

THE CITY OF CALGARY LAND USE BYLAW 1P2007

OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

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

NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

PUBLISHING INFORMATION

TITLE: THE CALGARY LAND USE BYLAW 1P2007

AUTHOR: LAND USE BYLAW SUSTAINMENT TEAM,
DEVELOPMENT & BUILDING APPROVALS,
PLANNING IMPLEMENTATION

STATUS: APPROVED BY CITY COUNCIL
2007 JULY 23

PRINTING DATE: 2008 AUGUST

ADDITIONAL COPIES: THE CITY OF CALGARY
DEVELOPMENT & BUILDING APPROVALS
PLANNING IMPLEMENTATION
DOCUMENT SALES CENTRE #8135
P.O. BOX 2100, STN M
CALGARY, ALBERTA T2P 2M5

PHONE: CALL 3-1-1

WEB: calgary.ca/landusebylaw

DOWNLOAD FROM: calgary.ca/landusebylaw
GO TO: The Calgary Land Use Bylaw, 1P2007

SECTION	PAGE
127 <i>deleted</i>	121
128 <i>deleted</i>	121
129 <i>deleted</i>	121

Division 7: Requirements for Infrastructure Servicing

129.1 Infrastructure Requirements.....	130.1
--	-------

PART 4: USES AND USE RULES

Division 1: General Provisions

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

Division 2: Defined Uses

135 Defined Terms	133
136 Accessory Food Service.....	133
137 Accessory Liquor Service.....	133
138 Accessory Residential Building	134
139 Addiction Treatment	134
140 Adult Mini-Theatre	135
141 Amusement Arcade	135
142 <i>deleted</i>	136
143 <i>deleted</i>	136
144 Artist's Studio	136
145 Asphalt, Aggregate and Concrete Plant	136
146 Assisted Living	137
147 Auction Market – Other Goods.....	138
148 Auction Market – Vehicles and Equipment.....	138
149 Auto Body and Paint Shop	139
150 Auto Service – Major	140
151 Auto Service – Minor	141
152 <i>deleted</i>	142
153 <i>deleted</i>	142
153.1 Backyard Suite	142
154 Bed and Breakfast.....	143
155 <i>deleted</i>	144
155.1 Beverage Container Drop-Off Facility	145
156 Billiard Parlour	146
156.1 Brewery, Winery and Distillery.....	146
157 <i>deleted</i>	148
158 <i>deleted</i>	148
158.1 Building Supply Centre.....	148
159 Bulk Fuel Sales Depot.....	149
160 Campground.....	149

SECTION	PAGE
161 Car Wash – Multi Vehicle	149
162 Car Wash – Single Vehicle	150
163 Catering Service – Major	151
164 Catering Service – Minor	151
165 Child Care Service	152
166 Cinema	152
167 Columbarium	153
168 Community Entrance Feature	153
169 Community Recreation Facility	154
170 Computer Games Facility	155
170.1 Conference and Event Facility	156
170.2 Contextual Semi-detached Dwelling	156
171 Contextual Single Detached Dwelling	157
172 <i>deleted</i>	157
173 <i>deleted</i>	157
174 Convenience Food Store	157
175 Cottage Housing Cluster	158
176 Counselling Service	158
177 Crematorium	159
177.1 Cultural Support	159
178 Custodial Care	160
179 Custodial Quarters	160
180 Dinner Theatre	165
181 Distribution Centre	165
182 Drinking Establishment – Large	166
183 Drinking Establishment – Medium	167
184 Drinking Establishment – Small	168
185 Drive Through	169
186 Dry-cleaning and Fabric Care Plant	170
187 Duplex Dwelling	171
188 Dwelling Unit	171
189 Emergency Shelter	171
190 Equipment Yard	172
191 Extensive Agriculture	173
192 Fertilizer Plant	173
193 Financial Institution	174
194 Firing Range	174
195 Fitness Centre	175
195.1 Fleet Service	175
196 <i>deleted</i>	176
197 <i>deleted</i>	176
198 Food Kiosk	176
198.1 Food Production	176.1
199 Freight Yard	177
200 Funeral Home	177
201 Gaming Establishment – Bingo	178
202 Gaming Establishment – Casino	179
203 Gas Bar	179
203.1 General Industrial – Heavy	180

SECTION	PAGE
203.2 General Industrial – Light	181
203.3 General Industrial – Medium	182
204 Health Services Laboratory – With Clients	184
205 Health Services Laboratory – Without Clients	184
206 Hide Processing Plant	185
206.1 Home Based Child Care – Class 1	185
206.2 Home Based Child Care – Class 2	185
207 Home Occupation – Class 1	186
208 Home Occupation – Class 2	187
208.1 Hospital	188.1
209 Hotel	188.1
210 <i>deleted</i>	188.2
211 Indoor Recreation Facility	189
212 <i>deleted</i>	189
213 <i>deleted</i>	189
214 <i>deleted</i>	189
215 <i>deleted</i>	189
216 Information and Service Provider	189
217 Instructional Facility	190
218 <i>deleted</i>	191
218.1 Inter-City Bus Terminal	191
219 Jail	191
220 Kennel	192
221 Large Vehicle and Equipment Sales	193
222 Large Vehicle Service	194
223 Large Vehicle Wash	194
224 Library	195
225 Liquor Store	195
226 Live Work Unit	196
227 Manufactured Home	201
228 Manufactured Home Park	201
229 <i>deleted</i>	202
230 <i>deleted</i>	202
231 <i>deleted</i>	202
232 Market	202
232.1 Market - Minor	202
233 Medical Clinic	203
233.1 Medical Marihuana Production Facility	203
233.2 Medical Marihuana Counselling	205
234 <i>deleted</i>	205
235 <i>deleted</i>	205
236 Motion Picture Filming Location	205
237 Motion Picture Production Facility	206
238 Motorized Recreation	206
239 Multi-Residential Development	207
240 Multi-Residential Development – Minor	207
241 Municipal Works Depot	208
242 Museum	209

SECTION	PAGE
243	Natural Area 210
244	Natural Resource Extraction 210
245	Night Club..... 211
246	Office 212
247	Outdoor Café..... 212
248	Outdoor Recreation Area..... 213
249	Park 221
250	Park Maintenance Facility – Large 221
251	Park Maintenance Facility – Small 222
252	Parking Lot – Grade 222
252.1	Parking Lot - Grade (temporary) 223
253	Parking Lot – Structure..... 223
254	Pawn Shop 223
254.1	Payday Loan 224
255	Performing Arts Centre 225
256	<i>deleted</i> 225
257	Pet Care Service 225
258	<i>deleted</i> 225
259	Pits and Quarries..... 225
260	Place of Worship – Large 226
261	Place of Worship – Medium 227
262	Place of Worship – Small 228
263	Post-secondary Learning Institution 229
264	Power Generation Facility – Large 230
265	Power Generation Facility – Medium 230
266	Power Generation Facility – Small 231
267	Print Centre 231
268	Printing, Publishing and Distributing..... 232
269	<i>deleted</i> 232
270	Protective and Emergency Service 232
270.1	Public Transit System..... 232
271	Race Track 233
272	Radio and Television Studio 233
273	Recreational Vehicle Sales..... 234
274	Recreational Vehicle Service..... 234
274.1	Recyclable Construction Material Collection Depot (Temporary) 235
274.2	Recyclable Material Drop-Off Depot..... 236
275	<i>deleted</i> 236.1
276	Refinery 236.1
277	Residential Care 236.1
278	Restaurant: Food Service Only – Large 236.2
279	Restaurant: Food Service Only – Medium 237
280	Restaurant: Food Service Only – Small 238
281	Restaurant: Licensed – Large 238
282	Restaurant: Licensed – Medium..... 239
283	Restaurant: Licensed – Small 240
283.1	Restaurant: Neighborhood 241
284	Restored Building Products Sales Yard..... 241
285	Retail Garden Centre 242
286	<i>deleted</i> 242

SECTION	PAGE
286.1 Retail and Consumer Service.....	242
287 Rowhouse Building.....	244
288 Salvage Processing – Heat and Chemicals	245
288.1 Salvage Yard	245
289 Sawmill	246
290 School – Private	247
291 School Authority – School	248
292 School Authority Purpose – Major	249
293 School Authority Purpose – Minor	249
294 Seasonal Sales Area	250
295 Secondary Suite	251
295.1 <i>deleted</i>	251
295.2 <i>deleted</i>	251
296 Self Storage Facility	251
297 Semi-detached Dwelling.....	252
298 Service Organization	252
299 Sign – Class A	253
300 Sign – Class B.....	254
301 Sign – Class C.....	255
302 Sign – Class D.....	255
303 Sign – Class E.....	255
304 Sign – Class F	256
304.1 Sign – Class G	257
305 Single Detached Dwelling	257
306 Slaughter House.....	257
307 Social Organization	258
308 Special Function – Class 1	259
309 Special Function – Class 2.....	260
309.1 Specialized Industrial	261
310 Specialty Food Store	261
311 Spectator Sports Facility	262
312 Stock Yard	263
313 Storage Yard.....	263
314 Supermarket.....	264
315 Take Out Food Service.....	267
316 Temporary Residential Sales Centre.....	267
317 Temporary Shelter	268
318 Tire Recycling.....	268
319 Townhouse	268
320 Tree Farm.....	269
321 Utilities.....	269
321.1 Utilities - Linear.....	270
322 Utility Building.....	270
323 Vehicle Rental – Major	271
324 Vehicle Rental – Minor	271
325 Vehicle Sales – Major.....	272
326 Vehicle Sales – Minor.....	273
327 Vehicle Storage – Large.....	273
328 Vehicle Storage – Passenger	274
329 Vehicle Storage – Recreational	275

SECTION	PAGE
330 Veterinary Clinic	276
331 <i>deleted</i>	276
332 <i>deleted</i>	276
333 Waste Disposal and Treatment Facility	276
333.1 Wind Energy Conversion System - Type 1.....	277
333.2 Wind Energy Conversion System - Type 2.....	277

SECTION	PAGE
487 Building Height	339
488 Motor Vehicle Parking Stalls.....	339
 Division 9: Residential – Low Density Multiple Dwelling (R-2M) District	
489 Purpose	341
490 Permitted Uses	341
490.1 Parcels Containing Suites	341
491 Discretionary Uses	341
492 Rules	342
493 Density	342
494 Parcel Width	343
495 Parcel Depth.....	343
496 Parcel Area	343
497 Parcel Coverage.....	344
498 Building Setback Areas	344
499 Building Setback from Front Property Line.....	344
500 Building Setback from Side Property Line.....	344
501 Building Setback from Rear Property Line	345
502 Building Height	345
503 Garbage	345
504 Recycling Facilities.....	346
505 Motor Vehicle Parking Stalls.....	346
 Division 10: Residential – Manufactured Home (R-MH) District	
506 Purpose	347
507 Permitted Uses.....	347
508 Discretionary Uses	347
509 Rules	348
510 Density	348
511 Parcel Width	348
512 Parcel Frontage.....	348
513 Parcel Area.....	348
514 Parcel Coverage.....	348
515 Building Setback Areas	348
516 Building Setbacks from a Property Line	348
517 Projections into Setback Areas.....	349
518 Building Height	349
519 Outdoor Private Amenity Space	349
520 Manufactured Home Installation.....	349
521 Accessory Residential Building	349
522 Manufactured Home Park	349
523 Garbage	350
524 Recycling Facilities.....	351
 Division 11: Grade-Oriented Infill (R-CG) District	
525 Purpose	353
526 Permitted Uses.....	353
527 Discretionary Uses	353

SECTION	PAGE
528 Rules	354
529 Density	354
530 <i>deleted</i>	355
531 Parcel Width	355
532 Facade Width	355
533 Parcel Area	355
534 Parcel Coverage	355
535 Building Depth	356
536 Building Setback Areas	356
537 Building Setback from Front Property Line	356
538 Block Face Requirements	357
539 Building Setback from Side Property Line	357
540 Building Setback from Rear Property Line	358.1
541 Building Height	358.1
542 Outdoor Private Amenity Space	358.2
543 Landscaping	358.3
544 Balconies	358.4
545 Accessory Residential Buildings	358.4
546 Motor Vehicle Parking Stalls	358.4

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

547 Purpose	358.5
547.1 Permitted Uses	358.5
547.2 Discretionary Uses	358.6
547.3 Permitted and Discretionary Uses for Parcels Designated R-Gm	358.6
547.4 Rules	358.7
547.5 Number of Main Residential Buildings on a Parcel	358.7
547.6 Parcel Width	358.7
547.7 Parcel Area	358.7
547.8 Parcel Coverage	358.7
547.9 Building Setback Areas	358.8
547.10 Building Setback from Front Property Line	358.8
547.11 Building Setback from Side Property Line	358.8
547.12 Building Setback from Rear Property Line	358.9
547.13 Building Height	358.9
547.14 Outdoor Private Amenity Space	358.10
547.15 Balconies	358.11
547.16 Driveways	358.11

PART 6: MULTI-RESIDENTIAL DISTRICTS

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

549 Projections Into Setback Areas	359
550 General Landscaped Area Rules	359
551 Specific Rules for Landscaped Areas	361
552 Planting Requirements	362
553 Landscaped Area Reductions – Multi-Residential Development	363

Division 2: Definitions and Methods

General Definitions

- 13 (1) In this Bylaw, the following terms have the following meanings.
- (1.1) “**+15 Skywalk System**” means an environmentally controlled public pedestrian walkway system consisting of **+15 Skywalk System walkways** and **+15 Skywalk System bridges** which operates through and between **buildings** in the Downtown. 33P2013
- (1.2) “**+15 Skywalk System bridge**” means an environmentally controlled pedestrian route located outside of a **property line** and which spans a road right-of-way in order to connect **+15 Skywalk System walkways** between **buildings**. 33P2013
- (1.3) “**+15 Skywalk System Fund**” means a civic fund as defined in the +15 Policy. 33P2013
- (1.4) “**+15 Skywalk System walkway**” means a publicly accessible pedestrian route through and across the second floor of a **building** and which is entirely contained within the **property lines** of a **parcel**. 33P2013
- (2) “**accent lighting**” means outdoor lighting that is entirely used to illuminate architectural features, art, landscaping features, monuments, or trees and is only directed at such features.
- (3) “**actual front setback area**” means the area of a **parcel** defined by the **front property line**, the **side property lines** that intersect with the **front property line**, and a line parallel to the **front property line** measured at the farthest **building setback** from the **front property line**.
- (4) “**actual side setback area**” means the area of a **parcel** defined by a **side property line** and a line parallel to that **side property line** measured at the farthest **building setback** from the **side property line** and terminating where that area meets the **actual front setback area**, the **rear setback area** or another **actual side setback area**.
- (5) “**adjacent**” means contiguous or contiguous if not for a **street, lane, river or stream**.
- (6) “**amenity space**” means a space designed for active or passive recreational use.
- (7) “**ancillary structure**” means, with reference to **building height**, an essential component, other than a **sign** or flag pole, that protrudes above the roof of a **building** and which is necessary for the functioning of a **building** including, but not limited to: 68P2008, 39P2010
- (a) an elevator housing;
 - (b) a mechanical penthouse;
 - (c) a chimney;

- 38P2013 (d) **solar collectors**;
- 38P2013 (e) portions of a **building** or a structure used to provide **screening** of mechanical systems or equipment located outside of a **building**;
- 38P2013 (f) an architectural feature commonly associated with a **Place of Worship**; or
- 38P2013 (g) a **Wind Energy Conversion System – Type 1** or a **Wind Energy Conversion System – Type 2**.
- 67P2008, 41P2009 (8) “**assembly area**” means an area within a **building** where people assemble for ceremonies, religious services, educational, recreation, social or sporting events.
- 3P2010 (9) *deleted*
- (10) “**average building reference points**” means the points:
- (a) determined by calculating the average of the corresponding **building reference points**; and
- (b) expressed as geodetic elevations.
- (11) “**average contextual high point**” means:
- (a) where there are at least two other **buildings** on the same block face, the average of the greatest geodetic elevation of the **contextual adjacent buildings**, excluding **ancillary structures**;
- (b) where there is only one other **building** on the same block face, the greatest geodetic elevation of such **building**, excluding **ancillary structures**; and
- (c) where there is no other **building** on the same block face, a point 8.6 metres above the greatest geodetic elevation at **grade** on the subject **parcel**.
- 16P2018 (12) “**average grade**” means, when determining the maximum area of a horizontal cross section through a **building** in the R-CG, M-CG, M-C1 and M-C2 Districts, the average of the four geodetic elevation points of finished **grade** immediately adjacent to the primary four corners of a **building**.
- 13P2008, 41P2009 (13) “**balcony**” means a horizontal platform that is attached to a **building** above the first **storey** floor level and is intended for use as an outdoor **amenity space**.
- (14) “**bare land unit**” means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act* respecting subdivision.

Division 3: Development Permits

Requirement for a Development Permit

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

Conditions for Development Permit Exemptions

- 24** A *development* listed in section 25 will only be exempt from the requirement to obtain a *development permit* if it: 13P2008, 51P2008, 75P2008, 32P2012, 1P2009
- (a) complies with the rules of this Bylaw;
 - (b) is not subject to the Calgary International Airport Vicinity Protection Area Regulation;
 - (c) is not located in the *floodway*;
 - (d) is not subject to any restrictions imposed by the Subdivision and Development Regulation; and
 - (e) has adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the *development*. 44P2013

Exempt Developments

- 25** (1) The following *developments* do not require a *development permit* if the conditions of section 24 are met: 13P2008, 57P2008, 67P2008, 68P2008, 71P2008, 75P2008, 1P2009, 10P2009, 17P2009, 46P2009, 14P2010, 21P2011, 27P2011, 4P2012, 9P2012, 32P2012
- (a) a **Home Occupation – Class 1**;
 - (b) a **Home Based Child Care – Class 1**.
 - (c) the erection of any *fence* or gate;
 - (d) a driveway;
 - (e) the construction of a *deck, landing or patio*;
 - (e.1) the construction of *skateboard and sports ramps* located in the Districts contained within Part 5: Low Density Residential Districts, or Part 6: Multi-Residential Districts; 43P2016
 - (f) the construction of an **Accessory Residential Building** with a *gross floor area* equal to or less than 75.0 square metres when listed as a *permitted use* in a land use district;
 - (f.1) the construction of an **Accessory Residential Building** located on a parcel containing a **Contextual Semi-detached Dwelling, Duplex Dwelling, or a Semi-detached Dwelling** that has yet to be subdivided with a *gross floor area* equal to or less than 150.0 square metres when listed as a *permitted use* in a land use district; 16P2018

- (g) a satellite dish antenna less than 1.0 metre in diameter;
- (h) external maintenance, internal alterations, and mechanical and electrical work on a **building** provided the intensity of **use** of the **building** does not increase;
- (i) a **Special Function – Class 1**;
- (j) a **Special Function – Class 2**:
 - (i) where located on a **parcel** for 3 consecutive days or less, excluding the time used to erect and dismantle the temporary structures;
 - (ii) where the cumulative area of covered temporary structures is less than or equal to:
 - (A) 125.0 square metres when located on a **parcel** within 45.0 metres of either a **residential district** or a Direct Control District where the **use** of the **parcel** is residential; and
 - (B) 300.0 square metres when located on a parcel designed CR20-C20/R20 or an East Village District contained in Part 12; and
 - (iii) where located on the same **parcel** as:
 - (A) **Brewery, Winery and Distillery**;
 - (A.1) **Conference and Event Facility**;
 - (B) **Drinking Establishment – Large**;
 - (C) **Drinking Establishment – Medium**;
 - (D) **Drinking Establishment – Small**;
 - (E) **Restaurant: Licensed – Large**;
 - (F) **Restaurant: Licensed – Medium**;
 - (G) **Restaurant: Licensed – Small**;
 - (H) **Restaurant: Neighbourhood**; or
 - (I) **Night Club**;
- (k) a temporary **building**, the sole purpose of which is incidental to the erection or alteration of a **building** for which a permit has been granted under the Building Permit Bylaw;
- (l) the use of all or part of a **building** or **parcel** as a **Motion Picture Filming Location** for a period not exceeding one year;
- (m) stockpiling on the same **parcel** undergoing excavation, grading or stripping;

33P2013

5P2015

49P2017

49P2017

- (n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of potential heritage sites, and:
- (i) the total power generation capacity of all **solar collectors** on the **parcel** is 10 kilowatts or less; or
 - (ii) the **solar collectors** are used for thermal energy;
- (o) a **sign** that is exempt from the requirement to obtain a **development permit** as specified in Part 3, Division 5;
- (p) the following projects carried on by, or on behalf of, the **City**:
- (i) roads, traffic management projects, interchanges;
 - (ii) **Sewage Treatment Plant, Utilities, Water Treatment Plant, and Waste Disposal and Treatment Facility**; 5P2013
 - (iii) motor vehicle and pedestrian bridges, unless they are part of the +15 and +30 walkway systems;
 - (iv) water, sewage and storm water lines and facilities; and
 - (v) landscaping projects, parks, public tennis courts and street furniture;
- (q) the use of all or part of a **building** as a temporary polling station, returning offices' headquarters, Federal, Provincial or Municipal candidates' campaign offices and any other official temporary **use** in connection with a Federal, Provincial or Municipal election, referendum or census; and
- (r) a **Temporary Residential Sales Centre** located: 5P2013
- (i) in the **Developing Area**; or
 - (ii) on a **parcel** identified in subsection 25(2)(n).
- (s) a **Secondary Suite**, when listed as a **permitted use** in the district, for which an application for a permit pursuant to the Building Permit Bylaw has been received. 26P2015, 5P2017
- (2) The following **developments** do not require a **development permit** if they are not located in the **flood fringe** or **overland flow** areas and the conditions of section 24 are met:
- (a) an exterior alteration or addition to a **Duplex Dwelling, Semi-detached Dwelling** and **Single Detached Dwelling** where:
 - (i) listed as a **discretionary use**;
 - (ii) the addition and alteration complies with the rules of section 365; and

- (iii) the existing **building** is not listed on the **City** inventory of potential heritage sites;
- (b) an addition to a **Contextual Semi-detached Dwelling** or a **Contextual Single Detached Dwelling**;
 - (i) if the addition has a **gross floor area** less than or equal to 40.0 square metres and the addition has a height that is less than or equal to 6.0 metres when measured from **grade** at any point adjacent to the addition; or
 - (ii) if the addition has a **gross floor area** less than or equal to 10.0 square metres and is located above the first **storey**;
- (c) the construction of and addition to a **Single Detached Dwelling, Semi-detached Dwelling** and **Duplex Dwelling** when listed as a **permitted use** in a land use district;
- (d) an outdoor in-ground or above ground private swimming pool or hot tub so long as it:
 - (i) is not located within the **actual front setback area**;
 - (ii) has a total area less than 15.0 per cent of the **parcel** area; and
 - (iii) does not have any above **grade** components including a **deck**, walkway, supporting member, heater or mechanical equipment within 1.2 metres of any **property line**;
- (e) **retaining walls** that are less than 1.2 metre in height, measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest **grade** retained by the **retaining wall**;
- (f) facilities required for environmental remediation or monitoring;
- (g) excavation, grading or stripping provided:
 - (i) the area of land to be excavated, stripped or graded is less than 1000.0 square metres;
 - (ii) it is part of a **development** for which a **development permit** has been released; or
 - (iii) the person carrying out the excavation, stripping or grading has signed a Development Agreement with the **City** for the area to be excavated, stripped or graded and that Development Agreement contemplates excavating, stripping or grading;
- (h) **Utilities** installed or constructed within a **street** or a utility right-of-way;

16P2018

- (i) *deleted*
- (j) a **Power Generation Facility – Small** required for the purpose of providing electrical power for emergency or back-up purposes with a generation capacity of less than 20 kilowatts;
- (k) a **Power Generation Facility – Small** required in order to comply with the emergency power requirements of the Alberta Building Code;
- (l) A **Power Generation Facility – Small** with a total power generation capacity of 10 kilowatts or less where the **Power Generation Facility – Small**:
 - (i) does not use an internal combustion engine; and
 - (ii) is located entirely within an existing approved **building**;
- (m) the **City's** use of land which it either owns or has an equitable interest in for a purpose approved by **Council** in connection with any **Utility**; and
- (n) the construction of a **Contextual Single Detached Dwelling** when on a **parcel** that is identified as:
 - (i) Block 4 Plan 9711796;
 - (ii) Block 6 Plan 9711978;
 - (iii) Lot 1 Plan 8711504;
 - (iv) Block 3 Plan 7203JK;
 - (v) Lots 1 through 3 Block 4 Plan 8810907;
 - (vi) Block 5 Plan 7627JK;
 - (vii) Lot 1 Block 6 Plan 8811565;
 - (viii) Lots 2 through 5 Block 8 Plan 8910156;
 - (ix) Lot 1 Block 1 Plan 8810212;
 - (x) Block 1 Plan 6368JK;
 - (xi) Lot 2 Block 1 Plan 8810882;
 - (xii) Meridian 5 Range 2 Township 25 Section 8 Quarter South West containing 64.7 hectares (160 Acres) more or less excepting thereout:
- (A) The Westerly 150 feet in perpendicular width throughout of said quarter section containing 3.67 hectares (9.06 Acres) more or less.

(B)

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

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

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

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

Use Area Relaxation

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

- (a) the purpose of the District;
- (b) whether granting the relaxation would make the proposed **development** incompatible with existing **developments** or **uses**;
- (c) proximity of the proposed **development** to **residential districts**; and
- (d) sound planning principles.

Conditions

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

- (a) impose the conditions referenced in section 28 of this part; and
- (b) require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the **Development Authority**, conformance to a higher standard will off-set any impact of granting the relaxation.

5P2013

Notification of Decision

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

- (a) publish, in a local newspaper, a notice stating the location and **use** of the **parcel** for which the application has been approved; and
- (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
 - (i) before the 21 day appeal period referred to in the *Municipal Government Act* has expired; or
 - (ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.

54P2008, 16P2018

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

- (iii) both (i) and (ii).
- (c) to install or pay for installation of public utilities, other than telecommunications systems or works, that are necessary to serve the **development**;
- (d) to construct or pay for the construction of:
 - (i) off-street or other parking facilities; and
 - (ii) loading and unloading facilities.
- (e) to pay an off-site levy or redevelopment levy; and
- (f) to give security to ensure that the terms of the agreement under this section are carried out.

Notification of Decision for Discretionary Use Application

- 39 (1)** After approving a **development permit** application for a **discretionary use**, the **Development Authority** must:
- (a) Publish, in a local newspaper, a notice stating the location and **use** of the **parcel** for which the application has been approved; and
 - (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
 - (i) before the 21 day appeal period referred to in the *Municipal Government Act* has expired; or
 - (ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.
- (2)** After refusing an application for a **development permit** application for a **discretionary use**, whether or not it complies with all of the rules of this Bylaw, the **Development Authority** must provide written notification of the decision and the reasons for it to the applicant.

16P2018

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

31P2009

Commencement of Construction

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

Reapplication for a Development Permit

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

5P2013

Development Completion Permit

- 47 (1) When a *development permit* is required, a *development completion permit* must be issued before the *development* can be occupied or a *use* commenced.
- (2) The *General Manager* must determine which *developments* and *uses* do not require a *Development Completion Permit*, which may be amended from time to time.
- (3) The *Development Authority* must advise an applicant for a *development permit* if the proposed *development* or *use* requires a *Development Completion Permit*.
- (4) An application for a *Development Completion Permit* must be made on a form approved by the *General Manager* and must be accompanied by two copies of a surveyor's certificate.
- (5) An applicant for a *Development Completion Permit* must ensure the *development* or *use* is available for inspection by a Development Inspector during the Inspector's normal work day to confirm the *development* is completed in accordance with the *development permit*, and, upon request by the Development Inspector, the applicant must attend the inspection, produce any documents the Development Inspector feels are necessary for the inspection, and must not hinder the inspection in any way.
- (6) Where a *Development Authority* is satisfied that the *development* has been completed in accordance with all of the requirements of the *development permit*, the *Development Authority* may issue a *Development Completion Permit* for the *development*.
- (7) Where a *Development Authority* is not satisfied that a *development* has been completed in accordance with all of the requirements of the *development permit*, the *Development Authority* may:

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

16P2018

(8) *deleted*

Appeals of Decisions on Development Permits

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

Division 3: Floodway, Flood Fringe and Overland Flow

Floodway, Flood Fringe and Overland Flow

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

33P2013

Floodway Regulations

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

New Buildings and Alterations

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

32P2012, 11P2014,
24P2014

Alterations to the Floodway and Riverbanks

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

11P2014

32P2012, 11P2014

Fringe and Overland Flow Area Regulations

- 59** (1) Only those goods that are easily moveable may be stored on a *parcel* in the ***flood fringe*** or the ***overland flow area***.
- (2) Unless stated in subsection (3), all ***buildings*** must be set back 6.0 metres from the edge of the ***floodway***.
- (3) Where a *parcel* was vacant on July 22, 1985, all ***buildings*** must be set back the greater of the following distances:
- (a) 60.0 metres from the edge of the Bow River;
 - (b) 30.0 metres from the edge of the Elbow River, Nose Creek, West Nose Creek; or
 - (c) 6.0 metres from the edge of the ***floodway***.

13P2008, 32P2012,
11P2014**Building Design in the Flood Fringe**

- 60** (1) All ***buildings*** in the ***flood fringe*** must be designed in the following manner:
- (a) to prevent structural damage by floodwaters;
 - (b) the first floor of all ***buildings*** must be constructed at or above the ***designated flood level***; and
 - (c) all electrical and mechanical equipment within a ***building*** must be located at or above the ***designated flood level***; and
 - (d) a sewer back up valve must be installed in every building.
- (2) The rules regarding ***building*** design referenced in subsection (1) do not apply to:
- (a) an addition that does not increase the ***gross floor area*** of the ***building*** by more than 10.0 per cent of the ***gross floor area*** legally existing as of June 09, 2014; and
 - (b) a ***fence, gate, deck, landing, patio, skateboard and sports ramp***, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an **Accessory Residential Building**.
- (3) Notwithstanding subsection (1) and (2), in addition to the conditions listed in section 38, additions to ***buildings*** that increase the ***gross floor area*** of the ***building*** by more than 10.0 per cent but less than 75.0 per cent of the ***gross floor area*** legally existing as of June 09, 2014 must:
- (a) provide electrical isolation for the entire ***building*** through the placement of the master switch above the ***designated flood level***; and,
 - (b) install a sewer back-up valve in the building.

43P2016

16P2018

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

Building Design in the Overland Flow Area

32P2012, 11P2014

- 61 (1) All **buildings** in the **overland flow area** must be designed in the following manner:
- (a) to prevent structural damage by floodwaters;(b)
- (b) the first floor of all **buildings** must be constructed at a minimum of 0.3 metres above the highest **grade** existing on the street abutting the **parcel** that contains the **building**;
- (c) all electrical and mechanical equipment within a **building** must be located at or above the first floor of the **building** referenced in subsection (b); and
- (d) a sewer back up valve must be installed in every building.
- (2) The rules regarding **building** design referenced in subsection (1) do not apply to:
- (a) an addition that does not increase the **gross floor area** of the **building** by more than 10.0 per cent of the **gross floor area** legally existing as of June 09, 2014; and
- (b) a **fence, gate, deck, landing, patio, skateboard and sports ramp**, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an **Accessory Residential Building**.
- (3) Notwithstanding subsection (1) and (2), additions that increase the **gross floor area** of the **building** by more than 10.0 per cent but less than 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:
- (a) provide electrical isolation for the entire **building** through the placement of the master switch a minimum of 0.3 metres above the highest **grade** existing on the **adjacent street**; and,
- (b) must have a sewer back up valve installed in every building.
- (4) Notwithstanding subsection (1), (2), and (3), additions that increase the **gross floor area** of the **building** by at least 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:
- (a) fully mitigate as per subsection (1).

43P2016

16P2018

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

Window Sign

- 90 (1) The total **copy area** of one or more **Window Signs** must not exceed 30.0 per cent of the window area. 35P2011
- (2) For the purposes of subsection (1), “window area” includes all contiguous panes of glass, including panes of glass that would be contiguous if not separated by mullions, but does not include contiguous panes of glass on a doorway. 16P2018
- (3) In the **Stephen Avenue Mall heritage area**, a **Window Sign** must not: 33P2013
- (a) exceed one per window area;
 - (b) be located in windows above the second **storey** except where there is a **use** with a **use area** that is wholly contained on a floor above the second **storey**;
 - (c) be located within 1.8 metres of a window where the **sign** is internally illuminated and facing outward from inside a **building**; and
 - (d) contain **copy** greater than:

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

35P2011

Rules Governing Class B Signs

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

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

35P2011

Designated Signable Area and Locations for Fascia Signs

92 (1) Unless otherwise referenced in subsections (4) and (5), **Fascia Signs** must be located within the designated signable area described in this section.

(2) For a single or two **storey building**:

- (a) the upper limit of the designated signable area is:
 - (i) the *eaveline*, or
 - (ii) if there is a parapet then the upper edge of the parapet; and
- (b) the lower limit of the designated signable area is 2.4 metres above *grade*.

(3) For a **building** that exceeds two **storeys**:

- (a) the upper limit of the designated signable area is the floorline of the third **storey**; and
- (b) the lower limit of the designated signable area is 2.4 metres above *grade*.

(4) A **Fascia Sign** may be located above the second **storey** provided:

- (a) the *sign* consists of individual letters, symbols or logos that are directly attached to the **building face**;
- (b) there is no more than one *sign* per **building face** above the second **storey**; and
- (c) the *sign area* does not exceed 2.5 per cent of the area formed by multiplying the clearance of the *sign* from *grade* by the width of the **building**.

- (8) In a **multi-residential district**, where the cumulative **gross floor area** of **commercial multi-residential uses** exceeds 930.0 square metres, the **commercial multi-residential uses** require 1.0 **loading stalls** per 9300.0 square metres of **gross floor area**.

Relaxations of Parking and Loading Stall Requirements

124 (1) For **uses** in **buildings** listed on the **City** inventory of potential heritage sites, the **Development Authority** may consider a relaxation of the minimum **motor vehicle parking stalls, visitor parking stalls, bicycle parking stall** and **loading stall** requirements. Consideration for relaxations must be based on:

- (a) satisfaction of the test for a relaxation referenced in section 31 or 36;
- (b) the existing ability of the site to accommodate **motor vehicle parking stalls, visitor parking stalls, loading stalls** and **bicycle parking stalls**; and
- (c) the number of **motor vehicle parking stalls, visitor parking stalls, loading stalls** and **bicycle parking stalls** to be relaxed.

5P2013

(2) The **Development Authority** may consider a relaxation in the **required motor vehicle parking stalls** and **visitor parking stalls** for **uses** when a transportation demand management measure is approved by the **Development Authority** and is required to be implemented as a condition in a **development permit**.

(3) Any approved transportation demand management measure must:

- (a) be sustainable throughout the term of the **development permit**; and
- (b) include requirements that must be incorporated into an approved plan or condition on a **development permit**.

(4) The **Development Authority** may consider a relaxation in the minimum required **motor vehicle parking stalls, visitor parking stalls, loading stalls** and **bicycle parking stalls** for a **development** when:

- (a) the test for a relaxation referenced in either section 31 or 36 is satisfied; and
- (b) the type of **use**, the size or shape of the **parcel**, or the topographical constraints present practical difficulties in accommodating the requirements of this Bylaw; when a relaxation is given for this reason, it and the reasons must be stated on the **development permit**; or

13P2018

- (c) an applicant submits a parking study, as part of a **development permit** application, that demonstrates that the **motor vehicle parking stall** requirement, **visitor parking stall** or **bicycle parking stall** requirement should be less than the requirements of this Bylaw due to unique site, location or **use** characteristics, and the conclusions of the study are considered acceptable by the **Development Authority**.
- (5) The **Development Authority** may consider a relaxation in the minimum required **motor vehicle parking stalls** and **pick-up and drop-off stalls** for a **School Authority – School** when:
- 9P2012 (a) the proposed **development** is an addition to a **School Authority – School building** existing on the effective date of this Bylaw; or
- 57P2009 (b) The proposed **development** is a new **School Authority – School building** proposed on a **parcel** designated as reserve land existing on the effective date of this Bylaw; and
- (c) in the opinion of the **Development Authority**, it would be difficult to provide the required **pick-up and drop-off stalls** due to the **parcel** configuration, area of a **parcel** and **frontage**.
- 5P2013 (6) The **Development Authority** may consider a relaxation of Section 116 where:
- (a) the test for a relaxation referenced in either Section 31 or 36 is satisfied;
- (b) the **development permit** identifies the locations of the minimum required stalls, including the mechanisms used to maintain the stalls for the duration of the **development**;
- (c) the stalls referenced in subsection (b) are signed or marked as being available for the **development**; and
- (d) all **parcels** forming part of the **development** are indicated on the same **development permit**.

Bicycle Parking Stalls

- 125 (1) **Bicycle parking stalls – class 1** must be located on hard surfaced areas.
- (2) **Bicycle parking stalls – class 2** may only be located in hard surfaced areas and in **hard surfaced landscaped areas**.
- (3) **Bicycle parking stalls** must not interfere with a pedestrian walkway.
- (4) **Bicycle parking stalls** must be separated from **motor vehicle parking stalls**, **visitor parking stalls** or **loading stalls** by 2.0 metres or a physical barrier.

PART 4: USES AND USE RULES

Division 1: General Provisions

Interpretation

32P2009

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

14P2010

Identification of Proposed Uses within a Development Permit Application

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

67P2008

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

Commencement of Development for a Development Permit Authorizing Multiple Uses

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

Rules for All Uses

- 133** (1) In addition to all of the **setback area** rules required by this Bylaw, the **Development Authority** must ensure that all the setback requirements contained within the *Subdivision and Development Regulation* are satisfied.
- (2) Unless otherwise specified in a District, the minimum number of required **motor vehicle parking stalls**, **visitor parking stalls**, **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** is the requirement specified in each **use** definition in this Part.
- (3) A change of **use** must satisfy the minimum **motor vehicle parking stall** requirement in effect for that **use** as of the date of the change of **use**.
- 12P2012 (4) A change of **use** is not required to provide any **bicycle parking stalls** or **loading stalls** where it occurs in a **building** that was legally constructed or approved.
- (5) A **building** may be constructed using **modular construction** methods but a **Manufactured Home** does not qualify as **modular construction**.

Uses Not Listed But Allowed in All Districts

- 134** (1) The following **uses** are **permitted uses** in all Districts, regardless of whether they are listed in the District:
- (a) **Motion Picture Filming Location**;
- 1P2009 (b) **Public Transit System**;
- 4P2012 (b.1) **Special Function – Class 1**; and
- 1P2009 (c) **Utilities – Linear**.
- 41P2009 (2) The following **uses** are **discretionary uses** in all Districts, regardless of whether they are listed in the District:

- | | | |
|-----|---|---------|
| (a) | Excavation, Stripping and Grading; | 16P2018 |
| (b) | Recyclable Construction Material Collection Depot (temporary); and | 16P2018 |
| (c) | Parking Lot – Structure for a Public Transit System. | 16P2018 |

Deemed Uses

32P2009

134.1 (1) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **General Industrial – Light use** when the *use* is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:

- (a) **Animal Feed Processor – Class 1;**
- (b) **Brewery and Distillery – Class 1;**
- (c) **Contractor’s Shop – Class 1;**
- (d) **Food and Beverage Processor – Class 1;**
- (e) **Health Services Laboratory – Without Clients;**
- (f) **Household Appliance and Furniture Repair Service;**
- (g) **Industrial Design and Testing – Inside;**
- (h) **Industrial Repair and Service – Inside;**
- (i) **Manufacturer – Class 1;**
- (j) **Printing, Publishing and Distributing; and**
- (k) **Warehouse – Storage Only.**

(2) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **General Industrial – Medium use** when the *use* is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:

- (a) **Animal Feed Processor – Class 2;**
- (b) **Brewery & Distillery – Class 2;**
- (c) **Contractor’s Shop – Class 2;**
- (d) **Food and Beverage Processor – Class 2;**
- (e) **Industrial Design and Testing – Outside;**
- (f) **Industrial Repair and Service – Outside; and**
- (g) **Manufacturer – Class 2.**

(3) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Specialized Industrial use** when the *use* is located in, or the Direct Control District references, the I-B or S-URP Districts:

- (a) **Industrial Design and Testing – Inside;**
- (b) **Industrial Repair and Service – Inside;**
- (c) **Manufacturer – Class 1;** and
- (d) **Health Services Laboratory – Without Clients.**
- (4) In any *development permit* or Direct Control District approved after the effective date of this Bylaw:
- (a) **Manufacturer – Class 3** is deemed to be the **General Industrial – Heavy use;**
- (b) **Instructional Facility – Inside** and **Instructional Facility – Outside** are deemed to be the **Instructional Facility use;**
- (c) **Large Vehicle Sales** is deemed to be the **Large Vehicle and Equipment Sales use;**
- (d) **Auto Wrecker** is deemed to be the **Salvage Yard use;**
- (e) **Recycling Plant** is deemed to be the **Salvage Yard use** when any part of the processes or functions related to the *use* are located outside of a *building*; and
- (f) **Recycling Plant** is deemed to be the **General Industrial – Light use** when all of the processes and functions associated with the *use* are contained within a fully enclosed *building*.
- 39P2010 (5) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Retail and Consumer Service use**:
- (a) **Beauty and Body Service;**
- (b) **Household Appliance and Furniture Repair Service;**
- (c) **Personal Apparel Service;**
- (d) **Photographic Studio;**
- (e) **Proshop;**
- (f) **Retail Store;** and
- (g) **Video Store**
- 24P2014 (6) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Backyard Suite use**:
- (a) **Secondary Suite – Detached Garage;** and
- (b) **Secondary Suite – Detached Garden.**
- 16P2018 (7) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, a **Beverage Container Drop-Off Depot** is deemed to be the **Recyclable Material Drop-Off Depot**.

- (c) *deleted* 16P2018
- (d) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**, and each required **motor vehicle parking stall**:
- (i) is for the exclusive use of the customers and employees of the **use**; and 16P2018
- (ii) must be signed as being for the exclusive use of the customers and employees of the **use**; 16P2018
- (iii) *deleted* 16P2018
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

149 “Auto Body and Paint Shop”

- (a) means a **use** where motor vehicle bodies are repaired or painted;
- (b) is a **use** within the Automotive Group in Schedule A to this Bylaw;
- (c) must not be located within 20.0 metres of a **residential district**, when measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (e) must have service bay doors oriented away from an **adjacent residential district**;
- (f) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;
- (g) may have activities associated with the **use**, auto parts, equipment, scrap, and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:
- (i) *deleted* 16P2018
- (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
- (iii) constructed of materials and to the standards required by the **Development Authority**;

- 13P2009 (h) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
- 13P2009 (i) *deleted*
- (j) *deleted*
- (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (l) does not require **bicycle parking stalls – class 1**; and
- (m) requires a minimum of 2.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

150 “Auto Service – Major”

- 67P2008, 71P2008, 44P2013, 29P2016 (a) means a **use**:
- (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are serviced and repaired in a **building**; and
- 67P2008 (ii) that is capable of servicing or repairing four or more motor vehicles at a time;
- 67P2008 (iii) *deleted*
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 67P2008 (c) *deleted*
- (d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;
- (e) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (f) must have service bay doors oriented away from an **adjacent residential district**;
- (g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;
- 47P2008 (h) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (i) may have activities associated with the **use**, equipment, scrap, auto parts and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:

- (i) *deleted* 16P2018
- (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
- (iii) constructed of materials and to the standards required by the **Development Authority**;
- (j) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
- (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (l) does not require **bicycle parking stalls – class 1**; and
- (m) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

151 “Auto Service – Minor”

- (a) means a **use**:
 - (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are serviced and repaired in a **building**; and 67P2008, 71P2008,
44P2013, 29P2016
 - (ii) where no more than three motor vehicles are capable of being serviced or repaired at a time; 67P2008
 - (iii) *deleted* 67P2008
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (b.1) must not have more than 200 square metres of floor area designated for the servicing of motor vehicles, excluding areas used for administration and storage; 67P2008,
16P2018
- (c) *deleted* 67P2008
- (d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;
- (e) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (f) must have service bay doors oriented away from an **adjacent residential district**;
- (g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;

- 47P2008 (h) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (i) may have activities associated with the **use**, auto parts, equipment, scrap, and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:
- 16P2018 (i) *deleted*
- (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
- (iii) constructed of materials and to the standards required by the **Development Authority**;
- (j) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
- (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (l) does not require **bicycle parking stalls – class 1**; and
- (m) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.
- 32P2009 **152** *deleted*
- 32P2010 **153** *deleted*
- 24P2014, 15P2016 **153.1 “Backyard Suite”**
- (a) means a **use** that:
- (i) contains two or more rooms used or designed to be used as a residence by one or more persons;
- (ii) contains a **kitchen**, living, sleeping and sanitary facilities;
- (iii) is located in a detached **building** located behind the front façade of the **main residential building**;
- (iv) may be attached to an **Accessory Residential Building**;
- (v) is considered part of and secondary to a **Dwelling Unit**;

- (vi) except as otherwise indicated in subsection (vii) and (viii), must be located on the same *parcel* as a **Contextual Single Detached Dwelling** or a **Single Detached Dwelling**;
- (vii) in the R-CG District must be located on the same *parcel* or *bare land unit* as a **Dwelling Unit** contained in a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Rowhouse Building, Semi-detached Dwelling, or a Single Detached Dwelling**; and 4P2017
- (viii) in the R-G and R-Gm Districts must be located on the same *parcel* as a **Dwelling Unit** in a **Rowhouse Building, Semi-detached Dwelling or a Single Detached Dwelling**;
- (b) is a *use* within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 *motor vehicle parking stalls*; and
- (d) does not require *bicycle parking stalls – class 1 or class 2*.

154 “Bed and Breakfast”

- (a) means a *use*: 27P2011
 - (i) where the provision of overnight accommodation is provided to guests, in a bedroom in a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Semi-detached Dwelling or Single Detached Dwelling** that is occupied by its owner or operator, who may also provide breakfast but no other meals to the guests; and
 - (ii) that must not provide liquor; 13P2008
- (b) is a *use* within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have a maximum of four guest bedrooms at any one time;
- (d) may not have more than one employee or business partner working on the parcel who is not a resident of the **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Semi-detached Dwelling or Single Detached Dwelling**; 27P2011
- (e) may provide meals to a guest only between the hours of 5:00 AM and 12:00 PM;
- (f) must not contain any cooking facilities in guest bedrooms;
- (g) must not display any *signs* on the *parcel*;
- (h) *deleted* 14P2010

27P2011

- (i) requires a minimum of 1.0 ***motor vehicle parking stalls*** per guest bedroom in addition to the required stalls for the **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Semi-detached Dwelling or Single Detached Dwelling** containing the *use*;
- (j) may provide a maximum of 2.0 ***motor vehicle parking stalls*** in tandem to other ***motor vehicle parking stalls*** located on the ***parcel***; and
- (k) does not require ***bicycle parking stalls – class 1 or class 2***.

37P2014, 16P2018 **155** *deleted*

155.1 “Beverage Container Quick Drop Facility”

37P2014

- (a) means a *use* where:
 - (i) bottles and other beverage containers are taken for return and reimbursement of the recycling deposit applied to the container at the time the beverage is purchased;
 - (ii) bottles and other beverage containers are removed from the site for storage or sorting;
 - (iii) reimbursement is done through direct deposit into a pre-registered account and no reimbursement of the recycling deposit occurs on-site; and
 - (iv) there is no sorting or long-term storage of bottles on-site;
- (b) is a *use* within the Industrial Support Group in Schedule A to this Bylaw;
- (c) when located within 300.0 metres to a *parcel* designated as a **residential district**, must:
 - (i) not have any outside storage of carts, bottles, other beverage containers, palettes, or cardboard boxes;
 - (ii) not allow for loading or the movement of recyclable material from the premise between the hours of 9:00pm-7:00am;
 - (iii) not have compaction of materials occurring outside of a **building**;
- (d) unless otherwise referenced in subsection (c):
 - (i) must provide total concealment, through a solid **screen** or **fence**, for any materials located outside of a **building**;
 - (ii) may be required to demonstrate how impacts such as debris, grocery carts, litter or recyclable material will be managed;
- (e) requires a minimum of 2.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

156 “Billiard Parlour”

- (a) means a *use*:
 - (i) where the primary function is the rental of billiard tables, pool tables or similar games tables to the public for a fee; and
 - (ii) that may include a maximum of three (3) mechanical or electronic games that are kept for the purpose of furnishing entertainment or amusement;
- (b) is a *use* within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 11.0 *motor vehicle parking stalls* per 100.0 square metres of *gross usable floor area*;
- (d) does not require *bicycle parking stalls – class 1*; and
- (e) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 250.0 square metres of *gross usable floor area*.

22P2016

156.1 “Brewery, Winery and Distillery

- (a) means a *use*:
 - (i) where beer, wine, spirits and other alcoholic beverages are manufactured;
 - (ii) that may have areas and facilities for the storage, packaging, bottling, canning and shipping of the products made;
 - (iii) that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a special event;
 - (iv) that may include the retail sale of products made on the premises for consumption off the premises;
 - (v) that may include a *public area* of 75.0 square metres or less where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises;
 - (vi) where the private hospitality area and the *public area* may be separate floor areas or may occur in the same floor area, but whether these activities are combined or separate the *public area* may not exceed the maximum in subsection (a)(v) unless combined with another *use* as contemplated in subsection (c);

159 “Bulk Fuel Sales Depot”

- (a) means a *use*:
 - (i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and
 - (ii) where the vehicles receiving fuel have a **gross vehicle weight** greater than 4536 kilograms; 54P2008, 44P2013,
29P2016
- (b) is a *use* within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

160 “Campground”

- (a) means a *use*:
 - (i) where spaces are provided for temporary accommodation in **recreational vehicles** or tents;
 - (ii) that may include a **building** for the administration of the *use*;
 - (iii) that may include laundry facilities for the occupants of the *use*; and
 - (iv) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Campground** as a *use*;
- (b) is a *use* within the Direct Control Uses Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

161 “Car Wash – Multi Vehicle”

- (a) means a *use*:
 - (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and 71P2008, 44P2013,
29P2016
 - (ii) where more than one vehicle may be washed at one time; 9P2012

- 47P2008 (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 47P2008 (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must provide at least five (5) vehicle stacking spaces for each wash bay entrance door;
- 9P2012 (e) must provide a drying area in the form of one (1) **motor vehicle parking stall** for each vehicle that can be accommodated by a wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
- (i) within the **building**; or
- (ii) within a **screened** enclosure that must be:
- 16P2018 (A) **deleted**
- (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
- (C) constructed of materials and to the standards required by the **Development Authority**;
- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**.

162 “Car Wash – Single Vehicle”

- (a) means a **use**:
- 44P2013, 29P2016 (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and
- 71P2008 (ii) that contains one wash bay, and this wash bay is only capable of washing one motor vehicle at a time;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 47P2008 (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;

- (d) must provide at least two (2) vehicle stacking spaces for the wash bay entrance door;
- (e) must provide a drying area in the form of a motor vehicle **parking stall** for the wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
 - (i) within the **building**; or
 - (ii) within a **screened** enclosure that must be:
 - (A) **deleted**
 - (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
 - (C) constructed of materials and to the standards required by the **Development Authority**;
- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**.

16P2018

163 “Catering Service – Major”

- (a) means a **use**:
 - (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises; and
 - (ii) where cooking equipment, refrigeration equipment and delivery vehicles are located within or outside of a **building**;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

54P2008

164 “Catering Service – Minor”

- (a) means a **use**:
 - (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises;

- (ii) that is entirely within a **building**; and
- (iii) that may only have delivery vehicles that are necessary for the operation of the **use**;

(b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;

54P2008

(c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and

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

17P2009

165 “Child Care Service”

(a) means a **use**:

(i) where temporary care and supervision is provided to seven or more children:

(A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and

(B) for periods of less than 24 consecutive hours;

(ii) that may provide programming for the social, creative, educational and physical development of children; and

16P2018

(iii) that includes day cares, pre-schools, kindergarten, out of school care and other programs where the primary purpose is the care of children;

(b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;

54P2008

(c) must have **screening** for any outdoor play areas;

(d) requires a minimum of 1.0 **motor vehicle parking stalls** per two (2) employees at the **use** at any given time, or 1.0 stalls per 10 children, whichever is greater;

(e) requires a minimum of 1.0 **pick-up and drop-off stalls** per 10 children;

(f) does not require **bicycle parking stalls – class 1**; and

(g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

166 “Cinema”

(a) means a **use** where motion pictures are viewed by the public, but does not include an **Adult Mini-Theatre**;

(b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;

- (iv) that must be approved only on a *parcel* designated as a Direct Control District that specifically includes **Firing Range** as a *use*;
- (b) is a *use* within the Direct Control Uses Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of **motor vehicle parking stalls**, based on a parking study required at the time of land use redesignation application.

195 “Fitness Centre”

- (a) means a *use*:
 - (i) where space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities; and
 - (ii) that may include the incidental sale of products relating to the service provided;
- (b) is a *use* within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 5.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

195.1 “Fleet Service”

32P2009

- (a) means a *use*:
 - (i) where vehicles used for the common purpose of providing transportation or services to persons or goods are stored, repaired, cleaned and otherwise maintained for safe operation when not in use;
 - (ii) where the vehicles may include buses, couriers, limousines, taxis or roadside assistance vehicles;
 - (iii) that may include the dispatch and administrative operations associated with the *use*; and
 - (iv) that does not involve the production, display, sale or rental of vehicles as part of the *use*;
- (b) is a *use* within the Automotive Service Group in Schedule A to this Bylaw;

- 16P2018 (c) must provide a stall for every vehicle stored on the *parcel*;
- 16P2018 (d) requires a minimum of 1.0 *motor vehicle parking stalls* per 100.0 square metres of *gross usable floor area* for the exclusive use of the customers and employees of the *use*, and these *motor vehicle parking stalls* must be signed as being for the exclusive use of the customers and employees of the *use*;
- 16P2018 (i) *deleted*
- 16P2018 (ii) *deleted*
- (e) does not require *bicycle parking stalls – class 1*; and
- (f) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 2000.0 square metres of *gross usable floor area*;
- 32P2009 **196** *deleted*
- 32P2009 **197** *deleted*
- 198** “Food Kiosk”
- (a) means a *use*:
- (i) where food and beverages are provided for immediate consumption;
- (ii) that must not have a seating area;
- (iii) that has a maximum *gross floor area* of 75.0 square metres;
- (iv) that may have a permanent foundation; and
- (v) that must not be combined with a **Drive Through**;
- (b) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 *motor vehicle parking stalls* per 100.0 square metres of *gross usable floor area*; and
- (d) does not require *bicycle parking stalls – class 1* or *class 2*.

206 “Hide Processing Plant”

- (a) means a *use*:
 - (i) where animal hides and other animal by-products are processed; and
 - (ii) must be approved only in a Direct Control District that specifically includes **Hide Processing Plant** as a *use*;
- (b) is a *use* within the Direct Control Uses Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of **motor vehicle parking stalls**, based on a parking study required at the time of land use redesignation application.

206.1 “Home Based Child Care – Class 1”

17P2009

- (a) means:
 - (i) an incidental *use* by a resident of a **Dwelling Unit** for the purpose of providing temporary care or supervision to a maximum of 6 children:
 - (A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
 - (B) for periods of less than 24 consecutive hours;
 - (ii) a *use* where no other person, other than a resident of the **Dwelling Unit**, works at the **Dwelling Unit** where the *use* is located;
- (b) is a *use* within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) must not be located in a **Dwelling Unit** containing another **Home Based Child Care – Class 1** or **Class 2**, or **Home Occupation – Class 2**;
- (c.1) must not display any **signs** related to the *use* on the **parcel**;
- (d) must have **screening** for any outdoor play areas;
- (e) does not require additional **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1** or **class 2**.

5P2013

206.2 “Home Based Child Care – Class 2”

17P2009

- (a) means:
 - (i) an incidental *use* by a resident of a **Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** for the purpose of

16P2018

providing temporary care or supervision to a maximum of 10 children:

(A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and

(B) for periods of less than 24 consecutive hours;

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

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

(c) must be located on a **parcel** with a **parcel width** equal to or greater than 9.0 metres;

16P2018

(d) may have an outdoor play area on the **parcel**, provided the outdoor play area is **screened** by a **fence**;

16P2018

(i) *deleted*

16P2018

(ii) *deleted*

(e) must not:

(i) locate play structures within an **actual front setback area**; and

(ii) display any **signs** related to the **use** on the **parcel**;

(f) requires a minimum of 1.0 **motor vehicle parking stalls** in addition to the **motor vehicle parking stalls** required for the **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;

(g) requires a minimum of 1.0 **pick-up and drop-off stalls**; and

(h) does not require **bicycle parking stalls – class 1 or class 2**;

67P2008, 14P2010,
9P2012

207 “Home Occupation – Class 1”

(a) means:

(i) the incidental **use** by a resident of a **Dwelling Unit** for business purposes; and

(ii) a **use** that meets all the rules of this section;

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

(c) may have a maximum of three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;

- (d) may only have residents of the **Dwelling Unit** work on the **parcel** where the **use** is located;
- (e) must not use the **private garage** or **Accessory Residential Building** for business related activities, except storage where:
 - (i) the storage does not impact a required **motor vehicle parking stall** related to other **uses** on the **parcel**; and
 - (ii) the **private garage** or **Accessory Residential Building** is fully enclosed;
- (f) is limited to a maximum of two (2) per **Dwelling Unit**, with a combined maximum of three (3) business associated vehicle visits per week, as described in section 207(c);
- (g) must not create electronic interference, dust, noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable to normal sensory perception, outside the **building** containing the **use**;
- (h) must not display any form of signage related to the **use** on the **parcel**;
- (i) must not advertise the address of the **use** to the general public;
- (j) may only occupy the lesser of 20.0 per cent of the cumulative floor area of the **Dwelling Unit**, or 30.0 square metres;
- (k) must not have any activities related to the **use** take place outside of a **Dwelling Unit**, which includes the outside storage of materials, tools, products or equipment except for storage as described in subsection (e);
- (l) may only have one (1) vehicle, associated with the **use**, provided that vehicle is not a **large vehicle**;
- (m) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the **use**;
- (n) does not require additional **motor vehicle parking stalls**; and
- (o) does not require **bicycle parking stalls – class 1 or class 2**.

208 “Home Occupation – Class 2”

14P2010, 9P2012

- (a) means the incidental **use** by a resident of a **Dwelling Unit** for business purposes;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have more than three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;

- (d) may only have one (1) non-residents of the **Dwelling Unit** work on the *parcel* where the *use* is located;
- (e) may use the *private garage* or **Accessory Residential Building** for business related activities, including storage;
- (f) is limited to one (1) per **Dwelling Unit**;
- (g) must not create electronic interference, dust, noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable to normal sensory perception, outside the *building* containing the *use*;
- (h) must not display any form of signage related to the *use* on the *parcel*;
- (i) must not advertise the address of the *use* to the general public;
- (j) may only occupy the lesser of 20.0 per cent of the cumulative floor area of the **Dwelling Unit**, or 30.0 square metres;
- (k) must not have any activities related to the *use* take place outside of a **Dwelling Unit**, which includes the outside storage of materials, tools, products or equipment;
- (l) may only have one (1) vehicle, associated with the *use*, provided that vehicle is not a *large vehicle*;
- 5P2013 (m) must not generate more than five (5) business associated vehicle visits to the *parcel* on any one day, to a maximum of 15 business associated vehicle visits per week;
- 5P2013, 44P2013 (n) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the *use*;
- 5P2013, 44P2013 (o) requires a minimum of 1.0 *motor vehicle parking stalls* in addition to the *motor vehicle parking stalls* required for the **Dwelling Unit** the *use* is located in, where the number of business associated vehicle visits per week exceeds three (3); and
- 44P2013 (p) does not require *bicycle parking stalls – class 1 or class 2*.

208.1 “Hospital”

14P2010

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

209 “Hotel”

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

67P2008, 20P2017

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

39P2012

210 *deleted*

- (c) must be a minimum distance of 150.0 metres from a **residential district**, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

221 “Large Vehicle and Equipment Sales”

- (a) means a **use** where **large vehicles** and equipment used in road construction, building construction, agricultural operations, oil and gas operations or other similar industries are sold, rented or leased; 14P2010
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have an outdoor speaker system;
- (d) may only store or display vehicles and equipment on portions of the **parcel** approved exclusively for storage or display;
- (e) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- (f) must provide a stall for every inventory vehicle on the **parcel**; 16P2018
- (g) must provide a designated storage area for all equipment stored on the **parcel**; 16P2018
- (h) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be signed as being for the exclusive use of the customers and employees of the **use**; 16P2018
 - (i) *deleted* 16P2018
 - (ii) *deleted* 16P2018
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

222 “Large Vehicle Service”

- 44P2013, 29P2016
- (a) means a **use** where vehicles with a **gross vehicle weight** greater than 4536 kilograms undergo maintenance and repair;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 9P2012
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

223 “Large Vehicle Wash”

- 44P2013, 29P2016
- (a) means a **use** where vehicles with a **gross vehicle weight** greater than 4536 kilograms are washed;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 47P2008
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must provide at least two (2) vehicle stacking spaces when the **use** only has one wash bay door;
- (e) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
- (i) within the **building**; or
- (ii) within a **screened** enclosure that:
- 16P2018
- (A) **deleted**
- (B) is located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties;
- (C) is constructed of materials and to the standards required by the **Development Authority**; and
- (D) is maintained in a state of repair and tidiness such that it does not become an eyesore or a hazard;
- (f) requires 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

249 “Park”

- (a) means a *use*:
 - (i) where open space is set aside for recreational, educational, cultural or aesthetic purposes; and
 - (ii) that may be improved for the comfort of park users;
- (b) is a *use* within the Infrastructure Group in Schedule A to this Bylaw;
- (c) may have washroom facilities; 13P2008
- (c.1) may have small sheds less than 10.0 square metres in **gross floor area** for park maintenance equipment and materials; 13P2008
- (d) may have a parking area, provided it is located a minimum of 3.0 metres from the nearest **property line**;
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1 or class 2**.

250 “Park Maintenance Facility – Large”

- (a) means a *use*:
 - (i) where equipment, vehicles or materials, that are for park maintenance, are stored;
 - (ii) where all **buildings** related to the *use* have a total **gross floor area** greater than 300.0 square metres; 13P2008
 - (iii) that may have **buildings** for storage or servicing of equipment; and
 - (iv) that may have **buildings** for the administrative functions associated with the *use*;
- (b) is a *use* within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must provide **screening** when piles or stacks of loose materials are stored on the **parcel**, and the **screening** must be equal in height to the stored materials;
- (d) must provide a berm with a maximum 3:1 slope, if the berm is used to satisfy the **screening** requirements referenced in subsection (c);
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1 or class 2**.

251 “Park Maintenance Facility – Small”

- (a) means a *use*:
 - (i) where equipment, vehicles or materials, for park maintenance, are stored;
 - (ii) *deleted*
 - (iii) where all *buildings* related to the *use* have a total *gross floor area* of 300.0 square metres or less;
 - (iv) that may have *buildings* for storage or servicing of equipment;
- (b) is a *use* within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must provide *screening* when piles or stacks of loose materials are stored on the *parcel*, and the *screening* must be equal in height to the stored materials;
- (d) must provide a berm with a maximum 3:1 slope, if the berm is used to satisfy the *screening* requirements referenced in subsection (c);
- (e) does not require *motor vehicle parking stalls*; and
- (f) does not require *bicycle parking stalls – class 1* or *class 2*.

252 “Parking Lot – Grade”

16P2018

13P2008

- (a) means a *use*:
 - (i) where motor vehicles are parked for vehicles for a short duration, independent of the provision of any other *use*; and
 - (ii) where vehicles are parked at *grade*;
- (b) is a *use* within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must provide landscaping as referenced in Part 7, Division 1 when the total surface area of the *use* is equal to or greater than 5000.0 square metres; and
- (d) requires a minimum number of *bicycle parking stalls – class 1* and *class 2* based on 2.5 per cent of the number of *motor vehicle parking stalls* provided.

252.1 Parking Lot - Grade (temporary)

51P2008, 75P2008

- (a) means a *use*:
- (i) where motor vehicles are parked for vehicles for a short duration independent of the provision of any other *use*; 16P2018
 - (ii) where vehicles are parked at *grade*; and
 - (iii) that must be approved on a temporary basis for a period of time not greater than three years;
- (b) is a *use* within the Infrastructure Group in Schedule A to this Bylaw;
- (c) may only have a *development permit* issued once on a *parcel*; and
- (d) must provide landscaping as referenced in Part 7, Division 1 when the total surface area of the *use* is equal to or greater than 5000.0 square metres.

253 “Parking Lot – Structure”

- (a) means a *use*:
- (i) where motor vehicles are parked for vehicles for a short duration, independent of the provision of any other *use*; and 16P2018
 - (ii) where a parking lot is designed for the parking of vehicles in tiers of floors; 13P2008
 - (iii) where all *buildings* related to the *use* have a total *gross floor area* of 300.0 square metres or less; 13P2008
- (b) is a *use* within the Infrastructure Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of *bicycle parking stalls – class 1* and *class 2* based on 2.5 per cent of the number of *motor vehicle parking stalls* provided.

254 “Pawn Shop”

- (a) means a *use*:
- (i) where money is lent in conjunction with the exchange of merchandise;
 - (ii) where the merchandise may be sold to the public according to the agreement with the owner of the merchandise; and

- 13P2008 (iii) where merchandise other than motor vehicles is contained entirely within a **building**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- 13P2008 (c) where the pawned merchandise includes motor vehicles:
- (i) may only be approved in a District where **Vehicle Sales – Major** or **Vehicle Sales – Minor** are listed **uses**; and
- 16P2018 (ii) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the **parcel**;
- 43P2015 (c.1) must not be located within 400.0 metres of any other **Pawn Shop**, measured from the closest point of a **Pawn Shop** to the closest point of another **Pawn Shop**;
- (d) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

43P2015

254.1 “Payday Loan”

- (a) means a **use** where the advancement of money with a principal of \$1,500 or less and term of 62 days or less is made in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature, but not for any guarantee, suretyship, overdraft protection or security on property, and not through a margin loan, pawnbrokering, a line of credit or a credit card;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not be located within 400.0 metres of any other **Payday Loan** or any other approved **use** for the activities described in subsection (a), when measured from the closest point of a **Payday Loan** to the closest point of another **Payday Loan** or any other approved **use** for the activities described in subsection (a);
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 100.0 square metres of **gross usable floor area**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 100.0 square metres of **gross usable floor area**.

- (b) is a use within the Infrastructure Group in Schedule A to this Bylaw;
- (c) is not required to meet the rules of any land use district;
- (d) does not require **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

271 “Race Track”

- (a) means a **use**:
 - (i) where animals and non-motorized vehicles are entered in competition against one another or against time;
 - (ii) that has tiers of seating or viewing areas for spectators;
 - (iii) that may involve gambling associated with the racing activity;
 - (iv) that may occur within or entirely outside of a **building**; and
 - (v) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Race Track** as a **use**;
- (b) is a **use** within the Direct Control Uses Group in Schedule A to this Bylaw;
- (c) when combined with other **uses**, must also have those **uses** included as a **use** in the Direct Control District; and
- (d) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application.

272 “Radio and Television Studio”

9P2012

- (a) means a **use** where radio, television, motion pictures, or audio performances are produced or recorded, and broadcast;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

273 “Recreational Vehicle Sales”

- (a) means a **use** where **recreational vehicles** are sold, leased or rented;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have an outdoor speaker system;
- (d) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (e) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- 16P2018 (f) must provide a stall for every inventory vehicle on the **parcel**;
- 16P2018 (g) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be signed as being for the exclusive use of the customers and employees of the **use**;
- 16P2018 (i) *deleted*
- 16P2018 (ii) *deleted*
- (h) does not require **bicycle parking stalls – class 1**; and
- (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

274 “Recreational Vehicle Service”

- (a) means a **use** where **recreational vehicles** undergo maintenance and repair;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

274.1 “Recyclable Construction Material Collection Depot (temporary)”

41P2009

- (a) means a *use*:
- (i) where recyclable waste materials from the construction of *buildings* on other *parcels* are stored temporarily prior to their removal and processing on a different *parcel*;
 - (ii) where the materials may be dimensional lumber, drywall, woody vegetation and shrubs, asphalt shingles, asphalt and concrete, scrap metal, plastics, wire, and cardboard, but must not include adhesives or sealants, aerosols, food, vegetable matter, motor vehicles or motor vehicle parts, tires, or petroleum and petroleum-based products;
 - (iii) that is not a landfill, waste disposal facility, or recycling plant for any materials or components of these materials;
 - (iv) where storage activities may occur either within or outside of a *building*;
 - (v) that may have limited equipment used for crushing, dismantling or moving the materials;
 - (vi) that does not involve the manufacture or assembly of any goods; and
 - (vii) that may have a temporary *building* for administrative functions associated with the *use*;
- (b) is a *use* within the Storage Group in Schedule A to this Bylaw;
- (c) may be approved for a period no greater than five (5) years;
- (d) must provide *screening* for any materials located outside of a building, that are within view of a *street*;
- (e) may store materials outside of a *building* provided that piles have a maximum height of 5.0 metres including any pallets, supports or other things the materials are stacked on;
- (f) does not require *motor vehicle parking stalls*; and
- (g) does not require *bicycle parking stalls – class 1 or class 2*.

41P2009

16P2018

274.2 “Recyclable Material Drop-Off Depot”

- (a) means a **use** where:
 - (i) bottles and other beverage containers are taken for return and reimbursement of the recycling deposit applied to the container at the time the beverage is purchased; or
 - (ii) other types of recyclable material, which do not require the refund of a deposit may be returned;
 - (iii) bottles, beverage containers, and other types of recyclable material may be sorted and stored on site; and
 - (iv) that does not include **Tire Recycling** or **Recyclable Construction Material Collection Depot (temporary)**;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) must not be a combined **use** with a **Liquor Store**;
- (d) when located within 300.0 metres to a **parcel** designated as a **residential district**, must:
 - (i) not have any outside storage of carts, bottles, other beverage containers, other recyclable material, palettes, or cardboard boxes;
 - (ii) not allow for loading or the movement of recyclable material from the premise between the hours of 9:00pm-7:00am;
 - (iii) not have compaction of materials occurring outside of a **building**;
- (e) unless otherwise referenced in subsection (d):
 - (i) must provide total concealment, through a solid **screen** or **fence**, for any materials located outside of a **building**;
 - (ii) may be required to demonstrate how impacts such as debris, grocery carts, litter or recyclable material will be managed;
- (f) requires a minimum of 2.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

275 *deleted*

32P2009

276 “Refinery”

- (a) means a *use* where crude oil, used motor oil or natural gas are processed;
- (b) is a *use* within the Direct Control Uses Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of *motor vehicle parking stalls* based on a parking study required at the time of land use redesignation application.

277 “Residential Care”

- (a) means a *use*:
 - (i) where social, physical or mental care is provided to five or more persons who live full time in the facility; and
 - (ii) that has at least one staff person at the facility at all times when at least one resident is within the facility;
- (b) is a *use* within the Care and Health Group in Schedule A to this Bylaw;
- (c) may have a maximum of 10 residents when located in a *low density residential district*;
- (d) requires a minimum of 1.0 *motor vehicle parking stalls* per three (3) residents; and
- (e) does not require *bicycle parking stalls – class 1 or class 2*.

24P2011

278 “Restaurant: Food Service Only – Large”

- (a) means a *use*:
- (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission;
 - (iii) that has a **public area** of 300.0 square metres or greater; and
 - (iv) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated by an intervening **street**;
- (d.1) must not be within 45.0 metres of a **residential district** when the *use* is located within the C-C2 and S-R Districts, which must be measured from the **building** containing the *use* to the nearest **property line** of a **parcel** designated as a **residential district**;
- (e) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of the **public area**.

9P2012

279 “Restaurant: Food Service Only – Medium”

- (a) means a *use*:
- (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission;
 - (iii) that has a **public area** greater than 75.0 square metres but less than 300.0 square metres; and
 - (iv) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by an intervening **street**;
- (d.1) must not be within 45.0 metres of a **residential district** when the *use* is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the **building** containing the *use* to the nearest **property line** of a **parcel** designated as a **residential district**;
- (e) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of the **public area**.

57P2008, 67P2008,
51P2008, 75P2008,
20P2017

280 “Restaurant: Food Service Only – Small”

- (a) means a *use*:
- (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission;
 - (iii) that has a **public area** of 75.0 square metres or less; and
 - (iv) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by an intervening **street**;
- (e) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of the **public area**.

281 “Restaurant: Licensed – Large”

- (a) means a *use*:
- (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time;
 - (iii) that has a **public area** of 300.0 square metres or greater; and
 - (iv) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;

15P2008

299 “Sign – Class A”

67P2008, 35P2011

- (a) means only the following *sign* types:
- (i) “**Address Sign**” which means a *sign* that identifies:
 - (A) the municipal address of a *building*;
 - (B) the name of a *building*;
 - (C) the name of a business or organization operating a *building*; or
 - (D) the name of any individuals occupying a *building*;
 - (ii) “**Art Sign**” which means a *sign* that is primarily an artistic rendering applied to or affixed to any exterior of a *building* and where less than 10.0 per cent of the area of the *sign* contains written *copy*;
 - (iii) “**Banner Sign**” which means a *sign* that is constructed of non-rigid material capable of being displayed without the use of a flag pole;
 - (iv) “**Construction Sign**” which means a *sign* that is displayed on a *parcel* undergoing construction, which identifies the party responsible for the management of a *parcel*, a person who is furnishing labour, services, materials or financing, or the future use of the *parcel*;
 - (v) “**Directional Sign**” which means a *sign* that guides, warns or restrains people or motor vehicles and may be freestanding on a permanent structure or attached to a *building*;
 - (vi) “**Election Sign**” which means a *sign* that:
 - (A) indicates support for a candidate in a Federal, Provincial or local election;
 - (B) sets out a position or information relating to an issue in an election; or
 - (C) provides information respecting an election;
 - (vii) “**Flag Sign**” which means a *sign* that is made of fabric or flexible material attached to or designed to be flown from a permanently constructed flagpole or light standard;
 - (viii) “**Gas Bar Sign**” which means a *sign* that is accessory to a **Gas Bar**, and which may advertise services or products stored outside of a *building* such as, but not limited to, windshield wiper fluid, motor vehicle oils, firewood, ice, air and propane;

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

33P2013

16P2018

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

35P2011

300 “Sign – Class B”

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

323 “Vehicle Rental – Major”

- (a) means a *use*:
 - (i) where passenger vehicles and light trucks are rented to the public;
 - (ii) where the ***gross vehicle weight*** of the vehicles rented is less than 8200 kilograms; and
 - (iii) where more than five (5) vehicles are available for rent;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) must provide 1.0 ***motor vehicle parking stalls*** for every inventory vehicle on the *parcel*; 16P2018
- (d) requires a minimum of 2.0 ***motor vehicle parking stalls*** per 100.0 square metres of ***gross usable floor area*** for the exclusive use of the customers and employees of the *use*, which must be signed as being for the exclusive use of the customers and employees of the *use*; 16P2018
 - (i) *deleted* 16P2018
 - (ii) *deleted* 16P2018
- (e) does not require ***bicycle parking stalls – class 1 or class 2***.

324 “Vehicle Rental – Minor”

- (a) means a *use*:
 - (i) where passenger vehicles and light trucks are rented to the public;
 - (ii) where the ***gross vehicle weight*** of the vehicles rented is equal to or less than 4536 kilograms; and 71P2008, 44P2013, 29P2016
 - (iii) where no more than five (5) vehicles are available for rent;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (b.1) must store rental vehicles within a ***building*** when the *use* is located in a ***mixed use district***; 20P2017
- (c) must provide 1.0 ***motor vehicle parking stalls*** for every inventory vehicle on the *parcel*; 16P2018
- (d) requires a minimum of 2.0 ***motor vehicle parking stalls*** per 100.0 square metres of ***gross usable floor area*** for the exclusive use of the customers and employees of the *use*, and these ***motor vehicle parking stalls*** must be signed as being for the exclusive use of the customers and employees of the *use*; 16P2018

- 16P2018 (i) *deleted*
- 16P2018 (ii) *deleted*
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

325 “Vehicle Sales – Major”

- (a) means a **use**:
- (i) where motor vehicles are sold or leased;
- 71P2008, 44P2013
29P2016 (ii) where six (6) or more vehicles, each with a **gross vehicle weight** equal to or less than 4536 kilograms, are available for sale or lease; and
- (iii) that may be combined with an **Auto Body and Paint Shop**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have more than 25.0 per cent of the **gross floor area** occupied by an **Auto Body and Paint Shop**;
- (d) must not have an outdoor speaker system;
- (e) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (f) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- 16P2018 (g) must provide 1.0 **motor vehicle parking stall** for every inventory vehicle on the **parcel**;
- 16P2018 (h) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be signed as being for the exclusive use of the customers and employees of the **use**;
- 16P2018 (i) *deleted*
- 16P2018 (ii) *deleted*
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

326 “Vehicle Sales – Minor”

- (a) means a *use*:
- (i) where motor vehicles are sold or leased; and
 - (ii) where no more than five (5) vehicles, each with a **gross vehicle weight** equal to or less than 4536 kilograms, are available for sale or lease; 71P2008, 44P2013
29P2016
 - (iii) *deleted* 71P2008
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) must not have an outdoor speaker system;
- (d) may only store or display vehicles on portions of the *parcel* approved exclusively for storage or display;
- (d.1) must store or display vehicles within a **building** when the *use* is located in a **mixed use district**; 20P2017
- (e) must only accept deliveries and offloading of vehicles within a designated area on the *parcel*;
- (f) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the *parcel*; 16P2018
- (g) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the *use*, and these **motor vehicle parking stalls** must be signed as being for the exclusive use of the customers and employees of the *use*; 16P2018
- (i) *deleted* 16P2018
 - (ii) *deleted* 16P2018
- (h) does not require **bicycle parking stalls – class 1**; and
- (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

327 “Vehicle Storage – Large”

- (a) means a *use*:
- (i) where motor vehicles with a **gross vehicle weight** greater than 4536 kilograms are stored when they are not in use; 32P2009, 44P2013
29P2016
 - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
 - (iii) that does not accommodate the storage of any equipment;

- (iv) that does not accommodate the storage of any **dilapidated vehicles**;
- (v) that may have a **building** for administrative functions associated with the **use**; and
- (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- 16P2018 (c) must provide 1.0 **motor vehicle parking stalls** for every vehicle stored on the **parcel**;
- 16P2018 (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be signed as being for the exclusive use of the customers and employees of the **use**;
- 16P2018 (i) *deleted*
- 16P2018 (ii) *deleted*
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

328 “Vehicle Storage – Passenger”

- (a) means a **use**:
 - (i) where motor vehicles with a **gross vehicle weight** of 4536 kilograms or less are stored when they are not in use;
 - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
 - (iii) that does not accommodate the storage of any equipment;
 - 10P2009 (iv) that does not accommodate the storage of any **dilapidated vehicles**;
 - (v) that may have a **building** for administrative functions associated with the **use**; and
 - (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- 16P2018 (c) must provide 1.0 **motor vehicle parking stalls** for every vehicle stored on the **parcel**;

- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be signed as being for the exclusive use of the customers and employees of the **use**; 16P2018
- (i) *deleted* 16P2018
- (ii) *deleted* 16P2018
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

329 “Vehicle Storage – Recreational”

- (a) means a **use**:
- (i) where **recreational vehicles** are stored when they are not in use; 32P2009
- (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
- (iii) that does not accommodate the storage of any equipment;
- (iv) that does not accommodate the storage of any **dilapidated vehicles**; 10P2009
- (v) that may have a **building** for administrative functions associated with the **use**; and
- (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every vehicle stored on the **parcel**; 16P2018
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be signed as being for the exclusive use of the customers and employees of the **use**; 16P2018
- (i) *deleted* 16P2018
- (ii) *deleted* 16P2018
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

330 “Veterinary Clinic”

- (a) means a *use*:
 - (i) where small animals or pets receive medical treatment; and
 - (ii) that may provide for the incidental sale of products related to the *use*;
- (b) is a *use* within the Agriculture and Animal Group in Schedule A to this Bylaw;
- (c) must only provide medical treatment to small animals or pets that have been bred and raised to live with, and are dependent on, people for care, food and shelter;
- (d) must not:
 - (i) have outside enclosures, pens, runs or exercise areas; or
 - (ii) store equipment, products or other things associated with the *use* outdoors;
- (e) must not allow animals to stay overnight, except for animals in the care of the *use* where overnight stays are necessary for medical observation or recovery of the animal;
- (f) requires a minimum of 3.0 *motor vehicle parking stalls* per 100.0 square metres of *gross usable floor area*;
- (g) does not require *bicycle parking stalls – class 1*; and
- (h) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 250.0 square metres of *gross usable floor area*.

39P2010 **331** *deleted*

32P2009 **332** *deleted*

333 “Waste Disposal and Treatment Facility”

- (a) means a *use*:
 - (i) where waste is collected or disposed and treated;
 - (ii) where waste may be stored permanently in piles open to the air or in pits covered with earth;
 - (iii) where waste may be stored temporarily in piles or inside structures before being transported to another location for treatment;
 - (iv) where waste may be treated in *buildings* and structures or areas open to the air; and

PART 5: LOW DENSITY RESIDENTIAL DISTRICTS

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

Projections Into Setback Areas

- 334** (1) Unless otherwise referenced in this Part, **buildings** must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this Part.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) **Patios** and wheelchair ramps may project without any limits into a **setback area**.
- (5) **Signs** located in a **setback area** must be in accordance with Part 3, Division 5.

Length of Portions of a Building in Setback Areas

- 335** (1) On each **storey**, the total combined length of all projections into any **setback area** must not exceed 40.0 per cent of the length of the façade. 47P2008
- (2) The maximum length of an individual projection into any **setback area** is 3.1 metres.
- (3) Subsections (1) and (2) do not apply to:
- (a) **decks**, eaves, ramps, and stairs when located in any **setback area**; and
- (b) a **private garage** attached to a **main residential building** when located in the **rear setback area**.

Projections Into Front Setback Area

- 336** (1) **Bay windows** and eaves may project a maximum of 0.6 metres into the **front setback area**.
- (2) **Landings**, ramps other than wheelchair ramps and stairs may project into a **front setback area** provided: 47P2008
- (a) they provide access to the main floor or lower level of the **building**; and
- (b) the area of a **landing** does not exceed 2.5 square metres.
- (3) *deleted* 47P2008

- (4) Window wells may project without limits into any **front setback area**.

47P2008, 67P2008

Projections Into Side Setback Area**337 (1) deleted**

67P2008

- (1.1) Portions of a **building** greater than or equal to 2.4 metres above **grade** may project a maximum of 0.6 metres into any **side setback area**.

67P2008, 27P2011,
40P2015

16P2018

- (1.2) Portions of a **building** less than 2.4 metres above **grade** may project a maximum of 0.6 metres into a **side setback area**:

(a) for a **Contextual Semi-detached Dwelling** and a **Semi-detached Dwelling**, only where the **side setback area** is on the **street** side of a **corner parcel**; and

(b) for all other **uses**:

16P2018

(i) when located on a **corner parcel**;

16P2018

(ii) where at least one **side setback area** is clear of all portions of the **building** measure from **grade** to a height of 2.4 metres; or

16P2018

(iii) where the **side setback area** contains a private maintenance easement required by this Bylaw and no portion of the **building** projects into the required private maintenance easement.

16P2018

- (1.3) Window wells may project a maximum of 0.8 metres into any **side setback area**.

47P2008

- (2) Window wells and portions of a **building**, other than eaves, must not project into a 3.0 metre **side setback area** required on a **laneless parcel**.

- (3) Eaves may project a maximum of 0.6 metres into any **side setback area**.

47P2008

(4) *deleted*

47P2008

- (5) **Landings**, ramps other than wheelchair ramps and stairs may project in a **side setback area** provided:

(a) they provide access to the main floor or lower level of the **building**;

(b) the area of a **landing** does not exceed 2.5 square metres;

67P2008

(c) the area of any portion of a **landing** that projects into the **side setback area** does not exceed 1.8 square metres;

(d) they are not located in a 3.0 metre **side setback area** required on a **laneless parcel**; and

(e) they are not located in a **side setback area** required to be clear of projections, unless pedestrian access from the front to the rear of the **parcel** is provided.

- | | | |
|------|--|---------------------|
| (6) | <i>deleted</i> | 47P2008 |
| (7) | <i>deleted</i> | 47P2008, 67P2008 |
| (8) | Any portion of a building that projects into a side setback area , other than eaves, landings , window wells, ramps and stairs, must not be located closer than 0.9 metres from the nearest front façade. | 47P2008 |
| (9) | Balconies and decks must not project into any side setback area . | 67P2008 |
| (10) | Central air conditioning equipment may project a maximum of 1.0 metres into a side setback area . | 67P2008,
16P2018 |
| (a) | <i>deleted</i> | 27P2011, 16P2018 |
| (b) | <i>deleted</i> | 16P2018 |

Projections Into Rear Setback Area

- 338** (1) Stairs, air conditioning equipment and window wells may project without limits into any **rear setback area**.
- (2) Awnings, **balconies**, **bay windows**, canopies, chimneys, **decks**, eaves, fireplaces, fire escapes, **landings**, **porches**, and ramps other than wheelchair ramps may project a maximum of 1.5 metres into any **rear setback area**. 47P2008
- (3) A **private garage** attached to a **building** may project without limits into a **rear setback area** provided it:
- (a) does not exceed 4.6 metres in **building height**;
- (b) does not exceed 75.0 square metres in **gross floor area**; 27P2011
- (c) has no part that is located closer than 0.60 metres to the **rear property line**; and
- (d) has no eave closer than 0.6 metres to a **side property line**.
- (4) When an attached **private garage** has a **balcony** or **deck**, the **balcony** or **deck** must not be located within 6.0 metres of a **rear property line** or 1.2 metres of a **side property line**.

Patios

- 338.1** (1) Unless otherwise referenced in subsections (2) and (3), a **privacy wall** may be located on a **patio**, provided it does not exceed a height of 2.0 metres when measured from the surface of the **patio**. 67P2008
- (2) A **privacy wall** located on a **patio** must not exceed 2.0 metres in height, when measured from **grade** and when the **privacy wall** is located within:
- (a) a **side setback area**; or
- (b) 6.0 metres of a **rear property line**.

- (3) A **privacy wall** located on a **patio** must not exceed 1.2 metres in height when measured from **grade** when the **privacy wall** is located between the foremost front façade of the **main residential building** and the **front property line**.

Decks

- 57P2008 **339 (1)** The height of a **deck** in the **Developing Area** must not exceed 0.3 metres above the main floor level of the closest **main residential building** on the **parcel**.
- 57P2008 **(2)** The height of a **deck** in the **Developed Area** must not exceed:
- (a) 1.5 metres above **grade** at any point, except where the **deck** is located on the same façade as the at-grade entrance to a **walkout basement**; and
- (b) 0.3 metres above the main floor level of the closest **main residential building** on the **parcel**.
- 67P2008, 3P2010 **(2.1)** Unless otherwise referenced in subsection (3), a **privacy wall** located on a **deck**:
- (a) must not exceed 2.0 metres in height when measured from the surface of the **deck**; and
- (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.
- 13P2008, 67P2008, 9P2012, 24P2014 **(3)** A **deck** attached to a **Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse Building or Townhouse** within 1.2 metres of a party wall must have a solid **privacy wall** that:
- (a) is a minimum of 2.0 metres in height;
- (b) is a maximum of 3.0 metres in height; and
- (c) extends the full depth of the **deck**.

Balconies

- 15P2016 **340 (1)** Unless otherwise referenced in this Part, an **open balcony** must not project more than 1.85 metres from the **building** façade to which it is attached.
- 15P2016 **(2)** Unless otherwise referenced in this Part, the floor area of a **recessed balcony** must not exceed 10.0 square metres.
- 67P2008 **(2.1)** Unless otherwise referenced in this Part, a **privacy wall** located on a **balcony**:
- (a) must not exceed 3.0 metres in height when measured from the surface of the **balcony**; and
- (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.

- (3) A **balcony** attached to a **Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse Building or Townhouse** within 1.2 metres of a party wall must have a solid **privacy wall** that: 13P2008, 67P2008, 9P2012, 24P2014
- (a) is a minimum of 2.0 metres in height;
 - (b) is a maximum of 3.0 metres in height; and
 - (c) extends the full depth of the **balcony**.
- (4) *deleted* 24P2014, 15P2016

Driveways

- 341 (1) A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
 - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (2) A driveway connecting a **street** to a **private garage** must: 9P2012
- (a) be a minimum of 6.0 metres in length along the intended direction of travel for vehicles and measured from:
 - (i) the back of the public sidewalk to the door of the **private garage**; or
 - (ii) a curb where there is no public sidewalk to the door of a **private garage**; and
 - (b) contain a rectangular area measuring 6.0 metres in length and 3.0 metres in width.
- (3) A driveway connecting a **lane** to a **private garage** must be a minimum of 0.60 metres in length along the intended direction of travel for vehicles, measured from the **property line** shared with the **lane** to the door of a **private garage**. 9P2012
- (4) Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or **motor vehicle parking stall** that is hard surfaced. 9P2012
- (5) That portion of a driveway, including a **motor vehicle parking stall**, within 6.0 metres of a public sidewalk, or a curb on a **street** where there is no public sidewalk, must not exceed a width of: 9P2012
- (a) 6.0 metres where the **parcel width** is 9.0 metres or less; or
 - (b) 7.0 metres where the **parcel width** is greater than 9.0 metres and less than 15.0 metres.

- 57P2008, 13P2011 (6) In the **Developed Area** a driveway accessing a **street** must not be constructed, altered or replaced except where:
- (a) it is located on a **laneless parcel**;
 - (b) it is located on a **laned parcel** and 50.0 per cent or more **parcels** on the same block face have an existing driveway accessing a **street**; or
 - (c) there is a legally existing driveway that it is not being relocated or widened.
- 13P2011 (7) A driveway constructed, altered or replaced in accordance with subsection (6) may be extended in length.
- 57P2008, 13P2011 (8) Where a **parcel** is the subject of **development**, the **Development Authority** must not require the removal of a legally existing driveway accessing a **street** even where the proposed **development** is a **discretionary use**.

Retaining Walls

- 16P2018 342 (1) A **retaining wall** must be less than 1.2 metres in height when measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest **grade** retained by the **retaining wall**.
- (2) A minimum horizontal separation of 1.0 metre must be maintained between **retaining walls** on the same **parcel**.

Fences

- 343 The height of a **fence** above **grade** at any point along a **fence** line must not exceed:
- (a) 1.2 metres for any portion of a **fence** extending between the foremost front façade of the **main residential building** and the **front property line**;
 - (b) 2.0 metres in all other cases; and
 - (c) 2.5 metres at the highest point of a gate that is not more than 2.5 metres in length.

Solar Collectors

- 343.1 (1) A **solar collector** may only be located on the wall or roof of a **building**.
- 68P2008 (2) A **solar collector** mounted on a roof with a pitch of less than 4:12, may project:
- (a) a maximum of 0.5 metres from the surface of a roof, when the solar collector is located 5.0 metres or less from a side property line, measured directly due south from any point along the **side property line**; and
 - (b) in all other cases, maximum of 1.3 metres from the surface of a roof.

- (b) 0.6 metres from a *side* or *rear property line* in all other cases.
- (2) The minimum *building setback* for an **Accessory Residential Building** that does not share a *side* or *rear property line* with a *street* may be reduced to zero metres when:
- (a) the **Accessory Residential Building** is less than 10.0 square metres *gross floor area*;
- (b) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an *adjacent parcel*; or
- (c) the owner of the *adjacent parcel* grants a 1.5 metre private maintenance easement that must:
- (i) be registered against the title of the *parcel* proposed for development and the title of the *adjacent parcel*; and
- (ii) include a 0.60 metre eave and footing encroachment easement.
- (3) An **Accessory Residential Building** must not be located in the *actual front setback area*.
- (4) A *private garage* on a *laneless parcel* may be located within the required 3.0 metre *side setback area*, except along the *street* side of a *corner parcel*.
- (5) The minimum distance between any façade of an **Accessory Residential Building** 10.0 square metres or more and a *main residential building* is 1.0 metres. 12P2010, 16P2018
- (6) The height of an **Accessory Residential Building** must not exceed:
- (a) 4.6 metres, measured from the finished floor of the *building*; 67P2008
- (b) 3.0 metres at any *eaveline*, when measured from the finished floor of the *building*; and
- (c) one *storey*, which may include an attic space that:
- (i) is accessed by a removable ladder;
- (ii) does not have windows;
- (iii) is used by the occupants of the *main residential building* for placement of personal items; and
- (iv) has a maximum height of 1.5 metres when measured from the attic floor to the underside of any rafter.

Restrictions on Use of Accessory Residential Building

- 346 (1) The finished floor of an **Accessory Residential Building**, other than a *private garage*, must not exceed 0.6 metres above *grade*.

- 24P2014 (2) An **Accessory Residential Building** must not be used as a **Dwelling Unit**, unless a **Backyard Suite** has been approved.
- (3) An **Accessory Residential Building** must not have a *balcony* or rooftop *deck*.
- 45P2015 (4) The area of a *parcel* covered by all **Accessory Residential Buildings** located on a *parcel*:
- (a) for a parcel containing a **Contextual Semi-detached Dwelling**, **Duplex Dwelling**, or a **Semi-detached Dwelling** that has yet to be subdivided, must not exceed the lesser of:
- (i) the **building coverage** of the *main residential building*; or
- (ii) 150.0 square metres; and
- (b) in all other cases, must not exceed the lesser of:
- (i) the **building coverage** of the *main residential building*; or
- (ii) 75.0 square metres; and
- 27P2011 (c) the calculation to determine the area of a *parcel* covered by **Accessory Residential Buildings** must not include any **Accessory Residential Buildings** with a cumulative **gross floor area** of 10.0 square metres or less.
- 3P2010, 45P2015 (5) All roof drainage from an **Accessory Residential Building** must be discharged onto the *parcel* on which the *building* is located.

Contextual Single Detached Dwelling

- 3P2010 347 (1) A **Contextual Single Detached Dwelling**:
- (a) must have:
- (i) a portion of the front façade, with an area less than or equal to 50% of the area of all front façades, recessed or projecting forward from the remaining façade that has a minimum dimension of:
- (A) 2.0 metres in width
- (B) 0.6 metres in depth; and
- (C) 2.4 metres in height; or
- (ii) a *porch* projecting from the front façade with a minimum dimension of:
- (A) 2.0 metres in width; and
- (B) 1.2 metres in depth;
- (b) must not have vehicular access from the *lane* to an attached **private garage**;
- 45P2015

- (i) a portion of a **street** facing façade of each **unit** recessed behind or projecting forward from the remainder of the **street** facing façade of that **unit**, with the projecting or recessed portion having a minimum dimension of:
 - (A) 2.0 metres in width;
 - (B) 0.3 metres in depth; and
 - (C) 2.4 metres in height; or
 - (ii) a **porch** that projects from a **street** facing façade a minimum dimension of:
 - (A) 2.0 metres in width; and
 - (B) 1.2 metres in depth;
 - (b) must have the main floor located above **grade** adjacent to the **building** to a maximum of 1.20 metres above **grade** for **street** facing façades;
 - (c) located on a **corner parcel** must have an exterior entrance which is visible from each **street** side of the **corner parcel**;
 - (d) must not have an attached **private garage**;
 - (e) must have a **motor vehicle parking stall** or **private garage** for each **Dwelling Unit** with direct, individual access to a **lane**;
 - (f) must not have windows on an exposed side façade of a **unit** that are located beyond the rear façade of a **contextually adjacent building** on an adjoining **parcel** unless:
 - (i) the window is located below the second **storey**;
 - (ii) the glass in the window is entirely obscured;
 - (iii) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; or
 - (iv) the façade that contains the window is setback a minimum of 4.2 metres from the **side property line**; and
 - (g) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres.
- (2) *deleted* 15P2016
- (3) Unless otherwise referenced in subsection (4) the maximum **building depth** of a **Rowhouse Building** that is a **permitted use** in the R-CG District is the greater of: 4P2017
- (a) 60.0 per cent of the **parcel depth**; or
 - (b) the **contextual building depth average**.

- 4P2017 (4) There is no maximum **building depth** for a **Rowhouse Building** located on a **corner parcel** in the R-CG District.
- 4P2017 (5) To be a **permitted use** in the R-CG District a **Rowhouse Building** must not be located on a **parcel** that contains more than one **main residential building**.

Visibility Setback

- 348 Within a **corner visibility triangle**, **buildings**, **fences**, finished **grade** of a **parcel** and vegetation must not exceed the lowest elevation of the **street** by more than 0.75 metres above lowest elevation of the **street**.

Roof Equipment Projection

- 349 (1) There is no vertical projection limit from the surface of a roof on a **building** for antennae, chimneys and wind powered attic ventilation devices.
- 68P2008 (2) Mechanical equipment may project a maximum of 0.3 metres from the surface of a roof on a **building**.

Private Maintenance Easements

- 350 A private maintenance easement, provided pursuant to this Bylaw, must require the easement area be kept free of all **buildings**, structures and objects that would prevent or restrict the easement being used for the purpose of **building** maintenance.

12P2010, 24P2014

Secondary Suite

- 351 (1) For a **Secondary Suite** the minimum **building setback** from a **property line**, must be equal to or greater than the minimum **building setback** from a **property line** for the **main residential building**.
- 23P2016 (2) Except as otherwise stated in subsections (2.1) and (3), the maximum floor area of a **Secondary Suite**, excluding any area covered by stairways and **landings**, is 100.0 square metres:
- (a) in the R-C1Ls, R-C1s, R-C1N, R-1s and R-1N Districts; or
- (b) when located on a **parcel** with a **parcel width** less than 13.0 metres
- 23P2016, 4P2017 (2.1) There is no maximum floor area for a **Secondary Suite** wholly located in a **basement**. Internal landings and stairways providing access to the **basement** may be located above **grade**.
- (3) The maximum floor area of a **Secondary Suite** may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.
- (4) A **Secondary Suite** must have a **private amenity space** that:
- 16P2018 (a) is located outdoors; and
- 16P2018 (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres.

- (c) *deleted* 16P2018
- 351.1** *deleted* 12P2012, 24P2014
- Backyard Suite** 12P2012, 24P2014
- 352** (1) For a **Backyard Suite**, the minimum **building setback** from a **rear property line** is:
- (a) 1.5 metres for any portion of the **building** used as a **Backyard Suite**; and
- (b) 0.6 metres for any portion of the **building** used as a **private garage**.
- (2) Unless otherwise specified in the district, for a **Backyard Suite**, the minimum **building setback** from a **side property line** is 1.2 metres for any portion of the **building** used as a **Backyard Suite**.
- (3) A minimum separation of 3.0 metres is required between the closest façade of the **main residential building** to the closest façade of a **Backyard Suite**.
- (4) The maximum **building height** for a **Backyard Suite** is 7.5 metres.
- (5) The maximum floor area of a **Backyard Suite**, excluding any area covered by stairways and **landings**, is 75.0 square metres.
- (6) The maximum floor area of a **Backyard Suite** may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.
- (7) A **Backyard Suite** must have a **private amenity space** that:
- (a) is located outdoors; and 16P2018
- (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres. 16P2018
- (c) *deleted* 16P2018
- Secondary Suite – Outdoor Private Amenity Space** 12P2010, 24P2014
- 353** *deleted*
- Accessory Suite – Density** 12P2010, 24P2014
- 354** (1) Unless otherwise referenced in subsection (4), there must not be more than one **Secondary Suite** or **Backyard Suite** located on a parcel. 4P2017
- (2) Unless otherwise referenced in subsection (4), a **Secondary Suite** and a **Backyard Suite** must not be located on the same **parcel**. 4P2017
- (3) A **Secondary Suite** or a **Backyard Suite** must not be separated from the main residential use on a **parcel** by the registration of a condominium or subdivision plan. 23P2016
- (4) In the R-CG District, one **Backyard Suite** or one **Secondary Suite** may be located on a **bare land unit** containing a **Dwelling Unit**. 4P2017

Secondary Suite – Entry and Stairways

12P2010 **355** *deleted*

Secondary Suite – Building Height

12P2010, 24P2014 **356** *deleted*

Parcels Deemed Conforming

9P2012 **357** Where a *parcel* is legally existing or approved prior to the effective date of this Bylaw and the *parcel width*, *parcel depth* or the area of the *parcel* is less than the minimum required in a district the *parcel* is deemed to conform to the minimum requirement of this Bylaw provided that the *use* of the *parcel* is not being intensified.

Dwellings Deemed Conforming

- 5P2013 **358** (1) *Decks* greater than 1.5 metres in height, *landings*, *retaining walls* and window wells that are legally existing or approved prior to the effective date of this Bylaw are deemed to conform with the requirements of this Bylaw.
- 27P2011 (2) When a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** has been constructed in accordance with this Bylaw, and is located in a *Developed Area*, the maximum *building height*, minimum *building setback* from a *front property line* and maximum *building depth* determined at the time of the *development* are the requirements until further *development* occurs on the *parcel*.
- 53P2008 (3) The *building setback* from the *front property line* for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw if:
- (a) the **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw;
 - (b) the *building setback* from the *front property line* is:
 - (i) a minimum of 6.0 metres for the R-C1L or R-C1Ls districts; or
 - (ii) a minimum of 3.0 metres for any other *residential district*; and
 - (c) the *main residential building*:
 - (i) has not been added to after the effective date of this Bylaw; or
 - (ii) has been added to after the effective date of this Bylaw and the addition complies with the requirements specified in this Bylaw for a *building setback* from the *front property line*.
- 67P2008

- (d) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.
- (7) Unless otherwise referenced in subsection (8), for a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in section 337(3), located within 3.0 metres of:
- (a) the back of the public sidewalk; or
- (b) the curb where there is no public sidewalk.
- (8) Where a **corner parcel** shares a **side property line** with a **street** and the **parcel** existed prior to the effective date of this Bylaw, the minimum **building setback** from that **side property line** is 1.2 metres.
- (9) The **building setback** from a **side property line** of 3.0 metres required in subsection 2(b) may be reduced to zero metres where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** registers, against both titles, a private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
- (b) that provides unrestricted vehicle access to the rear of the **parcel**.

Building Setback from Rear Property Line

15P2016

- 540 (1) Unless otherwise referenced in subsections (2) or (3) the minimum **building setback** from a **rear property line** is 7.5 metres.
- (2) For a **Rowhouse Building** on a **corner parcel**, the minimum **building setback** from a **rear property line** is 1.5 metres.
- (3) For a **cottage building** the minimum **building setback** from a property line shared with a **lane** is 1.5 metres.

Building Height

15P2016

- 541 (1) For a **Contextual Semi-detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and a **Single Detached Dwelling**, the maximum **building height** is the greater of:
- (a) 8.6 metres; or
- (b) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres.

- (2) For a **Rowhouse Building**:
- (a) Unless otherwise referenced in subsection (b), the maximum **building height** is 11.0 metres.
 - (b) The maximum **building height** within 4.2 metres of a **side property line** that is shared with another **parcel** that is designated with a **low density residential district** other than R-CG is the greater of:
 - (i) 8.6 metres;
 - (ii) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres; or
 - (iii) the **building height** of the **contextually adjacent building** at the shared **side property line**, to a maximum of 11.0 metres; and
 - (c) The maximum area of a horizontal cross section through a **building** at 9.5 metres above **average grade** must not be greater than 75.0 per cent of the maximum area of a horizontal cross section through the **building** between **average grade** and 8.6 metres.
- (3) The maximum **building height** for a **cottage building** is 8.6 metres.
- (4) For all other **uses**, the maximum **building height** is 10.0 metres

16P2018

15P2016

Outdoor Private Amenity Space

- 542 (1) For a **Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling** and a **Single Detached Dwelling**, each **unit** must have direct access to **private amenity space** that:
- (a) is provided outdoors;
 - (b) has a minimum total area of 20.0 square metres;
 - (c) may be divided over a maximum of two **amenity spaces** where:
 - (i) one **amenity space** has no dimension less than 3.0 metres; and
 - (ii) the second **amenity space** has a minimum contiguous area of 7.5 square metres with no dimension less than 1.5 metres; and
 - (d) is not located in the **actual front setback area**.

- (5.1) For a *parcel* containing a **Single Detached Dwelling** one *building setback* from a *side property line* may be reduced to 0.6 metres where:
- (a) the owner of the *parcel* proposed for *development* and the owner of the *adjacent parcel* register, against both titles, private maintenance easements with a minimum combined width of 1.5 metres;
 - (b) eaves are setback a minimum of 0.45 metres from any *property line*; and
 - (c) all roof drainage from the *building* is discharged through eavestroughs and downspouts onto the *parcel* on which the *building* is located.
- (6) For a **Backyard Suite, Rowhouse Building** or **Semi-detached Dwelling** there is no requirement for a *building setback* from the *property line* on which a party wall is located that separates two or more **Dwelling Units** or **Backyard Suites**.

Building Setback from Rear Property Line

- 547.12 (1) Unless otherwise referenced in subsections (2), (3) or (4) the minimum *building setback* from a *rear property line* is 7.5 metres.
- (2) On a *laneless parcel* the minimum *building setback* from a *rear property line* is 5.0 metres where all the required *motor vehicle parking stalls* are provided in a *private garage*.
- (3) The minimum *building setback* from a *rear property line* shared with a *carriage house lot* is 1.2 meters where all the required *motor vehicle parking stalls* are provided in a *private garage*.
- (4) On a *laned parcel* the minimum *building setback* from a *rear property line* shared with a *lane* is 0.6 metres where all the required *motor vehicle parking stalls*:
- (a) are provided in a *private garage*; and
 - (b) have direct, individual access to the *lane*.
- (5) For a *development* subject to subsection (4) the provisions referenced in section 338 regarding projections into the *rear setback area* do not apply.
- (6) For a *development* subject to subsection (4) eaves may project 0.3 metres into the *rear setback area*.

Building Height

- 547.13 (1) Unless otherwise referenced in subsection (2), the maximum *building height* is 12.0 metres.
- (2) The maximum height of a **Backyard Suite** on a *laned parcel* is 10.0 metres.

Outdoor Private Amenity Space

- 547.14 (1)** Unless otherwise referenced in subsection (2) or (3), for a **Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling** or a **Single Detached Dwelling**, each *unit* must have direct access to *private amenity space* that:
- (a) is provided outdoors;
 - (b) is not used for vehicle access or as a *motor vehicle parking stall*;
 - (c) is not located in the *building setback* area between the front *property line* and a line parallel to the *front property line* measured at the closest *building setback* from the *front property line*;
 - (d) has a minimum total area of 22.0 square metres; and
 - (e) has no dimension of less than 3.0 metres.
- (2)** Unless otherwise referenced in subsection (3), for a **Duplex Dwelling, Rowhouse Building** or a **Semi-detached Dwelling** located on *parcel* designated R-Gm, each *unit* must have direct access to *private amenity space* that:
- (a) is provided outdoors;
 - (b) is not used for vehicle access or as a *motor vehicle parking stall*;
 - (c) is not located in the *building setback* area between the *front property line* and a line parallel to the *front property line* measured at the closest *building setback* from the front *property line*;
 - (d) has a minimum total area of 15.0 square metres; and
 - (e) has no dimension of less than 2.0 metres.
- (3)** For a **Semi-detached Dwelling** or a **Single Detached Dwelling** located on *carriage house lot*, each *unit* must have direct access to *private amenity space* that:
- (a) is provided outdoors;
 - (b) is not used for vehicle access or as a *motor vehicle parking stall*;
 - (c) has a minimum total area of 15.0 square metres; and
 - (d) has no dimension of less than 2.0 metres.

Balconies

547.15 The rules of subsections 340(1) and 340(2) regarding *balcony size* do not apply to a *balcony* located entirely on the roof of the first or second *storey* of the *main residential building* or a *private garage* attached to the *main residential building*.

Driveways

547.16 In addition to the rules regarding driveways in section 341 the combined width of all driveways accessing a *street* must not be wider than the *parcel width* less 3.0 metres.

- (a) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an *adjacent parcel*; or
- (b) the owner of the *adjacent parcel* grants a 1.5 metre private maintenance easement that must:
 - (i) be registered against the title of the *parcel* proposed for development and the title of the *adjacent parcel*; and
 - (ii) include a 0.60 metre footing encroachment easement.

Objects Prohibited or Restricted

- 564** (1) A *recreational vehicle* must not remain in an *actual front setback area* for longer than 24 hours.
- (2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an *actual front setback area*, except while engaged in loading or unloading.
- (3) A *dilapidated vehicle* must not remain outside of a *building*.
- (4) A *large vehicle* must not remain on a *parcel*, except while engaged in loading or unloading.
- (5) A satellite dish antenna greater than 1.0 metre in diameter must not:
- (a) be located in an *actual front setback area* or in an *actual side setback area* of a *corner parcel*;
 - (b) be located higher than 3.0 metres from *grade*; and
 - (c) be illuminated.
- (6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter, when the applicant demonstrates:
- (a) compliance with subsection (5) would prevent signal reception; and
 - (b) the satellite dish will be located and screened to the satisfaction of the *Development Authority*.
- (7) *deleted*

43P2016

Driveway Length and Parking Areas

- 565** (1) A driveway must not have direct access to a *major street* unless:
- (a) there is no practical alternative method of vehicular access to the *parcel*; and
 - (b) a turning space is provided on the *parcel* to allow all vehicles exiting to face the *major street*.

- (2) A driveway connecting to a **street** must:
- (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
 - (b) be a minimum of 3.0 metres in width.
- (3) A driveway connecting to a **lane** must:
- (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and
 - (b) be located between the **property line** shared with a **lane** and the vehicular entrance of the **private garage**.
- 9P2012, 16P2018 (4) Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or a **motor vehicle parking stall** that is hard surfaced.

Garbage

566 (1) Garbage containers and waste material must be stored either:

- (a) inside a **building**; or
- (b) in a garbage container enclosure approved by the **Development Authority**.

41P2009

(2) A garbage container enclosure:

- (a) must not be located between a **building** and a public **street**; and
- (b) unless specified in subsection (3) must not be located in a **setback area**.

41P2009

(3) Where the **main residential building** is a **Multi-Residential Development** a garbage container enclosure may be located in a **setback area** from another **parcel** provided that:

- (a) the wall of the enclosure is constructed of maintenance free materials; and
- (b) there is no overhang of eaves onto an **adjacent parcel** or **lane**.

Recycling Facilities

567 Recycling facilities must be provided for every **Multi-Residential Development**.

Mechanical Screening

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

Visibility Setback

- 569** Within a **corner visibility triangle**, **buildings**, **fences**, finished **grade** of a **parcel** and vegetation must not be located between 0.75 metres and 4.60 metres above the lowest elevation of the **street**. 13P2008

Retaining Walls

- 570** (1) A **retaining wall** must be less than 1.2 metres in height when measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest grade retained by the **retaining wall**. 16P2018
- (2) A minimum horizontal separation of 1.0 metres must be maintained between **retaining walls** on a **parcel**:
- (a) in the case of **Multi-Residential Development – Minor**; and
 - (b) for all other **developments**, within 3.0 metres of a **property line**.

Fences

- 571** The height of a **fence** above **grade**, at any point along a **fence** line, must not exceed:
- (a) 1.2 metres for that portion of the **fence** extending beyond the foremost portion of all **buildings** on the **parcel**;
 - (b) 2.0 metres for that portion of the **fence** that does not extend beyond the foremost portion of all **buildings** on the **parcel**; and 68P2008
 - (c) 2.5 metres to the highest point of a gateway, provided that the gateway does not exceed 2.5 metres in length.

Solar Collectors

- 571.1** (1) A **solar collector** may only be located on the wall or roof of a **building**.
- (2) A **solar collector** mounted on a roof with a pitch of less than 4:12:
- (a) may project a maximum of 2.0 metres from the surface of the roof; and
 - (b) must be located at least 1.0 metres from the edge of the roof.
- (3) A **solar collector** mounted on a roof with a pitch of 4:12 or greater:
- (a) may project a maximum of 1.3 metres from the surface of the roof; and
 - (b) must not extend beyond the outermost edge of the roof.

- 67P2008 (4) A **solar collector** that is mounted on a wall:
- (a) must be located a minimum of 2.4 metres above **grade**; and
 - (b) may project a maximum of 0.6 metres from the surface of that wall.

43P2016 **Skateboard and Sports Ramps**

571.2 (1) All **skateboard and sports ramp** structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.

(2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).

16P2018 (3) The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.

(4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.

(5) There must only be one **skateboard and sports ramp** envelope per **parcel**.

(6) All **skateboard and sports ramps** structures must be located between the rear façade of the **main residential building** and the **rear property line**.

(7) The height of a **skateboard and sports ramp** at any point is measured from **grade**.

(8) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **side property line**.

(9) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **rear property line**.

(10) A **skateboard and sports ramp** must not be attached to a **deck**, another structure, **fence**, or **building** such as, but not limited to, a **main residential building**, **Backyard Suite** or **Accessory Residential Building**.

16P2018 (11) Notwithstanding sections 550, 551, and 557, **skateboard and sports ramps** may be included in the calculation of **landscaped area**, **hard surfaced landscaped area**, **soft surfaced landscaped area** or **common amenity space**.

- (3) Where a *parcel* shares a *property line* with a *street* or a *parcel* designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 4.0 metres of that shared *property line*.
- (4) Where a *parcel* shares a *property line* with a *lane* or a *parcel* designated as a *low density residential district*, M-CG, M-C1, M-G, M-1, or M-X1 District, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 6.0 metres of that shared *property line*.
- (5) Where a *parcel* shares a *property line* with a *parcel* designated as a *commercial, industrial* or *special purpose district*, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 1.2 metres of that shared *property line*.

Rules for Commercial Multi-Residential Uses

- 645 (1) *Commercial multi-residential uses* must:
- (a) be located on the floor closest to *grade* of a *main residential building*; 7P2011
 - (b) be contained completely within the *building* with the exception of **Outdoor Café uses**; 16P2018
 - (c) not be located above any **Dwelling Unit**;
 - (d) not share an internal hallway with **Dwelling Units**; and
 - (e) have a separate exterior entrance from that of the **Dwelling Units**.
- (2) *deleted* 7P2011
- (3) The maximum *use area* for each *commercial multi-residential use* is 300.0 square metres.
- (4) Parking areas for *commercial multi-residential uses* must:
- (a) be separated from residential parking areas;
 - (b) provide pedestrian access to the *commercial multi-residential uses*; and
 - (c) be located a minimum distance of 5.0 metres from a *parcel* designated as a *low density residential district*, in the case of a surface parking area.

Building Height

7P2011

- 655** (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum **building height** is 50.0 metres.
- (2) The maximum **building height** for **parcels** designated M-H2 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres, which must be less than 50.0 metres.
- (3) Where a **parcel** shares a **property line** with a **street** or a **parcel** designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum **building height** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from **grade** within 4.0 metres of that shared **property line**.
- (4) Where a **parcel** shares a **property line** with a **lane**, the maximum **building height** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from **grade** within 6.0 metres of that shared **property line**.
- (5) Where a **parcel** shares a **property line** with a **parcel** designated as a **commercial, industrial** or **special purpose district**, the maximum **building height** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from **grade** within 1.2 metres of that shared **property line**.

Rules for Commercial Multi-Residential Uses

- 656** (1) Unless otherwise referenced in subsection (2), **commercial multi-residential uses** must: 7P2011
- (a) be contained completely within the **building** with the exception of **Outdoor Café uses**; 16P2018
- (b) be located on the floor closest to **grade** of a **main residential building**; and
- (c) not share a hallway with **Dwelling Units**.
- (2) A **Counselling Service, Information and Service Provider, Office** or **Service Organization** may be located on the second **storey** of the **main residential building** provided they: 7P2011
- (a) are contained completely within the **building**; and
- (b) do not share a hallway with **Dwelling Units**.
- (3) The maximum **use area** for each **commercial multi-residential use** is 300.0 square metres.
- (4) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas; and
- (b) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district** in the case of a surface parking area.

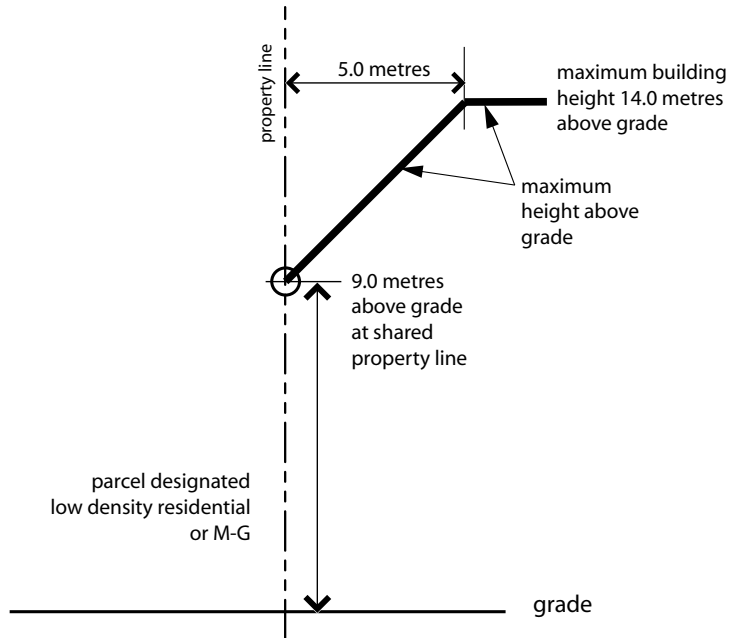
- (2) The maximum **building height** is 10.0 metres from **grade**:
- (a) within 4.0 metres of a **property line** shared with a **street** or with a **parcel** designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District;
 - (b) within 6.0 metres of a **property line** shared with a **lane**; and
 - (c) within 1.2 metres of a **property line** shared with a **parcel** designated as a **commercial, industrial** or **special purpose district**.

Rules for Commercial Multi-Residential Uses

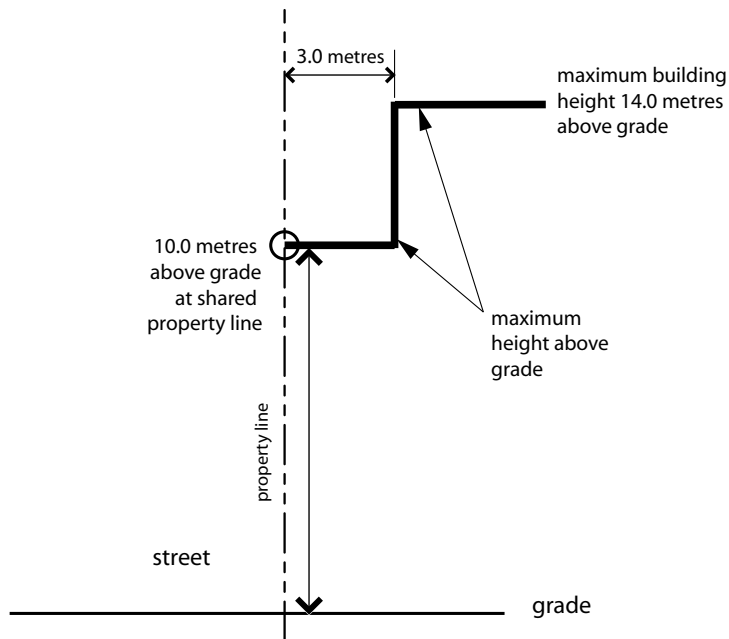
- 667** (1) Unless otherwise referenced in subsection (2), **commercial multi-residential uses** must: 7P2011
- (a) be contained completely within the **building** with the exception of **Outdoor Café uses**; 16P2018
 - (b) be located on the floor closest to **grade** of a **main residential building**; and
 - (c) not share a hallway with **Dwelling Units**.
- (2) A **Counselling Service, Information and Service Provider, Office** or **Service Organization** may be located on the second **storey** of the **main residential building** provided they: 7P2011
- (a) are contained completely within the **building**; and
 - (b) do not share a hallway with **Dwelling Units**.
- (3) The maximum **use area** for each **commercial multi-residential use** is 300.0 square metres.
- (4) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas; and
 - (b) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district** in the case of a surface parking area.

Illustration 8:
Building Height in the Multi-Residential – Low Profile Support
Commercial (M-X1) District

Subsection 676(2)



Subsection 676(3)



Rules for Commercial Multi-Residential Uses

- 7P2011 **677** (1) All **Multi-Residential Development** must have a minimum of 300.0 square metres to accommodate **commercial multi-residential uses**.
- (2) **Commercial multi-residential uses** must:
- 7P2011 (a) be located on the floor closest to **grade** of a **main residential building**;
- 16P2018 (b) be contained completely within the **building** with the exception of **Outdoor Café uses**;
- (c) not be located above any **Dwelling Unit**;
- (d) not share an internal hallway with **Dwelling Units**; and
- (e) have a separate exterior entrance from that of the **Dwelling Units**.
- 7P2011 (3) *deleted*
- (4) The maximum **use area** for each **commercial multi-residential use** is 300.0 square metres.
- (5) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas;
- (b) provide pedestrian access to the **commercial multi-residential uses**; and
- (c) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district** in the case of a surface parking area.

Rules for Commercial Multi-Residential Uses

- 688** (1) All **Multi-Residential Development** must have a minimum of 300.0 square metres to accommodate **commercial multi-residential uses**. 7P2011
- (2) **Commercial multi-residential uses** must:
- (a) be located on the floor closest to **grade** of a **main residential building**; 7P2011
 - (b) be contained completely within the **building** with the exception of **Outdoor Café uses**; 16P2018
 - (c) not be located above any **Dwelling Unit**;
 - (d) not share an internal hallway with **Dwelling Units**; and
 - (e) have a separate exterior entrance from that of the **Dwelling Units**.
- (3) *deleted* 7P2011
- (4) The maximum **use area** for each **commercial multi-residential use** is 300.0 square metres.
- (5) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas;
 - (b) provide pedestrian access to the **commercial multi-residential uses**; and
 - (c) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district** in the case of a surface parking area.

Discretionary Uses

- 740 (1)** *Uses* listed in subsection 739(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 1 District.
- (2)** *Uses* listed in subsection 739(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Community 1 District:
- (a) Addiction Treatment;**
 - (b) Amusement Arcade;**
 - (c) Artist’s Studio;**
 - (c.1) Assisted Living;** 24P2011
 - (d) Auto Service – Minor;**
 - (d.1) *deleted*** 37P2014, 16P2018
 - (d.2) Beverage Container Quick Drop Facility;** 37P2014
 - (e) Billiard Parlor;**
 - (e.1) Brewery, Winery and Distillery;** 22P2016
 - (f) Car Wash – Single Vehicle;**
 - (g) Child Care Service;**
 - (h) Computer Games Facility;**
 - (i) Custodial Care;**
 - (j) Drinking Establishment – Small;**
 - (k) Drinking Establishment – Medium;**
 - (l) Drive Through;**
 - (m) Dwelling Unit;**
 - (m.1) Food Production;** 49P2017
 - (n) Gas Bar;**
 - (o) Home Occupation – Class 2;**

- (p) **Indoor Recreation Facility;**
- (q) **Liquor Store;**
- (r) **Live Work Unit;**
- 5P2013 (r.1) **Market – Minor;**
- 28P2016 (r.2) **Medical Marihuana Counselling;**
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- 43P2015 (t.1) **Payday Loan;**
- (u) **Place of Worship – Small;**
- (v) **Power Generation Facility – Small;**
- 16P2018 (v.1) **Recyclable Material Drop-Off Depot;**
- (w) **Residential Care;**
- (x) **Restaurant: Licensed – Medium;**
- (y) **Restaurant: Licensed – Small;**
- (z) **Seasonal Sales Area;**
- (aa) **Service Organization;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- 4P2013 (dd) *deleted*
- (ee) **Social Organization;**
- 4P2012 (ff) **Special Function – Class 2;**
- 10P2009, 4P2012 (ff.1) *deleted*
- (gg) **Utility Building;** and
- (hh) **Vehicle Sales – Minor.**

Rules

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

- (a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

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

Purpose

- 757 (1)** The Commercial – Community 2 District is intended to be characterized by:
- (a) large commercial developments;
 - (b) developments that are on the boundary of several communities;
 - (c) developments that are comprehensively designed with several **buildings**;
 - (d) **development** that has a wide range of **use** sizes and types;
 - (e) **buildings** that are slightly higher than nearby low density residential areas;
 - (f) opportunities for commercial **uses** to be combined with office and residential **uses** in the same development;
 - (g) **building** locations, **setback areas** and landscaping that buffer **residential districts** from commercial developments;
 - (h) motor vehicle access to sites;
 - (i) pedestrian connections from public sidewalks, to and between **buildings**;
 - (j) varying **building** density established through maximum **floor area ratios** for individual **parcels**; and
 - (k) varying **building height** established through maximum **building height** for individual **parcels**.
- (2)** Areas of land greater than 12 hectares and less than 3.2 hectares should not be designated Commercial – Community 2 District.

Permitted Uses

- 758 (1)** The following **uses** are **permitted uses** in the Commercial – Community 2 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;

71P2008, 17P2009
32P2009, 39P2010

- (d) **Sign – Class D;** and
- (e) **Utilities.**

(2) The following *uses* are *permitted uses* in the Commercial – Community 2 District if they are located within existing approved *buildings*:

37P2014, 16P2018

- (a) **Accessory Food Service;**
- (b) **Amusement Arcade;**
- (b.1) *deleted*
- (c) **Catering Service – Minor;**
- (d) **Computer Games Facility;**
- (e) **Convenience Food Store;**
- (f) **Counselling Service;**
- (g) **Financial Institution;**
- (h) **Fitness Centre;**
- (i) **Health Services Laboratory – With Clients;**
- (j) **Home Based Child Care – Class 1;**
- (k) **Home Occupation – Class 1;**
- (l) **Information and Service Provider;**
- (m) **Instructional Facility;**
- (n) **Library;**
- (o) **Medical Clinic;**
- (p) **Museum;**
- (q) **Office;**
- (r) **Pawn Shop;**
- (s) **Pet Care Service;**
- (t) **Power Generation Facility – Small;**
- (u) **Print Centre;**
- (v) **Protective and Emergency Service;**
- (v.1) **Recyclable Material Drop-Off Depot;**

16P2018

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

Purpose

813 The Commercial – Corridor 3 District is intended to be characterized by:

- (a) sites of various sizes;
- (b) locations along major roads;
- (c) locations in industrial areas to accommodate mid-scale retail, and medium to large eating and drinking uses;
- (d) motor vehicles having direct access from the road to the development;
- (e) perimeter *landscaping* that separates commercial activities from the road and surrounding development;
- (f) *uses* of various sizes;
- (g) limited large retail *uses* and no residential *uses*;
- (h) varying *building* density established through maximum *floor area ratio* for individual *parcels*; and
- (i) varying *building heights* established through maximum *building height* for individual *parcels*.

Permitted Uses

814 (1) The following *uses* are *permitted uses* in the Commercial – Corridor 3 District:

- (a) **Park**;
- (b) **Sign – Class A**;
- (c) **Sign – Class B**;
- (d) **Sign – Class D**; and
- (e) **Utilities**.

(2) The following *uses* are *permitted uses* in the Commercial Corridor – 3 District if they are located within existing approved *buildings*:

39P2010

- (a) **Accessory Food Service**;
- (b) **Accessory Liquor Service**;

- 37P2014, 16P2018
37P2014
- (c) **Auction Market – Other Goods;**
 - (c.1) *deleted*
 - (c.2) **Beverage Container Quick Drop Facility;**
 - (d) **Catering Service – Minor;**
 - (e) **Convenience Food Store;**
 - (f) **Counselling Service;**
 - (g) **Financial Institution;**
 - (h) **Fitness Centre;**
 - (i) **Health Services Laboratory – With Clients;**
 - (j) **Health Services Laboratory – Without Clients;**
 - (k) **Information and Service Provider;**
 - (l) **Instructional Facility;**
 - (m) **Library;**
 - (n) **Medical Clinic;**
 - (o) **Museum;**
 - (p) **Office;**
 - (q) **Pet Care Service;**
 - (r) **Power Generation Facility – Small;**
 - (s) **Print Centre;**
 - (t) **Protective and Emergency Service;**
 - (u) **Radio and Television Studio;**
 - 16P2018 (u.1) **Recyclable Material Drop-Off Depot;**
 - (v) **Restaurant: Food Service Only – Medium;**
 - (w) **Restaurant: Food Service Only – Small;**
 - (x) **Restaurant: Licensed – Medium;**
 - (y) **Restaurant: Licensed – Small;**
 - 5P2015 (y.1) **Restaurant: Neighbourhood;**
 - (z) **Retail and Consumer Service;**
 - (aa) **Service Organization;**
 - (bb) **Specialty Food Store;**

- (dd) **Restaurant: Food Service Only – Large;**
- (ee) **Restaurant: Food Service Only – Medium;**
- (ff) **Restaurant: Food Service Only – Small;**
- (gg) **Restaurant: Licensed – Medium;**
- (hh) **Restaurant: Licensed – Small;**
- (hh.1) **Restaurant: Neighbourhood;**
- (ii) **Retail and Consumer Service;**
- (jj) **Service Organization;**
- (kk) **Specialty Food Store;**
- (ll) **Supermarket;**
- (mm) **Take Out Food Service;**
- (nn) **Vehicle Rental – Minor;**
- (oo) **Vehicle Sales – Minor; and**
- (pp) **Veterinary Clinic.**

5P2015

Discretionary Uses

- 863 (1)** *Uses* listed in subsection 862(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Commercial – Regional 2 District.
- (2)** *Uses* listed in subsection 862(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Regional 2 District:
- (a) **Auto Service – Major;**
 - (b) **Auto Service – Minor;**
 - (c) *deleted* 16P2018
 - (c.1) **Brewery, Winery and Distillery;** 22P2016
 - (d) **Car Wash – Multi Vehicle;**
 - (e) **Car Wash – Single Vehicle;**
 - (f) **Child Care Service;**
 - (f.1) **Conference and Event Facility;** 67P2008
 - (g) **Drinking Establishment – Large;**
 - (h) **Drinking Establishment – Medium;**

- (i) **Drinking Establishment – Small;**
- (j) **Drive Through;**
- (k) **Dwelling Unit;**
- 49P2017 (k.1) **Food Production;**
- (l) **Gaming Establishment – Bingo;**
- (m) **Gas Bar;**
- (n) **Home Occupation – Class 2;**
- (o) **Hotel;**
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- 5P2013 (q.1) **Market – Minor;**
- 28P2016 (q.2) **Medical Marihuana Counselling;**
- (r) **Night Club;**
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- (u) **Parking Lot – Structure;**
- 43P2015 (u.1) **Payday Loan;**
- (v) **Place of Worship – Medium;**
- (w) **Place of Worship – Small;**
- (x) **Post-secondary Learning Institution;**
- (y) **Power Generation Facility – Medium;**
- (z) **Radio and Television Studio;**
- 16P2018 (z.1) **Recyclable Material Drop-Off Depot;**
- (aa) **Restaurant: Licensed – Large;**
- (bb) **Seasonal Sales Area;**
- (cc) **Sign – Class C;**
- (dd) **Sign – Class E;**
- 4P2012 (ee) **Special Function – Class 2;**
- 10P2009, 4P2012 (ee.1) *deleted*
- (ff) **Utility Building;**
- (gg) **Vehicle Rental – Major; and**
- (hh) **Vehicle Sales – Major.**

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

Purpose

- 880 (1)** The Commercial – Regional 3 District is intended to be characterized by:
- (a) comprehensively planned and designed subdivision and **development** with multiple **buildings** on multiple **parcels**;
 - (b) orderly phased subdivision and **development** of large tracts of land over time;
 - (c) opportunities for a variety of **building** sizes and **use areas**;
 - (d) **parcels** that are created and designed to support efficient access to the **uses** intended for those and nearby **parcels**;
 - (e) **buildings, uses**, vehicle access and pedestrian features on a site that link with each other and **adjacent parcels**;
 - (f) pedestrian access from public transit, to and between **buildings** and pedestrian amenities;
 - (g) flexibility regarding a **building's** density, established through individual **floor area ratios** for individual **parcels**; and
 - (h) varying **building height** established through maximum **building heights** for individual **parcels**.
- (2)** Areas of land less than 6.0 hectares should not be designated Commercial – Regional 3 District.

Permitted Uses

- 881 (1)** The following **uses** are **permitted uses** in the Commercial – Regional 3 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.

71P2008, 32P2009,
39P2010

(2) The following *uses* are *permitted uses* in the Commercial Regional – 3 District if they are located within existing approved *buildings*:

37P2014, 16P2018

37P2014

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Amusement Arcade;**
- (c.1) *deleted*
- (c.2) **Beverage Container Quick Drop Facility;**
- (d) **Catering Service – Minor;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Counselling Service;**
- (h) **Dinner Theatre;**
- (i) **Financial Institution;**
- (j) **Fitness Centre;**
- (k) **Funeral Home;**
- (l) **Health Services Laboratory – With Clients;**
- (m) **Indoor Recreation Facility;**
- (n) **Information and Service Provider;**
- (o) **Instructional Facility;**
- (p) **Library;**
- (q) **Medical Clinic;**
- (r) **Museum;**
- (s) **Office;**
- (t) **Pawn Shop;**
- (u) **Performing Arts Centre;**
- (v) **Pet Care Service;**
- (w) **Power Generation Facility – Small;**
- (x) **Print Centre;**
- (y) **Protective and Emergency Service;**
- (z) **Radio and Television Studio;**
- (z.1) **Recyclable Material Drop-Off Depot;**

16P2018

Garbage

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

Fences

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

Solar Collectors

68P2008

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

Display and Sales Area

32P2009

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

- (2) The maximum floor area of a display and sales area located in a **building** is the greater of:
- (i) 38.0 square metres; or
 - (ii) 20.0 per cent of the **gross floor area** of the **use** to a maximum of 465.0 square metres
- 14P2010, 39P2010 (3) A display and sales area is not allowed if it would result in the **use** operating exclusively as a retail store.

32P2009

Outdoor Product Display Area**904.3** A **use** may accommodate an outdoor product display area provided:

- (a) the products displayed are associated with the **use**;
- 16P2018 (b) it is not located within a required **setback area**; and
- 16P2018 (c) it is separate and distinct from areas of the **parcel** used for the storage of materials, goods or equipment.
- 16P2018 (d) *deleted*

38P2013

Wind Energy Conversion System**904.4 (1)** A **Wind Energy Conversion System – Type 1** or a **Wind Energy Conversion System – Type 2** must:

- (a) be located a minimum distance equal to the **total Wind Energy Conversion System height** from a **property line**, measured from the base;
- (b) be painted a single, neutral, non-reflective, non-glossy colour;
- (c) have a self-supporting tubular tower or monopole, not including lattice or pylon towers, if not mounted to a **building**;
- (d) be equipped with manual and automatic over speed controls;
- (e) be repaired or removed from the **parcel** upon disrepair, abandonment, or termination of the **Wind Energy Conversion System - Type 1** or **Wind Energy Conversion System - Type 2 use** for a period of 6 months or greater;
- (f) not be located in the **actual front setback area**, **actual side setback area** or the **rear setback area** when the corresponding **property line** is **adjacent** to a **residential district**;
- (g) not contain any **signs** or other non-system related objects, which are visible from a **residential** or **special purpose district**, other than **Directional Signs**;

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

Purpose

32P2009

906 The Industrial – General District is intended to be characterized by:

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

Permitted Uses

32P2009

907 (1) The following *uses* are *permitted uses* in the Industrial – General District:

- (a) **Park**;
- (b) **Sign – Class A**;
- (c) **Sign – Class B**;
- (d) **Sign – Class D**; and
- (e) **Utilities**.

(2) Unless otherwise referenced in subsection 908(1), the following *uses* are *permitted uses* in the Industrial – General District:

- (a) **Auto Body and Paint Shop**;
- (b) **Auto Service – Major**;
- (c) **Auto Service – Minor**;
- (d) *delete*
- (d.1) **Beverage Container Quick Drop Facility**;
- (d.2) **Brewery, Winery and Distillery**;

16P2018

37P2014

49P2017

- (e) **Car Wash – Multi-Vehicle;**
- (f) **Car Wash – Single Vehicle;**
- (g) **Catering Service – Major;**
- (h) **Catering Service – Minor;**
- (i) **Crematorium;**
- (j) **Distribution Centre;**
- (k) **Dry-cleaning and Fabric Care Plant;**
- (l) **Fleet Service;**
- (m) **Freight Yard;**
- (n) **General Industrial – Light;**
- (o) **General Industrial – Medium;**
- (p) **Large Vehicle Service;**
- (q) **Large Vehicle Wash;**
- (r) **Motion Picture Production Facility;**
- (s) **Municipal Works Depot;**
- (t) **Parking Lot – Grade;**
- (u) **Parking Lot – Structure;**
- (v) **Power Generation Facility – Medium;**
- (w) **Power Generation Facility – Small;**
- (x) **Protective and Emergency Service;**
- (y) **Recreational Vehicle Service;**
- (y.2) **Recyclable Material Drop-Off Depot;**
- (y.1) **Sign – Class C;**
- (z) **Specialty Food Store;**
- (aa) **Utility Building;**
- (bb) **Vehicle Storage – Large;**
- (cc) **Vehicle Storage – Passenger; and**
- (dd) **Vehicle Storage – Recreational.**

16P2018

14P2010

Storage of Goods, Materials and Supplies

- 913.1 (1)** A **use** may have an outdoor area for the storage of goods, materials or supplies provided the storage area is: 32P2009
- (a) not located in a **setback area**; and 16P2018
 - (b) not located between a **building** and a **major street** or **expressway**. 16P2018
 - (c) *deleted* 16P2018
- (2)** Goods, materials or supplies stored outside of a **building** within 5.0 metres of a **property line** have a maximum height of 5.0 metres.
- (3)** The height of goods, materials or supplies is measured from **grade** and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Screening

32P2009

- 914** Loading docks, outdoor activities and equipment located outside of a **building** must be **screened** from view of:
- (a) an **adjacent expressway**, **major street**, **LRT corridor** or regional pathway; and
 - (b) a **street** or **lane** where the **street** or **lane** separates the **parcel** from a **residential district** or **special purpose district**.

Gross Floor Area for Offices and Administration Areas

67P2008, 10P2009,
32P2009

- 914.1 (1)** Unless otherwise referenced in subsection (2), the cumulative **gross floor area** of **Office uses** in a **building** must not exceed 50.0 per cent of the **gross floor area** of the **building**.
- (2)** Areas in a **building** used for administration or to provide work space to employees of a **use** will not be included when determining compliance with subsection (1) provided:
- (a) the administration or work space area is located in the same **use area** as the **use** that it serves; and
 - (b) the principal **use** is not an **Office**.
- (3)** The **Development Authority** may consider a relaxation of subsection (1) where an **Office** is proposed in a **building**:
- (a) that was legally existing or approved prior to the effective date of this Bylaw; and
 - (b) where the floor area proposed for the **Office** has already been constructed to accommodate an administrative or office function.

Front Setback Area

915 Where the *parcel* shares a *front property line* with:

- (a) an *expressway* or *major street*, the *front setback area* must have a minimum depth of 6.0 metres; and
- (b) any *street*, other than an *expressway* or *major street*, the *front setback area* must have a minimum depth of 4.0 metres.

Rear Setback Area

916 (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:

- (a) a *commercial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
- (b) an *industrial district*:
 - (i) the *rear setback area* must have a minimum depth of 1.2 metres; or
 - (ii) in the case where walls facing the *rear property line* are constructed of materials that do not require maintenance, there is no requirement for a *rear setback area*; or
 - (iii) in the case where the *parcel* is *adjacent* to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the *building*, there is no requirement for a *rear setback area*;
- (c) a *residential district*, the *rear setback area* must have a minimum depth of 6.0 metres; and
- (d) a *special purpose district*, the *rear setback area* must have a minimum depth of 6.0 metres.

(2) Where the *parcel* shares a *rear property line* with:

- (a) an *expressway* or *major street*, the *rear setback area* must have a minimum depth of 6.0 metres;
- (b) the Headworks Canal operated by the Western Irrigation District, the *rear setback area* must have a minimum depth of 7.5 metres;
- (c) a *lane*, there is no requirement for a *rear setback area*; and
- (d) an *LRT corridor* or *street*, not including an *expressway* or *major street*, the *rear setback area* must have a minimum depth of 4.0 metres.

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

Purpose

32P2009

- 953** The Industrial – Commercial District is intended to be characterized by:
- (a) locations on the perimeter of industrial areas, along *major streets* and *expressways*;
 - (b) light industrial *uses* that are unlimited in size;
 - (c) small scale commercial *uses* that are compatible with and complement light industrial *uses*;
 - (d) controls to ensure that *developments* provide a transition between other land use districts and the Industrial – General District or between highly visible industrial *parcels* and the Industrial – General District;
 - (e) setbacks, *screening*, landscaping and *building* design that addresses aesthetic concerns associated with highly visible locations; and
 - (f) *parcels* located within 200.0 metres of a *major street* or *expressway*.

Permitted Uses

- 954 (1)** The following *uses* are *permitted uses* in the Industrial – Commercial District:

- (a) **Park**;
- (b) **Power Generation Facility – Small**;
- (c) **Sign – Class A**;
- (d) **Sign – Class B**;
- (e) **Sign – Class D**; and
- (f) **Utilities**.

- (2)** The following *uses* are *permitted uses* in the Industrial – Commercial District if they are located within existing approved *buildings*:

32P2009,
39P2010

- (a) **Artist’s Studio**;
- (b) *deleted*
- (b.1) **Beverage Container Quick Drop Facility**;
- (c) **Building Supply Centre**;
- (d) **Counselling Service**;
- (e) **Dry-cleaning and Fabric Care Plant**;
- (f) **Financial Institution**;

16P2018

37P2014

- (g) **Fitness Centre;**
- (h) **General Industrial – Light;**
- (i) **Health Services Laboratory – With Clients;**
- (j) **Indoor Recreation Facility;**
- (k) **Information and Service Provider;**
- (l) **Instructional Facility;**
- (m) **Medical Clinic;**
- (n) **Office;**
- (o) **Pawn Shop;**
- (p) **Pet Care Service;**
- (q) **Print Centre;**
- 29P2016 (q.1) **Protective and Emergency Service;**
- (r) **Radio and Television Studio;**
- 16P2018 (r.1) **Recyclable Material Drop-Off Depot;**
- (s) **Restaurant: Food Service Only – Medium;**
- (t) **Restaurant: Food Service Only – Small;**
- (u) **Retail and Consumer Service;**
- (v) **Service Organization;**
- (w) **Specialty Food Store;**
- (x) **Take Out Food Service;**
- (y) **Vehicle Rental – Minor;**
- (z) **Vehicle Sales – Minor; and**
- (aa) **Veterinary Clinic.**

- (b) may have a sidewalk in the **setback area** along the length of the **building**; and
- (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.

Additional Landscaping Requirements

- 965 (1)** Unless otherwise referenced in this District, all **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
- (2)** Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.
- (3)** Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:
- (a) have a sidewalk connecting the **public entrance** to the sidewalk required by subsection (2); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk or to the nearest **street**.
- (4)** A sidewalk must be provided along the entire length of the front of a **building**, not including any portion of the **building** where loading docks are located.
- (5)** Every sidewalk required must:
- (a) be a **hard surfaced landscaped area**;
 - (b) be a minimum width of 2.0 metres;
 - (c) have different surfacing than the surfacing of the parking area; and
 - (d) be raised above the surface of the parking area, when located in a parking area.

Storage of Goods, Materials and Supplies

32P2009

965.1 (1) A **use** may have an outdoor area for the storage of goods, materials or supplies provided the storage area is:

- (a) not located in a **setback area**;
- (b) not located between a **building** and a **street**; and
- (c) within a **screened** enclosure or **screened** from view of a **street**.

16P2018

16P2018

16P2018

(d) *deleted*

- (2) Goods, materials and supplies stored outside of a **building** within 5.0 metres of a **property line** have a maximum height of 5.0 metres.
- (3) Goods, materials and supplies stored outside of a **building** more than 5.0 metres from a **property line** may have a maximum height of 12.0 metres.
- (4) The height of goods, materials and supplies is measured from **grade** and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Employee Area

- 966** All **developments** must have an outdoor area, for the use of employees, that is a minimum of 10.0 square metres.

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

Purpose

967 The Industrial – Redevelopment District is intended to be characterized by:

- (a) small blocks of *parcels* originally surveyed on a grid lotting pattern contained within the Alyth, Bonnybrook, Greenview, Manchester, and Skyline Industrial Areas;
- (b) fragmented land ownership creating *parcels* that are small and narrow in width;
- (c) small, narrow *parcels* where it may be difficult to provide landscaping along the front and corner *side property lines* and where it may be difficult to provide the required *motor vehicle parking stalls*;
- (d) reduction in landscaping standards in order to facilitate redevelopment of the smaller *parcel* and achieve parking on the *parcel*;
- (e) *parcels* that are not located along a *major street* or share a *property line* with a *residential district*; and
- (f) a wide range of industrial *uses* that would allow for reuse and redevelopment of existing *parcels*.

13P2008

Permitted Uses

968 The following *uses* are *permitted uses* in the Industrial – Redevelopment District:

32P2009

- (a) **Artist’s Studio;**
- (b) **Auto Body and Paint Shop;**
- (c) **Auto Service – Major;**
- (d) **Auto Service – Minor;**
- (e) *deleted*
- (e.1) **Beverage Container Quick Drop Facility;**
- (e.2) **Brewery, Winery and Distillery;**
- (f) **Car Wash – Multi-Vehicle;**
- (g) **Car Wash – Single Vehicle;**
- (h) **Catering Service – Major;**
- (i) **Catering Service – Minor;**
- (j) **Crematorium;**
- (k) **Dry-cleaning and Fabric Care Plant;**

16P2018

37P2014

49P2017

- (l) **General Industrial – Light;**
- (m) **General Industrial – Medium;**
- (n) **Indoor Recreation Facility;**
- (o) **Large Vehicle Service;**
- (p) **Large Vehicle Wash;**
- (q) **Motion Picture Production Facility;**
- (r) **Park;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Power Generation Facility – Medium;**
- (v) **Power Generation Facility – Small;**
- (w) **Protective and Emergency Service;**
- (x) **Recreational Vehicle Service;**
- (x.1) **Recyclable Material Drop-Off Depot;**
- (y) **Sign – Class A;**
- (z) **Sign – Class B;**
- (aa) **Sign – Class D;**
- (bb) **Utilities;**
- (cc) **Utility Building;**
- (dd) **Vehicle Storage – Large;**
- (ee) **Vehicle Storage – Passenger; and**
- (ff) **Vehicle Storage – Recreational.**

16P2018

32P2009

Discretionary Uses

969 The following *uses* are *discretionary uses* in the Industrial – Redevelopment District:

- (a) **Auction Market – Other Goods;**
- (b) **Auction Market – Vehicles and Equipment;**
- (b.1) *deleted*
- (c) **Building Supply Centre;**
- (d) **Bulk Fuel Sales Depot;**
- (e) **Child Care Service;**
- (f) **Counselling Service;**
- (g) **Custodial Quarters;**

22P2016, 49P2017

- (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where that **setback area** is irrigated with a **low water irrigation system**.
- (2) Where a **setback area** shares a **property line** with a **lane**, there is no requirement for either a **soft surfaced landscaped area** or a **hard surfaced landscaped area**.
- (3) Where a **setback area** shares a **property line** with a **parcel** designated as a **residential district**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**;
 - (b) have a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 30.0 square metres; or
 - (ii) for every 50.0 square metres, where that **setback area** is irrigated with a **low water irrigation system**.
 - (c) provide trees and shrubs planted in a linear arrangement along the length of the **setback area**.
- (4) Where a **setback area** shares a **property line** with an **LRT corridor** or a **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
 - (b) may have a sidewalk in the **setback area** along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres if that **setback area** when irrigation is provided by a **low water irrigation system**.

13P2008

Additional Landscaping Requirements

- 979 (1) Unless otherwise referenced in this District, all **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
- (2) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.

- (3) A sidewalk must be provided along the entire length of the front of a **building**, not including any portion of the **building** where loading docks are located.
- (4) Every sidewalk required must:
 - (a) be a **hard surfaced landscaped area**;
 - (b) have different surfacing than the surfacing of the parking area;
 - (c) be a minimum width of 2.0 metres; and
 - (d) be raised above the surface of the parking area, when located in a parking area.

32P2009

Storage of Goods, Materials and Supplies

979.1 (1) A **use** may have an outdoor area for the storage of goods, materials or supplies provided the storage area is:

16P2018

(a) not located in a **setback area**; and

16P2018

(b) not located between a **building** and a **major street** or **expressway**.

16P2018

(c) *deleted*

(2) Goods, materials or supplies stored outside of a **building** within 5.0 metres of a **property line** have a maximum height of 5.0 metres.

(3) The height of goods, materials or supplies is measured from **grade** and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Employee Area

980 All **developments** must have an outdoor area, for the use of employees, that is a minimum of 10.0 square metres.

Outside Product Display Areas

32P2009

981 *deleted*

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

Purpose

1053 The Special Purpose – Community Institution District is intended to:

- (a) provide for large scale culture, worship, education, health and treatment facilities;
- (b) provide for a wide variety of **building** forms located throughout the city; and
- (c) be sensitive to the context when located within residential areas.

Permitted Uses

1054 The following **uses** are **permitted uses** in the Special Purpose – Community Institution District:

- (a) **Home Occupation - Class 1;** 41P2009
- (a.1) **Natural Area;** 41P2009
- (b) **Park;**
- (c) **Power Generation Facility – Small;**
- (d) **Protective and Emergency Service;**
- (e) **Sign – Class A;**
- (f) **Sign – Class B;** and 4P2012
- (g) *deleted* 4P2012
- (h) **Utilities.**

Discretionary Uses

1055 (1) The following **uses** are **discretionary uses** in the Special Purpose – Community Institution District:

- (a) **Addiction Treatment;**
- (b) **Cemetery;**
- (c) **Child Care Service;**
- (d) **Columbarium;**
- (d.1) **Conference and Event Facility;** 67P2008
- (e) **Crematorium;**
- (f) **Custodial Care;**

- 41P2009 (g) **Food Kiosk;**
 (g.1) **Home Occupation – Class 2;**
- 32P2009 (h) **Hospital;**
 (i) **Instructional Facility;**
 (j) **Library;**
 (k) **Museum;**
 (l) **Performing Arts Centre;**
 (m) **Place of Worship – Large;**
 (n) **Place of Worship – Medium;**
 (o) **Place of Worship – Small;**
 (p) **Post-secondary Learning Institution;**
 (q) **Power Generation Facility – Medium;**
 (r) **Residential Care;**
 (s) **School – Private;**
- 16P2018 (s.1) **School Authority – School;**
 (t) **Service Organization;**
 (u) **Sign – Class C;**
 (v) **Sign – Class D;**
 (w) **Sign – Class E;**
- 71P2008 (x) *deleted*
 (y) **Social Organization;**
- 71P2008 (z) *deleted*
- 38P2013 (aa) **Spectator Sports Facility;**
- 38P2013 (bb) **Utility Building;**
- 38P2013 (cc) **Wind Energy Conversion System – Type 1; and**
- 38P2013 (dd) **Wind Energy Conversion System – Type 2.**
- (2) The following *uses* are additional **discretionary uses** if they are located in existing **buildings** containing **Dwelling Units** at the time of the effective date of this Bylaw:
- (a) **Multi-Residential Development.**
- 24P2011 (3) The following *uses* are additional **discretionary uses** if they are located in an existing **building** that is used or was previously used as **Assisted Living** at the time of the effective date of this Bylaw:
- (a) **Assisted Living.**

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

Purpose

1074 The Special Purpose – University Research Park District is intended to:

- (a) accommodate a limited range of **uses** engaged in scientific research, research and development, and technology commercialization in association with the University of Calgary, the Province of Alberta or the Government of Canada; and
- (b) accommodate a limited range of complementary support **uses**.

Permitted Uses

1075 (1) The following **uses** are **permitted uses** in the Special Purpose – University Research Park District:

- (a) **Natural Area;**
- (b) **Park;**
- (c) **Power Generation Facility – Small;**
- (d) **Sign – Class A;** and
- (e) *deleted*
- (f) **Utilities.**

4P2012

4P2012

(2) The following **uses** are **permitted uses** in the Special Purpose – University Research Park District if they are located within existing **buildings**:

- (a) **Counselling Service;** and
- (b) **Office.**

Discretionary Uses

1076 (1) **Uses** listed in section 1075(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Special Purpose – University Research Park District.

(2) The following **uses** are always **discretionary uses** in the Special Purpose – University Research Park District:

- (a) *deleted*
- (b) **Child Care Service;**

16P2018

- 32P2009 (c) **Convenience Food Store;**
- (d) **Fitness Centre;**
- 32P2009 (e) *deleted*
- (f) **Indoor Recreation Facility;**
- 32P2009 (g) *deleted*
- (h) **Information and Service Provider;**
- 32P2009 (i) **Instructional Facility;**
- (j) **Outdoor Café;**
- (k) **Power Generation Facility – Medium;**
- (l) **Protective and Emergency Service;**
- 16P2018 (l.1) **Recyclable Material Drop-Off Depot;**
- (m) **Restaurant: Food Service Only – Small;**
- (n) **Restaurant: Licensed – Small;**
- (o) **Sign – Class B;**
- (p) **Sign – Class C;**
- (q) **Sign – Class D;**
- 32P2009 (r) **Sign – Class E;**
- 32P2009, 38P2013 (r.1) **Specialized Industrial;**
- 38P2013 (s) **Utility Building;**
- 38P2013 (t) **Wind Energy Conversion System – Type 1; and**
- 38P2013 (u) **Wind Energy Conversion System – Type 2.**

Rules

1077 In addition to the rules in this District, all *uses* in this District must comply with:

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

Building Height

1078 The maximum *building height* is 25.0 metres.

Front Setback Area

1079 The *front setback area* must have a minimum depth of 15.0 metres.

Garbage

1115 Garbage containers and waste material must be stored inside the *main residential building*.

Recycling Facilities

1116 Recycling facilities must be provided for every **Multi-Residential Development**.

Mechanical Screening

1117 Mechanical systems or equipment that are located outside of a *building* must be *screened*.

Visibility Setback

1118 Within a *corner visibility triangle*, *buildings*, *fences*, finished *grade* of a *parcel* and vegetation must not be located between 0.75 metres and 4.60 metres above the lowest elevation of the *street*.

Retaining Walls

- 1119** (1) A *retaining wall* must be less than 1.2 metres in height when measured from the lowest *grade* at any point *adjacent* to the *retaining wall* to the highest *grade* retained by the *retaining wall*. 16P2018
- (2) A minimum horizontal separation of 1.0 metres must be maintained between *retaining walls* on a *parcel*.

Fences

- 1120** The height of a *fence* above *grade* at any point along a *fence* line must not exceed:
- (a) 1.2 metres for that portion of the *fence* extending beyond the foremost portion of all *buildings* on the *parcel*;
 - (b) 2.0 metres for that portion of the *fence* that does not extend beyond the foremost portion of all *buildings* on the *parcel*; and
 - (c) 2.5 metres to the highest point of a gateway provided that the gateway does not exceed more than 2.5 metres in length.

Single detached, Semi-Detached, Duplex Dwellings and Secondary Suites

34P2010, 24P2014

1120.1 Any of the following uses must comply with the rules of the R-CG District that apply to such *development*:

- (a) **Accessory Residential Building** that is not combined with a **Multi-Residential Development**;
- (b) **Backyard Suite**;

- (c) **Duplex Dwelling;**
- (d) **Secondary Suite;**
- (e) **Semi-detached Dwelling; or**
- (f) **Single Detached Dwelling.**

Parcel Access

1121 All *developments* must comply with the Controlled Streets Bylaw.

- (i) **Dinner Theatre;**
- (j) **Drinking Establishment – Medium**
- (k) **Drinking Establishment – Small;**
- (l) **Dwelling Unit;**
- (m) **Financial Institution;**
- (m.1) **Food Kiosk;** 2P2012
- (n) **General Industrial – Light;**
- (o) **Home Occupation – Class 2;**
- (p) **Hotel;**
- (q) **Indoor Recreation Facility;**
- (r) **Instructional Facility;**
- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- (t.1) **Market – Minor** 5P2013
- (t.2) **Medical Marihuana Counselling;** 28P2016
- (u) **Multi-Residential Development;**
- (v) **Night Club;**
- (w) **Outdoor Café;**
- (x) **Parking Lot – Grade (Temporary);**
- (y) **Parking Lot – Structure;**
- (z) **Pawn Shop;**
- (z.1) **Payday Loan** 43P2015
- (aa) **Performing Arts Centre;**
- (bb) **Place of Worship – Small;**
- (cc) **Place of Worship – Medium;**
- (dd) **Post-secondary Learning Institution;**
- (ee) **Residential Care;**
- (ff) **Restaurant: Food Service Only – Medium;**
- (gg) **Restaurant: Licensed – Small;**
- (hh) **Restaurant: Licensed – Medium;**
- (hh.1) **School – Private;** 2P2012
- (hh.2) **School Authority – School;** 16P2018
- (ii) **Seasonal Sales Area;**

- 30P2011, 4P2013
- (jj) **Sign – Class C;**
 (kk) **Sign – Class E;**
 (ll) **Sign – Class F;**
 (ll.1) *deleted*
 (mm) **Social Organization;**
- 4P2012
- (nn) **Special Function – Class 2;**
 (oo) **Supermarket;**
 (pp) **Utility Building;** and
 (qq) **Veterinary Clinic.**
- 4P2013
- (4) An existing **Sign – Class G** is a *discretionary use* where:
 (a) it existed on the *parcel* prior to March 1, 2013; and
 (b) the previously approved *development permit* issued by the **City** has not expired.

Rules

1165 In addition to the rules in this District, all *uses* in this District must comply with:

- (a) the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4;
 (b) the Rules Governing All Districts referenced in Part 3; and
 (c) the applicable Uses And Use Rules referenced in Part 4.

2P2012

Floor Area Ratio

1166 (1) For *developments* located west of MacLeod Trail SE the maximum *floor area ratio* is:

- (a) for *parcels* between 12 and 13 Avenue and West of 1 Street SE:
 (i) 3.0 for *uses* referenced in sections 1163 and 1164; or
 (ii) 5.0 for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**
- (b) for *parcels* between 15 and 17 Avenue and west of 1 Street SE is 3.0;
- (c) for all other *parcels*:
 (i) 5.0; or
 (ii) The maximum *floor area ratio* in subsection (i) may be increased by a *floor area ratio* of 3.0 when this additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**.

5P2013

- (d) **Health Services Laboratory – with Clients;**
 - (e) *deleted* 32P2009
 - (f) **Indoor Recreation Facility;** 9P2012
 - (g) **Instructional Facility;** 32P2012
 - (h) **Medical Clinic;**
 - (i) **Place of Worship – Small;**
 - (j) **Radio and Television Studio;** and
 - (k) **Service Organization;**
- (2) Only those **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share a hallway with residential **uses**.
- (3) All **uses** must be contained completely within a **building**, with the exception of **Outdoor Café uses**.
- (4) Outdoor speaker systems for **Outdoor Café uses** are prohibited.
- (5) Only those **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share an area of a parking structure with residential **uses**.
- (6) All **uses** may share an entrance to areas of a parking structure.
- (7) When not combined with other **uses** in a comprehensive **development** the **General Industrial – Light use** may be allowed only in a **building** that was legally existing or approved prior to the effective date of this Bylaw. 32P2009

Use Area

- 1176** (1) Unless otherwise referenced in subsection (3), (4) or (5), the maximum **use area** for **uses** on the ground floor of **buildings** in the Centre City Mixed Use District is 1200.0 square metres.
- (2) Unless otherwise referenced in subsection (3), (4) or (5), there is no maximum **use area** requirement for **uses** located on upper floors in the Centre City Mixed Use District.
- (3) The maximum **use area** of:
- (a) **Night Club** is 300.0 square metres; and 16P2018
 - (b) **Supermarket**, or a **Supermarket** combined with any other **use**, is 5200.0 square metres.
- (4) **General Industrial – Light** does not have a **use area** restriction when located in a **building** that was legally existing or approved prior to the effective date of this Bylaw.

- (5) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Hotel;**
 - (e) **Place of Worship – Medium;**
 - (f) **Place of Worship – Small;**
 - (g) **Protective and Emergency Service;**
 - (h) **Residential Care;** and
 - (i) **Utility Building.**

38P2009

Motor Vehicle Parking Stall Requirements

1177 (1) Unless otherwise specified in this section, the minimum number of required **motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls- class 1** and **bicycle parking stalls – class 2** is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.

(2) For the area bounded by the CPR tracks, the Elbow River, 12 Avenue and 14 Street SW, the **motor vehicle parking stall** requirement is:

(a) no requirement for **Cinema, Dinner Theatre, Drinking Establishment – Small, Drinking Establishment – Medium, Night Club, Performing Arts Centre, Restaurant: Food Service Only – Small, Restaurant: Food Service Only-Medium, Restaurant: Licensed – Small and Restaurant: Licensed – Medium;**

39P2010

(b) unless specified in subsection (b.1), a minimum of 1.0 stall per 100.0 square metres of **gross usable floor area** for **Information and Service Provider, Liquor Store, Office, Pet Care Service, Print Centre, Retail and Consumer Service and Take Out Food Service;**

39P2010

(b.1) no requirement for **Computer Games Facility, Convenience Food Store, Food Kiosk, Liquor Store, Outdoor Café** and **Retail and Consumer Service** located on the ground floor of a **building** where:

(i) the **building** contains a **Dwelling Unit, Hotel, Multi-Residential Development**, or **Office** located above the ground floor; or

(ii) the **use area** is less than 465.0 square metres;

(c) a maximum of 1.5 stalls per **Dwelling Unit**; and

- (d) For all **uses** other than **Dwelling Units**: 13P2018
- (i) a maximum of 100 per cent of the minimum required **motor vehicle parking stalls** may be provided for **developments**; and
 - (ii) the **development authority** may consider a relaxation of the minimum number of required **motor vehicle parking stalls** for **developments** of up 25 per cent only where:
 - (A) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per **motor vehicle parking stall** established by **Council** in effect at the time the payment is made; and
 - (B) the rules in section 124 are met.

Supplies and Products

1178 All materials, supplies and products must be contained within a **building**.

- (xiii) **Social Organization**; and
- (xiv) **Utilities**; and
- (b) the following must be excluded from the calculation of **floor area ratio**:
 - (i) the total **gross floor area** of a **Post-secondary Learning Institution**, to a maximum of 3.0 **floor area ratio**; and
 - (ii) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**.

Use Area

- 1248 (1)** Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum **use area** for **uses** on the ground floor of a **building** is 1200.0 square metres.
- (2)** The maximum **use area** for **uses** on the ground floor is 465.0 square metres for the following **uses**:
- (a) **Drinking Establishment – Large**;
 - (b) **Restaurant: Food Service Only – Large**; and
 - (c) **Restaurant: Licensed – Large**.
- (3)** The maximum **use area** for **uses** on the ground floor of a **building** is 200.0 square metres for the following **uses**:
- (a) **Health Services Laboratory – With Clients**; and
 - (b) **Medical Clinic**.
- (4)** There is no maximum **use area** requirement for the following **uses**:
- (a) **Supermarket**; and
 - (b) **Retail and Consumer Service**.
- (5)** There is no maximum **use area** for **uses** located within **buildings** designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*.

Motor Vehicle Parking Stalls

- 1249 (1)** The following **uses** do not require **motor vehicle parking stalls**:
- (a) **Cinema**;
 - (b) **Drinking Establishment – Large**;
 - (c) **Drinking Establishment – Medium**;

- (d) **Drinking Establishment – Small;**
 - (e) **Restaurant: Food Service Only – Large;**
 - (f) **Restaurant: Food Service Only – Medium;**
 - (g) **Restaurant: Food Service Only – Small;**
 - (h) **Restaurant: Licensed – Large;**
 - (i) **Restaurant: Licensed – Medium;**
 - (j) **Restaurant: Licensed – Small;**
 - (k) **Restaurant: Neighbourhood;** and
 - (l) **Performing Arts Centre.**
- (2) The minimum number of required **motor vehicle parking stalls** for **Office** is 1.0 stall per 150.0 square metres of **gross usable floor area**.
- (3) For **Dwelling Units** or **Live Work Units**:
- (a) the minimum **motor vehicle parking stall** requirement is 0.5 stalls per **unit**;
 - (b) the maximum **motor vehicle parking stall** that may be provided is 1.0 stalls per **unit**; and
 - (c) the **visitor parking stall** requirement is 0.1 stall per **unit**.
- (4) For all other **uses** is the requirement referenced in Part 4.

Restricted Parking Area

13P2018

1250 The **development authority** may consider a relaxation of the minimum number of required **motor vehicle parking stalls** referenced in Section 1249 for **developments** within the Restricted Parking Area illustrated on Map 13, of up 50 per cent only where:

- (a) the relaxation is for **uses** other than **Assisted Living, Dwelling Unit** or **Live Work Units**, including associated visitor parking, and parking required for **Hotel** guest rooms;
- (b) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per **motor vehicle parking stall** established by **Council** in effect at the time the payment is made; and
- (c) the rules in section 124 are met.

Short Stay Parking Stalls

- 1251 (1)** The number of **motor vehicle parking stalls** allowed for in Section 1249 or 1250, whichever applies, may be increased to provide **parking area – short stay** stalls under one of the following options when the **parcel** is located in an area identified in Map 14:
- (a) up to a total of 10.0 additional **motor vehicle parking stalls** where such stalls are:
 - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (ii) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
 - (iii) prominently signed at the **street** level indicating the availability and conditions of **use** of such stalls; or
 - (b) more than 10.0 additional **motor vehicle parking stalls**, to a maximum of 25.0 per cent of the number of stalls required in section 1249 or 125.0 stalls, whichever is less, where such stalls are:
 - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (ii) identified through appropriate signage, as **parking area – short stay** stalls;
 - (iii) prominently signed at the **street** level indicating the availability and conditions of **use** of such stalls; and
 - (iv) adjacent to a road network that the **Development Authority** has determined is capable of handling the added vehicle movements associated with the additional stalls.
- (2)** When approving a **development permit** incorporating **parking area – short stay** stalls provided for in subsection (1)(b), the **Development Authority** must impose conditions, including, but not limited to, requiring the applicant to enter into a Special Development Agreement with The City which must include provision for:
- (a) the mechanism by which the **development** will be managed to ensure the operation of stalls as **parking area – short stay** stalls available to the public, at minimum, from 7.00 a.m. until 11:00 p.m. Mountain Standard Time seven days a week; and
 - (b) an operating arrangement with the Calgary Parking Authority for the purpose of ensuring unrestricted public access to the stalls and establishing a mechanism to monitor and enforce the operation of the stalls as **parking area – short stay**.

Parking Stall Transfer from Municipal Historic Resource Sites

- 1252 (1)** A **transferring parcel** within the Restricted Parking Area as identified in Map 13 may transfer to a **receiving parcel** in the Restricted Parking Area **motor vehicle parking stalls** which have not already been provided on the **transferring parcel**, where:
- (a) the **transferring parcel** is designated as a Municipal Historic Resource pursuant to the Historical Resources Act by a Bylaw approved by **Council**;
 - (b) the additional stalls being transferred do not exceed 20.0 per cent of the number of stalls the **development** is allowed on the **receiving parcel** in Section 1249; and
 - (c) the additional stalls provided on the **receiving parcel** are adjacent to a road network that the **Development Authority** has determined is capable of handling the added vehicle movements associated with the additional stalls.
- (2)** A maximum of 100.0 per cent of the potential **motor vehicle parking stalls** available on the **transferring parcel**, as determined in Section 1252(4), may be transferred to a **receiving parcel**.
- (3)** **Motor vehicle parking stalls** transferred to a **receiving parcel** under this section must not be provided on the **transferring parcel**.
- (4)** The number of **motor vehicle parking stalls** which may be transferred to a **receiving parcel** in accordance with subsection (1) is determined by:
- (a) calculating the amount of **gross usable floor area** that could be built on the **transferring parcel** designated as Municipal Historic Resource at a **floor area ratio** of 7.0;
 - (b) using the **gross usable floor area** in subsection (a), calculate the potential number of **motor vehicle parking stalls** on the **transferring parcel** at a rate of 0.7 stalls per 100 square metres of **gross usable floor area**;
 - (c) using the potential number of **motor vehicle parking stalls** in subsection (b), apply one of the following percentages based on the categorization of the **transferring parcel** on the **City's** Inventory of Evaluated Historic Resources;
 - (i) City-Wide Historic Resource – 50.0 per cent;
 - (ii) Community Historic Resource – 25.0 per cent; and
 - (d) subtracting from the resulting number of **motor vehicle parking stalls** in subsection (b) the number of **motor vehicle parking stalls** that currently exist on the **transferring parcel**.

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

Purpose

1271 The Centre City East Village River Residential District is intended to provide for:

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

Permitted Uses

1272 The following *uses* are *permitted uses* in the Centre City East Village River Residential District:

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

Discretionary Uses

1273 The following *uses* are *discretionary uses* in the Centre City East Village River Residential District:

16P2018

- (a) **Brewery, Winery and Distillery;**
- (b) **Child Care Service;**
- (c) **Community Recreation Facility;**
- (d) **Dwelling Unit;**
- (d.1) **Food Production;**
- (e) **Home Occupation – Class 2;**
- (f) **Hotel;**
- (g) **Indoor Recreation Facility;**
- (h) **Market – Minor;**
- (i) **Outdoor Café;**

49P2017

- (j) **Power Generation Facility – Small;**
- (k) **Restaurant: Food Service Only – Medium;**
- (l) **Restaurant: Food Service Only – Small;**
- (m) **Restaurant: Licensed – Medium;**
- (n) **Restaurant: Licensed – Small;**
- (o) **Restaurant: Neighbourhood;**
- (p) **Retail and Consumer Service;**
- (q) **Seasonal Sales Area;**
- (r) **Sign – Class B;**
- (s) **Sign – Class C;**
- (t) **Sign – Class D;**
- (u) **Sign – Class E;**
- (v) **Social Organization; and**
- (w) **Special Function – Class 2.**

Rules

16P2018

1274 In addition to the rules in this District, all **uses** in this District must comply with:

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

Density

1275 (1) The maximum **floor area ratio** is 5.0.

(2) In this section, for the purpose of calculating **floor area ratio**:

- (a) the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service;**
 - (ii) **Protective and Emergency Service;**
 - (iii) **Social Organization; and**
 - (iv) **Utilities; and**
- (b) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, must be excluded from the calculation of **floor area ratio** to a maximum of 3.0 **floor area ratio**.

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

Purpose

1277 The Centre City East Village Recreational District is intended to be characterized by:

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

Permitted Uses

1278 The following **uses** are **permitted uses** in the Centre City East Village Recreational District:

- (a) **Park**;
- (b) **Protective and Emergency Service**; and
- (c) **Utilities**.

Discretionary Uses

1279 The following **uses** are **discretionary uses** in the Centre City East Village Recreational District:

- (a) **Community Entrance Feature**;
- (b) **Food Kiosk**;
- (c) **Market**;
- (d) **Outdoor Café**;
- (e) **Power Generation Facility – Small**;
- (f) **Restaurant: Food Service Only – Small**;
- (g) **Restaurant: Licensed – Small**;
- (h) **Sign – Class A**;
- (i) **Sign – Class B**;
- (j) **Sign – Class D**;
- (k) **Sign – Class E**;
- (l) **Special Function – Class 2**;

- (m) **Take Out Food Service;** and
- (n) **Utility Building.**

Rules

1280 In addition to the rules in this District, all **uses** in this District must comply with:

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

Building Design

16P2018

1281 The **parcel** located north of 7 Avenue S.E., south of 6 Avenue S.E. and between 4 Street S.E. and Riverfront Lane S.E. is allowed a maximum of one **building** with:

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

1282 *deleted*

1283 *deleted*

1284 *deleted*

1285 *deleted*

1286 *deleted*

1287 *deleted*

1288 *deleted*

1289 *deleted*

1290 *deleted*

1291 *deleted*

1292 *deleted*

1293 *deleted*

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

Purpose

1305 The Commercial Residential District (CR20-C20/R20) is intended to be characterised by:

16P2018

- (a) **developments** that contribute to the Downtown's role as the predominant destination for business, retail, entertainment and cultural activities in the City;
- (b) a mix of commercial, residential and cultural **uses** within the Downtown;
- (c) intensive high-rise, high-density **developments** where intensity is measured by **floor area ratio**;
- (d) **developments** that are pedestrian-oriented at **grade** and provide a high quality public realm;
- (e) **buildings** that incorporate a mix of **uses**;
- (f) varying maximum base **density** with incentive **density** over and above base **density** to achieve commercial residential mixed use, public benefit and amenities within the same community;
- (g) active, pedestrian focused **uses** on the ground floor and **+15 Skywalk System** level of **buildings**;
- (h) **developments** that promote the preservation and reuse of historic resources.
- (i) the connection of **buildings** to the **+15 Skywalk System**;
- (j) improved and expanded public transportation; and
- (k) **parcels** that are intended to transition **uses** and **building** forms to the surrounding neighbourhoods if they are located in the Transition Area as illustrated in Map 11.

Permitted Uses

1306 (1) The following **uses** are **permitted uses** in the CR20-C20/R20 District:

- (a) **Park**;
- (b) **Protective and Emergency Service**;
- (c) **Sign – Class A**;
- (d) **Sign – Class B**;
- (e) **Sign – Class D**; and
- (f) **Utilities**.

(2) The following *uses* are *permitted uses* in the CR20-C20/R20 District if they are located within existing approved *buildings*:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Artist's Studio;**
- (d) **Billiard Parlour;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Dinner Theatre;**
- (h) **Financial Institution;**
- (i) **Food Kiosk;**
- (j) **Home Occupation – Class 1;**
- (k) **Information and Service Provider;**
- (l) **Library;**
- (m) **Museum;**
- (n) **Office;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**
- (q) **Restaurant: Food Service Only – Medium;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Restaurant: Licensed – Small;**
- (t) **Retail and Consumer Service;**
- (u) **Specialty Food Store;**
- (v) **Supermarket;**
- (w) **Take Out Food Service; and**
- (x) **Veterinary Clinic.**

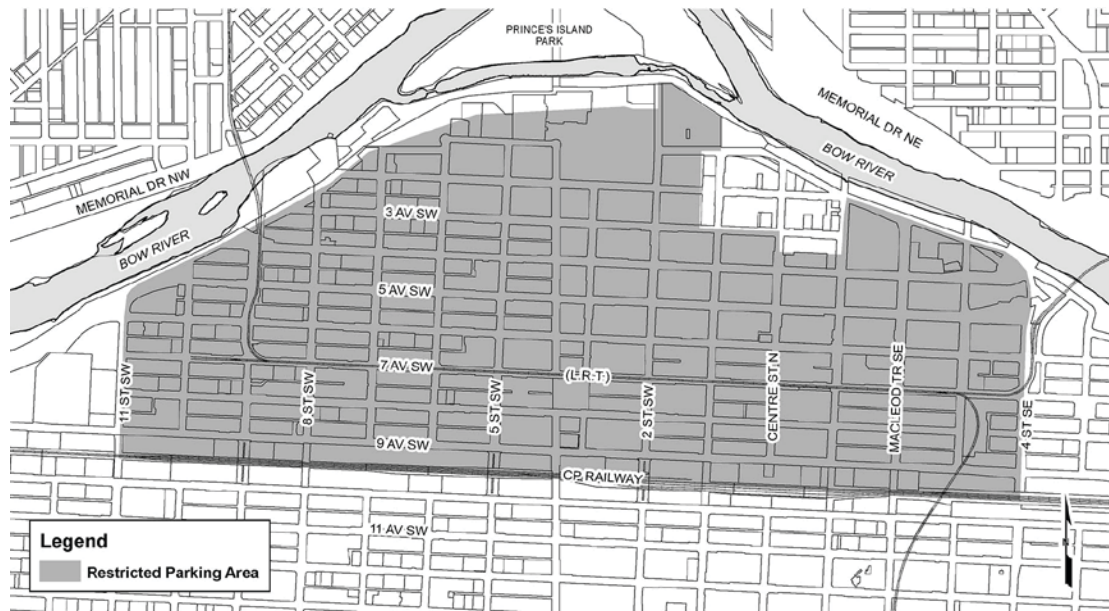
(3) The following *uses* are *permitted uses* except if they are located on the second floor of an existing approved *building* that contains an existing or approved **+15 Skywalk System walkway**:

- (a) **Catering Service – Minor;**
- (b) **Counselling Service;**
- (c) **Fitness Centre;**

Restricted Parking Area

33P2013, 15P2014

- 1326 (1)** Unless otherwise referenced in 1325(3) or subsection (2), the minimum and maximum required number of **motor vehicle parking stalls** for **developments** located within the Restricted Parking Area illustrated on Map 13 is the minimum number of **motor vehicle parking stalls** required in section 1325. 13P2018
- (2)** The maximum number of **motor vehicle parking stalls** for sites upon which an existing stand-alone parking structure exists, and which existed on October 10, 1984, is the greater of:
- (a) the number of **motor vehicle parking stalls** provided on October 10, 1984, or
 - (b) the number of **motor vehicle parking stalls** in subsection (1).
- (3)** The **development authority** may consider a relaxation of the minimum number of required **motor vehicle parking stalls** for **developments** within the Restricted Parking Area illustrated on Map 13, of up to 50 per cent only where: 13P2018
- (a) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per **motor vehicle parking stall** established by **Council** in effect at the time the payment is made; and
 - (b) the rules in section 124 are met.
- (4)** *deleted* 13P2018
- (5)** **Motor vehicle parking stalls** provided in accordance with sections 1327 and 1328 are not subject to the Restricted Parking Area rules.

Map 13: Restricted Parking Area Boundaries**Short Stay Parking Stalls**

1327 (1) The number of **motor vehicle parking stalls** required in sections 1325 or 1326 may be increased to provide **parking area – short stay** stalls under one of the following options when the **parcel** is located in a Short Stay Parking Area identified in Map 14:

- (a) up to a total of 10.0 additional **motor vehicle parking stalls** where such stalls are:
 - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (ii) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
 - (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; or
- (b) more than 10.0 additional **motor vehicle parking stalls**, to a maximum of 25.0 per cent of the number of stalls required in section 1325 or 125.0 stalls, whichever is less, where such stalls are:
 - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (ii) identified through appropriate signage, as **parking area - short stay** stalls;
 - (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; and

SCHEDULE A

Groups of Uses

AGRICULTURE AND ANIMAL GROUP

Extensive Agriculture
Kennel
Tree Farm
Veterinary Clinic

AUTOMOTIVE SERVICE GROUP

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

CARE AND HEALTH GROUP

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

CULTURE AND LEISURE GROUP

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

DIRECT CONTROL USES

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

EATING AND DRINKING GROUP

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

GENERAL INDUSTRIAL GROUP

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

INDUSTRIAL SUPPORT GROUP

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

INFRASTRUCTURE GROUP

Airport
Cemetery
Crematorium
Military Base
Municipal Works Depot
Natural Area
Park
Parking Lot – Grade
Parking Lot – Grade (temporary)
Parking Lot – Structure
Park Maintenance Facility – Large
Park Maintenance Facility – Small
Power Generation Facility – Medium
Power Generation Facility – Small
Protective and Emergency Service
Public Transit System
Rail Line
Sewage Treatment Plant
Utilities
Utilities - Linear
Utility Building
Waste Disposal and Treatment Facility
Water Treatment Plant
Wind Energy Conversion System – Type 1
Wind Energy Conversion System – Type 2

OFFICE GROUP

Counselling Service
Office
Service Organization

Schedule A has been amended by the following bylaws: 13P2008, 15P2008, 51P2008, 67P2008, 1P2009, 32P2009, 12P2010, 14P2010, 39P2010, 37P2010, 27P2011, 30P2011, 35P2011, 4P2013, 5P2013, 38P2013, 7P2014, 24P2014, 5P2015, 22P2016, 28P2016, 4P2017, 49P2017, 16P2018

RESIDENTIAL GROUP

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

SALES GROUP

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

SIGNS GROUP

Community Entrance Feature

Sign – Class A

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

Sign – Class B

Fascia Sign

Sign – Class C

Freestanding Sign

Sign – Class D

Canopy Sign
 Projecting Sign

Sign – Class E

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

Sign – Class F

Third Party Advertising Sign

Sign – Class G

Digital Third Party Advertising Sign

STORAGE GROUP

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

SUBORDINATE USE GROUP

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

TEACHING AND LEARNING GROUP

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

SCHEDULE B
Minimum and Specified Penalties

General Offences			
Section	Offence	Minimum Penalty First Offence	Specified Penalty First Offence
47(1)	Occupy or commence use prior to DCP	\$1500	\$3000
47(5)	Fail to allow inspection / hinder Inspector	\$1500	\$3000
47(8)	Fail to retain DCP on premises	\$200	\$400
49(2)	Fail to obtain DP	\$1500	\$3000
	Fail to comply with DP / DP conditions	\$1500	\$3000
Lighting Offences			
63	Fail to shield	\$100	\$200
65	Exceed mounting height	\$100	\$200
66	Fail to recess on canopy	\$100	\$200
Sign Offences			
70, 71	Fail to comply with Comprehensive Sign Program	\$500	\$1000
73(1)	Sign not located on a parcel	\$100	\$300
73(2)	Display Third Party Advertising	\$500	\$1000
73(6)	Sign too close to curb	\$100	\$500
73(8)	Sign in corner visibility triangle	\$100	\$500
73(9)	Sign in required road rights-of-way setback	\$100	\$300
73(11)	Unauthorized projection over sidewalks or road rights-of-way	\$100	\$200
73(12)	Damage landscaping	\$100	\$500
75	Fail to maintain sign	\$100	\$200
78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 90	Fail to comply with Rules for Sign – Class A	\$100	\$200
89	Fail to comply with Rules for Temporary Signs	\$200	\$400
92, 93	Fail to comply with Rules for Fascia Signs	\$200	\$400
95, 96, 97	Fail to comply with Rules for Freestanding Signs	\$200	\$400
99, 100	Fail to comply with Rules for Canopy Signs	\$200	\$400

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

Schedule B has been amended by the following bylaws: 30P2011, 35P2011, 16P2018