall be provided as follows:
- (i) All plant materials shall be of a species capable of healthy growth in Calgary and shall conform to the standards of the Canadian Nursery Trades Association for nursery stock.
 - (ii) The mixture of tree sizes at the time of planting shall be equivalent to a minimum of 50 percent larger trees.
 - (iii) The minimum size for deciduous trees shall be: *1P85*
 - (A) for smaller deciduous trees, 50 millimetres caliper except 35 millimetres caliper for flowering ornamental trees, and
 - (B) for larger deciduous trees, 85 millimetres caliper.
 - (iv) The minimum size for small coniferous trees shall be a height of 2 metres and for larger coniferous trees, a height of 3 metres.
 - (v) Coniferous trees shall comprise a minimum proportion of 1/3 of all trees planted.
 - (vi) Wherever space permits, trees shall be planted in groups.
 - (vii) Shrubs shall be a minimum height or spread of 600 millimetres at the time of planting.

(9) EXCAVATION, STRIPPING AND GRADING

Excavation, stripping and grading shall be deemed to be a discretionary use as if it were so designated in the use list of this Bylaw and shall comply with the requirements of Section 10(1).

(10) LIGHTING

All on-site lighting shall be located, oriented and shielded so as not to adversely affect the adjacent residential properties.

(11) *deleted* *2P91, 21P91*

(12) *deleted* *4P93, 4P98*

(13) For the purposes of this Bylaw, a building may be constructed using modular construction methods but a mobile home does not qualify as modular construction. *28P2001*

(14) SPECIAL FUNCTION TENTS

6P2003

(a) Temporary Use

A special function tent (commercial) shall not be erected on a site, or portion thereof, for any longer than 15 cumulative days in any one calendar year. 6P2003

(b) Rules

(i) Separation from Side and Rear Property Line

No separation from a side or rear property line is required. 6P2003

(ii) Building Height

A maximum of 12 metres. 6P2003

(iii) Landscaped Area

No landscaping is required. 6P2003

(iv) Floor Area

Special function tents (commercial) are not subject to the floor area restrictions specified for drinking establishment, restaurant-licensed, restaurant food service only, take-out food service, entertainment establishment as outlined in various industrial districts. 6P2003, 10P2004

(v) Parking

No additional parking is required in respect of a special function tent (commercial). 6P2003

(c) Adjacent to Residential Districts

When a site on which a special function tent (commercial) is located abuts or is separated by an intervening public thoroughfare from a residential district, the Approving Authority shall consider impacts including, but not limited to: 6P2003

(i) Openings

No openings, except emergency exits, shall be allowed on a façade that faces an abutting residential district or is separated by an intervening public thoroughfare from a residential district. 6P2003

(ii) Lighting

All on-site lighting shall be directed or shielded away from residential properties. 6P2003



44. I-1 INDUSTRIAL-BUSINESS PARK DISTRICT

(1) PURPOSE

The purpose of this district is to provide for comprehensively-designed industrial-business parks comprised of uses which can be conducted entirely within buildings and structures.

(2) PERMITTED USES

The following uses of buildings and structures within comprehensively-designed industrial-business parks shall be permitted:

Child care facilities

Essential public services

deleted

15P90, 21P98

Office, business or commercial establishments, excluding sector and regional shopping centres, gaming establishments - bingo and gaming establishments - casino, and adult mini-theatres

1P81, 11P83, 2P91

Power Generation Facility, Small-scale

25P2001

Production, processing, cleaning, servicing, testing, repair, movement or storage of materials, goods or products, which conforms with the performance standards set out in Section 43(1)

Signs - Class 1

21P98

Signs - Class 2 - freestanding identification only

21P98

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43, the following rules shall apply:

(a) Performance Standards

No use or operation shall cause or create any conditions which may be objectionable or dangerous beyond the building which contains it, such as the following:

- (i) noise,
- (ii) odour,
- (iii) earthborne vibrations,
- (iv) heat, or
- (v) high brightness light sources.

(b) Right-of-Way Setbacks

See Section 17.

(c) Parking and Loading Regulations	<i>11P94</i>
See Section 18.	
(d) Airport Vicinity Special Regulations	
See Section 19.	
(e) Floodway Floodplain Special Regulations	
See Section 19.1.	<i>5P85</i>
(f) Signs	
See Appendix.	<i>15P90</i>
(4) DISCRETIONARY USES	<i>28P83</i>
Amusement arcades	<i>7P83</i>
Comprehensively-designed industrial-business parks (C.U.)	
Gaming establishment - bingo	<i>3P85</i>
Power Generation Facility, Mid-scale	<i>25P2001</i>
Signs - Class 2 - except for freestanding identification	<i>15P90, 21P98</i>
Special function tents (commercial)	<i>6P2003</i>
Utility Building	<i>25P2001</i>
Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).	

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43 and the Permitted Use Rules contained in Section 44(3), the following rules shall apply:

(a) Interface Treatment

Where a site abuts a residential district, the treatment of the interface in terms of distance, visual screening and landscaping shall be to the satisfaction of the Approving Authority.

(b) Building Height

A maximum of 12 metres except a maximum of 30 metres for hotels where the boundary of the district adjacent to the hotel site does not abut a residential district for which the height limit is 10 metres or less. *1P81*

(c) Building Design

The design, character and appearance of all buildings shall be appropriate to and compatible with the surrounding area and shall be constructed of durable materials designed to maintain the initial quality throughout the life of the project.

(d) Landscaping

The landscaping standards which are to be applied to any industrial-business park and adjacent City boulevards will be determined at the development permit stage and shall be applied to those portions of each development site within a park not covered by buildings or hard surfacing.

(e) Outside Storage

Outside storage of any materials, equipment or products is prohibited.

(f) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(g) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



45. I-2 GENERAL LIGHT INDUSTRIAL DISTRICT

18P95

(1) PURPOSE

The purpose of this district is to provide for a wide range of general light industrial and associated uses which are compatible with each other and do not adversely affect surrounding non-industrial land uses.

(2) PERMITTED USES

Essential public services

Parks and playgrounds

Utilities

The following uses shall be permitted:

- (a) on sites that do not abut or are only separated by an intervening public thoroughfare from a residential district, a freeway, an expressway or a major street; and
- (b) in existing buildings except where the site abuts, or is only separated by an intervening public thoroughfare from, a residential district or a PE Public Park, School and Recreation District. 2P2002

Accessory food services

4P98

Accessory uses

Ancillary commercial uses

Athletic and recreational facilities

Auction halls

Auto body and paint shops

Automotive sales and rentals

Automotive services

Automotive specialities

Cleaning, servicing, testing or repairing

Crematoriums and columbariums

Greenhouses and nurseries

Grocery stores

Laboratories

Manufacturing, fabricating, processing, assembly, disassembly, production or packaging of materials, goods or products

Mechanical reproduction and printing establishments

Motion picture production facilities

18P96

Movement or storage of materials, goods or products

Offices	
Parking areas and structures	
Power Generation Facility, Small-scale	25P2001
Radio and television studios	
Recreational and commercial vehicle repair, service, sales and rental	
Signs - Class 1	21P98
Signs - Class 2 - freestanding identification only	21P98
Veterinary clinics	
Veterinary hospitals	

(3) PERMITTED USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43, the following rules shall apply:

(a) Performance Standards

No use or operation shall cause or create any conditions which may be objectionable or dangerous beyond the boundary line of the site which contains it, such as the following:

- (i) noise,
- (ii) odour,
- (iii) earthborne vibrations,
- (iv) heat, or
- (v) high brightness light sources.

(b) Ancillary Commercial Uses

Ancillary commercial uses may occupy up to 38 square metres or 10 percent of the net floor area of the principal use, whichever is greater, to a maximum of 280 square metres.

(b.1) Accessory Food Service Floor Area

4P98

A maximum gross floor area of 15 square metres.

(c) Parking - Ancillary Commercial

Parking for ancillary commercial uses shall be at the same rate as the principal use.

(d) Existing Commercial Uses

Notwithstanding any other requirement of this Bylaw, an existing or proposed retail store, restaurant or other commercial use which is not now listed as a "Permitted Use" shall be deemed to be a conforming use if it was approved on or before 1995 May 23 by a building permit for use or a development permit that has not expired.

(e) Floor Area Ratio

- (i) The gross floor area for all uses except office buildings shall be a maximum of 1.0 times the site area.
- (ii) The gross floor area for office buildings shall be a maximum of 0.5 times the site area.

(f) Front Yard

- (i) A minimum depth of 6 metres, or a depth equal to half the height of the principal building, whichever is greater.
- (ii) For the purpose of this Section, all street frontages shall be considered as front yards.

(g) Side Yard

A minimum width of 1.2 metres for each side yard except

- (i) a minimum width of 6 metres, or a width equal to half the height of the principal building, whichever is greater, where a side yard abuts a residential district;
- (ii) a minimum width of 6 metres where a side yard is used to provide vehicular access to the rear of a property which does not abut a residential district;
- (iii) no side yard is required where a site does not abut a residential district and where the wall of a structure is built of material which normally would not require maintenance.

(h) Rear Yard

A minimum depth of 1.2 metres except

- (i) a minimum depth of 6 metres, or a depth equal to half the height of the principal building, whichever is greater, where a rear yard abuts a residential district;
- (ii) no rear yard is required where a site does not abut a residential district and where the wall of a structure is built of material which normally would not require maintenance; and
- (iii) no rear yard is required where the site abuts a terminating railway lead line and there is no need for a railway spur-line or where the spur-line is incorporated within a building.

(i) Building Height

A maximum of 12 metres.

(j) Landscaped Area

The following areas shall be landscaped:

- (i) all front yards to a minimum depth of 6 metres,
- (ii) a strip adjacent to the front of the principal building, where loading does not occur, to an average depth of 2.5 metres,
- (iii) all minimum required side yards between the front and rear of a principal building where they are not used for vehicular circulation,

- (iv) all minimum required rear yards where the site abuts a residential district, and
- (v) all adjoining City boulevards.

(k) Outside Display Areas

Outside display areas shall be allowed to the front or side of a principal industrial building outside any required minimum yard provided that such displays are limited to examples of items produced or processed by the industry located on the site.

(l) Outside Storage

Outside storage, including the storage of trucks and trailers, shall be allowed to the side or rear of buildings provided that:

- (i) such storage areas do not include any required minimum yards,
- (ii) the storage is visually screened from public thoroughfares, and
- (iii) all storage is related to the business or industry on the site.

(m) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(n) Right-of-way Setbacks

See Section 17.

(o) Parking and Loading

See Section 18.

(p) Airport Vicinity Special Regulations

See Section 19.

(q) Floodway Floodplain Special Regulations

See Section 19.1.

(r) Signs

See Appendix.

(4) DISCRETIONARY USES

In addition to the following uses, the Permitted Uses contained in Section 45(2) shall be Discretionary Uses:

- (a) on sites that abut, or only are separated by an intervening public thoroughfare from, a residential district, a freeway, an expressway or a major street; and
- (b) in existing buildings on sites that abut, or are only separated by an intervening public thoroughfare from, a residential district or a PE Public Park, School and Recreation District.

2P2002

Amusement arcades	
Billiard parlours	
Bottle return depots	
Child care facilities	
<i>deleted</i>	17P99
Commercial schools	
Custodial quarters	
<i>deleted</i>	4P98
Drinking establishments	10P2004
Entertainment establishments	
Flea markets	
Financial institutions	
Gaming establishment - bingo	
Hotels and motels	
Intensive agricultural uses	
Kennels	
Liquor stores	
Outdoor cafe	17P99
Power Generation Facility, Mid-scale	25P2001
Private clubs and organizations	
Private schools	
Public and quasi-public buildings	
<i>deleted</i>	4P98
<i>deleted</i>	4P98, 10P2004
Restaurants-food service only	4P98
Restaurants-licensed	10P2004
Signs - Class 2 - except for freestanding identification	21P98
Special function tents (commercial)	6P2003
Take-out food services	4P98
Utility Building	25P2001
Warehouse stores	

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43 and the Permitted Use Rules contained in Section 45(3), the following rules shall apply:

(a) Interface Treatment

Where a site abuts, or is separated by an intervening street from, a residential district, a freeway, an expressway, a major street, the treatment of the interface in terms of distance, visual screening and landscaping shall be to the satisfaction of the Approving Authority.

(b) Building Height

A maximum of 12 metres except a maximum of 30 metres for hotels where the boundary of the site does not abut a residential district for which the height limit is 10 metres or less.

(c) Parking - Warehouse Stores

Parking for warehouse stores shall be at the same rate as retail stores for areas which are accessible to the public and at the same rate as warehouses for storage areas which are not accessible to the public.

(d) Custodial Quarters

Custodial quarters shall be limited to one only for any industrial site and shall be part of a principal use building.

(e) Floor Area

4P98

- (i) Drinking Establishment and Restaurant-Licensed and Restaurant-Food Service Only *10P2004*

(A) A maximum of 186 square metres net floor area per site.

(B) Where a site abuts a residential district or a local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

- (ii) Entertainment Establishment

Where a site abuts a residential district or local street or a lane separating the site from a residential district, a maximum net floor area of 75 square metres, excluding kitchen area.

- (iii) Take-out Food Service

A maximum net floor area of 15 square metres, excluding kitchen area.

- (iv) Outdoor Cafe

A maximum gross floor area of 25 square metres.

17P99

(f) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

46. I-3 HEAVY INDUSTRIAL DISTRICT

(1) PURPOSE

The purpose of this district is to provide for manufacturing, assembling and fabricating activities, including large scale or specialized operations whose external effects are likely to be felt to some degree by surrounding districts. In addition, those uses with established functions in the economy but having a well-known nuisance potential are to be permitted only within this district.

(2) PERMITTED USES

Essential public services

deleted 15P90

Parks and playgrounds

Power Generation Facility, Small-scale 25P2001

Signs - Class 1 21P98

Signs - Class 2 - freestanding identification only 21P98

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43, the following rules shall apply:

(a) Front Yard

- (i) A minimum depth of 6 metres.
- (ii) For the purpose of this Section, all street frontages shall be considered as front yards.

(b) Side Yard

A minimum width of 1.2 metres for each side yard except

- (i) a minimum of 6 metres where a side yard is used to provide vehicular access to the rear of the property;
- (ii) no side yard is required where the wall of a structure is built of material which normally would not require maintenance.

(c) Rear Yard

A minimum depth of 1.2 metres except

- (i) no rear yard is required where the wall of a structure is built of material which normally would not require maintenance;
- (ii) no rear yard is required where the site abuts a terminating railway lead line and there is no need for a railway spur-line or where the spur-line is incorporated within a building.

(d) Right-of-Way Setbacks

See Section 17.

(e) Parking and Loading Regulations

11P94

See Section 18.

(f) Airport Vicinity Special Regulations

See Section 19.

(g) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(h) Signs

See Appendix.

15P90

(4) DISCRETIONARY USES

28P83

deleted

2P91, 21P91

Business offices accessory to any use (C.U.)

Cleaning, servicing, testing or repairing (C.U.)

Commercial uses which are clearly supportive of the primary uses within the district

Feedlots

Hide processing plants

Manufacturing, fabricating, processing, assembly, disassembly, production or packaging of materials, goods or products (C.U.)

Movement or storage of materials, goods or products (C.U.)

Oil refineries

Pits and quarries

Power Generation Facility, Large-scale

25P2001

Power Generation Facility, Mid-scale

25P2001

Rendering plants

Signs - Class 2 - except for freestanding identification

15P90, 21P98

Slaughter houses

Special function tents (commercial)

6P2003

Stockyards

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43 and the Permitted Use Rules contained in Section 46(3), the following rules shall apply:

(a) Interface Treatment

Where a site abuts a residential district, a freeway, an expressway or a major street, the treatment of the interface in terms of distance, visual screening and landscaping shall be to the satisfaction of the Approving Authority.

(b) Landscaped Area

The following areas shall be landscaped:

- (i) all minimum required front yards, and
- (ii) all adjoining City boulevards.

(c) Outside Display Areas

Outside display areas may be allowed to the front or side of a principal building outside any required minimum yard provided that such displays are limited to examples of equipment or items related to the business or industry located on the site.

(d) Outside Storage

Outside storage, including the storage of trucks and trailers, shall be allowed provided that

- (i) such storage areas do not include any required minimum yards,
- (ii) the storage is screened from neighbouring non-industrial sites and public thoroughfares classified as a freeway, an expressway or a major street, and
- (iii) all storage is related to the business or industry on the site.

(e) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(f) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



47. I-4 LIMITED-SERVICED INDUSTRIAL DISTRICT

(1) PURPOSE

The purpose of this district is to provide for those uses requiring large tracts of land with minimal or no land servicing requirements. Such uses are characterized by the need for outside storage or outside processing, limited structural development and the generation of low traffic volumes.

(2) PERMITTED USES

Essential public services

deleted 15P90

Power Generation Facility, Small-scale 25P2001

Signs - Class 1 21P98

Signs - Class 2 - freestanding identification only 21P98

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43, the following rules shall apply:

(a) Performance Standards

No use or operation shall cause or create any conditions which may be objectionable or dangerous beyond the boundary line of the I-4 District which contains it, such as the following:

- (i) noise,
- (ii) odour,
- (iii) earthborne vibrations,
- (iv) heat, or
- (v) high brightness light sources.

(b) Right-of-Way Setbacks

See Section 17.

(c) Parking and Loading Regulations

11P94

See Section 18.

(d) Airport Vicinity Special Regulations

See Section 19.

(e) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(f) Signs

See Appendix.

15P90

(4) DISCRETIONARY USES

28P83

Auto wrecking yards

Business offices accessory to any use (C.U.)

Cleaning, servicing, testing or repairing

Manufacturing, fabricating, processing, assembly, disassembly, production or packaging of materials, goods or products

Outside storage (C.U.)

Power Generation Facility, Mid-scale

25P2001

Scrap metal yards

Signs - Class 2 - except for freestanding identification

15P90, 21P98

Special function tents (commercial)

6P2003

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Industrial Districts contained in Section 43 and the Permitted Use Rules contained in Section 47(3), the following rules shall apply:

(a) Interface Treatment

Where a site abuts a public thoroughfare or any other land use district, the treatment of the interface in terms of distance, visual screening and landscaping shall be to the satisfaction of the Approving Authority.

(b) Lot Area

A minimum of 1.6 hectares (4 acres).

(c) Net Floor Area

The total net floor area for all buildings located on a site shall not exceed 10 percent of the site area or 1600 square metres, whichever is the lesser.

(d) Outside Display Areas

Outside display areas may be allowed provided such displays are limited to examples of equipment or items related to the business or industry located on the site.

(14) ACCESSORY BUILDINGS

14P83, 30P83

- (a) Except for Section 20(5)(a), accessory buildings shall comply with the rules of Section 20(5).
- (b) Except for those buildings used for agricultural purposes the total gross floor area of all accessory buildings shall not exceed the gross floor area of the ground floor of the principal building on the site.

(15) USE RESTRICTIONS

- (a) Where an adult mini-theatre is an allowable use in a DC Direct Control District, it shall only be located on a lot having a minimum radial separation distance of 460 metres from the lot line of every lot in a residential district, and from the lot line of any lot accommodating a public, separate or private school, any church, any public park or playground, or any other adult mini-theatre. 21P91
- (b) Where an adult mini-theatre is an allowable use in a DC Direct Control District, it shall comply with the parking requirements contained in Section 18(2). 21P91

- (16)** For the purposes of this Bylaw, a building may be constructed using modular construction methods but a mobile home does not qualify as modular construction. 28P2001

(17) SPECIAL FUNCTION – CLASS 1

- (a) A special function– class 1 may only be located on a site, excluding the time used to erect and dismantle the temporary structures, for a maximum of:
 - (i) 15 consecutive days, and
 - (ii) 30 cumulative days in a calendar year.
- (b) The a maximum height for covered temporary structures associated with a special function – class 1 is one storey.
- (c) A special function– class 1 may be temporarily located on any part of the site, other than a corner visibility triangle.
- (d) A special function– class 1 does not require parking stalls.

4P2012



48. GENERAL RULES FOR SPECIAL DISTRICTS

(1) CONSTRUCTION BENEATH YARDS

The requirements for the provision and maintenance of yards do not apply to construction wholly beneath the surface of the ground.

(2) SITE ACCESS

An application for a development permit shall not be approved unless it complies with the access requirements of the Controlled Streets Bylaw.

(3) CORNER VISIBILITY TRIANGLES

Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished lot grade, building or structure shall exceed the general elevation of the street by more than 750 millimetres within the area defined as a corner visibility triangle.

(4) SPECIAL REQUIREMENTS FOR UTILITIES AND ESSENTIAL PUBLIC SERVICES

- (a) The maximum height restrictions in special districts do not apply to utility buildings or essential public service buildings.
- (b) Where a utility building or an essential public service building is constructed, the minimum requirements for the yards of the building shall be increased by 300 millimetres for every 1 metre or portion thereof by which the height of the building exceeds the maximum height for the district.

(5) SINGLE-DETACHED DWELLINGS

Single-detached dwellings shall comply with the rules contained in Section 22, R-1 Residential Single-Detached District.

(6) PUBLIC AND SEPARATE SCHOOLS

Where public and separate schools were built as of the date of adoption of this Bylaw, the schools and their use by any of the uses listed in Section 51, shall be deemed to be conforming as if they were so designated by Section 51 of this Bylaw. *7P90*

(7) LANDSCAPING

30P83

- (a) Where a landscaped area is required, it shall be provided in accordance with the landscape plan and in conformity with the following requirements and standards:
 - (i) All areas of a site not covered by buildings, outside storage or parking areas shall be landscaped. *11P94*
 - (ii) Existing soft landscaping retained on a site may be considered in fulfillment of the total landscaping requirement.
 - (iii) Except for City boulevards, trees shall be planted in the overall minimum ratio of one tree per 45 square metres of landscaped area provided except that the ratio shall be one tree per 70 square metres for public and separate schools. *1P85*
 - (iv) The quality and extent of the landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development.
 - (v) All areas of soft landscaping shall be provided with adequate means of irrigation.

- (b) Soft landscaping shall be provided as follows:
- (i) All plant materials shall be of a species capable of healthy growth in Calgary and shall conform to the standards of the Canadian Nursery Trades Association for nursery stock.
 - (ii) The mixture of tree sizes at the time of planting shall be equivalent to a minimum of 50 percent larger trees.
 - (iii) The minimum size for deciduous trees shall be: *1P85*
 - (A) for smaller deciduous trees, 50 millimetres caliper except 35 millimetres caliper for flowering ornamental trees, and
 - (B) for larger deciduous trees, 85 millimetres caliper.
 - (iv) The minimum size for smaller coniferous trees shall be a height of 2 metres and for larger coniferous trees, a height of 3 metres.
 - (v) Coniferous trees shall comprise a minimum proportion of 1/3 of all trees planted.
 - (vi) Wherever space permits, trees shall be planted in groups.
 - (vii) Shrubs shall be a minimum height or spread of 600 millimetres at the time of planting.

(8) PARKING AND LOADING REGULATIONS *30P83, 11P94*

- (a) See Section 18. *11P94*
- (b) Notwithstanding the requirements of Section 18, the following rules shall apply: *11P94*
 - (i) No parking is allowed in the minimum required front yard. *11P94*
 - (ii) Wherever a parking area is provided in the front yard of a site, visual screening to a minimum height of 1 metre shall be provided by a fence, soft landscaping or a combination of both between the parking area and the front property line. *11P94*

(9) BUILDING DESIGN *30P83*

The design, character and appearance of a building approved as a discretionary use shall be compatible with and complementary to the surrounding area.

(10) EQUIPMENT SCREENING *30P83*

All mechanical equipment on a roof shall be screened from public view.

(11) EXCAVATION, STRIPPING AND GRADING *30P83*

Excavation, stripping and grading shall be deemed to be a discretionary use as if it were so designated in the use lists of this Bylaw and shall comply with the requirements of Section 10(1).

(12) HOME OCCUPATIONS *19P82, 30P83*

Home occupations shall comply with the rules contained in Section 20(11).

(13) AMUSEMENT ARCADES *7P83, 30P83*

The use or operation of an amusement arcade shall not cause or create any condition such as noise or lighting which may, in the opinion of the Development Officer, be objectionable beyond the amusement arcade.

(14) ACCESSORY BUILDINGS

14P83, 30P83

- (a) Except for Section 20(5)(a), accessory buildings shall comply with the rules of Section 20(5).
- (b) Except for those buildings used for agricultural purposes the total gross floor area of all accessory buildings shall not exceed the gross floor area of the ground floor of the principal building on the site.

(15) USE RESTRICTIONS

- (a) Where an adult mini-theatre is an allowable use in a DC Direct Control District, it shall only be located on a lot having a minimum radial separation distance of 460 metres from the lot line of every lot in a residential district, and from the lot line of any lot accommodating a public, separate or private school, any church, any public park or playground, or any other adult mini-theatre. 21P91
- (b) Where an adult mini-theatre is an allowable use in a DC Direct Control District, it shall comply with the parking requirements contained in Section 18(2). 21P91

- (16)** For the purposes of this Bylaw, a building may be constructed using modular construction methods but a mobile home does not qualify as modular construction. 28P2001

(17) SPECIAL FUNCTION – CLASS 1

- (a) A special function– class 1 may only be located on a site, excluding the time used to erect and dismantle the temporary structures, for a maximum of:
 - (i) 15 consecutive days, and
 - (ii) 30 cumulative days in a calendar year.
- (b) The a maximum height for covered temporary structures associated with a special function – class 1 is one storey.
- (c) A special function– class 1 may be temporarily located on any part of the site, other than a corner visibility triangle.
- (d) A special function– class 1 does not require parking stalls.

4P2012



49. A AGRICULTURAL AND OPEN SPACE DISTRICT

(1) PURPOSE

The purpose of this district is to provide for agricultural and private recreational uses that utilize large areas of open space.

(2) PERMITTED USES

14P83

Accessory buildings

Essential public services

Extensive agricultural uses

Home occupations - Class 1

8P93

Parks and playgrounds

Power Generation Facility, Small-scale

25P2001

Signs - Class 1

21P98

Single-detached dwellings

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Special Districts contained in Section 48, the following rules shall apply:

(a) Front and Rear Yards

A minimum depth of 7.5 metres.

(b) Side Yard

A minimum width of 4.5 metres.

(c) Site Area

(i) A minimum site area of 8 hectares (20 acres) for each single-detached dwelling or extensive agricultural use or a combination of both uses.

(ii) Sites of less than 8 hectares (20 acres) in area registered on or before the date of adoption of this Bylaw are deemed to be conforming in this district.

(d) Landscaped Area

For utilities and essential public services, the following areas shall be landscaped:

(i) all minimum required front yards, and

(ii) all adjoining City Boulevards.

(e) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(f) Right-of-Way Setbacks

See Section 17.

(f.1) Parking and Loading Regulations

11P94

See Section 18.

(g) Airport Vicinity Special Regulations

See Section 19.

(h) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

28P83

Athletic and recreational facilities (C.U.)

Cemeteries, crematoriums

Commercial radio and television transmitting stations

Gaming establishment - bingo

3P85

Home occupations - Class 2 (N.P.)

19P82, 8P93

Horse riding academies

Intensive agricultural uses

Kennels

Motion picture production facilities

18P96

Private clubs and organizations

Power Generation Facility, Mid-scale

25P2001

Signs - Class 2

21P98

Special function tents (commercial)

6P2003

Utility Building

25P2001

Veterinary clinics (C.U.)

Veterinary hospitals (C.U.)

Zoological gardens (C.U.)

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General rules for Special Districts contained in Section 48 and the Permitted Use Rules contained in Section 49(3), the following rules shall apply:

(a) Intensive agricultural uses shall be located so that, in the opinion of the Approving Authority, they will not conflict with existing land uses or future urban expansion, or cause undue deterioration to the environment.

(b) Kennels and intensive agricultural uses shall not be located closer than 150 metres to a residential district.

(c) Building Height

A maximum of 12 metres.

(d) Site Area

The minimum site area shall be determined by the Approving Authority, with regard to the nature and size of the use.

(e) Landscaped Area

The following areas shall be landscaped:

- (i) all minimum required front yards, and
- (ii) all adjoining City boulevards.

(f) *deleted*

11P94

(g) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



50. DC DIRECT CONTROL DISTRICT

(1) PURPOSE

The purpose of this district is to provide for developments that, due to their unique characteristics, innovative ideas or because of unusual site constraints, require specific regulations unavailable in other land use districts. This district is not intended to be used in substitution of any other land use district in this Bylaw that could be used to achieve the same result.

(2) USES AND RULES

All land use applications shall be evaluated on their merits by Council which will establish the appropriate development standards.

(3) THE EFFECT OF DC GUIDELINES

11P84

Where a site is or has been at any time designated DC Direct Control, the guidelines approved by Council at the time of such designation to DC Direct Control shall continue to apply notwithstanding any requirement of this Bylaw to the contrary except as set forth in Sections 50(4), (5), (6) and (7) and Section 57(1).

15P2005

- (4) Notwithstanding subsection (3), Utilities shall be deemed to be a permitted use on all sites designated DC Direct Control unless the contrary is stated in the bylaw designating the site as a DC Direct Control District.

25P2001

- (5) Notwithstanding subsection (3), Utility Building shall be deemed to be a discretionary use on all sites designated DC Direct Control District unless the contrary is stated in the bylaw designating the site as a DC Direct Control District and shall require a development permit.

25P2001

- (6) Notwithstanding Subsection (3), special function tent (recreational) shall be deemed to be a permitted use on all sites designated DC Direct Control where the principal use of the site is residential, institutional, educational, or recreational, unless the contrary is stated in the bylaw designating the site as a DC Direct Control District.

6P2003

- (7) Notwithstanding Subsection (3), special function tent (commercial) shall be deemed to be a discretionary use on all sites designated DC Direct Control District where the principal use of the site is commercial or industrial, unless the contrary is stated in the bylaw designating the site as a DC Direct Control District and shall require a development permit.

6P2003



51. PE PUBLIC PARK, SCHOOL AND RECREATION DISTRICT

7P90

(1) PURPOSE

The purpose of this district is to provide for educational, recreational and conservation uses.

(2) PERMITTED USES

Natural areas

Parks and recreation areas

Power Generation Facility, Small-scale

25P2001

Public and separate schools

Signs - Class 1

21P98

Special function - class 1

6P2003, 4P2012

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Special Districts contained in Section 48, the following rules shall apply:

(a) Yards

All yards shall have a minimum depth of 6 metres or a depth equal to the height of the face of the principal building adjacent to the property line, whichever is the greater.

(b) Landscaped Area

(i) For school buildings, the following areas shall be landscaped:

(A) the front yard,

(B) any minimum required side or rear yard where there is no intervening playfield or play area between the school building and the street,

(C) any area between a parking area and the school building and between a parking area and an abutting residential district, and

(D) all adjoining City boulevards.

(ii) for all other uses, the following areas shall be landscaped:

(A) all minimum required yards, and

(B) all adjoining City boulevards.

(c) Outside Storage

Outside storage shall be visually screened from all adjacent sites and public thoroughfares.

(d) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(e) Right-of-Way Setbacks

See Section 17.

(f) Parking and Loading Regulations

11P94

See Section 18.

(g) Airport Vicinity Special Regulations

See Section 19.

(h) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

- (a) Subject to provisions of Part 17 of the Municipal Government Act that may affect reserve lands, the following uses may be allowed only within buildings used, or previously used, as public or separate schools: 11P98

Child care facilities (N.P.)

Educational establishments (N.P.)

Private schools (N.P.)

School purposes (N.P.)

- (b) In addition to the uses contained in Section 51(4)(a) and subject to provisions of Part 17 of the Municipal Government Act that may affect reserve lands, the following uses may be allowed within this district: 11P98

Athletic and recreational facilities

Cemeteries and crematoriums

Community association buildings

Motion picture production facilities

18P96

Park maintenance and service facilities

Power Generation Facility, Mid-scale

25P2001

Public and quasi-public building (N.P.)

Signs - Class 2

21P98

Utility Building

25P2001

Note: N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Special Districts contained in Section 48 and the Permitted Use Rules contained in Section 51(3), the following rules shall apply:

(a) School Sites

Where a current or former public or separate school site is used for other purposes, the Approving Authority shall be satisfied the proposed use, and any related parking and development requirements, will not adversely affect the surrounding residential area either directly or by its impact on existing playing fields and landscaped areas.

(b) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



52. PS PUBLIC SERVICE DISTRICT

(1) PURPOSE

The purpose of this district is to provide for major institutional services to the public which require areas of land generally in excess of 0.4 hectares (1 acre) in size.

(2) PERMITTED USES

Accessory buildings 14P83

Essential public services

Parks and playgrounds

Power Generation Facility, Small-scale 25P2001

Signs - Class 1 21P98

Special function - class 1 6P2003, 4P2012

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Special Districts contained in Section 48, the following rules shall apply:

(a) Yards

All yards shall have a minimum depth of 6 metres or a depth equal to the height of the principal building, whichever is the greater.

(b) Landscaped Area

For utilities and essential public services, the following areas shall be landscaped:

- (i) all minimum required yards, and
- (ii) all adjoining City boulevards.

(c) Outside Storage

Outside storage shall be visually screened from all adjacent sites and public thoroughfares.

(d) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(e) Right-of-Way Setbacks

See Section 17.

(f) Parking and Loading Regulations 11P94

See Section 18.

(g) Airport Vicinity Special Regulations

See Section 19.

(h) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

28P83

Airports

Amusement arcades

7P83

Commercial schools (as an accessory use only in an existing approved college building)

1P2002

Hospitals (C.U.)

Jails, detention homes and centres

Military establishments including residential quarters

Motion picture production facilities

18P96

Municipally owned or operated public parking areas

Power Generation Facility, Mid-scale

25P2001

Private schools

18P81

Public administration buildings (C.U.)

Public and quasi-public buildings (C.U.)

Signs - Class 2

21P98

Special care facilities

Universities, colleges, provincial training centres (C.U.)

Utility Building

25P2001

Note: C.U. - Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b).

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Special Districts contained in Section 48 and the Permitted Use Rules contained in Section 52(3), the following rules shall apply:

(a) Signs

See Appendix.

(b) Commercial schools

Commercial schools shall be subject to the following:

- (i) a commercial school shall be located entirely within an existing college building;
- (ii) there shall be no external modifications to the existing college building related to the commercial school; and
- (iii) notwithstanding anything to the contrary in the Sign Appendix, no signs of any type related to the commercial school shall be affixed to the exterior of the existing college building or be located outside of the college building on the site, including but not limited to temporary signs. *1P2002*

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



53. UNR UNIVERSITY RESEARCH DISTRICT

(1) PURPOSE

The purpose of this district is to provide for those activities engaged in industrial, scientific, medical or other research in association with the University of Calgary, the Province of Alberta or the Government of Canada.

(2) PERMITTED USES

Essential public services

Power Generation Facility, Small-scale 25P2001

Signs - Class 1 21P98

Special function tents (recreational) 6P2003

Utilities

(3) PERMITTED USE RULES

In addition to the General Rules for Special Districts contained in Section 48, the following rules shall apply:

(a) Front Yard

A minimum depth of 15 metres.

(b) Side Yard

A minimum width of 6 metres for each side yard except a minimum of 15 metres where the side of the site abuts a street or a residential district.

(c) Landscaped Area

The following areas shall be landscaped:

- (i) all minimum required yards, and
- (ii) all adjoining City boulevards.

(d) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be located within the principal building.

(e) Right-of-Way Setbacks

See Section 17.

(e.1) Parking and Loading Regulations 11P94

See Section 18.

(f) Airport Vicinity Special Regulations

See Section 19.

(g) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

28P83

Accessory buildings

Laboratories

Other uses which the Approving Authority, in consultation with the University of Calgary, considers appropriate to this district

Power Generation Facility, Mid-scale

25P2001

Public and quasi-public buildings

Signs - Class 2

21P98

Utility Building

25P2001

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Special Districts contained in Section 48 and the Permitted Use Rules contained in Section 53(3), the following rules shall apply:

(a) Performance Standards

(i) No use or operation shall cause or create any conditions which may be objectionable or dangerous or capable of being discerned outside the building, such as the following:

- (A) noise,
- (B) odour,
- (C) earthborne vibrations,
- (D) heat,
- (E) high brightness light sources,
- (F) dust,
- (G) smoke,
- (H) electrical interference,
- (I) waste or water carried waste, or
- (J) gas fumes.

(ii) Air Contaminants, Visible and Particulate Emissions

(A) No use or operation shall cause or create air contaminants, visible emissions or particulate emissions which exceed those measures prescribed by the Province of Alberta within The Clean Air Act and the regulations pursuant thereto.

(B) Airborne particulate matter originating from open storage areas, yards or roads shall be kept to a minimum by appropriate landscaping, paving, oiling, wetting or other means.

(iii) Odorous Matter

No use or operation shall cause or create the emission of odorous matter or vapour in amounts or quantities that exceed those levels prescribed by the Province of Alberta within The Clean Air Act and the regulations pursuant thereto.

(iv) Toxic Matter

No operation or activity shall cause or create the emission of toxic matter in amounts or quantities that exceed the levels prescribed by the Province of Alberta within The Clean Air Act and the regulations pursuant thereto.

(v) Fire and Explosion Hazards

All uses or operations which store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics shall comply with the Fire Prevention Bylaw or the regulations of the senior government authority having jurisdiction.

(vi) Verification

The Approving Authority may require an applicant to submit verification that the conditions of any senior government authority having jurisdiction over any performance standard contained herein have been met.

(b) Accessory Buildings

(i) The total gross floor area of all accessory buildings shall not exceed the gross floor area of the first storey of the principal building on the site unless otherwise allowed by the Approving Authority.

(ii) The exterior walls of an accessory building shall not be faced in wood siding.

(c) Outside Storage

Outside storage, including the outside storage of trucks and trailers, shall be visually screened from all adjacent sites and public thoroughfares.

(d) Vehicular Circulation Areas

All areas of a site used by vehicular traffic, other than those areas within enclosed outside storage areas, shall be graded and paved and shall be physically segregated from every other area, excluding building areas, by fencing, curbing, hedging or other forms of a divider acceptable to the Approving Authority.

(e) *deleted*

11P94

(f) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98



54. UR URBAN RESERVE DISTRICT

(1) PURPOSE

The purpose of this district is to protect land from premature subdivision and development.

(2) PERMITTED USES

Accessory buildings	14P83
Essential public services	
Extensive agricultural uses	
Home occupations - Class 1	8P93
Parks and playgrounds	
Power Generation Facility, Small-scale	25P2001
Signs - Class 1	21P98
Single-detached dwellings	
Utilities	

(3) PERMITTED USE RULES

In addition to the General Rules for Special Districts contained in Section 48, the following rules shall apply:

(a) Yards

A minimum depth of 7.5 metres.

(b) Site Area

- (i) A minimum site area of 32 hectares (80 acres) for extensive agricultural uses and single-detached dwellings.
- (ii) Sites of less than 32 hectares (80 acres) in area registered at the time that such land is brought under the provisions of this Bylaw are deemed to be conforming in this district.

(c) Landscaped Area

For utilities and essential public services the following areas shall be landscaped:

- (i) all minimum required front yards, and
- (ii) all adjoining City boulevards.

(d) Garbage Storage

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.

(e) Right-of-Way Setbacks

See Section 17.

(e.1) Parking and Loading Regulations

11P94

See Section 18.

(f) Airport Vicinity Special Regulations

See Section 19.

(g) Floodway Floodplain Special Regulations

See Section 19.1.

5P85

(4) DISCRETIONARY USES

28P83

Double-wide mobile homes

12P82

Home occupations - Class 2 (N.P.)

8P93

Intensive agricultural uses

Power Generation Facility, Mid-scale

25P2001

Signs - Class 2

21P98

Single-wide mobile homes

Special function tents (commercial)

6P2003

Utility Building

25P2001

(5) DISCRETIONARY USE RULES

In addition to the General Rules for Special Districts contained in Section 48 and the Permitted Use Rules contained in Section 54(3), the following rules shall apply:

(a) Intensive agricultural uses shall be located so that, in the opinion of the Approving Authority, they will not conflict with existing land uses or future urban expansion, or cause undue deterioration to the environment.

(b) Site Area

Notwithstanding the minimum site area requirement contained in Section 54(3)(b)(i), the subdivision from an unsubdivided quarter section (64 hectares - 160 acres) of one site which contains less than 4 hectares (10 acres) but not less than 0.4 hectares (1 acre) may be allowed where the purpose of the subdivision is

(i) to provide a separate site for an existing dwelling and accessory buildings, and

(ii) to retain the balance of the quarter section as a single unsubdivided site for continuing agricultural purposes.

(c) Signs

See Appendix.

(6) CONDITIONS OF DEVELOPMENT

See Section 11.

11P98

(7) EXISTING USES IN THE UR URBAN RESERVE DISTRICT

8P81

Where

- (a) a use was being carried on land that was designated UR Urban Reserve at the time of coming into force of this Bylaw, and
- (b) the use was not listed as a permitted or a discretionary use in the UR Urban Reserve District,

that use on that land shall be deemed to be a discretionary use in the UR Urban Reserve District, but if that use is discontinued for a period of six consecutive months or more, any future use of the land shall conform with the uses specified in the UR Urban Reserve District.



APPENDIX SIGN REGULATIONS

55. PURPOSE

15P90, 21P98

This Appendix provides the planning regulations for all signs including but not limited to the location, number, size, design and character of signs in relation to their surroundings.

56. DEFINITIONS

15P90, 21P98

In this Appendix, notwithstanding Section 4 of this Bylaw,

- (1) **alteration** means a structural modification of a sign but does not include routine maintenance, painting or change in face, copy or lettering;
- (2) **animated sign** means a sign which uses movement or change of lighting to depict action or create special effects or a pictorial scene but does not include a clock;
- (3) **art sign** means a sign which is primarily an artistic rendering or work painted or applied to any exterior surface of a building and which contains sponsor recognition or characters, text or symbols identifying the business on the site; 8P97
- (4) **auxiliary sign** means a sign of any type which is attached to the face, copy, backing, lighting or supporting structure of any sign;
- (5) **awning** means a shelter projecting from and supported by the exterior wall of a building and designed to be collapsible, retractable and generally constructed of fabric or similar non-rigid material;
- (6) **awning elevation area** means that area of an elevation obtained by multiplying the vertical dimension of an awning, when viewed in the same elevation, by the length of the awning, when viewed in the same elevation;
- (7) **awning sign** means an awning which incorporates a sign;
- (8) **banner** means a piece of fabric or other non-rigid material attached on a minimum of two sides to a structure;
- (9) **banner, decorative** means a banner that is primarily a decorative feature which may contain identification copy or sponsor recognition but shall not contain any commercial advertising;
- (10) **canopy** means a non-retractable covered or enclosed rigid structural framework attached to and extending outward from the exterior wall of a building, and includes but is not limited to such structures as theatre marquees but does not include any structurally integrated architectural feature such as lintels, sills, mouldings, architraves and pediments, or any structure over petroleum pumps;
- (11) **canopy elevation area** means that area of an elevation obtained by multiplying the vertical dimension of a canopy, when viewed in the same elevation, by the length of the canopy when viewed in the same elevation;
- (12) **canopy sign** means a canopy or freestanding canopy which utilizes or incorporates a sign;
- (13) **Circa 1912 Theme** means a set of directions for the design of the physical environment which derive from the styles and designs found along Stephen Avenue in Calgary around the year 1912 which has been approved by Council;

- (14) **Circa 1912 Theme Area** means the south half of the City blocks between 2 Street S.W. and 1 Street S.E. with frontage on the northerly boundary of Stephen Avenue South and the north half of the City blocks between 2 Street S.W. and 1 Street S.E. with frontage on the southerly boundary of Stephen Avenue South which is hereby declared to be a Circa 1912 Theme Area;
- (15) **clearance** means the shortest vertical distance between the underside of a sign and grade;
- (16) **commercial advertising** means copy which is used for the purpose of promoting the buying and selling of commodities or supplying of services;
- (17) **commercial advertising sign** means a sign used for the purpose of promoting the buying and selling of commodities or supplying of services but shall not include a real estate or property management sign;
- (18) **community identification sign** means a sign which states the name of a residential community area and may contain a logo or symbol which is related to the community name;
- (19) **construction sign** means a sign erected by an individual or a firm on the premises undergoing construction, for which the sign user is advertising or furnishing such items as labour, services, materials or financing, or which identifies the future use on the site and information pertaining to it;
- (20) **copy** means any image, written material, structure, graphics, pictures, logo, symbol or letters used or intended to be used for advertising or for calling attention to any person, matter, object or event;
- (21) **copy area** means that area of a sign covered by a single figure drawn around the extremities of the copy contained on the sign, and
- (a) shall include but is not limited to decorations related to the specific nature of the copy, and
 - (b) in the case of a double or multi-face sign, the average of the total area of all sign faces will be counted in copy area calculations, and
 - (c) does not include landscaping;
- (22) **curb line** means the line at the face of the nearest curb and in the absence of a curb, the line shall be established by the General Manager, Roads; *1M2000*
- (23) **cut-out** means an extension of the copy that protrudes from the sign but does not include an auxiliary sign;
- (24) **designated sign area** means the area identified for signs on a released development permit;
- (24.1) **digital display** means a device intended to display copy that is shown utilizing 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, 4P2013*
- (24.1.1) **digital message sign** means a sign that 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 does not display third party advertising; *4P2013*

- (24.2) **digital third-party advertising sign** which means a sign that contains copy that is displayed by means of a digital display and directs attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the site where the sign is located, but does not display copy that is full motion video, motion picture, Moving Picture Experts Group (MPEG) or any other digital video format; 30P2011 , 4P2013
- (25) **direct control - Urban Reserve district** means a direct control district allowing primarily urban reserve uses;
- (26) **directional sign** means
- (a) a sign which directs the public to or denotes the name of any thoroughfare, route, educational institution, public building, historical site or hospital;
 - (b) a sign which directs and regulates traffic;
 - (c) a sign which denotes any public or transportation facility;
 - (d) a sign which gives direction to a private premises or its vehicular use area;
- (27) **district, commercial** means any of the following districts, CC, CM-1, CM-2, C-1, C-1A, C-2, C-2(20), C-2(16), C-2(12), C-3, C-3(38), C-3(30), C-3(27), C-3(23), C-3(20), C-3(16), C-4, C-4(38), C-4(30), C-4(27), C-4(23), C-4(20), C-5, C-5/.75, C-5/.5, C-6 and a direct control district allowing primarily commercial uses; 20P2001
- (28) **district, industrial** means any of the following districts, I-1, I-2, I-3 , I-4 and a direct control district allowing primarily industrial uses;
- (29) **district, residential** means any of the following districts R-1, RS-1, RS-2, R-1A, R-2, R-2A, R-MH, RM-1, RM-2, RM-3, RM-4, RM-5, RM-6, RM-7 and a direct control district allowing primarily residential uses; 21P96
- (30) **double-faced** means having two faces, opposite to and facing away from each other with each face being of equal area and in identical proportion to the other, and with each face located on the same structure so as to be parallel or within 24 degrees of parallel and with at least two (2) vertical edges located within 20 centimetres of each other; 15P2000
- (31) **Downtown Mall Area** shall include
- (a) Stephen Avenue Mall defined as
 - (i) 8 Avenue S., and
 - (ii) the northerly half of the blocks between 8 Avenue S. and 9 Avenue S., and
 - (iii) the southerly half of the blocks between 8 Avenue S. and 7 Avenue S., between Macleod Trail S.E. and 4 Street W.,
 - (b) Barclay Mall defined as
 - (i) 3 Street W., and
 - (ii) the block between 3 Street W. and 4 Street W., and
 - (iii) the westerly half of the block between 2 Street W. and 3 Street W., between the Bow River and 9 Avenue S.;
- (32) **eaveline** means the horizontal line on a building that marks the extreme edge of the overhang of a roof and where there is no overhang, the eaveline shall be the horizontal line at the intersection of the roof and wall;
- (33) *deleted* 30P2011, 4P2013

- (34) **event** means an activity or an event, the duration of which is temporary in nature;
- (35) **event sign** means a temporary sign including, but not limited to, signs for community, cultural, athletic, philanthropic, arts and similar not-for-profit, non-commercial in nature events;
- (36) **fascia sign** means a sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a third-party advertising sign, a painted wall sign, an awning sign, a canopy sign or a projecting sign;
- (37) **flag** means a piece of fabric, wind sock or other non-rigid material attached on one side or at one or two points to a structure;
- (38) **flag, commercial** means a flag which presents commercial advertising copy;
- (39) **flashing sign** means a sign which contains an intermittent or flashing light source but does not include a digital message sign; *4P2013*
- (40) **freestanding sign** means a sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure and shall include, but is not limited to, a sign on a fence;
- (41) **freestanding-flush** means structurally freestanding but located parallel to and flush with a wall;
- (42) **frontage, block** means the total length of lot frontage along the side of a street between the street intersections;
- (43) **frontage, business** means the length of the property line of any one business use, parallel to and along each legally accessible public street, excluding a lane or alleyway, that it borders;
- (44) **government sign** means a sign required to be displayed
- (a) pursuant to the provisions of federal, provincial or municipal legislation;
 - (b) by or on behalf of the federal, provincial or municipal government;
 - (c) on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government;
- (45) **grade** means the elevation established by the General Manager, Roads for the surface of the sidewalk or boulevard, and for a sign completely within private property, grade means the finished ground surface directly underneath the sign; *1M2000*
- (46) **height of sign** means the vertical distance measured from the highest point of the sign or sign structure to grade;
- (47) **identification sign** means a sign which identifies by name or symbol the occupant, business or the site on which the sign is placed, and may include the operation, merchandise or service available at the site and may include sponsor advertising as allowed by Section 59(19);
- (48) **illumination** means the lighting of any sign by artificial means;
- (49) **illumination, direct** means the lighting of any sign face from a light source located on or near the exterior of the sign;

- (50) **illumination, indirect** means the lighting of any sign face by reflected light;
- (51) **illumination, internal** means the lighting of any sign face from a light source located within the sign or behind the copy;
- (52) **inflatable sign** means an inflated three-dimensional device which incorporates a sign and is anchored or affixed to a building or site;
- (53) **Inglewood Heritage Main Street Area** means those parcels of land abutting both the north and south boundary of 9 Avenue S.E. between the Elbow River and 19 Street S.E.; the east and west boundary of 12 Street between the Bow River and 9 Avenue S.E.; and those lands contained within the boundaries of 9 Avenue S.E., 11 Street S.E., 8 Avenue S.E. and 10 Street S.E.; 16P82
- (54) **landscaping** means any decorative features, such as concrete bases, planter boxes, pole covers or decorative framing on the sign support or base structures and shrubs or plants, but does not include any copy or logo;
- (55) **maintenance** means the cleaning, painting, repair or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of the sign and does not include a change in copy;
- (55.1) **major park** means those parks identified in Section 62(5); 15P2000
- (56) **message panel** means a portion of an identification sign which is designed for the periodic replacement of copy;
- (57) **message sign** means a sign that is designed for periodic replacement of messages;
- (58) **multi-panel sign** means a sign containing copy for three or more tenants or occupants located on a site;
- (59) **painted wall sign** means a sign which is painted directly upon any outside surface of a building or other integral part of a building;
- (60) **principal frontage** means the length of property line parallel to and along the street to which the address of the property refers;
- (61) **projecting sign** means a sign which projects from a structure or a building face and includes a sign in the shape of a canopy but does not include a canopy sign or an awning sign;
- (62) **property management copy** means copy that identifies the party responsible for the management of the site and any necessary sales, leasing or rental information;
- (63) **property management sign** means a sign that identifies the party responsible for the management of the site and any necessary sales, leasing or rental information;
- (64) **real estate copy** means copy that advertises real estate that is “for sale”, “for lease”, or “for rent” or real estate that has been “sold”;
- (65) **real estate sign** means a sign displaying real estate copy;
- (66) **roof sign** means a sign which projects above a roofline to which the sign is attached or is erected upon or above a roof or parapet of a building which the sign is attached to;

- (67) **roofline** means the line made by the intersection of a wall of a building with a roof of the building;
- (68) **rotating sign** means a sign or portion of a sign which moves in a revolving manner, but does not include a clock;
- (69) **show home** means a newly constructed residential dwelling which is utilized for a short period of time as an exhibit of the type of dwelling a builder is providing in a community; *21P96*
- (70) **sign** means a device, structure, fixture or image used, or intended to be used, for the advertising or calling attention to any person, matter, object, or event and includes signs – Class 1 and signs – Class 2;
- (71) **signs - Class 1** means fascia signs, projecting signs, canopy signs, awning signs, under-canopy signs, under-awning signs, freestanding temporary signs, decorative banners, commercial flags, event signs, real estate signs, property management signs and window signs;
- (72) **signs - Class 2** means those signs which are not listed as signs - Class 1;
- (73) **sign area** means
- (a) the entire area of a sign on which copy is to be placed;
 - (b) in the case of a painted wall sign, the area of the building face;
 - (c) in the case of a double-face or multi-face sign, the average of the total area of all sign faces will be counted in the sign area calculations;
- but does not include landscaping;
- (74) **sign owner** means any person who is described on a sign, whose name or address or telephone number appears on a sign, who created a sign, who installed a sign, who is in lawful control of a sign or who is the subject of or otherwise benefits from the message of a sign, and for the purposes of this Bylaw there may be more than one owner of a sign;
- (75) **signable area** means the area on which a sign may be located as set out in Section 60(1)(b);
- (76) **sponsor advertising** means that portion of a sign on which the copy refers to products or merchandise produced, offered for sale, or obtainable at the premises on which the sign is displayed and which directly relates to the principal use of such premises;
- (77) **sponsor recognition** means the identification, by name only, of an individual or organization which has contributed to the sign; *8P97*
- (78) **string of pennants** means a number of pieces of fabric or other non-rigid material attached to a string, wire, cable or other similar joining material;
- (79) **temporary sign** means a sign that is not permanently affixed to a building, other unremovable structure, or the ground;
- (80) **temporary sign location** means an approved location for placement of a freestanding temporary sign, as identified on a development permit;

- (81) **third-party advertising** directs attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the premises on which the sign is located but does not apply to signs for community, cultural, athletic, philanthropic, arts and similar non-commercial events;
- (82) **third-party advertising sign** means a sign containing third-party advertising but does not include a digital display; *30P2011*
- (83) **under-canopy sign** means a sign which is suspended beneath a canopy or beneath a portion of a building;
- (84) **wall-mounted sign** means a sign which is mounted or fixed to or supported by a wall, by any means;
- (85) **window sign** means a sign which is painted on, attached to or installed on or near a window for the purpose of being viewed from outside the premises.

57. PROCEDURES REGULATING SIGNS

15P90, 21P98

(1) PERMITS REQUIRED

- (a) Except as otherwise provided for in this Appendix, all signs and any enlargement, relocation, erection, construction or alteration of a sign, require a development permit.
- (b) Where a development permit is required pursuant to this Appendix, it shall be considered and processed by the Approving Authority in accordance with the requirements of Section 11(1) for permitted uses and 11(2) for discretionary uses.
- (c) Notwithstanding anything contained in Section 50 and subject to Section 57(2) signs shall be deemed to be a discretionary use on sites designated a Direct Control District, which allows a residential use, by a bylaw passed after 1980 March 31 unless a contrary intention is set out in such bylaw. 15P2005
- (d) Notwithstanding anything contained in Section 50 and subject to Section 57(2)
- (i) signs – Class 1 shall be deemed to be a permitted use, and
 - (ii) signs – Class 2 shall be deemed to be a discretionary use,
- on sites designated a Direct Control District, which does not allow for any residential uses, by a bylaw passed after 1980 March 31 unless a contrary intention is set out in such bylaw. 15P2005
- (e) Notwithstanding anything contained in Section 50 and subject to Section 57(2) signs shall be deemed to be a discretionary use on sites designated a Direct Control District, which allows a residential use, when this bylaw came into force on 1980 March 31 notwithstanding the provisions of the Direct Control District. 15P2005
- (f) Notwithstanding anything contained in Section 50 and subject to Section 57(2)
- (i) signs - Class 1 shall be deemed to be a permitted use, and
 - (ii) signs - Class 2 shall be deemed to be a discretionary use,
- on sites designated a Direct Control District, which does not allow for any residential uses, when this bylaw came into force on 1980 March 31 notwithstanding the provisions of the Direct Control District. 15P2005
- (g) Unless a contrary intention is set out in a Direct Control Bylaw passed after 1980 March 31 uses deemed to be included in a Direct Control District pursuant to Sections 57(1)(c), (d), (e) and (f) shall comply with the provisions of this Bylaw. 15P2005

(2) SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

- (a) The following signs do not require a development permit but shall comply with the rules of this Appendix:
- (i) election candidate signs displayed by or on behalf of a candidate participating in any federal, provincial or municipal election;
 - (ii) government signs;
 - (iii) signs located inside a building and not intended to be viewed from outside;
 - (iv) the name or address of a building when it is sculptured or formed out of or in the fabric of the building face and is not illuminated;
 - (v) street numbers or letters displayed on a building where together the total copy area is less than 1.2 square metres;

- (vi) a non-illuminated fascia sign which is attached to a residential dwelling unit or its accessory buildings and states no more than the name of the building or the name of the persons occupying the building or both, provided that the total sign area does not exceed 0.28 square metres;
 - (vii) signs placed on a building for the guidance, warning or restraint of persons;
 - (viii) art signs; 8P97
 - (ix) flags and decorative banners;
 - (x) event signs;
 - (xi) freestanding temporary signs;
 - (xii) construction signs;
 - (xiii) real estate signs; and
 - (xvi) property management signs.
- (b) The following identification signs, except when located on a Downtown Mall Area, do not require a development permit but shall comply with the rules of this Appendix:
- (i) a fascia sign which is attached to a building other than a residential building and states no more than one or more of the following:
 - (A) the name or address of the building;
 - (B) the name of the person or institution occupying the building; and
 - (C) the type of business carried on in the building;
 provided the total sign area does not exceed 1.5 square metres;
 - (ii) non-illuminated under-canopy signs wholly on private property;
 - (iii) window signs that are less than 30 per cent of the window area, or 2.5 square metres, whichever is less.
- (c) Directional signs, unless located on a Downtown Mall Area, do not require a development permit provided:
- (i) the sign is less than 2.5 square metres in area; and
 - (ii) the sign does not contain advertising copy.
- (d) A development permit is not required for incorporation of additional panels or a message panel on a freestanding identification sign which conforms to this Bylaw provided:
- (i) the additional panel or panels are the same length as existing panels and are located within the limits of the existing sign structure;
 - (ii) the total sign area and height of the sign does not exceed the maximums set out in this Bylaw;
 - (iii) the height of the sign does not exceed the height of the original sign; and
 - (iv) the addition of a sign panel does not conflict with any of the conditions of the existing development permit for the sign other than a condition that the sign comply with the approved drawings.

- (e) A development permit is not required for the replacement of an existing freestanding sign by another freestanding sign on the same base provided:
 - (i) both signs conform with this Bylaw;
 - (ii) the new sign is installed within six months of the removal of the existing sign;
 - (iii) the new sign area is either equal to or less than the existing sign area;
 - (iv) the existing sign support, or a similar replacement, is used and the new sign is mounted at a height equal to or lower than the existing sign; and
 - (v) the new sign is not located in whole or in part within a bylawed setback, City property or a corner visibility triangle.
- (f) A development permit is not required for the replacement of an existing canopy identification sign by another canopy identification sign at the same location provided:
 - (i) both signs and structure conform with this Bylaw;
 - (ii) the new sign is installed within six months of the removal of the existing sign;
 - (iii) the new sign area is either equal to or less than the existing sign area;
 - (iv) the existing canopy framework is used; and
 - (v) the canopy does not project over City property.
- (g) A development permit is not required for the replacement of the copy on a third-party advertising sign.
- (h) Notwithstanding anything else contained within this Appendix, signs containing animated, flashing, rotating or digital message sign features shall require a development permit.

4P2013

(3) DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

- (a) An application for a development permit for a sign shall be made to the Approving Authority by the lawful owner of a sign or his authorized agent, on a form provided by the General Manager, Development and Building Approvals. *1M2000, 20P2001*
- (b) The Approving Authority may refuse to accept a development permit application where the information required by Section 57(3)(d) has not been supplied or where, in its opinion, the quality of the material supplied is inadequate to properly evaluate the application.
- (c) The Approving Authority may deal with an application and make its decision without all of the information required by Section 57(3)(d), if of the opinion that a decision on the application can be properly made without such information.
- (d) Every application for a development permit for a sign shall be accompanied by the following:
 - (i) a completed development permit application form;
 - (ii) a copy of the duplicate certificate of title of the property on which the sign is to be located and a letter of authorization from the owner of the property or his authorized agent;
 - (iii) a completed copy of the sign information form provided by the General Manager, Development and Building Approvals; *1M2000, 20P2001*

- (iv) a 30-day removal/relocation letter signed by the owner of the property or his authorized agent, if the proposed sign, including any projection beyond a property line, is not to be located entirely on the owner's property, or is located in a bylawed setback or corner cut-off area;
- (v) a minimum of two photographs taken from different angles that adequately show
 - (A) the proposed site,
 - (B) adjoining properties, and
 - (C) all signs, including but not limited to government signs and signs on any building, within 30 metres of the proposed sign;
- (vi) copies of a site plan to a scale of not less than 1:100, showing the following information:
 - (A) north arrow,
 - (B) scale of plan,
 - (C) legal description of the property,
 - (D) location address,
 - (E) property lines, shown and labelled,
 - (F) location of existing sidewalks,
 - (G) location of existing curbs,
 - (H) utility rights-of-way or access easements, shown and labelled,
 - (I) bylawed setbacks and corner cut-offs, shown and labelled,
 - (J) outline of existing buildings on the site, and
 - (K) the proposed sign on its proposed location, showing dimensioned distances from
 - (I) existing buildings on the subject site,
 - (II) existing signs within 30 metres of the proposed sign location,
 - (III) existing back of sidewalk,
 - (IV) existing curb lines,
 - (V) property lines,
 - (VI) utility poles within 30 metres of the proposed sign location,
 - (VII) utility rights-of-way or easements, and
 - (VIII) bylawed setbacks and corner cut-offs, including a dimension of any overhang or projection;

- (vii) copies of a detailed sign plan showing
 - (A) the complete dimensions of the sign and its structural support,
 - (B) the proposed maximum height and clearance of the sign from grade,
 - (C) the position and area of any sponsor advertising or sponsor recognition where it will form part of the copy to be displayed on the sign, and
 - (D) the copy to be displayed, where the sign is located on a Downtown Mall Area,
- (viii) copies of elevation drawings where a sign is attached to a structure or building.

58. TYPES OF SIGNS

15P90, 21P98

- (1) For the purposes of this Appendix signs are divided into the following types:
- (a) Permanent signs
 - (i) identification signs subject to the provisions of Section 60,
 - (ii) directional signs subject to the provisions of Section 61,
 - (iii) third party advertising signs subject to the provisions of Section 62,
 - (iv) digital third party advertising signs subject to the provisions of Section 62.1;
 - (v) message signs subject to the provisions of Section 63,
 - (vi) digital message signs subject to the provisions of Section 63.1; and 4P2013
 - (vii) real estate signs and property management signs subject to the provisions of Section 64.
 - (b) Temporary signs subject to the provisions of Section 65. 24P94, 30P2011
- (2) Where a sign does not conform to any of the sign types defined in this Bylaw, the sign requires a development permit application which shall be considered by the Approving Authority as a discretionary use to be reviewed on its individual merits.

59. GENERAL RULES FOR SIGNS

15P90, 21P98

- (1) A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings.
- (2) A sign or sign structure shall not be located or extend horizontally closer to the existing or future curb line than 750 millimetres back from the existing or future curb line.
- (3) A sign shall not be erected on or attached to:
 - (a) a City of Calgary light standard or pole without the written permission of the General Manager, Roads; *1M2000*
 - (b) a public bench without the written permission of the General Manager, Park Development & Operations; *1M2000*
 - (c) a bus shelter, bench or emergency call-box without the written permission of the General Manager, Roads; *1M2000*
 - (d) the area within a corner visibility triangle where any part of the sign is higher than 750 mm and lower than 4.6 metres.
- (4) Where permission has been granted by the General Manager, Roads for a sign to *1M2000*
 - (a) project over City property, a minimum clearance of 2.4 metres shall be maintained, unless otherwise provided for in this Appendix;
 - (b) be located in or project into or over a City owned driveway, a lane or an alley, a clearance of 4.6 metres shall be maintained.
- (5) A sign shall not be erected, operated, used or maintained if, in the opinion of the Approving Authority,
 - (a) its position, shape, colour, format or illumination may be confused with an official traffic sign, signal or device, or other official sign;
 - (b) it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, ambulance or other emergency vehicles.
- (6) All sign supports shall be placed on private property except that the Approving Authority may allow a sign to be located on a bylawed setback area, subject to the requirements of a 30-day removal/relocation agreement.
- (7) Any sign placed in or on a required parking area or loading space shall be placed so as not to reduce the number of parking stalls or loading spaces required pursuant to this Bylaw or a development permit. *11P94*
- (8) Whenever a panel on a multi-panel sign is removed, the sign owner shall replace it with a blank panel until such time as a new tenant requires it.
- (9) No trees shall be removed or damaged to prepare a site for a sign unless new trees are planted or landscaping is introduced to improve the site.
- (10) The lighting or orientation of a sign must not adversely affect any residential district.
- (11) A sign in a residential district shall not be illuminated unless otherwise allowed by the Approving Authority.
- (12) Electrical power supply to signs or base landscaping shall be underground.
- (13) A person shall not

- (a) attach or hang an auxiliary sign or other material to, on, above or below a sign unless otherwise provided for;
 - (b) attach to any sign an extension or portable device other than sign hangers shown on the plans accompanying the development permit;
 - (c) make alterations to any sign in any other way, unless otherwise provided for in this Appendix, without first obtaining the required City permits.
- (14)** Unless otherwise allowed by the Approving Authority, on any single elevation of a building any one business, other than a business in the Circa 1912 Theme Area, shall be entitled to the following identification signs
- (a) a canopy sign, or
 - (b) one projecting sign with a maximum sign area of 2.3 square metres when located in the CC, C-1, C-1A or I-1 District, or *20P2001*
 - (c) one projecting sign with a maximum sign area of 4.5 square metres when located in any other district, except CM-1 and CM-2 Districts, which allows projecting signs, and
 - (d) fascia signage in the signable area as set out in Section 60(1), and
 - (e) non-flashing window signage as set out in Section 60(10).
- (15)** The Approving Authority shall only allow flashing or animated signs provided
- (a) such signs are located in a commercial, or industrial district, and
 - (b) the proposed sign is on the premises of an entertainment establishment.
- (16)** The Approving Authority shall only allow rotating signs provided
- (a) such signs are located in a commercial or industrial district, and
 - (b) the location, size, design and character respect the scale and character of the surrounding area.
- (17)** The Approving Authority shall only allow digital message signs provided: *4P2013*
- (a) the sign is located in a commercial or industrial district, and
 - (b) the sign does not display any third-party or sponsor advertising. *30P2011*
- (18)** The Approving Authority shall not permit any other signs, other than digital message signs or digital third-party advertising signs to display copy by means of a digital display. *30P2011, 4P2013*
- (19)** Except in the Downtown Mall Area, an identification sign located in a commercial or industrial district may have up to a maximum of 30 per cent of its actual copy area, or the maximum allowable sign area for the district, whichever is less, used for sponsor advertising.
- (20)** An identification sign may include a message panel to a maximum of 80 per cent of the actual copy area, or the maximum allowable sign area for the district, whichever is less.

- (21)** Notwithstanding anything contained in this Bylaw, where a development permit contains comprehensive sign approval as a condition of approval, any proposed sign or sign location not included under that approval, or alteration of the approved plan, shall require a development permit.
- (22)** When a sign no longer fulfills its function under the terms of the development permit, the Approving Authority may order the removal of such a sign, and the lawful owner of the sign or where applicable, the property owner, shall
- (a) remove such a sign and all related structural components including removing or screening exposed base and foundations to the satisfaction of the Approving Authority within 30 days from receipt of such a removal notice from the Approving Authority,
 - (b) restore the immediate area around the sign, to the satisfaction of the Approving 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 such removal or restoration.

60. RULES FOR IDENTIFICATION SIGNS

15P90, 21P98

(1) FASCIA IDENTIFICATION SIGNS

- (a) Subject to the provisions of this Bylaw, fascia signs may be allowed in all districts.
- (b) The signable area for fascia signs shall be the space defined by the following lower and upper limits on the front of a building:
 - (i) the lower limit of the signable area shall be the lower limit of the lintel or the window head of the first storey, but in no case lower than 2.4 metres above grade;
 - (ii) in the case of a multi-storey building, the upper limit of the signable area shall be the upper limit of the window sill of the second storey or in the absence of a window, 800 millimetres above the floorline of the second storey; and
 - (iii) in the case of a one storey building, the upper limit of the signable area shall be
 - (A) the roofline for flat-roofed buildings or where there is an existing majority of the fascia signs which exceed the roofline, the upper limit of such existing fascia signs,
 - (B) 900 millimetres maximum above the eaveline, if there is a parapet or mansard roof, provided that the sign does not project above the upper edge of the parapet or mansard roof, or
 - (C) the eaveline in all other cases.
- (c) Notwithstanding Section 60(1)(b), a fascia sign may be allowed to locate
 - (i) below the signable area, provided
 - (A) no more than 30 per cent of any Section of building face below the signable area, to a maximum of 9.3 square metres is used,
 - (B) the sign states no more than the name of the building or tenant, and
 - (C) the sign consists of individual letters, symbols or logos that are directly attached to the building face;
 - (ii) between the second storey window head and the third storey window sill, or in the case of a two storey building, between the second storey window head and the roof or parapet providing
 - (A) the copy identifies only the name or type of establishment, located solely on the second floor of the building, and
 - (B) the sign is architecturally integrated with the building on which it is located;
 - (iii) above the third storey window sill provided
 - (A) the sign states no more than the name of the building or principal tenant,
 - (B) the sign consists of individual letters, symbols or logos that are directly attached to the building face,
 - (C) there is no more than one sign per building face above the third storey, and

- (D) the sign area does not exceed 1/40 of the area formed by multiplying the clearance of the sign by the width of the building, unless otherwise allowed by the Approving Authority.
- (d) A fascia sign may be allowed on any wall of a building other than the front wall provided
 - (i) the sign is not immediately adjacent to a park;
 - (ii) the sign is integrated with the signage on the principal frontage of the building and shall be the same width and height;
 - (iii) where a building front has no fascia sign, the sign shall follow the location parameters and regulations defined in Section 60(1)(b) and (c); and
 - (iv) the sign contains identification copy only.
- (e) Where the General Manager, Roads has approved a projection over City property the maximum projection shall be 400 millimetres. *1M2000*
- (f) Notwithstanding Section 60(1)(b) and (c), where a development has a designated sign area, signage other than that described in Section 57(2)(a) shall only be located in the designated sign area.

(2) ROOF IDENTIFICATION SIGNS

- (a) A roof sign shall only be located in a commercial or industrial district or a PS District.
- (b) Roof signs shall not exceed the maximum building height limit of the land use district in which they are proposed to locate.
- (c) The sign area of all roof signs on each face of a building shall not exceed 1/40 of the area formed by multiplying the clearance of the sign by the width of the building.
- (d) Roof signs shall not be erected with visible means of support unless architecturally integrated with the building upon which they are located to the satisfaction of the Approving Authority.

(3) PROJECTING IDENTIFICATION SIGNS

- (a) Subject to the provisions of this Bylaw, projecting signs shall only be located in a commercial or industrial district or a building in a RM-7 District containing a commercial component.
- (b) For all other land use districts, except for sites within the Downtown Mall Area, unless otherwise allowed by the Approving Authority, one projecting sign per business frontage may be allowed, providing the sign complies with the sign area requirements established as follows:
 - (i) in CC, C-1, C-1A, I-1 Districts or buildings in a RM-7 District containing a commercial component, projecting signs may have a maximum sign area of 2.3 square metres; *20P2001*
 - (ii) in a C-6 District, projecting signs may have a maximum sign area of 9.3 square metres;
 - (iii) in the remaining commercial districts or industrial districts, projecting signs may have a maximum sign area of 4.5 square metres.
- (c) The provisions of Section 66(10) shall apply mutatis mutandis to projecting signs in the Downtown Mall Area.

- (d) Businesses located in the same building may combine their projecting sign allowances to form a single sign and the sign area and projection shall be based on the business frontages' combined maximum sign area as set out in Section 60(3)(b).
- (e) The top of a projecting sign shall not exceed the eaveline, or the roofline, or the top of the second storey window head, or 6 metres above grade, whichever is the least.
- (f) Signs located on hotels, department stores and parking structures which are 18.5 metres or greater in height, may be allowed by the Approving Authority provided:
 - (i) such signs shall not project more than 2 metres from the building;
 - (ii) the maximum height above grade shall be 21.5 metres;
 - (iii) the maximum sign area shall be 18.5 square metres.
- (g) On corner sites, a projecting sign shall be placed at equal angles to the building faces that form the corner, and the sign area shall be calculated on the basis of the combined maximum sign area allowed in Section 60(3)(b).
- (h) Where the General Manager, Roads has approved a projection over City property projecting signs shall have a minimum clearance of at least 2.4 metres. *1M2000*
- (i) The nearest edge of a projecting sign shall not be located more than 300 millimetres from the building face.
- (j) Visible means of support for projecting signs shall be architecturally integrated with the building upon which they are located to the satisfaction of the Approving Authority.

(4) FREESTANDING IDENTIFICATION SIGNS

- (a) A freestanding sign may be allowed in any district, except in an A or UR District unless it is a:
 - (i) real estate sign,
 - (ii) construction sign, or
 - (iii) sign limited to the name, address or activity of the premises.
- (b) Freestanding signs may be allowed in CM-1 or CM-2 Districts provided:
 - (i) there is no alternate sign location available to provide a reasonable opportunity for communication, and
 - (ii) the maximum sign area shall be 9.3 square metres and the maximum height shall be 6 metres.
- (c) Freestanding signs shall be subject to the specified sign height and sign area requirements established as follows:
 - (i) in a CC, C-1, C-1A District or buildings in a RM-7 District containing a commercial component, the maximum area for signs shall be 7 square metres, or 9.5 square metres for a multi-tenant sign, and the maximum height shall be 6 metres;*20P2001*
 - (ii) in a C-6 District, the maximum sign area shall be 18.5 square metres and the maximum height shall be 12.2 metres;

- (iii) in a PE and PS District the maximum sign area shall be 7 square metres and the maximum height shall be 6 metres;
 - (iv) in a R-MH, RM-1, RM-2, RM-3, RM-4, RM-5 or an RM-6 District, the maximum area for signs shall be 5 square metres and the maximum height shall be 4 metres;
 - (v) in the Boundaries of the Downtown Parking Area as defined in Section 18, the maximum sign area for industrial districts shall be 9.3 square metres and the maximum height in industrial districts shall be 6 metres;
 - (vi) in the remaining commercial districts or industrial districts the maximum sign area shall be 14 square metres and the maximum height shall be 9 metres.
- (d) Only one freestanding sign may be allowed on a site in a UR District.
- (e) One freestanding sign per business frontage may be erected on sites having a minimum business frontage of 16 metres at grade level, provided that freestanding signs erected along the same private or public street shall maintain a minimum distance of 30 metres between them and shall not be located closer than 15 metres to any property line other than a property line adjacent to any public thoroughfare, unless otherwise allowed by the Approving Authority. *11P94*
- (f) Notwithstanding Section 60(4)(c), freestanding signs for shopping centres are subject to the following regulations:
- (i) only one multi-panel sign per commercial street frontage may be allowed for each shopping centre for the purpose of identifying the centre and the tenants collectively;
 - (ii) such a sign shall not exceed a sign area of:
 - (A) 9.5 square metres, or 14 square metres for a multi-panel sign, and a height of 6 metres when located in a neighbourhood shopping centre with 1500 square metres of gross floor area or less,
 - (B) 14 square metres, or 18.5 square metres for a multi-panel sign, and a height of 9 metres when located in a neighbourhood shopping centre with greater than 1500 square metres of gross floor area,
 - (C) 18.5 square metres, or 23.2 square metres for a multi-panel sign, and a height of 9 metres when located in a sector (community) shopping centre,
 - (D) 37 square metres and a height of 9 metres when located in a regional shopping centre;
 - (iii) auxiliary or tenant signs may be allowed on the same shopping centre site provided:
 - (A) a distance of 30 metres is maintained between freestanding signs and
 - (B) the sign does not exceed:
 - (I) 4.5 square metres in a neighbourhood shopping centre,
 - (II) 9.3 square metres in a sector (community) shopping centre,
 - (III) 14 square metres in a regional shopping centre and
- the sign complies with the height limitations as set out for each particular district in Section 60(4)(c).

- (g) The Approving Authority may allow design features or embellishments to extend above the maximum allowable height of a sign.
- (h) The Approving Authority may allow a sign to exceed the maximum allowable height or area where the relaxation is related to the addition of a message panel.
- (i) Where the City has allowed a projection over City property and the sign is not enclosed to grade, the minimum clearance shall be 2.4 metres.
- (j) The placement of freestanding signs shall not interfere with vehicle parking or traffic circulation.
- (k) Electrical power supply to freestanding signs shall be underground unless otherwise allowed by the Approving Authority.
- (l) A development permit for a freestanding sign serviced by overhead power shall not be issued for a period of time exceeding 5 years.
- (m) Anchor bolts securing the base of a freestanding sign shall be permanently covered unless otherwise allowed by the Approving Authority.

(5) CANOPY IDENTIFICATION SIGNS

- (a) Canopy signs may be allowed in all districts except for RR-1, R-1, RS-1, RS-2, R-2 or R-2A Districts.
- (b) Where a canopy is constructed as a support structure for signs, such structures shall require a development permit and shall comply with the following regulations:
 - (i) have a minimum clearance of at least 2.4 metres;
 - (ii) not extend any further than the line on which street light or power line poles are located;
 - (iii) not extend more than 2.4 metres from the face of the building to which such sign is attached unless otherwise allowed by the Approving Authority;
 - (iv) the vertical dimension shall not exceed 1.5 metres unless otherwise allowed by the Approving Authority;
 - (v) where a canopy projects over public property shall provide a drainage system, connected through the inside of the building to a storm sewer or dry well, to prevent the discharge of water over the sidewalk or public thoroughfare, unless otherwise allowed by the Approving Authority. *11P94*
- (c) The maximum copy area of the canopy sign shall not exceed 50 per cent of the canopy elevation area.
- (d) Canopy signs shall be compatible with the building face in terms of design and placement.

(6) UNDER-CANOPY IDENTIFICATION SIGNS

- (a) Under-canopy signs may be allowed in all districts except for RR-1, R-1, RS-1, RS-2, R-2 or R-2A Districts.
- (b) The maximum vertical dimension of an under-canopy sign shall be 300 millimetres.
- (c) Under-canopy signs shall maintain a minimum spacing of 4.5 metres from each other.
- (d) The minimum clearance of an under-canopy sign shall be 2.4 metres.

(7) AWNING IDENTIFICATION SIGNS

- (a) Awning signs may be allowed in all districts except for RR-1, R-1, RS-1, RS-2, R-2 or R-2A Districts.
- (b) Where an awning is constructed as a support structure for signs, such structures shall require a development permit only if
 - (i) the minimum projection of the awning is less than 900 millimetres,
 - (ii) the minimum clearance is less than 2.4 metres.
- (c) The maximum copy area of an awning sign shall not exceed 50 per cent of the awning elevation area.
- (d) No sign shall be suspended from or below an awning or an awning support structure.

(8) COMMUNITY IDENTIFICATION SIGNS

- (a) Community identification signs shall only be allowed in respect of residential areas.
- (b) The location, size, design and character of all community identification signs shall be to the satisfaction of the Approving Authority.
- (c) Approval for the erection of a community identification sign will be given for a maximum period of 10 years, after which time another development permit will be required.
- (d) The owner of a community identification sign shall maintain the sign for the approval period under a maintenance and sign removal agreement to be signed by the sign owner prior to the release of the development permit.
- (e) Community identification signs are allowed provided the sign
 - (i) is for community identification purposes only,
 - (ii) displays no third party advertising, and
 - (iii) is constructed of maintenance free material wherever possible.
- (f) Where a community identification sign is to be located on a street right-of-way, it shall be placed either on a boulevard or a median on streets of a major standard or less.
- (g) The number of community identification signs allowed per community shall be to the satisfaction of the Approving Authority.
- (h) A community identification sign shall not
 - (i) encroach upon a utility right-of-way, or
 - (ii) affect traffic safety.

(9) PAINTED WALL IDENTIFICATION SIGNS

- (a) Painted wall signs
 - (i) shall only be located in a commercial or industrial district, and
 - (ii) shall only consist of logos, pictures or simple copy.

- (b) The Approving Authority may require that the sign be periodically repainted, or if it no longer fulfills its original purpose, the Approving Authority may require that the sign area be refinished to its satisfaction.

(10) WINDOW IDENTIFICATION SIGNS

- (a) A window sign may be allowed in a commercial or industrial district.
- (b) A window sign shall not exceed 30 per cent of the window area, or 2.5 square metres, whichever is least.

(11) ART SIGNS

8P97

- (a) An art sign may be allowed in any district except that in a residential district it may only be located on a public quasi-public building, church, community association building, a private school, and a public or separate school.
- (b) An art sign shall contain one or both of the following:
 - (i) sponsor recognition provided the total area for sponsor recognition is no more than 5 percent of the total sign area or 1 square metre, whichever is less; and
 - (ii) business identification provided business identification copy does not exceed 10 percent of the total sign area, or 9.3 square metres, whichever is less;

but shall not contain third-party advertising.

61. RULES FOR DIRECTIONAL SIGNS

15P90, 21P98

- (1)** A directional sign may be allowed in any district except for RR-1, R-1, RS-1, RS-2, R-2 or R-2A Districts.
- (2)** A directional sign may only be freestanding.
- (3)** A freestanding directional sign shall not exceed 2.5 square metres.
- (4)** Two freestanding directional signs may be erected at each entrance to a site.
- (5)** Notwithstanding Section 61(3), a sign approved for third-party advertising may periodically be used as a directional sign.
- (6)** A directional sign shall not contain advertising copy, excluding a logo.

62. RULES FOR THIRD-PARTY ADVERTISING SIGNS

15P90, 21P98

(1) LOCATION

- (a) Third-party advertising signs are prohibited
 - (i) in all land use districts except for commercial, industrial, UR, A, or direct control - Urban Reserve districts;
 - (ii) *deleted* 4P2013
 - (iii) on a site in the Central Business Area where development has proceeded on a comprehensive basis, unless it can be shown to the satisfaction of the Approving Authority that the third-party advertising sign has been adequately incorporated into the design of a building or structure;
 - (iv) in the Downtown Mall Area where visible from Stephen Avenue or 3 Street West;
 - (v) on any site where the sign is positioned such that the copy on the sign is legible from 6P99
 - (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 City limits,
 - (H) 64 Avenue N.E. from 36 Street N.E., east to City limits,
 - (I) 96 Avenue North from Harvest Hills Boulevard, east to Barlow Trail, 15P2000
 - (I.1) 144 Avenue N.W., 15P2000
 - (J) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail,
 - (K) Anderson Road,
 - (L) Barlow Trail from the north City limits, south to the junction of McKnight Boulevard,
 - (M) Bearspaw Dam Road from 87 Street N.W., east to 85 Street N.W.,
 - (N) Beddington Trail,
 - (O) Bow Bottom Trail,
 - (P) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail,
 - (Q) Canyon Meadows Drive,

- (R) Chaparral Boulevard,
- (S) Country Hills Boulevard, *9P97*
- (T) Crowchild Trail,
- (U) Deerfoot Trail,
- (V) Falconridge Boulevard N.E.,
- (W) Glenmore Trail from Elbow Drive S.W., west to the City limits, *9P97*
- (X) Glenmore Trail from the Bow River, east to Ogden Road S.E.,
- (Y) Harvest Hills Boulevard,
- (Z) Heritage Drive from 14 Street S.W., east to Haddon Road S.W.,
- (AA) Heritage Drive from Bonaventure Drive S.E., east to Blackfoot Trail,
- (BB) John Laurie Boulevard from Nose Hill Drive, east to McKnight Boulevard,
- (CC) Macleod Trail from 162 Avenue S.W., south to the City limits,
- (DD) McKenzie Lake Boulevard S.E.,
- (EE) McKenzie Towne Boulevard S.E.,
- (FF) McKenzie Towne Drive S.E.,
- (GG) McKnight Boulevard from Deerfoot Trail east to Barlow Trail and from 36 Street N.E., east to the City limits, *15P2000*
- (HH) Memorial Drive N.E. from 39 Street S.E., east to the City limits,
- (HH.1) Metis Trail, *4P2013*
- (II) Nose Hill Drive,
- (II.1) Peigan Trail, *15P2000*
- (JJ) Sarcee Trail N.W. from Crowchild Trail, north to the Transportation and Utility Corridor,
- (KK) Sarcee Trail from the Trans-Canada Highway, south to the junction of Glenmore Trail and from Southland Drive, south to the City limits, *9P97*
- (LL) Shaganappi Trail,
- (MM) Shawnessy Boulevard from west City limits, east to Shawnessy Drive S.W.,
- (NN) Southland Drive from west City limits, east to Haddon Road S.W.,
- (OO) Southland Drive from Bonaventure Drive S.E., east to Deerfoot Trail,
- (PP) Sun Valley Boulevard from Macleod Trail, east to Chaparral Boulevard,
- (QQ) the Transportation and Utility Corridor, *9P97*
- (RR) Trans-Canada Highway from the Bow River, west to the City limits, or

- (SS) Trans-Canada Highway from 6 Street N.E., east to the City limits;”
- (vi) on Street or utility rights-of-way;
- (vii) in or within 450 metres of: *15P2000, 4P2013*
- (A) major parks, as referenced in subsection 62 (5);
- (B) escarpments and pathways,
- (C) riverbanks, and
- (D) natural areas,
- when the copy is visible;
- (viii) on sites adjacent to Bowness Road from 62 Street N.W. to 65 Street N.W. *29P95*
- (b) Notwithstanding Section 62(1)(a)(v)(RR), existing third-party advertising signs positioned such that the copy is legible from the Trans Canada Highway between the Bow River and Bowfort Road and approved prior to the passage of Bylaw 15P90, may be renewed from time to time in accordance with Section 62(4)(a). *6P99, 15P2000*
- (b.1) Notwithstanding Section 62(1)(a)(v)(X) and (SS), existing third-party advertising signs positioned such that the copy is legible 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 Section 62(4)(a). *6P99, 15P2000*
- (c) Notwithstanding Section 62(1)(a)(v), freestanding-flush and wall-mounted third-party advertising signs in commercial or industrial districts may be allowed along those public thoroughfares referred to in Sections 62(1)(a)(v)(F),(P), (T) and (LL) where: *6P99*
- (i) the sign is contained within the line and form of the building to which it is attached,
- (ii) the sign is not positioned such that it can be viewed from a land use district other than a commercial or industrial district; and
- (iii) the sign area does not exceed 19 square metres.
- (d) Notwithstanding Section 62(1)(a)(viii), where an existing third-party advertising sign complies with this Bylaw except for the provisions of Sections 62(1)(a)(viii) it may be renewed from time to time in accordance with Section 62(4)(a). *29P95, 15P2000, 19P2000*
- (e) Notwithstanding Section 62(1)(a)(v)(GG) and (II.1), where an existing third-party advertising sign complies with this Bylaw except for the provisions of Section 62(1)(a)(v)(GG) and (II.1) it may be renewed from time to time in accordance with Section 62(4)(a). *15P2000*
- (f) *deleted* *15P2000*
- (g) *deleted* *15P2000*
- (f) Save as hereinafter provided, except for the renewal of a development permit for an existing third-party advertising sign no third-party advertising sign shall be approved within the Inglewood Main Street Area after the date on which Bylaw Number 16P92 received third reading. *16P82, 15P2000*
- (g) Notwithstanding Section 62(1)(f) 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:

- (i) a reduction in the overall number of third-party advertising sign faces in such area, or
- (ii) the design is appropriate for enhancing the specific location. *16P92, 15P2000*

(2) SITING

15P2000

- (a) A third-party advertising sign shall not be located within 30 metres of any freestanding identification sign, facing the same oncoming traffic, except where the separation is between existing signs approved prior to the passage of Bylaw Number 15P90 of The City of Calgary. *4P2013*
- (b) A third-party advertising sign shall be removed from a parcel upon expiry of the development permit for such sign if a development permit application for a freestanding identification sign is approved within 30 metres of the third-party advertising sign. *4P2013*
- (c) A third-party advertising sign shall not be located within 75 metres of any other third-party advertising sign facing the same on-coming traffic and shall 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 metre radius of each other facing the same street, except:
 - (i) where the separation is between existing third-party advertising signs, approved prior to the passage of Bylaw Number 15P2000 of The City of Calgary, one of which is the subject of an application for renewal of a development permit;
 - (ii) for third-party advertising signs located on the same structure; or
 - (iii) for third-party advertising signs less than 4.6 metres in height and 4.5 square metres in area where the separation shall be 30 metres.
- (d) Subject to Section 62(2)(a) and (c) a third-party advertising sign less than 4.6 metres in height and 4.5 square metres in area shall not be located closer than 30 metres to any other third-party advertising sign less than 4.6 metres in height and 4.5 square metres in area.
- (e) A third-party advertising sign shall be located such that no portion is less than 6 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.
- (f) Notwithstanding Section 62(2)(e), where an existing third-party advertising sign complies with this Bylaw except for the provisions of Section 62(2)(e) it may be renewed from time to time in accordance with Section 62(4)(a).
- (g) Notwithstanding Section 59(9), 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.
- (h) A third-party advertising sign shall not be located on or attached to a roof.
- (i) A freestanding third-party advertising sign shall be separated from:
 - (i) a directional sign in a street right-of-way exceeding 3 square metres in sign area;
 - (ii) a street intersection or railway crossing;

(iii) the curblineline or edge of a major street, expressway or freeway;

to the satisfaction of the Traffic Engineer.

(3) HEIGHT AND SIZE

15P2000

- (a) The maximum height of a wall-mounted or a freestanding-flush third-party advertising sign shall be 10.5 metres and shall not extend above the eaveline.
- (b) The maximum height of a freestanding third-party advertising sign shall not exceed 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 maximum height for such sign shall not exceed the height of that building or 6.5 metres, whichever is greater.
- (c) The dimensions of the sign area of a third-party advertising sign shall not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7 metres, with allowance for a 1.5 metre cut-out to the top and face and a 700 millimetre cut-out to the sides and bottom of the third-party advertising sign.
- (d) The maximum area of a third-party advertising sign shall not exceed 25 square metres and only one face of a double-faced sign shall be used to calculate sign area.
- (e) Notwithstanding Section 62(3)(a),(b),(c) and (d), where an existing third-party advertising sign complies with this Bylaw except for the provisions of Section 62(3)(a),(b),(c) and (d) it may be renewed from time to time in accordance with Section 62(4)(a).

(4) GENERAL RULES

15P2000

- (a) *deleted* 4P2013
- (b) *deleted* 15P2000, 4P2013
- (c) The applicant for a development permit for a third-party advertising sign must show, to the satisfaction of the Approving Authority, 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.
- (d) The third-party advertising sign must not block natural light or the sky, from the surrounding buildings' windows and doors.
- (e) The lighting or orientation of a third-party advertising sign must not adversely affect any neighbouring residential areas.
- (f) A third-party advertising sign shall utilize lighting fixtures which are not readily discernible or obtrusive, to the satisfaction of the Approving Authority. 15P2000
- (g) An auxiliary sign or other material shall not be attached to, on, above or below a third-party advertising sign.
- (h) The backs of all third-party advertising signs and all cut-outs shall be enclosed to the satisfaction of the Approving Authority.
- (i) The space between the faces of double-faced third-party advertising signs shall be enclosed to the satisfaction of the Approving Authority.
- (j) Electrical power supply to third-party advertising signs or base landscaping shall be underground unless otherwise allowed by the Approving 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.

- (k) A development permit for a third-party advertising sign may only be issued for a period not exceeding 5 years. *4P2013*

- (l) 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 Approving Authority must apply the rules referenced in subsection (m). *4P2013*

- (m) When considering a development permit application for a third-party advertising sign referenced in subsection (l) the Approving Authority:
 - (i) 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;

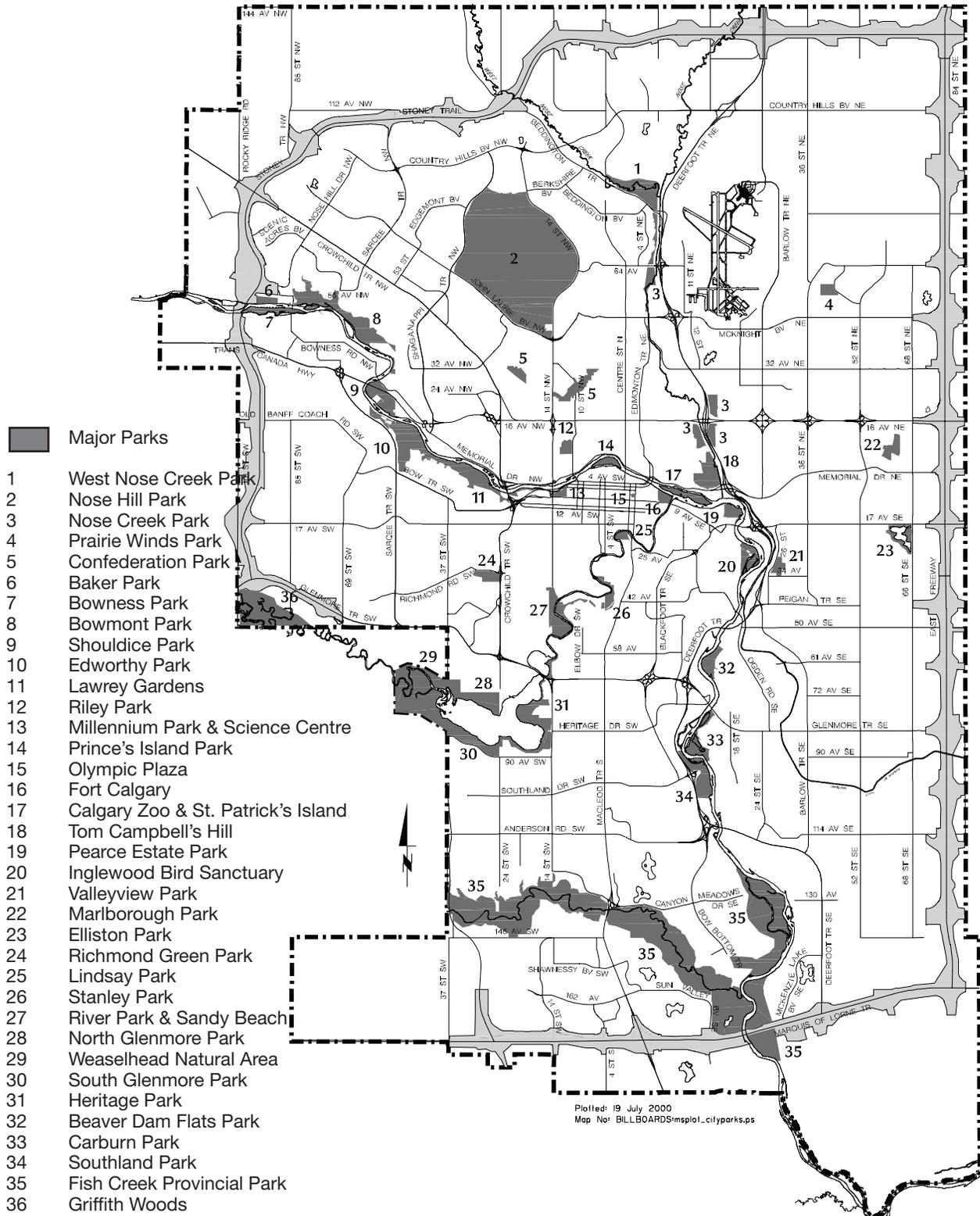
 - (ii) must not approve the development permit if a freestanding sign has been approved and constructed within 30 metres of the third-party advertising sign; and

 - (iii) must not approve the development permit for the third-party advertising sign if the use is no longer listed in the District. *4P2013*

(5) MAP 1, MAJOR PARKS

15P2000

(a) The following map and list identifies major parks:



62.1 RULES FOR DIGITAL THIRD-PARTY ADVERTISING SIGNS

30P2011

(1) LOCATION

- (a) Digital third-party advertising signs are prohibited
 - (i) in all land use districts except for commercial, industrial, UR, A, or direct control -Urban Reserve districts;
 - (ii) in a regional or sector (community) shopping centre;
 - (iii) on a site in the Central Business Area where development has proceeded on a comprehensive basis, unless it can be shown to the satisfaction of the Approving Authority that the digital third-party advertising sign has been adequately incorporated into the design of a building or structure;
 - (iv) in the Downtown Mall Area where visible from Stephen Avenue or 3 Street West;
 - (v) on any site where the sign is positioned such that the copy on the sign is legible from:
 - (A) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard,
 - (B) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.,
 - (C) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard,
 - (D) 85 Street N.W. from Bowness Road, north to Bears paw Dam Road,
 - (E) 87 Street N.W. from Bears paw Dam Road, north to Nose Hill Drive,
 - (F) 17 Avenue South from the eastern City limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.,
 - (G) 32 Avenue N.E. from 36 Street N.E., east to City limits,
 - (H) 64 Avenue N.E. from 36 Street N.E., east to City limits,
 - (I) 98 Avenue N.E. from Harvest Hills Boulevard to Deerfoot Trail, 4P2013
 - (I.1) 144 Avenue N.W.,
 - (J) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail,
 - (J.1) Airport Trail, 4P2013
 - (K) Anderson Road,
 - (L) Barlow Trail from the north City limits, south to the junction of McKnight Boulevard,
 - (M) Bears paw Dam Road from 87 Street N.W., east to 85 Street N.W.,
 - (N) Beddington Trail,
 - (O) Bow Bottom Trail,
 - (P) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail,

- (Q) Canyon Meadows Drive,
- (R) Chaparral Boulevard,
- (S) Country Hills Boulevard,
- (T) Crowchild Trail,
- (U) Deerfoot Trail,
- (V) Falconridge Boulevard N.E.,
- (W) Glenmore Trail from Elbow Drive S.W., west to the City limits,
- (X) Glenmore Trail from the Bow River, east to Ogden Road S.E.,
- (Y) Harvest Hills Boulevard,
- (Z) Heritage Drive from 14 Street S.W., east to Haddon Road S.W.,
- (AA) Heritage Drive from Bonaventure Drive S.E., east to Blackfoot Trail,
- (BB) John Laurie Boulevard from Nose Hill Drive, east to McKnight Boulevard,
- (CC) Macleod Trail from 162 Avenue S.W., south to the City limits,
- (DD) McKenzie Lake Boulevard S.E.,
- (EE) McKenzie Towne Boulevard S.E.,
- (FF) McKenzie Towne Drive S.E.,
- (GG) McKnight Boulevard from Deerfoot Trail east to Barlow Trail and from 36 Street N.E., east to the City limits,
- (HH) Memorial Drive N.E. from 39 Street S.E., east to the City limits,
- (HH.1) Metis Trail, *4P2013*
- (II) Nose Hill Drive,
- (II.1) Peigan Trail,
- (JJ) Sarcee Trail N.W. from Crowchild Trail, north to the Transportation and Utility Corridor,
- (KK) Sarcee Trail from the Trans-Canada Highway, south to the junction of Glenmore Trail and from Southland Drive, south to the City limits,
- (LL) Shaganappi Trail,
- (MM) Shawnessy Boulevard from west City limits, east to Shawnessy Drive S.W.,
- (NN) Southland Drive from west City limits, east to Haddon Road S.W.,
- (OO) Southland Drive from Bonaventure Drive S.E., east to Deerfoot Trail,
- (PP) Sun Valley Boulevard from Macleod Trail, east to Chaparral Boulevard,

(QQ) the Transportation and Utility Corridor,

(RR) Trans-Canada Highway from the Bow River, west to the City limits, or

(SS) Trans-Canada Highway from 6 Street N.E., east to the City limits;

(vi) on Street or utility rights-of-way;

(vii) in or within 450 metres of:

4P2013

(A) major parks, as referenced in subsection 62 (5),

(B) escarpments and pathways,

(C) riverbanks, and

(D) natural areas,

when the copy is visible;

(viii) on sites adjacent to Bowness Road from 62 Street N.W. to 65 Street N.W.

(2) SITING

- (a) A Digital third-party advertising sign shall not be located within 30 metres of any freestanding identification sign, facing the same oncoming traffic.
- (a.1) 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 identification sign is approved within 30 metres of the Digital third-party advertising sign.
- 4P2013
- (b) A Digital third-party advertising sign must not be located within 75 metres of any third-party advertising sign facing the same on-coming traffic and shall not result in more than two (2) freestanding third-party advertising signs or Digital Third-party advertising signs greater than 4.6 metres in height and 4.5 square metres in area within a 225 metre radius of each other facing the same street.
- (c) A Digital third-party advertising sign must not be located within 300 metres of another Digital Third-party advertising Sign facing the same oncoming traffic.
- (d) Except where specified in Section 62.1(2)(d.1), a Digital third-party advertising sign must be located at least the following distance from any property line shared with a street:
- (i) 17 metres where the posted speed limit of the public thoroughfare is 100 kilometres per hour or greater;
 - (ii) 16 metres where the posted speed limit of the public thoroughfare is 90 kilometres per hour;
 - (iii) 14 metres where the posted speed limit of the public thoroughfare is 80 kilometres per hour;
 - (iv) 10 metres where the posted speed limit of the public thoroughfare is 70 kilometres per hour; and
 - (v) 6 metres where the posted speed of the public thoroughfare is 60 kilometres per hour or less.
- 4P2013

- (d.1) A Digital third-party advertising sign may be located closer to a property line shared with a street identified in Section 62.1(2)(d) provided that:
 - (i) the sign replaces an existing approved third-party advertising sign on a parcel;
 - (ii) the development permit approving the third-party advertising sign remains in effect; and
 - (iii) the distance from the sign to any property line is not less than that of the existing approved third-party advertising sign. *4P2013*
- (e) Trees required under an approved development permit shall not be removed or altered in any way to accommodate the placement or visibility of a Digital third-party advertising sign.
- (f) A Digital third-party advertising sign shall not be located on or attached to a roof.
- (g) A freestanding digital third-party advertising sign shall be separated from:
 - (i) a directional sign in a street right-of-way exceeding 3 square metres in sign area;
 - (ii) a street intersection or railway crossing by a minimum of 30.0 metres; and
 - (iii) the curblineline or edge of a major street, expressway or freeway;

to the satisfaction of the Traffic Engineer.

(3) HEIGHT AND SIZE

- (a) The maximum height of a wall-mounted or a freestanding-flush Digital third-party advertising sign shall be 10.5 metres and shall not extend above the eaveline.
- (b) The maximum height of a freestanding Digital third-party advertising sign shall not exceed 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 maximum height for such sign shall not exceed the height of that building or 6.5 metres, whichever is greater.
- (c) The dimensions of the sign area of a Digital third-party advertising sign shall not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7 metres, with allowance for a 1.5 metres cut-out to the top and face and a 700 millimetre cut-out to the sides and bottom of the Digital third-party advertising sign.
- (d) The maximum area of a digital third-party advertising sign shall not exceed 25 square metres and only one face of a double-faced sign shall be used to calculate sign area.

(4) GENERAL RULES

- (a) *deleted* *4P2013*
- (b) A Digital third-party advertising sign must not be located less than 30.0 metres from an intersection or railway crossing when measured from where the property line intersects each right-of-way.
- (b.1) All signs containing a digital display must be equipped with an ambient light sensor. *4P2013*
- (c) The sign owner must ensure that while the Digital third-party advertising sign is in operation, that the light output for the digital display must be set to operate in accordance with the following maximum luminance levels when measured from the sign face at its maximum brightness:

- (i) A maximum of 7500 nits from sunrise to sunset;
- (ii) A maximum of 300 nits from sunset to sunrise ; and
- (iii) The sign must not increase the light levels around the digital display by more than 3.0 LUX above the ambient light level. 4P2013
- (d) *deleted* 4P2013
- (e) *deleted* 4P2013
- (f) The applicant for a development permit for a Digital third-party advertising sign must show, to the satisfaction of the Approving Authority, 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.
- (g) A Digital third-party advertising sign must not block natural light or the sky, from the surrounding buildings' windows and doors.
- (h) The lighting and orientation of a Digital third-party advertising sign must not adversely affect any neighbouring residential areas.
- (i) An auxiliary sign or other material shall not be attached to, on, above or below a Digital third-party advertising sign.
- (j) The backs of all Digital third-party advertising signs and all cut-outs shall be enclosed to the satisfaction of the Approving Authority.
- (j.1) The space between the faces of a double-faced Digital third-party advertising sign must be enclosed to the satisfaction of the Approving Authority. 4P21013
- (k) Electrical power supply to the Digital third-party advertising signs or base landscaping shall be underground unless otherwise allowed by the Approving 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.
- (l) The approving authority must not approve any Digital third-party advertising sign:
 - (i) A digital third-party advertising sign is prohibited if:
 - (A) the digital display is visible from a building containing a dwelling unit; and
 - (B) it is located less than 125.0 metres, measured from the face of the digital display to a building containing a dwelling unit. 4P2013
 - (ii) on a parcel that is within 125.0 metres of a dwelling unit, measured from the face of the digital display outward at an angle where light is emitted according to the manufacturers specifications.
- (m) Each copy shown on the digital display must be static and remain in place for a minimum of six (6.0) seconds before switching to the next digital static copy.
- (n) The maximum transition time between each digital copy must not exceed 0.25 seconds.
- (o) The transition between each digital copy must not involve 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.

- (p) The 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.
- (q) Copy must not be shown on the digital display using full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the copy may 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.
- (r) If any component on the sign fails or malfunctions in anyway, the sign owner must ensure that the sign is turned off until all components are fixed and operating normally, to the satisfaction of the Manager, Development and Building Approvals.
- (s) The sign owner must provide to the Approving Authority 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*
- (t) A development permit for a digital third-party advertising sign may only be issued for a period not exceeding 3 years. *4P2013*
- (u) 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 Approving Authority must apply the rules referenced in subsection (v). *4P2013*
- (v) When considering a development permit application for a digital third-party advertising sign referenced in subsection (u) the Approving Authority:
 - (i) 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;
 - (ii) must not approve the development permit if a freestanding sign has been approved and constructed within 30 metres of the digital third-party advertising sign;
 - (iii) may only approve the development permit for the digital third-party advertising sign when the use is listed in the district; and
 - (iv) must not approve the development permit for the digital third-party advertising sign when the sign is located within and is visible from 125.0 metres of a building containing a dwelling unit. *4P2013*

63. RULES FOR MESSAGE SIGNS AND MESSAGE PANELS

21P98

- (1) A message sign may be allowed in any district except an RR-1, R-1, RS-1, RS-2, R-1A, R-2, R-2A, R-MH, RM-1, RM-2 and RM-3 District.
- (2) A message sign or message panel in a non-residential district may present real estate copy or property management copy.
- (3) A freestanding message sign shall not exceed 5.5 square metres in area.
- (4) A message sign shall provide a message opportunity for any tenant or business located on the site.
- (5) A message panel
 - (a) on a freestanding identification sign shall comply with the design of the sign as if it is a panel of the sign,
 - (b) in the fascia sign area shall comply with the dimensions of the fascia sign and shall not exceed 30% of the area of the fascia sign,
 - (c) on a projecting sign shall be included in the sign area allowed for projecting signs in Section 60(3) and the sign shall include the name of the business.
- (6) When located on a permanent identification sign for a single business, a message panel may be for the use of that business identified on the sign.

63.1 RULES FOR DIGITAL MESSAGE SIGNS

30P2011, 4P2013

- (1) A digital message sign:
 - (i) must not exceed 5.0 square metres in copy area when the sign is attached to a building;
 - (ii) must not exceed the lesser of 2.5 square metres in copy area or 30.0 per cent of the window area, where a digital message sign is used as a window sign; and
 - (iii) when integrated into a freestanding sign, has a maximum sign area of 50 per cent of the sign area of the freestanding sign.
- (2) A digital message sign must be located at least 300 metres from another digital message sign or Digital third-party advertising sign when measured from the closest point of the sign containing a digital display to the closest point of another sign containing a digital display, facing the same oncoming traffic. 4P2013
- (3) *deleted* 4P2013
- (4) Subsection (2) does not apply to a digital message sign with copy that only displays the date, time, temperature, motor vehicle fuel price, or a drive through menu board. 4P2013
- (5) 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. 4P2013
- (6) When a digital message sign is visible and located within 125 metres of a dwelling unit, the sign must be turned off between the hours of 10 p.m. and 7 a.m. 4P2013
- (7) The electrical power supply to a digital message sign must be provided underground unless otherwise allowed by the approving authority. 4P2013

- (8) A development permit for an digital message sign must not be approved for a period exceeding 3 years. *4P2013*
- (9) A digital message sign over 2.0 square metres in sign area must not be located less than 30.0 metres from an intersection or railway crossing. *4P2013*
- (9.1) All signs containing a digital display must be equipped with an ambient light sensor. *4P2013*
- (10) The sign owner must ensure that while the digital message sign is in operation, that the light output for the digital display must be set to operate in accordance with the following levels when measured from the sign face at its maximum brightness:
- (i) a maximum of 7500 nits from sunrise to sunset;
 - (ii) a maximum of 300 nits from sunset to sunrise; and
 - (iv) the sign must not increase the light levels around the digital display by more than 3.0 LUX above the ambient light level. *4P2013*
- (11) *deleted* *4P2013*
- (12) Each copy shown on the digital display must be static and remain in place for a minimum of six (6.0) seconds before switching to the next digital static copy.
- (13) The maximum transition time between each digital copy must not exceed 0.25 seconds.
- (14) The transition between each digital copy must not involve 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.
- (15) The 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.
- (16) Copy must not be shown on the digital display using full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the copy may 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.
- (17) If any component on the sign fails or malfunctions in anyway, the sign owner must ensure that the sign is turned off until all components are fixed and operating normally, to the satisfaction of the Manager, Development and Building Approvals.
- (18) The sign owner must provide to the Approving Authority 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*

64. REAL ESTATE AND PROPERTY MANAGEMENT SIGNS

21P98

- (1) A real estate sign or a property management sign may be allowed in any district.
- (2) A real estate sign or a property management sign may be placed on a building face provided
 - (a) the sign is a fascia sign,
 - (b) there is a maximum of one sign per face,
 - (c) the sign does not exceed a maximum sign area of
 - (i) 1.5 square metres on a building frontage equal to or less than 30 metres in length,
 - (ii) 3.0 square metres on a building frontage exceeding 30 metres in length, and
 - (d) the sign is located within an area defined by the lower limit of the window sill on the first storey and the lower limit of the window sill of the second storey or 3.5 metres above grade where a second storey window does not exist.
- (3) Where a freestanding identification sign is located on the site frontage, the real estate sign or property management sign shall be included on the freestanding identification sign, unless otherwise allowed by the Approving Authority.
- (4) Where no freestanding identification sign is located on a site frontage or the freestanding identification sign has insufficient room for a real estate sign or a property management sign, a freestanding property management sign or real estate sign may be located on a site frontage provided that
 - (a) there is a maximum of one sign per site frontage,
 - (b) the maximum sign area shall not exceed
 - (i) 1.5 square metres for a site frontage equal to or less than 30 metres in length,
 - (ii) 3.0 square metres for a site frontage exceeding 30 metres in length, and
 - (c) the maximum sign height shall not exceed
 - (i) 2 metres above grade for a site frontage equal to or less than 30 metres in length,
 - (ii) 3 metres above grade for a site frontage exceeding 30 metres in length.
- (5) A real estate sign or property management sign on a freestanding identification sign shall not exceed 80 per cent of the sign area, or 3 square metres, whichever is less.
- (6) Subject to Section 64(3) a freestanding real estate sign or property management sign may be located on a site within a residential district except a RR-1, R-1, RS-1, RS-2, R1-A, R-2, and R2-A District or a Direct Control District for such uses, provided that
 - (a) there is a maximum of one sign per site frontage,
 - (b) the maximum sign area shall not exceed
 - (i) 1.0 square metres for a site frontage equal to or less than 30 metres in length,
 - (ii) 3.0 square metres for a site frontage exceeding 30 metres in length, and

- (c) the maximum sign height shall not exceed
 - (i) 2 metres above grade for a site frontage equal to or less than 30 metres in length,
 - (ii) 3 metres above grade for a site frontage exceeding 30 metres in length.

65. RULES FOR TEMPORARY SIGNS

24P94, 21P96, 21P98

(1) LOCATION

- (a) Temporary signs are allowed in all districts, except
 - (i) on any site where the sign is positioned such that the copy on the sign is legible from
 - (A) Barlow Trail from Memorial Drive north to the City limits;
 - (B) the Transportation and Utility Corridor,
 - (C) Deerfoot Trail,
 - (D) Trans-Canada Highway from 6 Street East, east to the City limits,
 - (E) Trans-Canada Highway from the junction of Home Road, west to the City limits,
 - (F) Macleod Trail from Fish Creek Park south to the City limits,
 - (G) 17 Avenue South from the eastern City limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.,
 - (H) Crowchild Trail from 53 Street North, north to the City limits,
 - (I) Country Hills Boulevard (112 Avenue N.E.) from Deerfoot Trail, east to Barlow Trail;
 - (ii) only freestanding temporary signs are allowed in a residential district or a direct control residential district identifying these districts;
 - (iii) where a message sign or message panel exists or is approved for the site frontage, except on a multi-tenant site where such message panel is for exclusive use of a single tenant or business.
- (b) Notwithstanding Section 65(1)(a)(i)(F) and (H) on a non-residential site, a freestanding temporary sign may be allowed provided the sign is not located:
 - (i) at the rear of a building,
 - (ii) closer to the Macleod Trail or Crowchild Trail than any building on the site, and
 - (iii) closer to the Macleod Trail or Crowchild Trail than a straight line connecting the corners of any building closest to the street.
- (c) New development or redevelopment involving exterior construction on a commercial or industrial site, which is occupied or intended to be occupied by more than 3 businesses, shall provide a temporary message opportunity in accordance with Section 63. or Section 65.
- (d) A temporary sign must not be placed on a parcel where a digital message sign has been approved. 4P2013

(2) GENERAL RULES

- (a) A temporary sign shall not display third-party advertising.
- (b) No temporary sign shall be located within a corner visibility triangle or a triangular area formed by the property line and the curb-line of an entrance to a site and a straight line which intersects them 7.5 metres from the corner where they meet.

(3) FREESTANDING TEMPORARY SIGNS

- (a) A Temporary Sign Location shall
 - (i) be a minimum of 0.4 square metres in area,
 - (ii) be demarked by a temporary sign location marker constructed of concrete, landscape pavers or other material allowed by the Approving Authority and the marker shall be anchored in the approved temporary sign location,
 - (iii) be installed, removed and accessed from within the site on which the sign is to be located,
 - (iv) be visible and clear of obstructions, and
 - (v) where approved for illumination, be supplied with underground power.
- (b) New development, or redevelopment involving exterior construction shall only place a freestanding temporary sign on a freestanding temporary sign location which incorporates a permanent base screen which is architecturally integrated with the development to the satisfaction of the Approving Authority.
- (c) A freestanding temporary sign on an approved temporary sign location shall be installed, removed and accessed from within the site on which the sign is to be located.
- (d) A freestanding temporary sign shall be located within 1 metre of a temporary sign location marker and no portion of the sign shall be closer to the street than any portion of the temporary sign location marker.
- (e) Notwithstanding Section 65(1)(a)(iii), where a message panel is located on a freestanding identification sign for a single tenant, and no message opportunity exists for other tenants, a temporary sign location may be allowed on the site frontage provided it complies with the rules for temporary signs.
- (f) A freestanding temporary sign in a residential district may
 - (i) display real estate copy or property management copy,
 - (ii) be displayed for a maximum of 30 days with copy relating to work being carried out on the site,
 - (iii) be displayed with copy pertaining to a garage or yard sale during the duration of the sale.
- (g) Freestanding temporary signs shall be subject to maximum sign area requirements as follows:
 - (i) in a residential district the maximum sign area of a temporary sign shall be 1 square metre, except a maximum of 3.0 square metres where the site is for a use which does not contain a dwelling unit or dwelling units,
 - (ii) in a non-residential district, where a site frontage is less than or equal to 30 metres in length, the maximum sign area shall be 1.5 square metres,
 - (iii) in a non-residential district where the site frontage is greater than 30 metres in length, the maximum sign area shall be 5.5 square metres, except 3 square metres within, or along a street bordering the following pedestrian-oriented locations;

- (A) a C-1 or C-1A District;
 - (B) a C-2 District;
 - (C) on a site within the area bounded by
 - (I) the Bow River,
 - (II) the Elbow River,
 - (III) 12 Avenue South,
 - (IV) 14 Street West;
 - (D) Inglewood Business Revitalization Zone;
 - (E) Fourth Street Business Revitalization Zone;
 - (F) Uptown 17 Business Revitalization Zone;
 - (G) Marda Loop Business Revitalization Zone;
 - (H) Bowness Business Revitalization Zone;
 - (I) Kensington/Louise Crossing Business Revitalization Zone;
 - (J) Victoria Crossing Business Revitalization Zone;
 - (K) 4 Street N.W. from 16 Avenue N.W. to 32 Avenue N.W.;
 - (L) Edmonton Trail from Memorial Drive to 32 Avenue N.E.;
 - (M) 4 Street East from Memorial Drive to Edmonton Trail N.E.;
 - (N) 4 Street N. E. from Memorial Drive to Edmonton Trail;
 - (O) Centre Street North from 7 Avenue N. to 32 Avenue N.;
 - (P) 1 Avenue North from 4 Street East, east to the C.P.R. Tracks;
 - (Q) Trans-Canada Highway from the junction of Home Road, east to 6 Street East;
- (iv) notwithstanding Section 65(3)(g)(i), a sign on a show home site shall have a maximum sign area of 3 square metres and the total area of all signs on a lot shall not exceed 6 square metres;
- (h) A freestanding temporary sign shall be subject to the following maximum height requirements:
- (i) 1.5 metres height for a sign not exceeding 2.5 square metres in area,
 - (ii) 2 metres height for a sign exceeding 2.5 square metres in area but not exceeding 3 square metres in area,
 - (iii) 3 metres height for a sign exceeding 3 square metres in area.
- (i) A maximum of one freestanding temporary sign per site frontage will be allowed, except where the site frontage exceeds 75 metres a maximum of two freestanding temporary signs shall be allowed per site frontage.

- (j) Notwithstanding Section 65(3)(i), on the site of a sector shopping centre, a maximum of three freestanding temporary signs are allowed where the site frontage exceeds 200 metres and the sign is not visible from a residential district or use which abuts the site, or is separated by an intervening street from the site.
- (k) Notwithstanding Sections 65(3)(d), (i), and (j), where a site contains a shopping centre, a business in the shopping centre may display a freestanding temporary sign no greater than 1.0 square metre in area within 3 metres of the individual business entrance.
- (l) A temporary sign exceeding 1.5 square metres in area shall only be located on a temporary sign location.
- (m) No temporary freestanding sign greater than 1.5 square metres in area shall be located closer than 15 metres to any other freestanding sign.
- (n) A freestanding temporary sign may be stabilized in a manner that is easily removable and is not readily visible such as stakes, but shall not include sandbags, guy wires, or similar visible methods unless the only location for placement of a freestanding temporary sign is hard surfaced or as otherwise allowed by the Approving Authority.

(4) BANNER SIGNS

- (a) A banner sign shall not contain commercial advertising copy.
- (b) A banner sign may be placed in the fascia sign area or in the panel area of a freestanding identification sign for business identification for a period not exceeding 3 months following issuance of the Development Completion Permit or the occupancy permit issued under the Alberta Building Code for the new use.
- (c) A banner sign may be placed on a multi-dwelling residential building which exceeds three storeys for a period not exceeding 90 days following issuance of the Development Completion Permit for the new use.
- (d) A banner sign may be placed in the fascia sign area or in the panel area of a freestanding identification sign as a real estate sign while the related space is unoccupied.
- (e) A banner sign shall be displayed so as not to create folds or wrinkles.
- (f) A decorative banner sign may be placed on any site for notification of an event and may only be displayed for 7 days preceding the event and for the duration of the event.
- (g) A decorative banner sign shall not exceed 3 square metres.

(5) INFLATABLE SIGNS

- (a) An inflatable sign shall be tethered or anchored and shall be touching the surface to which it is anchored.
- (b) An inflatable sign shall not exceed the maximum freestanding sign height allowable for the district.
- (c) There shall be a maximum of one inflatable sign per site.
- (d) An inflatable sign may be placed on a site a maximum of twice within a calendar year.
- (e) A development permit for an inflatable sign shall not be issued for a period exceeding 30 days.
- (f) An inflatable sign shall not be located on a roof of a structure.

(6) FLAG SIGNS

- (a) There shall be a maximum of one commercial flag per site, unless otherwise allowed by the Approving Authority.
- (b) No commercial flag shall exceed 1 square metre in area.
- (c) A commercial flag shall not be located on a roof of a structure.
- (d) A flag or flag structure shall not exceed the maximum height for a freestanding identification sign for the district.
- (e) A flag without copy shall be allowed provided that:
 - (i) there is a maximum of three flags on a site with a principal frontage less than or equal to 30 metres;
 - (ii) there is a maximum of six flags on a site with a principal frontage greater than 30 metres.

(7) STRING OF PENNANTS

- (a) A string of pennants shall only be located in an industrial district.
- (b) A string of pennants shall not be located on a site which directly borders a residential use or district.

(8) EVENT SIGNS

- (a) Notwithstanding Section 65(1)(a)(ii) an event sign may be located in a residential district where the site is approved for a use which does not contain a dwelling unit.
- (b) An event sign may be any structural design but shall not be subject to the rules for size and number.
- (c) An event sign may be placed on a site up to seven days prior to an event and for the duration of the event to a combined maximum of 30 days.

(9) CONSTRUCTION SIGNS

- (a) Notwithstanding Section 65(1), a construction sign can be located on an undeveloped site or on a site under development in accordance with an approved Development Permit.
- (b) Notwithstanding Section 65(3)(g)(i), (ii) and (iii) the maximum sign area of a construction sign shall be 6 square metres unless otherwise allowed by the Approving Authority.
- (c) A construction sign shall be removed within 7 days following issuance of a Development Completion Permit for the development on the site.

(10) REAL ESTATE SIGNS

- (a) Where no freestanding identification sign is located on a site frontage or the freestanding identification sign has insufficient space for a real estate sign or a property management sign, a freestanding temporary property management sign or temporary real estate sign may be located on a site frontage provided that
 - (i) there is a maximum of one sign per site frontage,
 - (ii) the maximum sign area shall not exceed

- (A) 1.5 square metres for a site frontage equal to or less than 30 metres in length,
- (B) 3.0 square metres for a site frontage exceeding 30 metres in length, and
- (iii) the maximum sign height shall not exceed
 - (A) 2 metres above grade for a site frontage equal to or less than 30 metres in length,
 - (B) 3 metres above grade for a site frontage exceeding 30 metres in length.
- (b) Notwithstanding Section 65(1), a real estate sign may be located on any undeveloped site provided that
 - (i) the maximum sign area shall be 6 square metres,
 - (ii) the sign shall be removed within 7 days following issuance of a Development Completion Permit for the development on the site.

66. RULES FOR SIGNS WITHIN THE CIRCA 1912 THEME AREA

15P90, 21P98

- (1) Notwithstanding anything elsewhere contained in this Bylaw
 - (a) this Section, in addition to Sections 56 to 65, inclusive of this Bylaw, shall apply to signs to be located within the Circa 1912 Theme Area, and
 - (b) where this Section conflicts with any other provision of this Bylaw, this Section shall prevail.
- (2) All signs erected within the Circa 1912 Theme Area shall conform to the Stephen Avenue Mall Circa 1912 Theme Area Sign Policy which has been adopted by Council.

(3) SIGNAGE RESTRICTIONS - GENERAL

- (a) Subject to the exceptions hereinafter specified, all signs within the Circa 1912 Theme Area
 - (i) shall be confined to the signable area of the building and below, and
 - (ii) shall not obscure important architectural details of the facade.
- (b) Notwithstanding any other provision in this Bylaw, and subject to the limitations hereinafter specified, only the following identification signs are allowed within the Circa 1912 Theme Area:
 - (i) awning signs
 - (ii) canopy signs
 - (iii) fascia signs
 - (iv) horizontal roof signs
 - (v) painted wall signs
 - (vi) projecting signs
 - (vii) window signs
- (c) Signs above the signable area of a building are limited to:
 - (i) horizontal roof signs as specified in Section 66(9)(a);
 - (ii) projecting signs as specified in Section 66(10);
 - (iii) window applied lettering as specified in Section 66(13); and
 - (iv) painted wall signs as specified in Section 66(12).

(4) BUILDING NAME AND ADDRESS

- (a) Where a building address is to be added to the exterior of a building or is visible from the outside of a building:
 - (i) "stick on" temporary lettering materials shall not be used,
 - (ii) building addresses shall not be attached or affixed to the windows, doors or facade of the premise unless the style of the lettering is consistent with the Circa 1912

Theme,

- (iii) it shall not cover an existing building name or address which is an integral facade element, and
- (iv) it shall be placed on the left or right of the main entry door at the height of 1.5 metres, or in the space over the front entry door to a building.

(5) LETTERING - GENERAL

- (a) Subject to exceptions specified in Sections 66(11)(a)(ii), 66(13)(a) and (c), the total area of lettering on a sign shall not exceed 60 per cent of the total area of the sign.
- (b) The style of lettering on a sign shall consist of plain font styles with serifs and shall not conflict with the character of the Circa 1912 Theme. The following typefaces would be suitable and any others which are similar:
 - (i) Beton Bold Condensed
 - (ii) Baskerville Old Face
 - (iii) Century Schoolbook
 - (iv) Garamond
 - (v) Clarendon Medium

(6) COLOURS

- (a) The background of all fascia signs shall be one of the following opaque colours:
 - (i) black
 - (ii) blue
 - (iii) CPR red
 - (iv) dark brown
 - (v) dark green
 - (vi) grey
- (b) Fluorescent colours shall not be used for lettering on a sign, but may be used as an accent on signage to a maximum width of 2.5 centimetres.
- (c) Subject to Section 66(6)(b), there shall be no other restrictions on the colour of lettering accents and other embellishments on fascia signage.
- (d) The colours of all canopies and awnings shall be one or a combination of two of the following colours in solid or striped motif:
 - (i) yellow ochre
 - (ii) dark purple
 - (iii) dark green
 - (iv) dark blue

- (v) CPR red
- (vi) dark grey
- (vii) neutral white
- (viii) tan

(7) ILLUMINATION

- (a) Only the following methods of illumination for signs are allowed:
 - (i) internal illumination
 - (ii) direct illumination
 - (iii) indirect illumination
 - (iv) exposed bulbs.
- (b) Subject to Section 66(7)(c) and (d), only the following types of lighting for signs are allowed:
 - (i) incandescent lighting
 - (ii) fluorescent lighting
 - (iii) neon lighting.
- (c) Fluorescent lighting is not permitted unless
 - (i) it is of the “Warm White Tube” (W.W.) variety, and
 - (ii) it is in a concealed location not visible to pedestrians at grade level. *11P94*
- (d) Neon lighting shall be used only within the actual sign copy area for lettering or imagery.
- (e) All back-lit signs shall have a near-opaque background with illumination only visible through the lettering.

(8) FASCIA SIGNS

- (a) Fascia signs
 - (i) shall be located in the signable area as defined by Section 60(1)(b);
 - (ii) shall not exceed 0.6 metres in height; and
 - (iii) must provide for a minimum of 0.6 metres of clearance from each end of the building frontage.
- (b) Notwithstanding Section 66(7)(a), fascia signs shall not be internally lit.
- (c) Lettering on fascia signs shall not exceed 0.4 metres in height.

(9) HORIZONTAL ROOF SIGNS

- (a) Horizontal roof signs are allowed only if:
 - (i) they are not visible to pedestrians at grade level, and *11P94*
 - (ii) the sign employs a maximum of three colours.

(10) PROJECTING SIGNS

- (a) Projecting signs at or below the signable area of a building are allowed subject to the following limitations:
 - (i) a maximum of one sign is allowed per 7.5 metres of building frontage;
 - (ii) no sign shall exceed 0.4 square metres in area;
 - (iii) no sign shall be suspended from or supported by a guy wire or other supporting cable; and
 - (iv) there shall be a minimum clearance of 2.4 metres from the sign to grade.
- (b) Projecting signs located above the signable area are allowed subject to the following limitations:
 - (i) each building is entitled to a maximum of one sign per 7.5 metres of building frontage; and
 - (ii) where a projecting sign exceeding 0.91 metres by 1.22 metres is used, no sign other than window signs shall be attached to the front of the building.
- (c) Pursuant to Section 66(10)(b), all projecting signs above the signable area of a building are subject to the following limitations:
 - (i) no sign shall exceed 1.1 square metres in area;
 - (ii) no sign shall exceed 1.2 metres in vertical dimension;
 - (iii) no sign shall exceed 20 centimetres in the horizontal dimension parallel to the building face;
 - (iv) the distance between the back of a sign and the facade of a building shall not exceed 15 centimetres; and
 - (v) no sign shall be suspended from or supported by a guy wire or other supporting cable.

(11) AWNING SIGNS AND CANOPY SIGNS

- (a) The following limitations apply to all awning signs within the Circa 1912 Theme Area:
 - (i) Graphic logos, symbols or sign copy shall not be attached to, affixed to, or otherwise incorporated into any awning or canopy that is not of the sloped, rectangular variety, which was displayed on Stephen Avenue, circa 1912;
 - (ii) Subject to Section 66(11)(b)(i), the sloped area of a sloped, rectangular awning or canopy shall not be used for advertising purposes, but may be used for a company graphic logo or symbol provided that area of the graphic does not exceed 30 per cent of the sloped surface area of the awning or canopy; and
 - (iii) An awning sign or a canopy sign shall not be attached to, affixed to, or otherwise incorporated into the valance of an awning or a canopy unless the awning or canopy from which the valance hangs is of the sloped, rectangular variety, which was displayed on Stephen Avenue, circa 1912.

- (b) No signs are permitted on awnings or canopies:
 - (i) above the signable area of a building; or
 - (ii) at or below the signable area of a building unless:
 - (A) confined to the valance extending around the awning or canopy;
 - (B) the height of the sign/copy lettering is less than 80 per cent of the height of the valance; and
 - (C) there is a minimum clearance of 2.4 metres between the bottom of the awning or canopy structure and grade.
- (c) All sloped, rectangular awnings that display graphic logos, symbols, or sign copy shall be reinforced in such a manner that the fabric of the sloped surface does not sag below the bottom level of the awning's or canopy's structural frame.

(12) PAINTED WALL SIGNS

- (a) Painted wall signs are only allowed on the building walls perpendicular to Stephen Avenue Mall.
- (b) No other sign type except a painted wall sign is allowed on building walls perpendicular to Stephen Avenue Mall.

(13) WINDOW SIGNS

- (a) Window signs are subject to the following limitations:
 - (i) there shall be a maximum of one sign allowed per window;
 - (ii) notwithstanding the number of mullions on a window, the copy area of a permanent window sign shall not exceed 30 per cent of the entire area of the window; and
 - (iii) internally illuminated signs that face outward from the inside of a building are not permitted within 1.8 metres of a window.
- (b) Lettering on window display signs shall not exceed
 - (i) 15 centimetres in height on grade level and second level windows, and
 - (ii) 23 centimetres in height on windows on and above the third level.
- (c) Notwithstanding Sections 66(13)(a) and (b), authentic gold leaf letters and embellishments affixed to windows shall be exempt from area calculation limitations.
- (d) Subject to Section 66(13)(e), window signs shall be confined to the first or second storey level.
- (e) Where an establishment is wholly contained on the third level or on a higher level, signs may be placed within any window on the level or levels where the establishment is located.

READ A FIRST TIME THIS 19TH DAY OF MARCH, 2007.

READ A SECOND TIME, AS AMENDED, THIS 23RD DAY OF JULY, 2007.

READ A THIRD TIME, AS AMENDED, THIS 23RD DAY OF JULY, 2007.

(Sgd) Dave Bronconnier
MAYOR

(Sgd) Diana Garner
CITY CLERK