

THE CITY OF CALGARY LAND USE BYLAW 1P2007

OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

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

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.

TITLE: THE CALGARY LAND USE BYLAW 1P2007

AUTHOR: LAND USE BYLAW SUSTAINMENT TEAM,
DEVELOPMENT & BUILDING APPROVALS,
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BYLAW 1P2007

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- (c) that can be generally described as a:
- (i) bus;
 - (ii) cube van;
 - (iii) dump truck;
 - (iv) flatbed truck; or
 - (v) tractor, trailer, or tractor trailer combination.
- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (83.1) “**local food sales**” means the temporary sale of locally grown and made food that does not include permanent structures. 33P2019
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
 - (b) a flow sensor for leak detection; and
 - (c) a master valve to secure the system if a leak is detected.
- (86) “**LRT corridor**” means a **street**, **parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include a **Backyard Suite**. 12P2010, 24P2014
- (90) “**major street**” means a **street** identified as a Street in the Transportation Bylaw. 9P2012
- (90.1) *deleted* 7P2014, 25P2018
- (90.2) “**mixed use district**” means any one or more of the land use districts described in Part 14. 20P2017
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.

- 51P2008
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
 - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.
- (96) “**non-conforming use**” means a lawful specific use:
- (a) being made of land or a **building** or intended to be made of a **building** lawfully under construction, at the date a land use bylaw affecting the land or **building** becomes effective; and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw.
- 9P2012
- (96.1) “**Officer**” means a Bylaw Enforcement Officer or a Peace Officer.
- (97) “**open balcony**” means a **balcony** that is unenclosed on three sides, other than by a railing, balustrade or **privacy wall**.
- (98) “**overland flow area**” means those lands abutting the **floodway** or the **flood fringe**, the boundaries of which are indicated on the Floodway/ Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.
- 32P2009
- (99) “**parcel**” means
- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
 - (b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N, R-2, R-G and R-Gm districts, includes a **bare land unit** created under a condominium plan;
- 24P2014, 15P2016,
4P2017
- (100) “**parcel coverage**” means the cumulative **building coverage** of all **buildings** on a **parcel** excluding, **Accessory Residential Buildings** which in aggregate are less than 10.0 square metres.
- 47P2008, 5P2013
- (101) “**parcel depth**” means the length of a line joining the mid-points of the **front property line** and the **rear property line**.

- (n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of evaluated historic resources, and: 67P2018
- (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; 33P2019
 - (v) landscaping projects, parks, public tennis courts and street furniture; and 33P2019
 - (vi) **local food sales** on **City** owned land where approved by or on behalf of the **City**; 33P2019
- (q) the use of all or part of a **building** as a temporary polling station, returning offices' headquarters, Federal, Provincial or Municipal candidates' campaign offices and any other official temporary **use** in connection with a Federal, Provincial or Municipal election, referendum or census; 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

67P2018

- (iii) the existing **building** is not listed on the **City** inventory of evaluated historic resources;
- (b) an addition to a **Contextual Semi-detached Dwelling** or a **Contextual Single Detached Dwelling**;
 - (i) if the addition has a **gross floor area** less than or equal to 40.0 square metres and the addition has a height that is less than or equal to 6.0 metres when measured from **grade** at any point adjacent to the addition; or
 - (ii) if the addition has a **gross floor area** less than or equal to 10.0 square metres and is located above the first **storey**;
- (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**;

16P2018

- (e) **retaining walls** that are less than 1.2 metre in height, measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest **grade** retained by the **retaining wall**;
- (f) facilities required for environmental remediation or monitoring;
- (g) excavation, grading or stripping provided:
 - (i) the area of land to be excavated, stripped or graded is less than 1000.0 square metres;
 - (ii) it is part of a **development** for which a **development permit** has been released; or
 - (iii) the person carrying out the excavation, stripping or grading has signed a Development Agreement with the **City** for the area to be excavated, stripped or graded and that Development Agreement contemplates excavating, stripping or grading;
- (h) **Utilities** installed or constructed within a **street** or a utility right-of-way;

(xiv) Meridian 5 Range 2 Township 25 Section 5

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

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

(xv) Meridian 5 Range 2 Township 25 Section 5

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

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

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

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

(xviii) Lots 2 through 4 Block 6 Plan 8910893

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

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

1P2009

(a) **Public Transit System;**(a.1) temporary structures affiliated with a **City** approved street festival;

4P2012

(a.2) any activity and associated structures granted a permit through the Parks and Pathways Bylaw;

4P2012, 32P2012

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

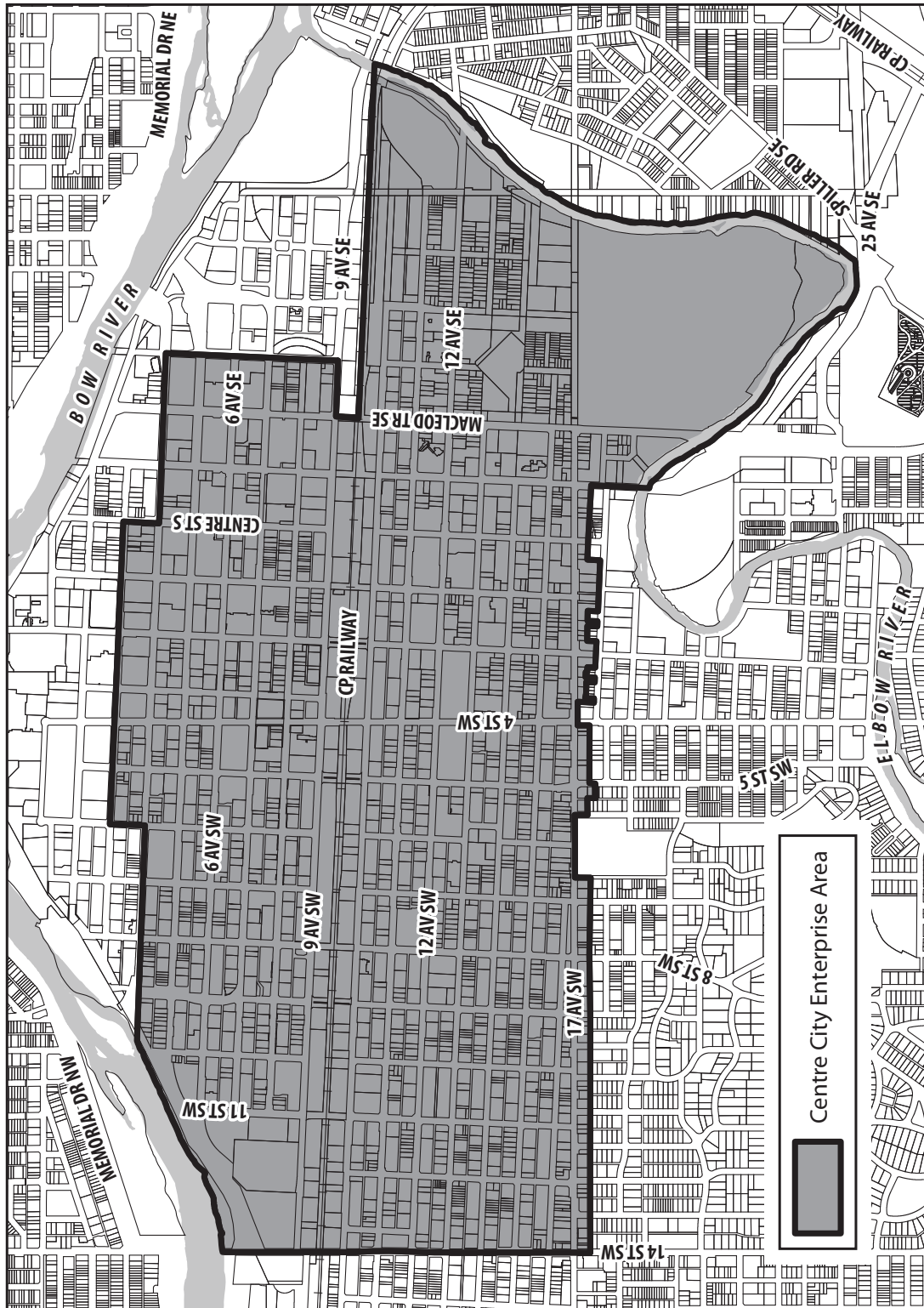
32P2012

- 32P2012, 11P2014 (d) **developments** as defined in section 7 of the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97, that have commenced and comply with the rules of the Municipal District of Rockyview or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to June 1, 2008, and which are located in the lands annexed from the Municipal District of Rocky View No. 44 to the City of Calgary as described in APPENDIX A of Order in Council 333/2007;
- 32P2012, 11P2014, 37P2017 (e) **developments** as defined in Section 8(2) of Part 10, that comply with the rules of Part 10 and have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to designation of the parcel under another part of this bylaw;
- 11P2014, 37P2017, 33P2019 (f) **developments** located in the **floodway**, which are being conducted by, or on behalf of, the **City** for the purpose of erosion control, where the primary purpose is to protect public infrastructure;
- 37P2017, 33P2019 (g) **targeted grazing** on **City** owned lands carried on by, or on behalf of, the **City**; and
- 33P2019 (h) **Urban Agriculture** where:
- (i) trees and shrubs required on the **parcel** in conjunction with an approved **development permit**, are retained;
 - (ii) there are no **local food sales**; and
 - (iii) there is a maximum of one ancillary **building** 10.0 square metres or less in area for the purposes of storage.
- 30P2017 **25.2 (1)** Unless otherwise stated in subsections (4) and (5), the following **developments** do not require a **development permit** if the conditions of section 24 are met:
- (a) An addition to a **building** where:
 - (i) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1;
 - (ii) it is not listed on the **City** inventory of evaluated historic resources; and
 - (iii) the addition does not increase the **gross floor area** of the **building** by more than 1000.0 square metres.
- 67P2018
- 52P2018 **(2)** Unless otherwise stated in subsections (4) and (5), a change of **use** for a **building** or portion of a **building** does not require a **development permit** if:
- (a) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1; and

- (b) it is a listed **use** in the district.
- (3) Unless otherwise stated in subsections (4) and (5), exterior alterations for **buildings** not listed on the **City** inventory of evaluated historic resources, do not require a **development permit** if:
- (a) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1; and
- (b) it is a listed **use** in the district.
- (4) The following **uses** are not exempt under subsections (1), (2) and(3):
- (a) **Cannabis Counselling;** 25P2018
- (a.1) **Cannabis Store;** 26P2018
- (a.2) **Custodial Care;** 25P2018
- (b) **Liquor Store;**
- (c) *deleted* 25P2018
- (d) **Nightclub;**
- (e) **Pawn Shop;** and
- (f) **Payday Loan.**
- (5) The following **uses** are not exempt under subsections (1), (2) and (3) where they are located within 30 metres of a freight rail corridor **property line**:
- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Dwelling Unit;**
- (e) **Emergency Shelter;**
- (f) **Home Based Child Care – Class 2;**
- (g) **Hospital;**
- (h) **Jail;**
- (i) **Residential Care;**
- (j) **School – Private;**
- (k) **School Authority – School;** and
- (l) **Temporary Shelter.**
- (6) **Parcels** designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, are subject to the **development permit** exemption clauses contained in this section unless specifically indicated otherwise in the Direct Control Bylaw.

- (7) Subsections (1), (2), (3), (4), (5) and (6) remain in effect until July 1, 2020.

Map 2.1 "Centre City Enterprise Area"



- (c) In the case of an appeal or leave to appeal to the Court of Appeal, the date the judgement roll or decision of the court is filed with the Court of Appeal allowing the **development** to proceed pursuant to an approved **development permit**. 41P2009
- (8) The **General Manager** may grant a request to extend the date before which **development** must commence as specified in this Land Use Bylaw or any previous bylaw governing land use within the **City** provided: 31P2009
29P2017
- (a) the **development permit** is not for a change of **use**, a change of intensity of **use** or both;
- (b) no more than two extensions are granted for any **development permit**;
- (c) the length of any extension is up to two years;
- (d) the request is made in writing on a form approved by the **General Manager** and must be submitted with the fee as prescribed by resolution of **Council**; and
- (e) the request is granted prior to the **development permit** lapsing.
- (8.1) Notwithstanding 44 (8) (a), the **General Manager** may grant a request to extend the date before which **development** must commence for a change of **use** to a **Cannabis Store** solely for the purposes of accommodating a moratorium on the issuance of licenses from the Province, provided: 32P2019
- (a) no more than two extensions are granted for any **development permit**;
- (b) the length of the extension is up to one year;
- (c) the request is made in writing on a form approved by the **General Manager** and must be submitted with the fee as prescribed by resolution of **Council**; and
- (d) the request is granted prior to the **development permit** lapsing.
- (8.2) Subsection (8.1) remains in effect until December 31, 2021. 32P2019
- (9) When **development** has not commenced in accordance with this section the **development permit** lapses. 31P2009

Commencement of Construction

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

Reapplication for a Development Permit

5P2013

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

Development Completion Permit

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

16P2018

Appeals of Decisions on Development Permits

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

83P2018

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 150.0 square metres or less where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises;
- (vi) that may include the retail sale for consumption off the premises, and sale for consumption on the premises, of alcoholic beverages made off the premises for one year after commencement of the **use**, or those beverages made in collaboration with another **Brewery, Winery and Distillery**;
- (vii) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;

33P2019

33P2019

33P2019

- (viii) where the private hospitality area and the **public area** may be separate floor areas or may occur in the same floor area, but whether these activities are combined or separate, the **public area** may not exceed the maximum area in subsection (a)(v) unless combined with another **use** as contemplated in subsection (c); and 33P2019
- (ix) that may include the preparation and sale of food for consumption on the premises to private groups in the private hospitality area and to the general public in the **public area**. 33P2019
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) may be combined with a **Drinking Establishment – Large, Drinking Establishment – Medium, Drinking Establishment – Small, Restaurant: Licensed – Large, Restaurant: Licensed – Medium** or **Restaurant: Licensed – Small** when one of these **uses** is also a listed **use** in the same **district** as a **Brewery, Winery and Distillery**, but the maximum total **public area** of the combined **uses** is the largest **public area** allowed in one of the combined **uses**;
- (d) when the **use** includes a **public area**, it must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a facade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (e) when the **use** includes a **public area**, it must not have an exterior entrance located on a facade that faces a **residential district**, unless that facade is separated from the **residential district** by an intervening **street**;
- (f) when the **use** is located in an **industrial district**, the maximum floor area of a display and sales area located in a **building** is the greater of:
- (i) 38.0 square metres; or
- (ii) 20.0 per cent of the **gross floor area** of the **use** to a maximum of 465.0 square metres;
- (g) requires a minimum number of **motor vehicle parking stalls** that is the sum of:
- (i) the greater of:
- (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres, not including any **public area**; or

- (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time, not including employees working only in the **public area**; and
- (ii) 1.70 **motor vehicle parking stalls** per 10.0 square metres of **public area** where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises
- (h) does not require **bicycle parking stalls – class 1**; and
 - (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

32P2009 **157** *deleted*

32P2009 **158** *deleted*

32P2009 **158.1** **“Building Supply Centre”**

- (a) means a **use**:
 - (i) where materials and supplies required for construction or assembly in a specific trade are sold including, but not limited to, lumber, plumbing, electrical and millwork;
 - (ii) that may include the incidental sales and rental of products and equipment related to the materials and supplies being sold;
 - (iii) that may include the sale and rental of tools and construction equipment;
 - (iv) that may include the outdoor storage of the materials and supplies being sold or rented; and
 - (v) that does not include the sale of home furnishings, household appliances, furniture or electronics;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) that has maximum **gross floor area** of 3500.0 square metres;
- (d) requires a minimum of 2.0 **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 2000.0 square metres of **gross usable floor area**.

- (c) must provide a sufficient area **adjacent** to outdoor entry doors for patrons to queue;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per four (4) fixed seats;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

167 “Columbarium”

- (a) means a **use**:
 - (i) where urns containing the ashes of cremated human remains are kept; and
 - (ii) that will always be approved with another **use**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may be approved only in conjunction with a **Cemetery, Crematorium, Funeral Home or Place of Worship – Large, Place of Worship – Medium, or Place of Worship - Small** where they are a listed **use** in a District and where those **uses** have been approved;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of non-**assembly areas**, and 1.0 stalls per four (4) persons capacity of the largest **assembly area**, which is calculated by one of the following methods:
 - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (iii) one (1) person per 0.5 linear metres of bench seating; or
 - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

67P2008

168 “Community Entrance Feature”

- (a) means a **use** where a landscape attraction, monument or **sign** is displayed on a **parcel** that states the name of, or in some way identifies, a residential community;

- (b) is a **use** within the Sign Group in Schedule A to this Bylaw;
- (c) requires the owner of the parcel, on which it is located, to enter into an agreement for the maintenance of the **parcel** and the removal of the **use** at the discretion of the **Development Authority**;
- (d) may have conditions placed on the **development permit** by the **Development Authority** relating to the location, size, design, **copy**, character, and number of **Community Entrance Features** allowed for a community;
- (e) must be constructed of maintenance-free materials, wherever possible; and
- (f) must not encroach upon utility rights-of-way or affect traffic safety.

169 “Community Recreation Facility”

- (a) means a **use**:
 - (i) operated by, or on behalf of, an organization whose membership is voluntary and generally serves the residents of a specific neighbourhood with the purpose of:
 - (A) providing programs, public facilities or services;
 - (B) providing non-profit sporting, educational, social, recreational or other activities; or
 - (C) where members of the facility and the public participate in recreation and leisure activities;
 - (ii) that has recreation space within a **building**;
 - (iii) that may have outdoor sports fields and equipment on the same **parcel** as the **building**;
 - (iv) where approved facilities are temporarily used to process and prepare locally-grown food with permission by, or on behalf of, the **City**;
 - (v) that may include **local food sales**; and
 - (vi) that include the temporary sale of whole food and locally made processed food, as well as food available for immediate consumption, as a community social activity;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**, and a minimum of 1.0 stalls per four (4)

33P2019

33P2019

33P2019

33P2019

person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:

- (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (iii) one (1) person per 0.5 linear metres of bench seating; or
 - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (d) does not require **bicycle parking stalls – class 1**; and
 - (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

170 “Computer Games Facility”

- (a) means a **use**:
 - (i) where the Internet or computer games are provided for four or more customers; and
 - (ii) that is entirely within a **building**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

170.1 “Conference and Event Facility”

67P2008

- (a) means a **use**:
 - (i) that provides permanent facilities for meetings, seminars, conventions, weddings or other special events;
 - (ii) that may include banquet facilities including areas for food preparation; and
 - (iii) that does not include any **use** listed in the Eating and Drinking Group in Schedule A;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;

- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**, or a C-N1, C-N2, or C-COR1 District;
- (d) must not have a **public area** greater than 75.0 square metres where the **use** shares a **property line** with, or is only separated by an intervening **lane** from a **residential district**, or a C-N1, C-N2, or C-COR1 District;
- (e) requires a total of:
 - (i) 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**; and
 - (ii) 1.0 **motor vehicle parking stalls** per four (4) person capacity of the **assembly area** of the **building**, which is calculated by one of the following methods:
 - (A) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (B) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (C) one (1) person per 0.5 linear metres of bench seating; and
 - (D) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

27P2011, 24P2014

170.2 “Contextual Semi-detached Dwelling”

- (a) means a **use** where a **building** :
 - (i) contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof;
 - (ii) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district; and
 - (iii) meets all of the rules specified for the **use** in a district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;

198.1 “Food Production”

49P2017

- (a) means a **use**:
 - (i) where plants are grown to produce food in a **building**;
 - (ii) that may include hydroponics, aquaponics and vertical growing;
 - (iii) where food grown on-site may be processed and packaged;
 - (iv) that may include aquaculture and raising insects for food only when the **use** is in the I-G or I-H Districts;
 - (v) where no dust or vibration is seen or felt outside of the **building** containing the **use**; and
 - (vi) where all of the processes and functions associated with the use are contained in a fully enclosed **building**;
- (b) is a **use** in the General Industrial Group in Schedule A to this Bylaw;
- (c) where the **Development Authority** may require, as a condition of a **development permit**, equipment designed and intended to remove odours from the air where it is discharged from the **building** as part of a ventilation system;
- (d) where the **Development Authority** may require, as a condition of a **development permit**, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes detail on:
 - (i) the management and disposal of waste products and airborne emissions, including smell;
 - (ii) the quantity and characteristics of liquid and waste material discharged the **use**; and
 - (iii) the method and location of collection and disposal of liquid and waste material;
- (e) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; and
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;

33P2019

- (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**.

249 “Park”

- (a) means a **use**: 33P2019
- (i) where open space is set aside for recreational, educational, cultural or aesthetic purposes;
 - (ii) that may be improved for the comfort of park users; and
 - (iii) may include land or **buildings** used to grow food and ornamental plants for recreational, social, educational and community purposes, and may include:
 - (A) sheds, compost bins, greenhouses or other structures used to grow food;
 - (B) raised beds, cold frames and temporary hoop enclosures; and
 - (C) washrooms and sheds for maintenance equipment and materials.
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) may have washroom facilities; 13P2008
- (c.1) may have small sheds less than 10.0 square metres in **gross floor area** for park maintenance equipment and materials; 13P2008
- (d) may have a parking area, provided it is located a minimum of 3.0 metres from the nearest **property line**;
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1 or class 2**.

250 “Park Maintenance Facility – Large”

- (a) means a **use**:
- (i) where equipment, vehicles or materials, that are for park maintenance, are stored;
 - (ii) where all **buildings** related to the **use** have a total **gross floor area** greater than 300.0 square metres; 13P2008
 - (iii) that may have **buildings** for storage or servicing of equipment; and
 - (iv) that may have **buildings** for the administrative functions associated with the **use**;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must provide **screening** when piles or stacks of loose materials are stored on the **parcel**, and the **screening** must be equal in height to the stored materials;

- (d) must provide a berm with a maximum 3:1 slope, if the berm is used to satisfy the **screening** requirements referenced in subsection (c);
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1** or **class 2**.

251 “Park Maintenance Facility – Small”

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

252 “Parking Lot – Grade”

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.

315 “Take Out Food Service”

- (a) means a **use**:
 - (i) where prepared food is sold for consumption off the premises;
 - (ii) where customers order and pick-up their food; and
 - (iii) that may have a delivery service;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not provide any dine-in opportunity for customers;
- (d) may provide a customer service waiting area, provided that area is not more than 15.0 square metres and is clearly demised and separate from the **kitchen area**;
- ((e) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **public area**.

32P2009

316 “Temporary Residential Sales Centre”

67P2008, 71P2008

- (a) means a **use**:
 - (i) where **units** are offered for sale to the public;
 - (ii) that is located in a **residential district**;
 - (iii) that may include sales offices and displays of materials used in the construction of the **units** that are offered for sale; and
 - (iv) that must only occur:
 - (A) in a **unit**, which may be temporarily modified to accommodate the **use**; or
 - (B) in a temporary **building**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not operate for longer than:
 - (i) two (2) years when located in a **low density residential district**; or
 - (ii) four (4) years when located in a **multi-residential district**;
- (d) does not require **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

317 “Temporary Shelter”

- (a) means a **use**:
 - (i) where an existing **building** is used to provide temporary sleeping accommodation for persons in need of short term accommodation;
 - (ii) that has staff providing supervision of the people being accommodated at all times the facility is being operated;
 - (iii) that only provides limited additional services such as shower or laundry facilities; and
 - (iv) that restricts the provision of meals to persons staying at the facility;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

318 “Tire Recycling”

- (a) means a **use**:
 - (i) where used automotive tires are stored, recycled and processed; and
 - (ii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Tire Recycling** as a **use**;
- (b) is a **use** within the Direct Control Uses Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application.

319 “Townhouse”

- (a) means a **building**:
 - (i) comprising three or more **Dwelling Units**;
 - (ii) where each **Dwelling Unit** has a separate direct entry from **grade**;
 - (iii) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**; and
 - ((iv) that does not include a **Rowhouse Building**;

71P2008

24P2014

- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** based on:
 - (i) 1.0 stalls per **Dwelling Unit** where the **Townhouse** is located in Area 2 and 3 of the Parking Areas Map, as illustrated on Map 7; and
 - (ii) 1.25 stalls per **Dwelling Unit** where the **Townhouse** is located in Area 1 of the Parking Areas Map, as illustrated on Map 7;
- (d) requires a minimum of 0.15 **visitor parking stalls** per Dwelling Unit; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

320 “Tree Farm”

- (a) means a **use** where trees and shrubs are intensively grown but are not sold commercially;
- (b) is a **use** within the Agriculture and Animal Group in Schedule A to this Bylaw;
- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

320.1 “Urban Agriculture”

33P2019

- (a) means a **use** where plants are grown outdoors for a commercial purpose;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may be accessory to another **use**;
- (d) may include raised beds, cold frames and temporary hoop enclosures that are 1.5 metres or less in height, and which are used only to extend the growing season;
- (e) may include the use of ancillary **buildings**;
- (f) may include **local food sales** of food grown on site;
- (g) must not include permanent outside storage of goods, materials or supplies;
- (h) does not require **motor vehicle parking stalls**; and
- (i) does not require **bicycle parking stalls – class 1 or class 2**.

321 “Utilities”

- (a) means a **use**:
 - (i) where facilities for water distribution, irrigation and drainage, waste water collection, gas, water heating and cooling for district energy, electricity, cable, telephone and telecommunications are provided; and
 - (ii) that is not **Utilities – Linear** or **Utility Building**;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must not be located in a **building** with a **gross floor area** greater than 10.0 square metres;
- (d) does not require **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

1P2009

321.1 “Utilities – Linear”

- (a) means a **use**:
 - (i) where lines for water distribution, irrigation and drainage, waste water collection, water heating and cooling for the purpose of district energy, gas, electricity, cable, telephone and telecommunications transmission are provided;
 - (ii) that is not located in a **building**; and
 - (iii) that may be located above, below or at **grade**;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) is not required to meet the rules of any land use district;
- (d) does not require **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

322 “Utility Building”

1P2009, 5P2013

- (a) means a **building** greater than 10.0 square metres in **gross floor area**:
 - (i) where water or steam, sewage treatment or disposal, irrigation, drainage, gas, electricity, heat, waste management, water heating and cooling for the purpose of district energy and telecommunications are located;
 - (ii) where the **use** is partially or wholly above **grade**; and
 - (iii) that does not include a **Sewage Treatment Plant** or a **Water Treatment Plant**;

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

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

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

325 “Vehicle Sales – Major”

- 71P2008, 44P2013
29P2016 (a) means a **use**:
- (i) where motor vehicles are sold or leased;
- (ii) where six (6) or more vehicles, each with a **gross vehicle weight** equal to or less than 4536 kilograms, are available for sale or lease; and
- (iii) that may be combined with an **Auto Body and Paint Shop**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have more than 25.0 per cent of the **gross floor area** occupied by an **Auto Body and Paint Shop**;
- (d) must not have an outdoor speaker system;
- (e) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (f) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- 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**.

- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.
- (4) All **landscaped areas**, other than **private amenity space**, must be accessible to all residents of the **development**.
- (5) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.
- (6) Unless otherwise referenced in subsections (7) and (8), all areas of a **parcel**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls, loading stalls, garbage facilities**, or any purpose allowed by the **Development Authority**, must be a **landscaped area**.
- (7) All **setback areas adjacent** to a **street** or another **parcel**, except for those portions specifically required for motor vehicle access, must be a **landscaped area**.
- (8) All **setback areas adjacent** to a **lane**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls, loading stalls** or garbage facilities must be a **landscaped area**.
- (9) **Amenity space** must be included in the calculation of a **landscaped area** where such **amenity space**:
 - (a) is provided outdoors at **grade**; and
 - (b) is a **hard surfaced landscaped area** or **soft surfaced landscaped area**.

Specific Rules for Landscaped Areas

- | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 551 | <ol style="list-style-type: none"> (1) Any part of the parcel used for motor vehicle access, motor vehicle parking stalls, loading stalls and garbage or recycling facilities must not be included in the calculation of a landscaped area. | 13P2008, 7P2011 |
| (2) | Unless otherwise referenced in section 553, a minimum of 40.0 per cent of the area of a parcel must be a landscaped area . | 13P2008, 10P2009 |
| (3) | The maximum hard surfaced landscaped area is: <ol style="list-style-type: none"> (a) 50.0 per cent of the required landscaped area for a parcel containing a street-oriented multi-residential building; and (b) 40.0 per cent of the required landscaped area, in all other cases. | |

- (4) For a **Multi-Residential Development – Minor**, 30.0 per cent of the maximum allowable **hard surfaced landscaped area** may be concrete.
- (5) For **landscaped areas** above **grade**, a minimum of 30.0 per cent of the area must be covered with **soft surfaced landscaping**.
- (6) Where a **landscaped area** above grade is fragmented into isolated spaces, a minimum of 30.0 per cent of each space must be covered with **soft surfaced landscaping**.

Planting Requirements

- 552 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
- (2) A minimum of 1.0 trees and 2.0 shrubs must be planted for every 45.0 square metres of **landscaped area** provided.
- (2.1) **Landscaped areas** may include **Urban Agriculture**.
- (3) A minimum of 25.0 per cent of all trees provided must be coniferous.
- (4) Unless otherwise referenced in section 555, deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
- (5) Unless otherwise referenced in section 555, coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.
- (6) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (7) For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
- (a) 1.2 metres for trees;
 - (b) 0.6 metres for shrubs; and
 - (c) 0.3 metres for all other planting areas.
- (8) The soil depths referenced in (7) must cover an area equal to the mature spread of the planting material.

33P2019

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

Purpose

576 The Multi-Residential – Contextual Grade-Oriented District:

- (a) is intended to apply to the ***Developed Area***;
- (b) has **Multi-Residential Development** that will typically have higher numbers of **Dwelling Units** and traffic generation than low density residential dwellings;
- (c) has **Multi-Residential Development** designed to provide some or all **Units** with direct access to ***grade***;
- (d) provides for **Multi-Residential Development** in a variety of forms;
- (e) has **Multi-Residential Development** of low height and low ***density***;
- (f) allows for varied ***building height*** and ***front setback areas*** in a manner that reflects the immediate context;
- (g) is intended to be in close proximity or ***adjacent*** to low density residential development;
- (h) provides outdoor space for social interaction; and
- (i) provides landscaping to complement the design of the ***development*** and to help screen and buffer elements of the ***development*** that may have impacts on residents or nearby ***parcels***.

Permitted Uses

577 (1) The following ***uses*** are ***permitted uses*** in the Multi-Residential – Contextual Grade-Oriented District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** 17P2009
- (b) **Home Occupation – Class 1;**
- (c) ***deleted*** 46P2009
- (d) **Park;**
- (e) **Protective and Emergency Service;**
- (e.1) **Secondary Suite;** 33P2011
- (f) **Sign – Class A;** and 4P2012

4P2012

(g) *deleted*

(h) **Utilities.**

(2) The following **uses** are **permitted uses** on a parcel in the Multi-Residential – Contextual Grade-Oriented District that has a **building** used or previously used as a **School Authority – School**:

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

(b) **School Authority Purpose – Minor.**

Discretionary Uses

578 (1) The following **uses** are **discretionary uses** in the Multi-Residential – Contextual Grade-Oriented District:

(a) **Addiction Treatment**;

(b) **Assisted Living**;

24P2014

(b.1) **Backyard Suite**;

(c) **Bed and Breakfast**;

(d) **Community Entrance Feature**;

(e) **Custodial Care**;

(f) **Duplex Dwelling**;

17P2009

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

(g) **Home Occupation – Class 2**;

(h) **Live Work Unit**;

(i) **Multi-Residential Development**;

(j) **Place of Worship – Medium**;

(k) **Place of Worship – Small**;

(l) **Power Generation Facility – Small**;

(m) **Residential Care**;

33P2011

(n) *deleted*

12P2010, 24P2014

(n.1) *deleted*

12P2010, 24P2014

(n.2) *deleted*

(o) **Semi-detached Dwelling**;

(p) **Sign – Class B**;

(q) **Sign – Class C**;

(r) **Sign – Class D**;

(s) **Sign – Class E**;

- (t) **Single Detached Dwelling;**
 - (u) **Temporary Residential Sales Centre;** 33P2019
 - (u.1) **Urban Agriculture;** and 33P2019
 - (v) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **School Authority – School** in the Multi-Residential – Contextual Grade-Oriented District:
- (a) **Child Care Service;** 17P2009
 - (a.1) **Library;** 17P2009
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major;** and
 - (e) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Multi-Residential – Contextual Grade-Oriented District that has a **building** used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**
 - (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Area;**
 - (e) **Park Maintenance Facility – Large;** and
 - (f) **Park Maintenance Facility – Small.**
- (4) The following **uses** are additional **discretionary uses** on a **parcel** that has an existing **building** used as a **Place of Worship – Large or Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**: 22P2016
- (a) **Place of Worship – Large;** and
 - (b) **Place of Worship – Medium.**

Rules

- 579** In addition to the rules in this District, all **uses** in this District must comply with:
- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
 - (b) the Rules Governing All Districts referenced in Part 3;
 - (c) the applicable Uses And Use Rules referenced in Part 4; and
 - (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 577(2) and 578(2) and (3).

Density

- 580** (1) The maximum **density** for **parcels** designated M-CG District is 111 **units** per hectare.
- (2) The maximum **density** for **parcels** designated M-CG District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not exceed the maximum **density** referenced in subsection (1).

At Grade Orientation of Units

- 581** (1) **Units** in a **Multi-Residential Development**, not including attached **private garages**, must occupy a minimum of 50.0 per cent of the area of the floor closest to **grade**.
- (2) A **unit** in a **Multi-Residential Development** that is located on the floor closest to **grade** must have:
- (a) an individual, separate, direct access to **grade**; and
 - (b) an entrance that is visible from the **street** that the **unit** faces.

13P2008

Setback Area

- 582** The depth of all **setback areas** must be equal to the minimum **contextual multi-residential building setback** and **building setback** required by section 583.

Building Setbacks

- 583** (1) Where the **contextual multi-residential building setback** is less than 3.0 metres and greater than zero metres, the minimum **building setback** from a **property line** shared with a **street** is equal to the **contextual multi-residential building setback**.
- (2) Where the **contextual multi-residential building setback** is 3.0 metres or greater, the minimum **building setback** from a **property line** shared with a **street** is the greater of:
- (a) the **contextual multi-residential building setback** less 1.5 metres; or
 - (b) 3.0 metres.
- (3) Where the **contextual multi-residential building setback** is zero metres, the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (4) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.

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

Purpose

586 The Multi-Residential – Contextual Low Profile District:

- (a) is intended to apply to the ***Developed Area***;
- (b) has **Multi-Residential Development** that will typically have higher numbers of **Dwelling Units** and traffic generation than low density residential dwellings and M-CG District;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) has **Multi-Residential Development** of low height and medium ***density***;
- (e) allows for varied ***building height*** and ***front setback areas*** in a manner that reflects the immediate context;
- (f) is intended to be in close proximity or ***adjacent*** to low density residential development;
- (g) provides space for social interaction; and
- (h) provides landscaping to complement the design of the ***development*** and to help screen and buffer elements of the ***development*** that may have impacts on residents or nearby ***parcels***.

Permitted Uses

587 (1) The following ***uses*** are ***permitted uses*** in the Multi-Residential – Contextual Low Profile District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** 17P2009
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**
- (d.1) **Secondary Suite;** 33P2011
- (e) **Sign – Class A; and** 4P2012
- (f) ***deleted*** 4P2012
- (g) **Utilities.**

- (2) The following **uses** are **permitted uses** on a **parcel** in the Multi-Residential – Contextual Low Profile District that has a **building** used or previously used as a **School Authority – School**:
- (a) **School Authority – School**; and
 - (b) **School Authority Purpose – Minor**.

Discretionary Uses

588 (1) The following **uses** are **discretionary uses** in the Multi-Residential – Contextual Low Profile District:

24P2014

17P2009

34P2010, 33P2011

34P2010, 24P2014

34P2010, 24P2014

- (a) **Addiction Treatment**;
- (b) **Assisted Living**;
- (b.1) **Backyard Suite**;
- (c) **Bed and Breakfast**;
- (d) **Child Care Service**;
- (e) **Community Entrance Feature**;
- (f) **Custodial Care**;
- (g) **Duplex Dwelling**;
- (g.1) **Home Based Child Care – Class 2**;
- (h) **Home Occupation – Class 2**;
- (i) **Live Work Unit**;
- (j) **Multi-Residential Development**;
- (k) **Place of Worship – Medium**;
- (l) **Place of Worship – Small**;
- (m) **Power Generation Facility – Small**;
- (n) **Residential Care**;
- (n.1) *deleted*
- (n.2) *deleted*
- (n.3) *deleted*
- (o) **Semi-detached Dwelling**;
- (p) **Sign – Class B**;
- (q) **Sign – Class C**;
- (r) **Sign – Class D**;
- (s) **Sign – Class E**;
- (t) **Single Detached Dwelling**;

- (u) **Temporary Residential Sales Centre;** 33P2019
 - (u.1) **Urban Agriculture;** and 33P2019
 - (v) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **School Authority – School** in the Multi-Residential – Contextual Low Profile District:
- (a) **Library;**
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major;** and
 - (e) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Multi-Residential – Contextual Low Profile District that has a **building** used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**
 - (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Area;**
 - (e) **Park Maintenance Facility – Large;** and
 - (f) **Park Maintenance Facility – Small.**
- (4) The following **uses** are additional **discretionary uses** on a **parcel** that has an existing **building** used as a **Place of Worship – Large or Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**: 22P2016
- (a) **Place of Worship – Large;** and
 - (b) **Place of Worship – Medium.**

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3;
- (c) the applicable Uses And Use Rules referenced in Part 4; and
- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 587(2) and 588(2) and (3).

Density

- 590** (1) The maximum **density** for **parcels** designated M-C1 District is 148 **units** per hectare.
- (2) The maximum **density** for **parcels** designated M-C1 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not exceed the maximum **density** referenced in subsection (1).

Setback Area

- 591** The depth of all **setback areas** must be equal to the minimum **contextual multi-residential building setback** and the **building setback** required in section 592.

Building Setbacks

- 592** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is the greater of:
- (a) the **contextual multi-residential building setback**; or
 - (b) 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is the **contextual multi-residential building setback** less 1.5 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres, when the adjoining **parcel** is designated:
- (a) C-N1, C-COR1, CC-X or CC-COR District; or
 - (b) M-CG, M-C1, M-C2, M-H1, M-H2, M-H3, M-X1, M-X2, CC-MH or CC-MHX District and contains four or more **Dwelling Units**.

51P2008

51P2008

- (o) **Semi-detached Dwelling;**
 - (p) **Sign – Class B;**
 - (q) **Sign – Class C;**
 - (r) **Sign – Class D;**
 - (s) **Sign – Class E;**
 - (t) **Single Detached Dwelling;**
 - (u) **Temporary Residential Sales Centre;** 33P2019
 - (u.1) **Urban Agriculture;** and 33P2019
 - (v) **Utility Building.**
- (2) The following *uses* are additional *discretionary uses* if they are located in *buildings* used or previously used as **Community Recreation Facility** or **School Authority – School** in the Multi-Residential – Contextual Medium Profile District: 53P2008
- (a) **Library;**
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major;** and
 - (e) **Service Organization.**
- (3) The following *uses* are additional *discretionary uses* on a *parcel* in the Multi-Residential – Contextual Medium Profile District that has a *building* used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**
 - (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Area;**
 - (e) **Park Maintenance Facility – Large;** and
 - (f) **Park Maintenance Facility – Small.**
- (4) The following *uses* are additional *discretionary uses* on a *parcel* that has an existing *building* used as a **Place of Worship – Large** or **Place of Worship – Medium** provided any new *development* proposed does not result in the increase of any *assembly area*: 22P2016
- (a) **Place of Worship – Large;** and
 - (b) **Place of Worship – Medium.**

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3;
- (c) the applicable Uses And Use Rules referenced in Part 4; and
- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 596(2) and 597(2) and (3).

44P2013

7P2011

Floor Area Ratio

- 599** (1) The maximum **floor area ratio** is 2.5.
- (2) The maximum **floor area ratio** for all **buildings** on **parcels** designated M-C2 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 2.5.

13P2008

Density

- 600** (1) There is no maximum **density** for **parcels** designated M-C2 District, unless established as referenced in subsection (2).
- (2) The maximum **density** for **parcels** designated M-C2 District followed by the letter “d” and a number indicated on the Land Use District Maps is the number expressed in **units** per hectare.

Setback Area

601 The depth of all **setback areas** must be equal to the minimum **contextual multi-residential building setback** and **building setback** required in section 602.

Building Setbacks

- 602** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is the greater of:
- (a) the **contextual multi-residential building setback**; or
 - (b) 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is a minimum of the **contextual multi-residential building setback** less 1.5 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.

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

Purpose

605 The Multi-Residential – At Grade Housing District:

- (a) is intended to apply to the *Developing Area*;
- (b) has **Multi-Residential Development** that will typically have higher numbers of **Dwelling Units** and traffic generation than low density residential dwellings;
- (c) has **Multi-Residential Development** designed to provide all *units* with pedestrian direct access to *grade*;
- (d) has **Multi-Residential Development** of low height and low *density*;
- (e) is intended to be in close proximity or *adjacent* to low density residential development;
- (f) requires that **Multi-Residential Development** achieves a minimum *density*;
- (g) provides for *permitted use Multi-Residential Development* on small *parcels*;
- (h) provides outdoor space for social interaction; and
- (i) provides landscaping to complement the design of the *development* and to help screen and buffer elements of the *development* that may have impacts on residents or nearby *parcels*.

Permitted Uses

606 The following *uses* are *permitted uses* in the Multi-Residential – At Grade Housing District:

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

17P2009

4P2012

4P2012

- (g) *deleted*
- (h) **Utilities.**

Discretionary Uses

607 The following *uses* are **discretionary uses** in the Multi-Residential – At Grade Housing District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (e) **Home Occupation – Class 2;**
- (f) **Live Work Unit;**
- (g) **Multi-Residential Development;**
- (h) **Place of Worship – Medium;**
- (i) **Place of Worship – Small;**
- (j) **Power Generation Facility – Small;**
- (k) **Residential Care;**
- (l) **Sign – Class B;**
- (m) **Sign – Class C;**
- (n) **Sign – Class D;**
- (o) **Sign – Class E;**
- (p) **Temporary Residential Sales Centre;**
- (p.1) **Urban Agriculture; and**
- (q) **Utility Building.**

33P2019

33P2019

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and

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

Purpose

616 The Multi-Residential – Low Profile District:

- (a) is intended to apply to the *Developing Area*;
- (b) has **Multi-Residential Development** that will have higher numbers of **Dwelling Units** and more traffic generation than both low density residential dwellings and the M-G District;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) has **Multi-Residential Development** of low height and medium *density*;
- (e) is intended to be in close proximity or *adjacent* to low density residential development;
- (f) requires that **Multi-Residential Development** achieves a minimum *density*;
- (g) provides for *permitted use* **Multi-Residential Development** on small *parcels*;
- (h) provides private and common outdoor space for social interaction; and
- (i) provides landscaping to complement the design of the *development* and to help screen and buffer elements of the *development* that may have impacts on residents or nearby *parcels*.

Permitted Uses

617 The following *uses* are *permitted uses* in the Multi-Residential – Low Profile District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** 17P2009
- (b) **Home Occupation – Class 1;**
- (c) **Multi-Residential Development – Minor;**
- (d) **Park;**
- (e) **Protective and Emergency Service;**
- (f) **Sign – Class A;** and 4P2012

4P2012

- (g) *deleted*
- (h) **Utilities.**

Discretionary Uses

618 The following *uses* are **discretionary uses** in the Multi-Residential – Low Profile District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Custodial Care;**
- (f) **Home Occupation – Class 2;**
- (g) **Live Work Unit;**
- (h) **Multi-Residential Development;**
- (i) **Place of Worship – Medium;**
- (j) **Place of Worship – Small;**
- (k) **Power Generation Facility – Small;**
- (l) **Residential Care;**
- (m) **Sign – Class B;**
- (n) **Sign – Class C;**
- (o) **Sign – Class D;**
- (p) **Sign – Class E;**
- (q) **Temporary Residential Sales Centre;**
- (q.1) **Urban Agriculture; and**
- (r) **Utility Building.**

33P2019

33P2019

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;

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

7P2011

Purpose

625 The Multi-Residential – Medium Profile District:

- (a) is intended to apply to the ***Developing Area***;
- (b) has **Multi-Residential Development** that will have higher numbers of **Dwelling Units** and traffic generation than ***low density residential districts*** and the M-G and M-1 Districts;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) has **Multi-Residential Development** of medium height and medium ***density***;
- (e) has **Multi-Residential Development** where intensity is measured by ***floor area ratio*** to provide flexibility in ***building*** form and **Dwelling Unit** size and number;
- (f) is intended to be in close proximity or ***adjacent*** to, low density residential development;
- (g) is intended to be typically located at community nodes or transit and transportation corridors and nodes;
- (h) requires that **Multi-Residential Development** achieves a minimum ***density***;
- (i) provides for ***permitted use*** **Multi-Residential Development** on small ***parcels***;
- (j) provides outdoor space for social interaction; and
- (k) provides landscaping to complement the design of the ***development*** and to help screen and buffer elements of the ***development*** that may have impacts on residents or nearby ***parcels***.

Permitted Uses

626 The following ***uses*** are ***permitted uses*** in the Multi-Residential – Medium Profile District:

- (a) **Accessory Residential Building**;
- (a.1) **Home Based Child Care – Class 1**;
- (b) **Home Occupation – Class 1**;
- (c) **Multi-Residential Development – Minor**;

17P2009

- (d) **Park;**
- (e) **Protective and Emergency Service;**
- 4P2012 (f) **Sign – Class A;** and
- 4P2012 (g) *deleted*
- (h) **Utilities.**

Discretionary Uses

627 The following *uses* are **discretionary uses** in the Multi-Residential – Medium Profile District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Custodial Care;**
- (f) **Home Occupation – Class 2;**
- (g) **Live Work Unit;**
- (h) **Multi-Residential Development;**
- (i) **Place of Worship – Medium;**
- (j) **Place of Worship – Small;**
- (k) **Power Generation Facility – Small;**
- (l) **Residential Care;**
- (m) **Sign – Class B;**
- (n) **Sign – Class C;**
- (o) **Sign – Class D;**
- (p) **Sign – Class E;**
- 33P2019 (q) **Temporary Residential Sales Centre;**
- 33P2019 (q.1) **Urban Agriculture;** and
- (r) **Utility Building.**

- (y) **Sign – Class E;**
 - (z) **Specialty Food Store;**
 - (aa) **Take Out Food Service;**
 - (bb) **Temporary Residential Sales Centre;** 33P2019
 - (bb.1) **Urban Agriculture;** and 33P2019
 - (cc) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** in the Multi Residential – High Density Low Rise District if they are located on a **parcel** in the **developed area** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:
- (a) **Backyard Suite;** 24P2014
 - (a.1) **Duplex Dwelling;** 24P2014
 - (b) *deleted* 33P2011
 - (c) *deleted* 24P2014
 - (d) *deleted* 24P2014
 - (e) **Semi-detached Dwelling;** and
 - (f) **Single Detached Dwelling.**

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing all Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Floor Area Ratio

7P2011

- 639** (1) The maximum **floor area ratio** is 4.0.
- (2) The maximum **floor area ratio** for all **buildings** on **parcels** designated M-H1 District is the number following the letter “F” when indicated on the Land Use District Maps, which must be less than 4.0.

Density

- 640** (1) The minimum **density** for **parcels** designated M-H1 District is 150 **units** per hectare. 13P2008
- (2) There is no maximum **density** for **parcels** designated M-H1 District, unless established as referenced in subsection (3).

-
- (3) The maximum **density** for **parcels** designated M-H1 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

Setback Area

641 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 642.

Building Setbacks

- 642** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a street is 6.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 3.0 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** is zero metres when the adjoining **parcel** is designated as a:
- (a) **commercial district**;
 - (b) **industrial district**;
 - (c) **special purpose district**; or
 - (d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

9P2012

51P2008

Landscaping

643 At least 50.0 per cent of the required **landscaped area** must be provided at **grade**.

7P2011

Building Height

- 644** (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum **building height** is 26.0 metres.
- (2) The maximum **building height** for **parcels** designated M-H1 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres, which must be less than 26.0 metres.

- (x) **Sign – Class B;**
 - (y) **Sign – Class C;**
 - (z) **Sign – Class D;**
 - (aa) **Sign – Class E;**
 - (bb) **Specialty Food Store;**
 - (cc) **Take Out Food Service;**
 - (dd) **Temporary Residential Sales Centre;** 33P2019
 - (dd.1) **Urban Agriculture;** and 33P2019
 - (ee) **Utility Building.**
- (2) The following *uses* are additional **discretionary uses** in the Multi Residential – High Density Medium Rise District if they are located on a *parcel* in the **developed area** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**: 24P2014
- (a) **Backyard Suite;** 24P2014
 - (a.1) **Duplex Dwelling;** 33P2011
 - (b) *deleted* 24P2014
 - (c) *deleted* 24P2014
 - (d) *deleted*
 - (e) **Semi-detached Dwelling;** and
 - (f) **Single Detached Dwelling.**

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4. 7P2011

Maximum Floor Area Ratio

- 650** (1) The maximum **floor area ratio** is 5.0.
- (2) The maximum **floor area ratio** for all **buildings on parcels** designated M-H2 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 5.0.

Density

13P2008

- 651** (1) The minimum **density** for **parcels** designated M-H2 District is 150 **units** per hectare.

- (2) There is no maximum **density** for **parcels** designated M-H2 District, unless established as referenced in subsection (3).
- (3) The maximum **density** for **parcels** designated M-H2 District followed by the letter “d” and a number indicated on the Land Use District Maps:
 - (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

Setback Area

652 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 653.

Building Setbacks

- 653**
- (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a street is 6.0 metres.
 - (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
 - (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
 - (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 6.0 metres when that **parcel** is designated as a:
 - (a) **low density residential district**; or
 - (b) M-CG, M-C1, M-G, M-1 or M-X1 District.
 - (5) Where a **parcel** shares a **property line** with another **parcel**, the minimum **building setback** is zero metres when the adjoining **parcel** is designated as a:
 - (a) **commercial district**;
 - (b) **industrial district**;
 - (c) **special purpose district**; or
 - (d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

51P2008

Landscaping

654 At least 25.0 per cent of the required **landscaped area** must be provided at **grade**.

- (y) **Sign – Class C;**
 - (z) **Sign – Class D;**
 - (aa) **Sign – Class E;**
 - (bb) **Specialty Food Store;**
 - (cc) **Take Out Food Service;**
 - (dd) **Temporary Residential Sales Centre;** 33P2019
 - (dd.1) **Urban Agriculture;** and 33P2019
 - (ee) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** in the Multi Residential – High Density High Rise District if they are located on a **parcel** in the **developed area** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:
- (a) **Backyard Suite;** 24P2014
 - (a.1) **Duplex Dwelling;** 24P2014
 - (b) *deleted* 33P2011
 - (c) *deleted* 24P2014
 - (d) *deleted* 24P2014
 - (e) **Semi-detached Dwelling;** and
 - (f) **Single Detached Dwelling.**

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Floor Area Ratio

- 661** (1) The maximum **floor area ratio** is 11.0.
- (2) The maximum **floor area ratio** for all **buildings on parcels** designated M-H3 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be greater than 5.0 and less than 11.0.

Density

13P2008

- 662** (1) The minimum **density** for **parcels** designated M-H3 District is 300 **units** per hectare.

- (2) There is no maximum **density** for **parcels** designated M-H3 District, unless established as referenced in subsection (3).
- (3) The maximum **density** for **parcels** designated M-H3 District followed by the letter “d” and a number indicated on the Land Use District Maps:
 - (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

Setback Area

- 663** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 664.

Building Setbacks

- 664** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 6.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 6.0 metres.
- (5) Where a **parcel** shares a **property line** with another **parcel**, the minimum **building setback** is zero metres when the adjoining **parcel** is designated as a:
- (a) **commercial district**;
 - (b) **industrial district**;
 - (c) **special purpose district**; or
 - (d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

9P2012

51P2008

Landscaping

- 665** At least 25.0 per cent of the required **landscaped area** must be provided at **grade**.

Building Height

- 666** (1) Unless otherwise referenced in subsection (2), the maximum **building height** for **parcels** designated M-H3 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

- (aa) **Take Out Food Service;**
- (bb) **Temporary Residential Sales Centre;** 33P2019
- (bb.1) **Urban Agriculture;** and 33P2019
- (cc) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** in the Multi Residential – Low Profile Support Commercial District if they are located on a **parcel** in the **developed area** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:** 24P2014
 - (a) **Backyard Suite;** 24P2014
 - (a.1) **Duplex Dwelling;** 33P2011
 - (b) *deleted* 24P2014
 - (c) *deleted* 24P2014
 - (d) *deleted*
 - (e) **Semi-detached Dwelling;** and
 - (f) **Single Detached Dwelling.**

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Density

- 672** (1) The minimum **density** for **parcels** designated M-X1 District is 50 **units** per hectare. 13P2008
- (2) The maximum **density** for **parcels** designated M-X1 District is 148 **units** per hectare. 13P2008
- (3) The maximum **density** for **parcels** designated M-X1 District followed by the letter “d” and a number indicated on the Land Use District Maps:
 - (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1) or exceed the maximum **density** referenced in subsection (2).

Setback Area

- 673** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 674.

Building Setbacks

- 674** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres when the adjoining **parcel** is designated as a C-N1, C-COR1, CC-X or CC-COR District or a **multi-residential district**.

51P2008

Landscaping

- 675** At least 80.0 per cent of the required **landscaped area** must be provided at **grade**.

Building Height

- 676** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 14.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated as a **low density residential district** or M-G District, the maximum **building height**:
- (a) is 9.0 metres measured from **grade** at the shared **property line**; and
- (b) increases proportionately to a maximum of 14.0 metres measured from **grade** at a distance of 5.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **street** the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**; and
- (b) 14.0 metres measured from **grade** at a distance greater than 3.0 metres from that shared **property line**.
- (4) The following diagrams illustrate the rules of subsections (2) and (3):

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

7P2011

Purpose

678 The Multi-Residential – Medium Profile Support Commercial District:

- (a) is intended to provide for **Multi-Residential Development** with support commercial uses on *parcels* in the **Developed Area** and the **Developing Area**;
- (b) has **Multi-Residential Development** that will have higher numbers of **Dwelling Units** and traffic generation than low density residential dwellings and low profile **multi-residential districts**;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) includes a limited range of support **commercial multi-residential uses**, restricted in size and location within the **building**;
- (e) has **Multi-Residential Development** of medium height and medium **density**;
- (f) has **Multi-Residential Development** where intensity is measured by **floor area ratio** to provide flexibility in **building** form and **Dwelling Unit** size and number;
- (g) is typically located at community nodes or transit and transportation corridors and nodes;
- (h) is in close proximity or **adjacent** to, low density residential development;
- (i) requires that **Multi-Residential Development** achieves a minimum **density**;
- (j) provides outdoor space for social interaction; and
- (k) provides landscaping to complement the design of the **development** and to help screen and buffer elements of the **development** that may have impacts on residents or nearby **parcels**.

Permitted Uses

679 The following *uses* are *permitted uses* in the Multi-Residential – Medium Profile Support Commercial District:

- (a) **Accessory Residential Building;**
- 17P2009 (a.1) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**
- 33P2011 (d.1) **Secondary Suite;**
- 4P2012 (e) **Sign – Class A; and**
- 4P2012 (f) *deleted*
- (g) **Utilities.**

Discretionary Uses

34P2010

29P2010, 7P2011

680 (1) The following *uses* are *discretionary uses* in the Multi-Residential – Medium Profile Support Commercial District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Convenience Food Store;**
- (f) **Counselling Service;**
- (g) **Custodial Care;**
- (h) **Home Occupation – Class 2;**
- (i) **Information and Service Provider;**
- (j) **Live Work Unit;**
- (k) **Multi – Residential Development;**
- (l) **Office;**
- (m) **Outdoor Café;**
- (n) **Place of Worship – Medium;**
- (o) **Place of Worship – Small;**
- (p) **Power Generation Facility – Small;**
- (q) **Print Centre;**

- (r) **Residential Care;**
 - (s) **Restaurant: Food Service Only – Small;**
 - (s.1) **Restaurant: Neighbourhood;** 5P2015
 - (t) **Retail and Consumer Service;**
 - (u) **Service Organization;**
 - (v) **Sign – Class B;**
 - (w) **Sign – Class C;**
 - (x) **Sign – Class D;**
 - (y) **Sign – Class E;**
 - (z) **Specialty Food Store;**
 - (aa) **Take Out Food Service;**
 - (bb) **Temporary Residential Sales Centre;** 33P2019
 - (bb.1) **Urban Agriculture; and** 33P2019
 - (cc) **Utility Building.**
- (2) The following *uses* are additional ***discretionary uses*** in the Multi Residential – Medium Profile Support Commercial District if they are located on a *parcel* in the ***developed area*** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:**
- (a) **Backyard Suite;** 24P2014
 - (a.1) **Duplex Dwelling;** 24P2014
 - (b) *deleted* 33P2011
 - (c) *deleted* 24P2014
 - (d) *deleted* 24P2014
 - (e) **Semi-detached Dwelling; and**
 - (f) **Single Detached Dwelling.**

Rules

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

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

7P2011

Floor Area Ratio

- 682** (1) The maximum **floor area ratio** is 3.0.
- (2) The maximum **floor area ratio** for all **buildings** on **parcels** designated M-X2 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 3.0.

Density

13P2008

- 683** (1) The minimum **density** for **parcels** designated M-X2 District is 60 **units** per hectare.
- (2) There is no maximum **density** for **parcels** designated M-X2 District, unless established as referenced in subsection (3).
- (3) The maximum **density** for **parcels** designated M-X2 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
- (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

Setback Areas

- 684** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 685.

Building Setbacks

51P2008

- 685** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres when the adjoining **parcel** is designated as a C-N1, C-COR1, CC-X or CC-COR District or any **multi-residential district**.

Landscaping

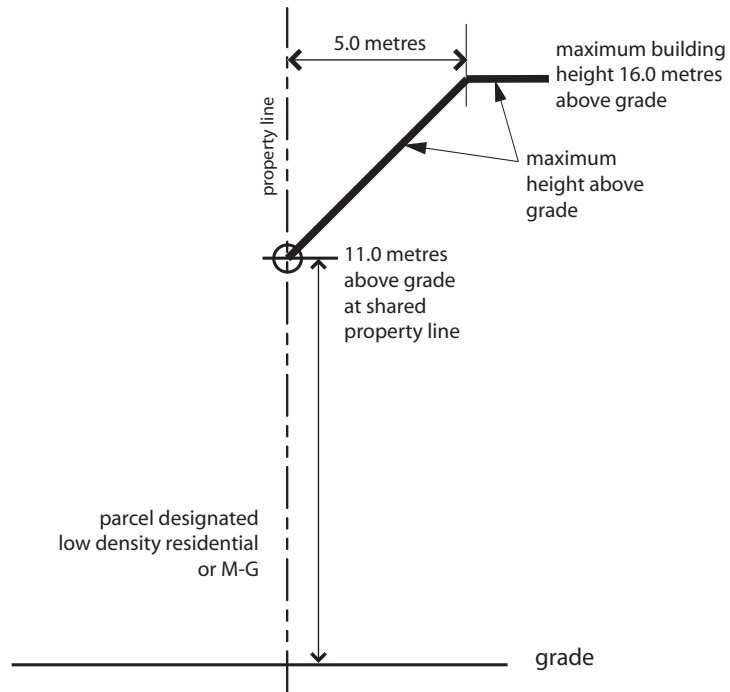
- 686** At least 80.0 per cent of the required **landscaped area** must be provided at **grade**.

Building Height

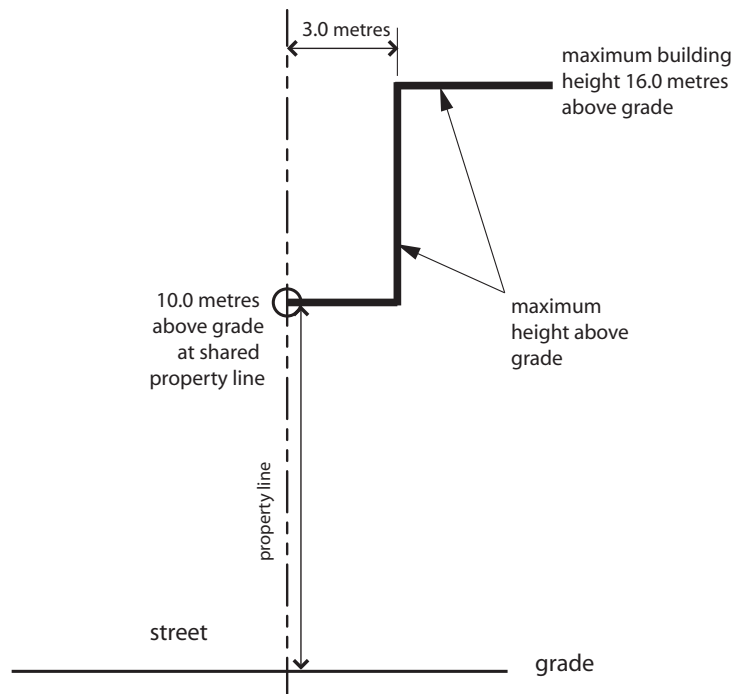
- 687** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 16.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated as a **low density residential district** or M-G District, the maximum **building height**:
- (a) is 11.0 metres measured from **grade** at the shared **property line**; and
 - (b) increases proportionately to a maximum of 16.0 metres measured from **grade** at a distance of 5.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**; and
 - (b) 16.0 metres measured from **grade** at a distance greater than 3.0 metres from that shared **property line**.

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

Illustration 9:
Building Height in Multi-Residential – Medium Profile Support Commercial
(M-X2) District
Subsection 687(2)



Subsection 687(3)



Rules for Commercial Multi-Residential Uses

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

PART 7: COMMERCIAL DISTRICTS

Division 1: General Rules for Commercial Land Use Districts

Projections Into Setback Areas

- 689 (1) Unless otherwise referenced in subsections (2), (3) and (4), **buildings** must not be located in any **setback area**.
- (2) Eaves of a **building** may project into any **setback area** to a maximum of 0.6 metres.
- (3) Portions of a **building** below the surface of the ground may extend into any **setback area**, only when those portions are used as a parking structure.
- (4) **Signs** may be located in any **setback area**, and where so located, must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

- 690 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - (d) the types, species, sizes and numbers of plant material and the types of **landscaped areas**; and
 - (e) details of the irrigation system.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.
- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless a **low water irrigation system** is provided.

- (5) For the purpose of determining the minimum number of trees and shrubs in a **setback area**, portions of **setback areas** that are paved for sidewalks and vehicle access, utility rights-of-way or any other purpose allowed by the **Development Authority**, must be included in the calculation of the required area, even though they are not capable of sustaining trees and shrubs.
- (6) If the minimum **setback area** is not capable of sustaining trees and shrubs, additional area on the **parcel** adjoining the **setback area** must be provided for the trees and shrubs.

Planting Requirements

- 691
- (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
 - (2) A minimum of 25.0 per cent of all trees required must be coniferous.
 - (3) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
 - (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum of 3.0 metres in height at the time of planting.
 - (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
 - (6) **Soft surfaced landscaped areas** may include **Urban Agriculture**.

33P2019

Low Water Irrigation System

- 692
- (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
 - (2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Additional Landscaping Requirements

- 693
- (1) Unless otherwise referenced in a District, all **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
 - (2) All areas of a **parcel** must be a **soft surfaced landscaped area** unless specifically allowed by the **Development Authority**.

| | | |
|-------|-------------------------------------------|---------------------|
| (d) | Computer Games Facility; | |
| (e) | Custodial Care; | |
| (f) | Drinking Establishment – Small; | |
| (g) | Dwelling Unit; | |
| (g.1) | Food Production; | 49P2017 |
| (h) | Home Occupation – Class 2; | |
| (i) | Liquor Store; | |
| (j) | Live Work Unit; | |
| (j.1) | <i>deleted</i> | 28P2016, 25P2018 |
| (k) | Outdoor Café; | |
| (l) | Place of Worship – Small; | |
| (l.1) | Power Generation Facility – Small; | |
| (m) | Residential Care; | 68P2008 |
| (n) | Restaurant: Licensed – Small; | |
| (n.1) | Restaurant: Neighbourhood; | 5P2015 |
| (o) | Service Organization; | |
| (p) | Sign – Class C; | |
| (q) | Sign – Class E; | |
| (r) | <i>deleted</i> | 4P2013 |
| (s) | Social Organization; | |
| (t) | Special Function – Class 2; | 33P2019 |
| (t.1) | <i>deleted</i> | 4P2012 |
| (t.2) | Urban Agriculture; and | 33P2019 |
| (u) | Utility Building. | 10P2009, 4P2012 |

Rules

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

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

Parcel Area

705 The maximum area of a *parcel* is 1.2 hectares.

Floor Area Ratio

706 The maximum *floor area ratio* for *buildings* is 1.0.

Building Height

707 The maximum *building height* is 10.0 metres.

Building Location and Orientation

- 708** (1) The *public entrance* to a *building* must face the *property line* shared with a commercial *street*.
- (2) The maximum *building setback* from a *property line* shared with a commercial *street* is 3.0 metres.
- (3) *Motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and a commercial *street*.

Building Façade

- 709** (1) The length of the *building* façade that faces the commercial *street* must be a minimum of 80.0 per cent of the length of the *property line* it faces.
- (2) In calculating the length of the *building* façade, the depth of any required *rear* or *side setback area* referenced in sections 714 and 715 will not be included as part of the length of the *property line*.

Vehicle Access

- 710** (1) Unless otherwise referenced in subsections (2) and (3), where the *parcel* shares a *rear property line* with a *lane*, all vehicle access to the *parcel* must be from the *lane*.
- (2) Where a *corner parcel* shares a *property line* with a *lane*, those *parcels* may have vehicle access from either the *lane* or the *street*.
- (3) Where a parcel shares a *rear* or *side property line* with a *lane*, but access from the *lane* is not physically feasible due to elevation differences or other similar physical impediment between the *parcel* and the *lane*, all vehicle access must be from a *street*.

Discretionary Uses

- 723 (1)** *Uses* listed in subsection 722(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Neighbourhood 2 District.
- (2)** *Uses* listed in subsection 722(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Neighbourhood 2 District:
- (a) **Addiction Treatment;**
 - (b) **Artist’s Studio;**
 - (b.1) **Assisted Living;** 24P2011
 - (c) **Auto Service – Minor;**
 - (c.1) **Brewery, Winery and Distillery;** 22P2016
 - (d) **Car Wash – Single Vehicle;**
 - (d.1) **Cannabis Counselling;** 25P2018
 - (d.2) **Cannabis Store;** 26P2018
 - (e) **Child Care Service;**
 - (f) **Computer Games Facility;**
 - (g) **Custodial Care;**
 - (h) **Drinking Establishment – Small;**
 - (i) **Drive Through;**
 - (j) **Dwelling Unit;**
 - (j.1) **Food Production;** 49P2017
 - (k) **Gas Bar;**
 - (l) **Home Occupation – Class 2;**
 - (m) **Liquor Store;**
 - (n) **Live Work Unit;**
 - (n.1) *deleted* 28P2016,
25P2018
 - (o) **Outdoor Café;**
 - (o.1) **Payday Loan;** 43P2015
 - (p) **Place of Worship – Small;**
 - (q) **Power Generation Facility – Small;**
 - (r) **Residential Care;**
 - (s) **Restaurant: Licensed – Small;**
 - (s.1) **Restaurant: Neighbourhood;** 5P2015

- 4P2013
- (t) **Seasonal Sales Area;**
- (u) **Service Organization;**
- (v) **Sign – Class C;**
- (w) **Sign – Class E;**
- (x) *deleted*
- (y) **Social Organization;**
- 4P2012
- (z) **Special Function – Class 2;**
- 10P2009, 4P2012
- (z.1) *deleted*
- 33P2019
- (z.2) **Urban Agriculture;**
- (aa) **Utility Building;** and
- (bb) **Vehicle Rental – Minor.**
- 22P2016
- (4) The following **uses** are additional discretionary **uses** on a **parcel** that has an existing **building** used as a **Place of Worship – Large** or **Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**:
- (a) **Place of Worship – Large;** and
- (b) **Place of Worship – Medium.**

Rules

- 724** In addition to the rules in this District, all **uses** in this District must comply with:
- (a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Parcel Area

- 725** The maximum area of a **parcel** is 1.2 hectares.

Floor Area Ratio

- 726** The maximum **floor area ratio** for **buildings** is 1.0.

Building Height

- 727** The maximum **building height** is 10.0 metres.

Use Area

- 728 (1)** Unless otherwise referenced in subsections (2) and (3), the maximum **use area** in the Commercial – Neighbourhood 2 District is 300.0 square metres.

Discretionary Uses

- 740 (1)** **Uses** listed in subsection 739(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 1 District.
- (2)** **Uses** listed in subsection 739(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Community 1 District:
- (a) Addiction Treatment;**
 - (b) Amusement Arcade;**
 - (c) Artist’s Studio;**
 - (c.1) Assisted Living;** 24P2011
 - (d) Auto Service – Minor;**
 - (d.1) *deleted*** 37P2014, 16P2018
 - (d.2) Beverage Container Quick Drop Facility;** 37P2014
 - (e) Billiard Parlor;**
 - (e.1) Brewery, Winery and Distillery;** 22P2016
 - (e.2) Cannabis Counselling;** 25P2018
 - (e.3) Cannabis Store;** 26P2018
 - (f) Car Wash – Single Vehicle;**
 - (g) Child Care Service;**
 - (h) Computer Games Facility;**
 - (i) Custodial Care;**
 - (j) Drinking Establishment – Small;**
 - (k) Drinking Establishment – Medium;**
 - (l) Drive Through;**
 - (m) Dwelling Unit;**
 - (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, 25P2018 (r.2) *deleted*
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- 43P2015 (t.1) **Payday Loan;**
- (u) **Place of Worship – Small;**
- (v) **Power Generation Facility – Small;**
- 16P2018 (v.1) **Recyclable Material Drop-Off Depot;**
- (w) **Residential Care;**
- (x) **Restaurant: Licensed – Medium;**
- (y) **Restaurant: Licensed – Small;**
- (z) **Seasonal Sales Area;**
- (aa) **Service Organization;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- 4P2013 (dd) *deleted*
- (ee) **Social Organization;**
- 4P2012 (ff) **Special Function – Class 2;**
- 10P2009, 4P2012 (ff.1) *deleted*
- 33P2019 (ff.2) **Urban Agriculture;**
- (gg) **Utility Building;** and
- (hh) **Vehicle Sales – Minor.**

Rules

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

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

- | | | |
|--------|------------------------------------|--------------------|
| (kk) | Special Function – Class 2; | 4P2012 |
| (kk.1) | <i>deleted</i> | 10P2009, 4P2012 |
| (kk.2) | Urban Agriculture; | 33P2019 |
| (ll) | Utility Building; and | |
| (mm) | Vehicle Rental – Major. | |

Rules

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

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

Parcel Area

761 The maximum area of a **parcel** is 12.0 hectares.

Floor Area Ratio

762 The maximum **floor area ratio** for **parcels** designated Commercial – Community 2 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

763 The maximum **building height** for **parcels** designated Commercial – Community 2 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

- 764** (1) Unless otherwise provided in subsections (2), (3), and (4), the maximum **use area** in the Commercial – Community 2 District is 6000.0 square metres.
- (2) The maximum **use area** for a **Supermarket** or a **Supermarket** combined with any other **use**, is 7500.0 square metres.
- (3) The maximum **use area** for a **Catering Service – Minor** or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres.
- (4) **Hotels** do not have a **use area** restriction.

Location of Uses within Buildings

- 765** (1) **Dwelling Units** and **Live Work Units** must not be located on the ground floor of a **building**.
- (2) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Dwellings Units**; and
- (b) must not share an internal hallway with **Dwelling Units**.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed **uses** in sections 758 and 759, other than **Dwelling Unit** and **Live Work Unit**.

Front Setback Area

- 766** The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 767** (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **commercial district**, there is no requirement for a **rear setback area**;
- (b) an **industrial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
- (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
- (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **rear property line** with a **lane**, **LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres.

Side Setback Area

- 768 (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a **commercial district**, there is no requirement for a *side setback area*;
 - (b) an **industrial district**, the *side setback area* must have a minimum depth of 3.0 metres;
 - (c) a **residential district**, the *side setback area* must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the *side setback area* must have a minimum depth of 6.0 metres.
- (2) Where the *parcel* shares a *side property line* with a *lane*, *LRT corridor* or *street*, the *side setback area* must have a minimum depth of 6.0 metres.

Landscaping In Setback Areas

- 769 (1) Where a *setback area* shares a *property line* with an *LRT corridor* or *street*, the *setback area* must:
- (a) be a **soft surfaced landscaped area**; and
 - (b) provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.
- (2) Where a *setback area* shares a *property line* with a *parcel* designated as a **residential district**, the *setback area* must:
- (a) be a **soft surfaced landscaped area**;
 - (b) provide a minimum of 1.0 trees:
 - (i) for every 30.0 square metres; or
 - (ii) for every 45.0 square metres, where irrigation is provided by **low water irrigation system**; and
 - (c) provide trees planted in a linear arrangement along the length of the **setback area**.
- (3) Where a *setback area* shares a *property line* with a *lane* or *parcel* designated as a **commercial**, **industrial** or **special purpose district**, the *setback area*:
- (a) must be a **soft surfaced landscaped area**;
 - (b) may have a sidewalk along the length of the **building**; and

- (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.

Minimum Required Motor Vehicle Parking Stalls

770 The minimum number of **motor vehicle parking stalls**:

44P2013

- (a) is the requirement referenced in Part 4 for the following **uses**:
 - (i) **Cinema**;
 - (ii) **Hotel**;
 - (iii) **Library**;
 - (iv) **Medical Clinic** above the ground floor;
 - (v) **Office** above the ground floor; and
 - (vi) **Post-secondary Learning Institution**;
- (b) for each **Dwelling Unit** is:
 - (i) 0.75 stalls per **unit** for resident parking; and
 - (ii) 0.1 **visitor parking stalls** per **unit**;
- (c) for each **Live Work Unit** is:
 - (i) 1.0 stall per **unit** for resident parking; and
 - (ii) 0.5 **visitor parking stalls** per **unit**; and
- (d) for all other **uses** is 4.5 stalls per 100.0 square metres of **gross usable floor area**.

Reductions of Minimum Motor Vehicle Parking Requirement

771 (1) The minimum number of **motor vehicle parking stalls** is reduced by 10.0 per cent where:

13P2008

- (a) a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved Capital funded **LRT platform**; and
 - (b) the number of stalls required was determined by using the provisions referenced in subsection 770(d).
- (2)** The minimum number of **motor vehicle parking stalls** for an **Office** or **Information and Service Provider** is reduced by 5.0 per cent where:

Discretionary Uses

- 778 (1)** *Uses* listed in subsection 777(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 1 District.
- (2)** *Uses* listed in subsection 777(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Corridor 1 District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Artist’s Studio;**
 - (c.1) **Assisted Living;** 24P2014
 - (d) **Billiard Parlour;**
 - (d.1) **Brewery, Winery and Distillery;** 22P2016
 - (d.2) **Cannabis Counselling;** 25P2018
 - (d.3) **Cannabis Store;** 26P2018
 - (e) **Child Care Service;**
 - (f) **Cinema;**
 - (g) **Computer Games Facility;**
 - (g.1) **Conference and Event Facility;** 67P2008
 - (h) **Custodial Care;**
 - (i) **Drinking Establishment – Medium;**
 - (j) **Drinking Establishment – Small;**
 - (k) **Dwelling Unit;**
 - (k.1) **Food Production;** 49P2017
 - (l) **Home Occupation – Class 2;**
 - (m) **Hotel;**
 - (n) **Indoor Recreation Facility;**
 - (o) **Instructional Facility;** 32P2009

- 5P2013
28P2016, 25P2018
- (p) **Liquor Store;**
(q) **Live Work Unit;**
(q.1) **Market – Minor;**
(q.2) *deleted*
- (r) **Outdoor Café;**
(s) **Parking Lot – Grade;**
(t) **Parking Lot – Structure;**
(u) **Pawn Shop;**
- 43P2015
- (u.1) **Payday Loan;**
(v) **Place of Worship – Small;**
(w) **Post-secondary Learning Institution;**
(x) **Residential Care;**
(y) **Restaurant: Food Service Only – Medium;**
(z) **Restaurant: Licensed – Medium;**
(aa) **Restaurant: Licensed – Small;**
(bb) **Seasonal Sales Area;**
- 14P2010
- (cc) **Sign – Class C;**
(dd) **Sign – Class E;**
(ee) **Sign – Class F;**
(ff) **Social Organization;**
- 4P2012
10P2009, 4P2012
- (gg) **Special Function – Class 2;**
(gg.1) *deleted*
- 33P2019
33P2019
- (hh) **Supermarket;**
(hh.1) **Urban Agriculture;** and
(ii) **Utility Building.**

Rules

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

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

- (oo) **Social Organization;**
 - (pp) **Special Function – Class 2;** 4P2012
 - (pp.1) *deleted* 10P2009,
4P2012
 - (qq) **Supermarket;**
 - (qq.1) **Urban Agriculture;** 33P2019
 - (rr) **Utility Building;**
 - (ss) **Vehicle Rental – Major;**
 - (tt) **Vehicle Rental – Minor;**
 - (uu) **Vehicle Sales – Major;** and
 - (vv) **Vehicle Sales – Minor.**
- (4) The following **uses** are additional discretionary **uses** on a **parcel** that has an existing **building** used as a **Place of Worship – Large or Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**: 22P2016
- (a) **Place of Worship – Large;** and
 - (b) **Place of Worship – Medium.**

Rules

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

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

Parcel Area

800 The maximum area of a **parcel** is 3.2 hectares.

Floor Area Ratio

801 The maximum **floor area ratio** for **parcels** designated Commercial – Corridor 2 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

802 The maximum **building height** for **parcels** designated Commercial – Corridor 2 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

- 803** (1) Unless otherwise referenced in subsection (3), the maximum **use area** for **uses** on the ground floor of **buildings** is 930.0 square metres.
- (2) Unless otherwise referenced in subsection (3), there is no maximum **use area** for **uses** located on upper floors.
- (3) The maximum **use area** of a:
- (a) **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres;
 - (b) **Cinema**, or a **Cinema** combined with any other **use**, is 550.0 square metres; and
 - (c) **Supermarket**, or a **Supermarket** combined with any other **use**, is 2500.0 square metres.
- (4) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment**;
 - (a.1) **Assisted Living**;
 - (b) **Custodial Care**;
 - (c) **Hotel**; and
 - (d) **Residential Care**.

24P2011

Location of Uses within Buildings

- 804** (1) A minimum of 20.0 per cent of the **gross floor area** of **buildings** in the Commercial – Corridor 2 District must contain “Commercial Uses”.
- (2) **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care** must not be located in the same **building** as an automotive **use**.
- (3) **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care** must not be located on the ground floor of a **building**.
- (4) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**.

24P2011

24P2011

24P2011

| | | |
|--------|----------------------------------------------------|-----------------|
| (nn) | Sign – Class F; | |
| (nn.1) | Sign – Class G; | 30P2011 |
| (oo) | Social Organization; | |
| (pp) | Special Function – Class 2; | 4P2012 |
| (pp.1) | <i>deleted</i> | 10P2009, 4P2012 |
| (pp.2) | Urban Agriculture; | 33P2019 |
| (qq) | Utility Building; | |
| (rr) | Vehicle Rental – Major; | 38P2013 |
| (ss) | Vehicle Sales – Major; | 38P2013 |
| (tt) | Wind Energy Conversion System – Type 1; and | 38P2013 |
| (uu) | Wind Energy Conversion System – Type 2. | 38P2013 |

Rules

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

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

Parcel Area

817 The maximum area of a **parcel** is 3.2 hectares.

Floor Area Ratio

818 The maximum **floor area ratio** for **parcels** designated Commercial – Corridor 3 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

819 The maximum **building height** for **parcels** designated Commercial – Corridor 3 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

- 39P2010
- 820** (1) Unless otherwise referenced in subsections (2) and (3), there is no **use area** restriction in the Commercial – Corridor 3 District.
- (2) The maximum **use area** of a **Retail and Consumer Service**, or a **Retail and Consumer Service**, combined with any other **use**, is 3600.0 square metres.
- (3) The maximum **use area** of a **Supermarket**, or a **Supermarket**, combined with any other **use**, is 3600.0 square metres.

Front Setback Area

- 821** The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 67P2008
- 822** (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **commercial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (b) an **industrial district**, the **rear setback area** must have a minimum depth of 1.2 metres;
 - (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **rear property line** with:
- (a) an **LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres;
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (c) a **lane**, in all other cases, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

- 823** (1) Where the **parcel** shares a **side property line** with a **parcel** designated as:
- (a) a **commercial district**, the **side setback area** must have a minimum depth of 3.0 metres;

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

Purpose

828 The Commercial – Office District is intended to be characterized by:

- (a) **buildings** containing select **uses** that contribute to locations of high employment;
- (b) a limited number of other **uses** that support **Offices**;
- (c) locations along or near major roads and transit facilities;
- (d) pedestrian connections;
- (e) varying **building** density established through maximum **floor area ratios** for individual **parcels**; and
- (f) varying **building height** established through maximum **building height** for individual **parcels**.

Permitted Uses

829 (1) The following **uses** are **permitted uses** in the Commercial – Office District:

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

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

- (a) **Counselling Service**;
- (b) **Information and Service Provider**;
- (c) **Instructional Facility**;
- (d) **Medical Clinic**;
- (e) **Office**; and
- (f) **Post-secondary Learning Institution**.

32P2009

- (3) The following **uses** are **permitted uses** in existing approved **buildings** in the Commercial – Office District if:
- (a) a minimum of 90.0 per cent of the **building's gross floor area** contains those **uses** listed in subsection (2) (a) through (f) inclusive; and
 - (b) they are located on or below the ground floor of the **building**:
 - (i) **Accessory Food Service**;
 - (ii) **Computer Games Facility**;
 - (iii) **Convenience Food Store**;
 - (iv) **Financial Institution**;
 - (v) **Fitness Centre**;
 - (vi) **Health Services Laboratory – With Clients**;
 - (vii) **Indoor Recreation Facility**;
 - (viii) **Library**;
 - (ix) **Pet Care Service**;
 - (x) **Power Generation Facility – Small**;
 - (xi) **Print Centre**;
 - (xii) **Protective and Emergency Service**;
 - (xiii) **Radio and Television Studio**;
 - (xiv) **Restaurant: Food Service Only – Small**;
 - (xv) **Restaurant: Licensed – Small**;
 - (xvi) **Retail and Consumer Service**; and
 - (xvii) **Take Out Food Service**.

39P2010

Discretionary Uses

- 830 (1) **Uses** listed in subsection 829(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Office District.
- (2) **Uses** listed in subsection 829(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.

- (3) **Uses** listed in subsection 829(3) are **discretionary uses** in the Commercial – Office District if:
- (a) they are proposed for a new **building** or new addition to a **building**;
 - (b) they are located in a **building** where less than 90.0 per cent of the **building's gross floor area** is used for **uses** listed in subsection 829(2)(a) through (f) inclusive; or
 - (c) they are located above the ground floor of the **building**.
- (4) The following **uses** are **discretionary uses** in the Commercial – Office District:
- (a) **Cannabis Counselling;** 25P2018
 - (a.1) **Child Care Service;** 67P2008, 25P2018
 - (a.2) **Conference and Event Facility;** 25P2018
 - (b) **Drinking Establishment – Medium;**
 - (c) **Drinking Establishment – Small;**
 - (c.1) **Food Production;** 49P2017
 - (c.2) *deleted* 28P2016, 49P2017, 25P2018
 - (d) **Outdoor Café;**
 - (d.1) **Payday Loan;** 43P2015
 - (e) **Power Generation Facility – Medium;**
 - (f) **Restaurant: Food Service Only – Medium;**
 - (g) **Restaurant: Licensed – Medium;**
 - (g.1) **Restaurant: Neighbourhood;** 5P2015
 - (h) **Sign – Class C;**
 - (i) **Sign – Class E;**
 - (j) **Sign – Class F;**
 - (j.1) **Sign – Class G;** 30P2011
 - (k) **Special Function – Class 2;** 4P2012
 - (k.1) *deleted* 10P2009, 4P2012
 - (k.2) **Urban Agriculture;** 33P2019
 - (l) **Utility Building;** 38P2013
 - (m) **Veterinary Clinic; and** 38P2013
 - (n) *deleted* 39P2010
 - (o) **Wind Energy Conversion System – Type 1.** 38P2013

Rules

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

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

Floor Area Ratio

832 The maximum **floor area ratio** for **parcels** designated Commercial – Office District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

833 The maximum **building height** for **parcels** designated Commercial – Office District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

- 834** (1) Unless otherwise referenced in subsection (2), there is no **use area** restriction for **uses** in the Commercial – Office District.
- (2) The maximum **use area** for a **Retail and Consumer Service**, or a **Retail and Consumer Service** combined with any other **use**, is 465.0 square metres.

39P2010

Front Setback Area

835 The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 836** (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **commercial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (b) an **industrial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and

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

Purpose

- 843 (1)** The Commercial – Regional 1 District is intended to be characterized by:
- (a) large “big box” single entry, mostly single **use buildings**;
 - (b) large retail sales activities where the product is displayed outdoors;
 - (c) large building supply contractors and garden centres selling and keeping product outdoors that would not be appropriate in other commercial or industrial districts;
 - (d) locations on or near major roads or along major commercial corridors;
 - (e) locations in industrial areas;
 - (f) primary access by motor vehicles to **parcels** from **streets**;
 - (g) pedestrian connections from public sidewalks to and between **buildings**;
 - (h) **parcels** that, through **building** location, **setback areas** and landscaping, limit the effect of large **uses** on nearby residential areas;
 - (i) be compatible with Industrial Business, Industrial Edge and Industrial General Districts;
 - (j) higher standards of **building** and **parcel** design only where development is along major roads, gateways and in instances where visibility and aesthetics are identified as planning concerns; and
 - (k) varying **building** density established through maximum **floor area ratios** for individual **parcels**.
- (2)** Areas of land greater than 6.0 hectares should not be designated Commercial – Regional 1 District.

Permitted Uses

844 The following *uses* are *permitted uses* in the Commercial – Regional 1 District:

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

Discretionary Uses

845 The following *uses* are *discretionary uses* in the Commercial – Regional 1 District:

26P2018

- (a) **Auction Market – Other Goods;**
- (b) **Auction Market – Vehicles and Equipment;**
- (c) **Auto Service – Major;**
- (d) **Auto Service – Minor;**
- (d.1) **Cannabis Store;**
- (e) **Car Wash – Multi-Vehicle;**
- (f) **Car Wash – Single Vehicle;**
- (g) **Convenience Food Store;**
- (h) **Drinking Establishment – Medium;**
- (i) **Drinking Establishment – Small;**
- (j) **Drive Through;**
- (k) **Fitness Centre;**
- (k.1) **Food Production;**
- (l) **Gaming Establishment – Bingo;**
- (m) **Gas Bar;**
- (n) **Indoor Recreation Facility;**
- (o) **Liquor Store;**
- (p) **Market;**
- (q) **Outdoor Café;**
- (q.1) **Parking Lot – Grade;**

49P2017

44P2013

| | | |
|--------|----------------------------------------------------|-----------------|
| (q.2) | Parking Lot – Structure; | 44P2013 |
| (r) | Restaurant: Food Service Only – Medium; | |
| (s) | Restaurant: Food Service Only – Small; | |
| (t) | Restaurant: Licensed – Medium; | |
| (u) | Restaurant: Licensed – Small; | |
| (u.1) | Restaurant: Neighbourhood; | 5P2015 |
| (v) | Restored Building Products Sales Yard; | |
| (w) | Retail Garden Centre; | |
| (x) | Retail and Consumer Service; | 39P2010 |
| (y) | Seasonal Sales Area; | |
| (z) | Sign – Class C; | |
| (aa) | Sign – Class E; | |
| (bb) | Sign – Class F; | |
| (bb.1) | Sign – Class G; | 30P2011 |
| (cc) | Special Function – Class 2; | 4P2012 |
| (cc.1) | <i>deleted</i> | 10P2009, 4P2012 |
| (dd) | Supermarket; | |
| (dd.1) | Urban Agriculture; | 33P2019 |
| (ee) | Utility Building; | |
| (ff) | Vehicle Rental – Major; | |
| (gg) | Vehicle Rental – Minor; | |
| (hh) | Vehicle Sales – Major; | 38P2013 |
| (ii) | Vehicle Sales – Minor; | 38P2013 |
| (jj) | Wind Energy Conversion System – Type 1; and | 38P2013 |
| (kk) | Wind Energy Conversion System – Type 2. | 38P2013 |

Rules

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

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

Parcel Area

847 The area of a *parcel* must be a minimum of 0.5 hectares and a maximum of 6.0 hectares.

Floor Area Ratio

848 The maximum *floor area ratio* for *parcels* designated Commercial – Regional 1 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

849 The maximum *building height* is 15.0 metres.

Buildings

- 850** (1) Every *parcel* in the Commercial – Regional 1 District must have one *building* that is equal to or exceeds 3600.0 square metres of *gross floor area*.
- (2) In addition to the *building* required by subsection (1), a *parcel* may have up to two *buildings*, so long as no additional *building* exceeds 360.0 square metres in *gross floor area*.
- (3) The maximum number of *buildings* on every *parcel* is three.

Use Area

851 Only one *use area* in a *building* in the Commercial – Regional 1 District must be equal to or greater than 3600.0 square metres.

Building Entrance Features

- 852** The *public entrances* must be accentuated by a minimum of one example of three or more of the following features:
- (a) arcades;
 - (b) arches;
 - (c) awnings;
 - (d) pitched or raised cornice roof forms;
 - (e) porticoes;
 - (f) recesses or projections; or
 - (g) windows.

- (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
 - (c.2) **Cannabis Counselling;** 25P2018
 - (c.3) **Cannabis Store;** 26P2018
 - (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, 25P2018 (q.2) *deleted*
- (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*
- 33P2019 (ee.2) **Urban Agriculture;**

- (ff) **Utility Building;**
- (gg) **Vehicle Rental – Major;** and
- (hh) **Vehicle Sales – Major.**

Rules

- 864** In addition to the rules in this District, all **uses** in this District must comply with:
- (a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
 - (b) the Rules Governing All Districts referenced in Part 3; and
 - (c) the applicable Uses And Use Rules referenced in Part 4.

Parcel Area

- 865** The minimum area of a **parcel** is 4.0 hectares.

Buildings

- 866** (1) Every **parcel** must have at least one **building** that contains an “Enclosed Mall” that:
- (a) is not less than 40,000.0 square metres;
 - (b) contains a number of separate **uses**; and
 - (c) has an internal hallway for customers.
- (2) **Parcels** may have **buildings**, in addition to the **building** required by section (1), providing the combined **gross floor area** of all **use areas** in those **buildings** does not exceed 20.0 per cent of the **gross floor area** of the “Enclosed Mall” **building** located on the **parcel**.
- (3) In this section, “Enclosed Mall” means a **building** containing two or more retail **uses** accessible by an enclosed common corridor.

Floor Area Ratio

- 867** The maximum **floor area ratio** for **parcels** designated Commercial – Regional 2 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

- 868** The maximum **building height** is 46.0 metres.

Location of Uses within Buildings

- 869** (1) **Dwelling Units** and **Live Work Units** must not be located on the ground floor of a **building**.
- (2) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Dwellings Units**; and
- (b) must not share an internal hallway with **Dwelling Units**.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed **uses** at sections 862 and 863, other than **Dwelling Unit** and **Live Work Unit**.

Front Setback Area

- 870** The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 871** (1) Where the **parcel** shares a **rear property line** with a **parcel** that is designated as a Commercial – Regional 1 District, there is no requirement for a **rear setback area**.
- (2) In all other cases, the **rear setback area** must have a minimum depth of 6.0 metres.

Side Setback Area

- 872** (1) Where the **parcel** shares a **side property line** with a **parcel** that is designated as a Commercial – Regional 1 District, there is no requirement for a **side setback area**.
- (2) In all other cases, the **side setback area** must have a minimum depth of 6.0 metres.

Landscaping In Setback Areas

- 873** (1) Where a **setback area** shares a **property line** with an **LRT corridor** or **street**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**; and
- (b) have a minimum of 1.0 trees and 2.0 shrubs:
- (i) for every 35.0 square metres; or
- (ii) for every 50.0 square metres, where irrigation is provided by **low water irrigation system**.
- (2) Where a **setback area** shares a **property line** with a **parcel** designated as a **residential district**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**;

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

5P2015

Discretionary Uses

882 (1) *Uses* listed in subsection 881(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Regional 3 District.

(2) *Uses* listed in subsection 881(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.

(3) The following *uses* are **discretionary uses** in the Commercial – Regional 3 District:

- (a) **Auto Service – Major;**
- (b) **Auto Service – Minor;**
- (c) *deleted*
- (d) **Billiard Parlour;**
- (d.1) **Brewery, Winery and Distillery;**
- (d.2) **Cannabis Counselling;**
- (d.3) **Cannabis Store;**
- (e) **Car Wash – Multi-Vehicle;**
- (f) **Car Wash – Single Vehicle;**
- (g) **Child Care Service;**
- (h) **Cinema;**
- (h.1) **Conference and Event Facility;**

37P2014

22P2016

25P2018

26P2018

67P2008

- (i) **Drinking Establishment – Large;**
- (j) **Drinking Establishment – Medium;**
- (k) **Drinking Establishment – Small;**
- (l) **Drive Through;**
- 49P2017 (l.1) **Food Production;**
- (m) **Gaming Establishment – Bingo;**
- (n) **Gas Bar;**
- (o) **Hotel;**
- (p) **Liquor Store;**
- 5P2013 (p.1) **Market – Minor;**
- 28P2016, 25P2018 (p.2) *deleted*
- (q) **Night Club;**
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- 43P2015 (t.1) **Payday Loan;**
- (u) **Place of Worship – Medium;**
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Power Generation Facility – Medium;**
- (y) **Restaurant: Food Service Only – Large;**
- (z) **Restaurant: Licensed – Large;**
- (aa) **Seasonal Sales Area;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- (dd) **Social Organization;**
- 4P2012 (ee) **Special Function – Class 2;**
- 10P2009, 4P2012 (ee.1) *deleted*
- 33P2019 (ee.2) **Urban Agriculture;**
- (ff) **Utility Building;**
- 38P2013 (gg) **Vehicle Rental – Major;**
- 38P2013 (hh) **Vehicle Sales – Major;**

- (ii) **Wind Energy Conversion System – Type 1;** and 38P2013
- (jj) **Wind Energy Conversion System – Type 2.** 38P2013

Rules

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

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

Floor Area Ratio

884 The maximum **floor area ratio** for **parcels** designated Commercial – Regional 3 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

885 The maximum **building height** for **parcels** designated Commercial – Regional 3 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Transportation

886 All **developments** in the Commercial – Regional 3 District must have:

- (a) road networks within **parcels** and motor vehicle access connections to existing or anticipated **streets**;
- (b) direct motor vehicle connections through **parcels** to provide access to **adjacent parcels**; and
- (c) motor vehicle connections between parking areas and the road networks.

Building Orientation and Design

887 (1) The main **public entrance** of **buildings** must be identifiable and accessible.

(2) **Public entrances** must be accentuated by a minimum of one example of three or more of the following features:

- (a) arcades;
- (b) arches;
- (c) awnings;
- (d) pitched or raised cornice roof forms;

- (e) porticoes;
 - (f) recesses or projections; and
 - (g) windows.
- (3) The finishing materials and design of the façade where the main **public entrance** is located must be used on the other façades of the **building**.

Front Setback Area

888 The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 889** (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) Commercial – Regional 3 District, there is no requirement for a **rear setback area**;
 - (b) any other **commercial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (c) an **industrial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (d) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (e) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **rear property line** with an **LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (3) Where the **parcel** shares a **rear property line** with a **lane** and the **lane** separates the **parcel** from a **parcel** designated as:
- (a) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (b) a District, other than a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres.

PART 8: INDUSTRIAL DISTRICTS

Division 1: General Rules for Industrial Land Use Districts

Projections Into Setback Areas

- 897 (1) Unless otherwise referenced in subsections (2), (3) and (4), **buildings** must not be located in any **setback area**.
- (2) Eaves of a **building** may project into any **setback area** a maximum of 0.6 metres.
- (3) Portions of a **building** below the surface of the ground may extend into any **setback area** only when those portions are used as a parking structure.
- (4) **Signs** may be located in any **setback area**, and where so located must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

- 898 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by a **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application, where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - (d) the species, sizes and numbers of plant material and the types of **landscaped areas**; and
 - (e) details of the irrigation system.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.
- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.

- (5) For the purpose of determining the minimum number of trees and shrubs in a **setback area**, portions of **setback areas** that are paved for sidewalks and vehicle access, utility rights of way or any other purpose allowed by the **Development Authority**, must be included in the calculation of the required area, even though trees and shrubs are not capable of growing in that area.
- (6) If the minimum **setback area** is not capable of growing trees and shrubs, additional area on the **parcel** adjoining the **setback area** must be provided for the trees and shrubs.

Planting Requirements

- 899
- (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
 - (2) A minimum of 25.0 per cent of all trees required must be coniferous.
 - (3) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
 - (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.
 - (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
 - (6) **Soft surfaced landscaped areas** may include **Urban Agriculture**.

33P2019

Low Water Irrigation System

- 900
- (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
 - (2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Visibility Setback

- 901
- Within a **corner visibility triangle**, **buildings**, **fences**, finished **grade** of a **parcel**, and vegetation must not be located more than 0.75 metres above the lowest elevation of the **street**.

Mechanical Screening

- 902
- Unless otherwise referenced in a District, mechanical equipment or systems that are located outside of a **building** must be **screened**.

Discretionary Uses

32P2009

908 (1) *Uses* listed in subsection 907(2) are **discretionary uses** if they are located:

- (a) in proposed **buildings**, or proposed additions to existing **buildings**, that are located on a **parcel** that is **adjacent** to a **major street** or expressway; or
- (b) on a **parcel** that does not have both sewer and water systems provided by the **City**.

(2) The following **uses** are **discretionary uses** in the Industrial – General District:

- (a) **Auction Market – Other Goods;**
- (b) **Auction Market – Vehicles and Equipment;**
- (b.1) *deleted* 22P2016, 49P2017
- (c) **Building Supply Centre;**
- (d) **Bulk Fuel Sales Depot;**
- (d.1) **Cannabis Facility;** 25P2018
- (e) **Child Care Service;**
- (f) **Convenience Food Store;**
- (g) **Custodial Quarters;**
- (h) **Drive Through;**
- (i) **Equipment Yard;**
- (j) **Gas Bar;**
- (k) **Instructional Facility;**
- (l) **Kennel;**
- (m) **Large Vehicle and Equipment Sales;** 9P2012
- (m.1) *deleted* 7P2014, 25P2018
- (n) **Office;**
- (o) **Outdoor Café;**
- (p) **Pet Care Service;**
- (p.1) **Place of Worship – Large;** 36P2011
- (q) **Print Centre;**
- (r) **Restaurant: Food Service Only – Medium;**
- (s) **Restaurant: Food Service Only – Small;**
- (t) **Restaurant: Licensed – Medium;**

- 30P2011 (u) **Restaurant: Licensed – Small;**
- 4P2012 (v) **Restored Building Product Sales Yard;**
- 4P2012 (w) **Salvage Yard;**
- (x) **Self Storage Facility;**
- (y) **Storage Yard;**
- (z) **Sign – Class E;**
- 30P2011 (aa) **Sign – Class F;**
- 4P2012 (aa.1) **Sign – Class G;**
- 4P2012 (bb) **Special Function – Class 2;**
- (cc) *deleted*
- 38P2013 (dd) **Take Out Food Service;**
- 33P2019 (dd.1) **Urban Agriculture;**
- 38P2013 (ee) **Vehicle Sales – Minor;**
- 38P2013 (ff) **Veterinary Clinic;**
- 38P2013 (gg) **Wind Energy Conversion System – Type 1; and**
- (hh) **Wind Energy Conversion System – Type 2.**
- 26P2018 (3) The following *uses* are **discretionary uses** in the Industrial – General (I-G) District on a *parcel* with a **Cannabis Facility**:
- (a) **Cannabis Store.**

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Building Size

910 The maximum **gross floor area** of all **buildings** on a *parcel* that is not serviced by **City** water and sewer, is 1600.0 square metres.

Floor Area Ratio

911 The maximum **floor area ratio** for **buildings** on a *parcel* that is serviced by **City** water and sewer is 1.0.

Building Height

912 The maximum **building height** is 16.0 metres.

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

Purpose

922 The Industrial – Business District is intended to be characterized by:

- (a) prestige, high quality, manufacturing, research and office **developments**; 32P2009
- (b) **parcels** in desirable locations that contribute to employment centres or locations that are visible from **expressways** and **major streets**;
- (c) activities contained within **buildings**;
- (d) a limited range of small **uses** that provide services to the office and industrial **uses** within the immediate area;
- (e) pedestrian pathway connections to and between **buildings** and to transit;
- (f) flexibility in **building** density established through **floor area ratios** for individual **parcels**; and
- (g) varying **building heights** established through maximum **building height** for individual **parcels**.

Permitted Uses

923 (1) The following **uses** are **permitted uses** in the Industrial – Business District:

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

(2) The following **uses** are **permitted uses** in the Industrial – Business District if they are located within existing approved **buildings**: 32P2009

- (a) **Catering Service – Minor**;
- (b) **Computer Games Facility**;
- (c) **Convenience Food Store**;
- (d) **Counselling Service**;

- 39P2010 (e) **Financial Institution;**
- (f) *deleted*
- (g) **Information and Service Provider;**
- (h) **Library;**
- (i) **Instructional Facility;**
- (j) **Office;**
- 39P21010 (k) *deleted*
- (l) **Power Generation Facility – Small;**
- (m) **Print Centre;**
- (n) **Protective and Emergency Service;**
- (o) **Radio and Television Studio; and**
- (p) **Specialized Industrial.**

Discretionary Uses

924 (1) **Uses** listed in subsection 923(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Industrial – Business District.

32P2009, 39P2010 **(2)** The following **uses** are **discretionary uses** in the Industrial – Business District:

- 25P2018 (a) **Cannabis Counselling;**
- 25P2018 (a.2) **Child Care Service;**
- (b) **Conference and Event Facility;**
- (c) **Drinking Establishment – Small;**
- (d) **Drive Through;**
- (e) **Fitness Centre;**
- (f) **Gas Bar;**
- (g) **Health Services Laboratory – With Clients;**
- (h) **Hotel;**
- (i) **Indoor Recreation Facility;**
- (j) **Medical Clinic;**
- 28P2016, 25P2018 (j.1) *deleted*
- (k) **Motion Picture Production Facility;**
- (l) **Outdoor Café;**
- (m) **Parking Lot – Grade;**

- (n) **Parking Lot – Structure;**
 - (n.1) **Payday Loan;** 43P2015
 - (o) **Post-secondary Learning Institution;**
 - (p) **Power Generation Facility – Medium;**
 - (q) **Printing, Publishing and Distributing;**
 - (r) **Restaurant: Food Service Only – Small;**
 - (s) **Restaurant: Licensed – Small;**
 - (t) **Retail and Consumer Service;**
 - (u) **Self Storage Facility;**
 - (v) **Sign – Class C;**
 - (w) **Sign – Class E;**
 - (x) **Sign – Class F;**
 - (x.1) **Sign – Class G;** 30P2011
 - (y) **Special Function – Class 2;** 4P2012
 - (z) *deleted* 4P2012
 - (aa) **Specialty Food Store;**
 - (bb) **Take Out Food Service;**
 - (bb.1) **Urban Agriculture;** 33P2019
 - (cc) **Utility Building;** 38P2013
 - (dd) **Vehicle Rental – Minor; and** 32P2009, 38P2013
 - (ee) **Wind Energy Conversion System – Type 1.** 38P2013
- (3) The following *uses* are **discretionary uses** in the Industrial – Business District if they are located within a **building** containing at least one *use* listed in subsection 923(2):
- (a) **Brewery, Winery and Distillery;** 22P2016
 - (a.1) **Drinking Establishment – Medium;** 22P2016
 - (b) **Restaurant: Food Service Only – Medium; and**
 - (c) **Restaurant: Licensed – Medium.**

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and

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

Floor Area Ratio

- 926** The maximum **floor area ratio** for **parcels** designated Industrial – Business District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

57P2008

- 927** The maximum **building height** for **parcels** designated Industrial – Business District is:

- (a) 12.0 metres; or
 (b) the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

32P2009, 39P2010

- 928 (1)** Unless otherwise referenced in subsection (2), there is no **use area** requirement for **uses** in the Industrial – Business District.
- (2)** The maximum **use area** for a **Retail and Consumer Service** and any **use** combined with them is 465.0 square metres.

32P2009

Storage of Goods, Materials and Supplies

- 928.1** All goods, materials and supplies associated with a **use** must be contained within a **building**.

Front Setback Area

- 929** The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 930 (1)** Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **commercial district**, the **rear setback area** must have a minimum depth of 1.2 metres;
- (b) an **industrial district**, the **rear setback area** must have a minimum depth of 1.2 metres;
- (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
- (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2)** Where the **parcel** shares a **rear property line** with:
- (a) an **LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres;

| | | |
|--------|------------------------------------------------|-----------------|
| (k) | Outdoor Café; | |
| (k.1) | Place of Worship – Large; | 36P2011 |
| (k.01) | Payday Loan; | 43P2015 |
| (l) | Power Generation Facility – Medium; | |
| (m) | Restaurant: Licensed – Small; | |
| (n) | <i>deleted</i> | 39P2010 |
| (o) | Self Storage Facility; | |
| (p) | Sign – Class C; | |
| (q) | Sign – Class E; | |
| (r) | Sign – Class F; | |
| (r.1) | <i>deleted</i> | 30P2011, 4P2013 |
| (s) | Special Function – Class 2; | 4P2012 |
| (t) | <i>deleted</i> | 4P2012 |
| (u) | Specialty Food Store; | |
| (v) | Take Out Food Service; | 38P2013 |
| (v.1) | Urban Agriculture; | 33P2019 |
| (w) | Utility Building; and | 38P2013 |
| (x) | Wind Energy Conversion System – Type 1. | 38P2013 |

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Floor Area Ratio

941 The maximum *floor area ratio* for *buildings* is 1.0.

Building Height

942 The maximum *building height* is 12.0 metres.

Activities and Objects Prohibited

- 943 (1)** Where a *parcel* shares a *street* or *lane* with a *residential district* or Special Purpose – Community Institution District, the area between any *buildings* on that *parcel* and that *street* or *lane* must not contain:
- (a) entrances to the *parcel*;
 - (b) garbage enclosures;
 - (c) loading areas; or
 - (d) outside activities.
- (2)** Where a *parcel* shares a *street* or *lane* with a *residential district* or Special Purpose – Community Institution District, there must not be any vehicle entrance or overhead doors on the façade of the *building* facing those Districts, *lanes* or *streets*.

Use Area

- 944 (1)** Unless otherwise referenced in subsection (2), the maximum *use area* is 300.0 square metres.
- (2)** The following *uses* do not have a *use area* restriction:
- (a) **Convenience Food Store**;
 - (b) **General Industrial – Light**;
 - (c) **Self Storage Facility**; and
 - (d) **Specialty Food Store**;

32P2009

Storage of Goods, Materials and Supplies

- 945** All goods, materials and supplies associated with a *use* must be contained within a *building*.

32P2009

Front Setback Area

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

Rear Setback Area

- 947 (1)** Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) a *commercial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *rear setback area* must have a minimum depth of 6.0 metres; and

Discretionary Uses

- 955 (1)** *Uses* listed in subsection 954(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Industrial – Commercial District.
- (2)** The following **uses** are **discretionary uses** in the Industrial – Commercial District: 32P2009
- (a) **Auction Market – Other Goods;**
 - (b) **Auction Market – Vehicles and Equipment;**
 - (c) **Auto Body and Paint Shop;**
 - (d) **Auto Service – Major;**
 - (e) **Auto Service – Minor;**
 - (e.1) **Brewery, Winery and Distillery;** 22P2016
 - (e.2) **Cannabis Counselling;** 25P2018
 - (e.3) **Cannabis Store;** 26P2018
 - (f) **Car Wash – Multi-Vehicle;**
 - (g) **Car Wash – Single Vehicle;**
 - (h) **Child Care Service;**
 - (i) **Convenience Food Store;**
 - (j) **Custodial Quarters;**
 - (k) **Drinking Establishment – Small;**
 - (l) **Drive Through;**
 - (m) **Gas Bar;**
 - (n) **Large Vehicle and Equipment Sales;** 9P2012
 - (o) **Large Vehicle Service;**
 - (p) **Large Vehicle Wash;**
 - (q) **Liquor Store;**
 - (q.1) *deleted* 28P2016, 25P2018
 - (r) **Outdoor Café;**
 - (r.1) **Payday Loan;** 43P2015
 - (s) **Power Generation Facility – Medium;**
 - (t) **Recreational Vehicle Sales;**
 - (t.1) **Recreational Vehicle Service;** 9P2012
 - (u) **Restaurant: Licensed – Medium;**
 - (v) **Restaurant: Licensed – Small;**
 - (w) **Restored Building Product Sales Yard;**

- (x) **Self Storage Facility;**
- (y) **Sign – Class C;**
- (z) **Sign – Class E;**
- (aa) **Sign – Class F;**
- 30P2011 (aa.1) **Sign – Class G;**
- 4P2012 (bb) **Special Function – Class 2;**
- 33P2019 (bb.1) **Urban Agriculture;**
- 4P2012 (cc) *deleted*
- (dd) **Utility Building;**
- 38P2013 (ee) **Vehicle Rental – Major;**
- 38P2013 (ff) **Vehicle Sales – Major; and**
- 38P2013 (gg) **Wind Energy Conversion System – Type 1.**

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Parcel Location

32P2013 **957** *deleted*

Floor Area Ratio

958 The maximum **floor area ratio** for **buildings** is 1.0.

Building Height

959 The maximum **building height** is 12.0 metres.

Use Area

960 (1) Unless otherwise provided in subsection (2), there is no **use area** requirement in the Industrial – Commercial District.

32P2009, 39P2010 **(2)** The maximum **use area** for a **Retail and Consumer Service** is 930.0 square metres.

| | | |
|--------|----------------------------------------------------|---------|
| (h) | Drive Through; | |
| (i) | Equipment Yard; | |
| (j) | Fleet Service; | |
| (k) | Information and Service Provider; | |
| (l) | Instructional Facility; | |
| (m) | Kennel; | |
| (n) | Large Vehicle and Equipment Sales; | 9P2012 |
| (o) | Office; | |
| (p) | Outdoor Café; | |
| (p.1) | Payday Loan; | 43P2015 |
| (q) | Pet Care Service; | |
| (r) | Print Centre; | |
| (s) | Recreational Vehicle Sales; | |
| (t) | Restaurant: Food Service Only – Small; | |
| (u) | Restaurant: Licensed – Small; | |
| (v) | Restored Building Product Sales Yard; | |
| (w) | Salvage Yard; | |
| (x) | Self Storage Facility; | |
| (y) | Service Organization; | |
| (z) | Storage Yard; | |
| (aa) | Sign – Class C; | |
| (bb) | Sign – Class E; | |
| (cc) | Sign – Class F; | |
| (cc.1) | Sign – Class G; | |
| (dd) | Special Function – Class 2; | 30P2011 |
| (ee) | <i>deleted</i> | 4P2012 |
| (ff) | Take Out Food Service; | 4P2012 |
| (ff.1) | Urban Agriculture; | 33P2019 |
| (gg) | Vehicle Sales – Minor; | 38P2013 |
| (hh) | Veterinary Clinic; | 38P2013 |
| (ii) | Wind Energy Conversion System – Type 1; and | 38P2013 |
| (jj) | Wind Energy Conversion System – Type 2. | 38P2013 |

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Building Size

971 The maximum **gross floor area** of all **buildings** on a **parcel** that is not serviced by **City** water and sewer is 1600.0 square metres.

Floor Area Ratio

972 The maximum **floor area ratio** for **buildings** on a **parcel** that is serviced by **City** water and sewer is 1.0.

Building Height

973 The maximum **building height** is 16.0 metres.

Screening

32P2009

- 974** (1) Loading docks and mechanical equipment that are part of a **building** must be **screened** from view of an **adjacent expressway** or **major street**.
- (2) Where a **use** has outdoor activities or equipment located outside of a **building**, those activities or equipment must be **screened** from view of:
- (a) an **adjacent expressway**, **major street**, **LRT corridor** or regional pathway; or
 - (b) a **street** or **lane** where the **street** or **lane** separates the **parcel** from a **residential district** or **special purpose district**.

Building Setback

32P2009

974.1 The minimum **building setback** from a **property line** shared with the Headworks Canal operated by the Western Irrigation District is 15.0 metres.

Front Setback Area

- 975** Where the **parcel** shares a **front property line** with a **street** and the length of that **front property line** is:
- (a) less than 45.0 metres, there is no requirement for a **front setback area**;
 - (b) 45.0 metres or more but less than 60.0 metres, the **front setback area** must have a minimum depth of 1.0 metre;
 - (c) 60.0 metres or more but less than 90.0 metres, the **front setback area** must have a minimum depth of 2.0 metres; and
 - (d) 90.0 metres or more, the **front setback area** must have a minimum depth of 4.0 metres.

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

Purpose

982 The Industrial – Outdoor District is intended to be characterized by:

- (a) **uses** where materials are stored outdoors;
- (b) a very limited range of **uses** that are compatible with storage **uses**;
- (c) large **parcels**;
- (d) storm water runoff being contained within the **parcel**;
- (e) few **buildings** that are small in comparison with the size of the **parcel**;
- (f) **parcels** that might have minimal or no **City** servicing; and
- (g) limiting the visibility of **uses** where visibility and aesthetics are identified as planning concerns through berming, **screening**, or landscaped **setback areas**.

Permitted Uses

983 The following **uses** are **permitted uses** in the Industrial – Outdoor District:

- (a) **Equipment Yard**;
- (b) **Park**;
- (c) **Power Generation Facility – Small**;
- (d) **Sign – Class A**;
- (e) **Sign – Class B**;
- (f) **Sign – Class C**;
- (g) **Sign – Class D**;
- (h) **Storage Yard**;
- (i) **Utilities**;
- (j) **Vehicle Storage – Large**;
- (k) **Vehicle Storage – Passenger**; and
- (l) **Vehicle Storage – Recreational**.

Discretionary Uses

984 (1) The following **uses** are **discretionary uses** in the Industrial – Outdoor District: 32P2009, 30P2012

- (a) **Custodial Quarters**;
- (b) **Power Generation Facility – Medium**;

- 30P2011, 4P2012, 38P2013
- 4P2012
- 33P2019
- 38P2013
- 38P2013
- 38P2013
- (c) **Salvage Yard;**
 - (d) **Sign – Class E;**
 - (e) **Sign – Class F;**
 - (e.1) **Sign – Class G;**
 - (f) *deleted*
 - (f.1) **Urban Agriculture;**
 - (g) **Utility Building;**
 - (h) **Wind Energy Conversion System – Type 1;** and
 - (i) **Wind Energy Conversion System – Type 2.**

- 30P2012
- (2) The following uses are discretionary uses in the Industrial – Outdoor District only if they were legally existing or approved prior to the effective date of this Bylaw:
- (a) **General Industrial – Light;** and
 - (b) **General Industrial – Medium.**

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Parcel Area

986 The minimum area of a **parcel** is 1.6 hectares.

Building Size

987 The maximum **gross floor area** of all **buildings** on a **parcel** in the Industrial – Outdoor District is 1,600.0 square metres.

Building Height

988 The maximum **building height** is 10.0 metres.

32P2009

Storage of Goods, Materials and Supplies

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

PART 9: SPECIAL PURPOSE DISTRICTS

Division 1: General Rules for Special Purpose Land Use Districts

Projections into Setback Areas

- 1013** (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), **buildings** must not be located in any **setback area**.
- (2) Eaves of a **building** may project into any **setback area** a maximum of 0.6 metres.
- (3) Portions of a **building** below the surface of the ground may extend into any **setback area** only when those portions are used as a parking structure.
- (4) A parking area for a **use** may be located in any **setback area** to a minimum of 1.2 metres from any **property line**.
- (5) **Signs** may be located in any **setback area**, and where so located, must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

- 1014** (1) **Landscaped areas** are only required in the following Districts:
- Special Purpose – School, Park and Community Reserve District;
 - Special Purpose – Community Service District;
 - Special Purpose – Recreation District;
 - Special Purpose – Community Institution District;
 - Special Purpose – City and Regional Infrastructure District; and
 - Special Purpose – University Research Park District.
- (2) **Extensive Agriculture, Natural Area, Park and Urban Agriculture** do not require **landscaped areas**. 33P2019
- (3) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (4) A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to the **building** or **parcel**, and must show at least the following:
- the existing and proposed topography;

- (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - (d) the species, sizes and numbers of plant material and the types of **landscaped areas**; and
 - (e) details of the irrigation system.
- (5) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.
 - (6) Unless otherwise referenced in a District, all **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless a **low water irrigation system** is provided.
 - (7) For the purpose of determining the minimum number of trees and shrubs in a **setback area**, portions of **setback areas** that are paved for sidewalks and vehicle access, utility rights of way, or any other purpose allowed by the **Development Authority**, must be included in the calculation of the required area even though trees and shrubs are not capable of growing in that area.
 - (8) If the minimum **setback area** is not capable of growing trees and shrubs, additional area on the **parcel**, adjoining the **setback area**, must be provided for the trees and shrubs.

Planting Requirements

- 1015**
- (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
 - (2) A minimum of 25.0 per cent of all trees required must be coniferous.
 - (3) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimeters at the time of planting.
 - (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.
 - (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
 - (6) **Soft surfaced landscaped areas** may include **Urban Agriculture**.

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

Purpose

1033 The Special Purpose – Community Service District is intended to:

- (a) accommodate education and community **uses** located in **buildings**;
- (b) accommodate a limited range of small scale, public indoor and outdoor recreation facilities; and
- (c) have limited application to **parcels** that are not designated reserve pursuant to the *Municipal Government Act* or its predecessors.

Permitted Uses

1034 The following **uses** are **permitted uses** in the Special Purpose – Community Service District:

- (a) **Natural Area**;
- (b) **Outdoor Recreation Area**;
- (c) **Park**;
- (d) **Park Maintenance Facility – Small**;
- (e) **Power Generation Facility – Small**;
- (f) **School Authority – School**;
- (g) **School Authority Purpose – Minor**;
- (h) **Sign – Class A**; and 4P2012
- (i) *deleted* 4P2012
- (j) **Utilities**.

Discretionary Uses

1035 The following **uses** are **discretionary uses** in the Special Purpose – Community Service District:

- (a) **Child Care Service**;
- (a.1) **Community Entrance Feature**; 10P2009
- (b) **Community Recreation Facility**;
- (c) **Food Kiosk**;
- (d) **Indoor Recreation Facility**;

- (e) **Library;**
- (f) **Museum;**
- (g) **Park Maintenance Facility – Large;**
- (h) **Protective and Emergency Service;**
- (i) **School – Private;**
- (j) **School Authority Purpose – Major;**
- (k) **Service Organization;**
- (l) **Sign – Class B;**
- (m) **Sign – Class C;**
- (n) **Sign – Class D;**
- 38P2013 (o) **Sign – Class E;**
- 33P2019 (o.1) **Urban Agriculture;**
- 38P2013 (p) **Utility Building;** and
- 38P2013 (q) **Wind Energy Conversion System – Type 1.**

Rules

1036 In addition to the rules in this District, all **uses** in this District must comply with:

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

Front, Rear and Side Setback Area

1037 The **setback area** from every **property line** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

- 1038 (1)** All **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
- (2)** All **setback areas** must provide a minimum of:
- (a) 1.2 trees for every 70.0 square metres for the **use of School Authority – School;**

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

Purpose

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

Permitted Uses

1042 The following **uses** are **permitted uses** in the Special Purpose – Recreation District:

- (a) **Natural Area**;
- (b) **Park**;
- (c) **Park Maintenance Facility – Small**;
- (d) **Power Generation Facility – Small**;
- (e) **Sign – Class A**; and 4P2012
- (f) *deleted* 4P2012
- (g) **Utilities**.

Discretionary Uses

1043 (1) The following **uses** are **discretionary uses** in the Special Purpose – Recreation District:

- (a) **Community Entrance Feature**;
- (b) **Community Recreation Facility**;
- (c) **Food Kiosk**;
- (d) **Indoor Recreation Facility**;
- (e) **Library**;
- (f) **Museum**;
- (g) **Outdoor Café**;
- (h) **Outdoor Recreation Area**;

- (i) **Park Maintenance Facility – Large;**
- (j) **Performing Arts Centre;**
- (k) **Power Generation Facility – Medium;**
- (l) **Protective and Emergency Service;**
- (m) **Service Organization;**
- (n) **Sign – Class B;**
- (o) **Sign – Class C;**
- (p) **Sign – Class D;**
- (q) **Sign – Class E;**
- 71P2008 (q.1) **Sign – Class F;**
- 4P2012 (q.2) **Special Function – Class 2;**
- 13P2013, 38P2013 (r) **Spectator Sports Facility;**
- 33P2019 (r.1) **Urban Agriculture;**
- 14P2010, 38P2013 (s) **Utility Building;**
- 38P2013 (t) **Wind Energy Conversion System – Type 1; and**
- 38P2013 (u) **Wind Energy Conversion System – Type 2.**
- 67P2008, 39P2010 (2) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur within a **building** used for an **Indoor Recreation Facility, Library, Museum, Performing Arts Centre** or **Spectator Sports Facility**:
 - (a) **Accessory Liquor Service;**
 - (b) **Child Care Service;**
 - (c) **Conference and Event Facility;**
 - (d) **Medical Clinic;**
 - (e) **Restaurant: Food Service Only – Medium;**
 - (f) **Restaurant: Food Service Only – Small;**
 - (g) **Restaurant: Licensed – Medium;**
 - (h) **Restaurant: Licensed – Small; and**
 - (i) **Retail and Consumer Service.**
- 67P2008, 39P2010 (3) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur on a **parcel** used for a **Park**:
 - (a) **Restaurant: Food Service Only – Small;**
 - (b) **Restaurant: Licensed – Small; and**
 - (c) **Retail and Consumer Service.**

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

Purpose

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

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

Permitted Uses

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

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

Discretionary Uses

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

- (a) **Addiction Treatment;**
- (b) **Cemetery;**
- (c) **Child Care Service;**
- (d) **Columbarium;**
- (d.1) **Conference and Event Facility;** 67P2008
- (e) **Crematorium;**
- (f) **Custodial Care;**
- (g) **Food Kiosk;**
- (g.1) **Home Occupation – Class 2;** 41P2009

- 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;**
- 33P2019
- (aa.1) **Urban Agriculture;**
- 38P2013
- (bb) **Utility Building;**
- 38P2013
- (cc) **Wind Energy Conversion System – Type 1;** and
- 38P2013
- (dd) **Wind Energy Conversion System – Type 2.**
- (2) The following **uses** are additional **discretionary uses** if they are located in existing **buildings** containing **Dwelling Units** at the time of the effective date of this Bylaw:
- (a) **Multi-Residential Development.**
- 24P2011
- (3) The following **uses** are additional **discretionary uses** if they are located in an existing **building** that is used or was previously used as **Assisted Living** at the time of the effective date of this Bylaw:
- (a) **Assisted Living.**

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

Purpose

1066 The Special Purpose – City and Regional Infrastructure District is intended to provide for:

- (a) infrastructure and utility facilities;
- (b) vehicle maintenance, work depots and training centres related to infrastructure **development** and maintenance;
- (c) facilities and systems for public transportation; and
- (d) **uses** operated by Federal, Provincial and Municipal levels of government.

Permitted Uses

1067 (1) The following **uses** are **permitted uses** in the Special Purpose – City and Regional Infrastructure District:

- (a) **Airport;**
- (b) **Cemetery;**
- (c) **Columbarium;**
- (d) **Crematorium;**
- (e) **Military Base;**
- (f) **Municipal Works Depot;**
- (g) **Natural Area;**
- (h) **Park;**
- (i) **Power Generation Facility – Small;**
- (j) **Protective and Emergency Service;**
- (k) **Rail Line;**
- (l) **Sewage Treatment Plant;**
- (m) **Sign – Class A;**
- (n) **Sign – Class B;**
- (o) **Sign – Class D;**
- (p) *deleted*
- (q) **Tree Farm;**
- (r) **Utilities;**

1P2009

- (s) **Utility Building;**
- (t) **Vehicle Storage – Large;**
- (u) **Vehicle Storage – Passenger;**
- (v) **Waste Disposal and Treatment Facility;** and
- (w) **Water Treatment Plant.**

(2) The following *uses* are **permitted uses** in the Special Purpose – City and Regional Infrastructure District if they are located within existing approved **buildings**:

- (a) **Temporary Shelter.**

28P2009, 41P2009,
4P2012

Discretionary Uses

1068 (1) The following *uses* are **discretionary uses** in the Special Purpose – City and Regional Infrastructure District:

- (a) **Custodial Care;**
- (b) **Distribution Centre;**
- (c) **Equipment Yard;**
- (d) **Freight Yard;**
- (e) **Information and Service Provider;**
- (f) **Instructional Facility;**
- (g) *deleted*
- (h) **Office;**
- (h.1) **Outdoor Recreation Area;**
- (i) **Parking Lot – Grade;**
- (j) **Parking Lot – Structure;**
- (k) **Power Generation Facility – Medium;**
- (l) **Sign – Class C;**
- (m) **Sign – Class E;**
- (m.1) **Urban Agriculture;**
- (n) **Wind Energy Conversion System – Type 1;** and
- (o) **Wind Energy Conversion System – Type 2.**

(2) An existing **Sign – Class F** is a **discretionary use** where:

- (a) it existed on the effective date of this Bylaw, and
- (b) is currently approved by a **development permit** issued by the **City**.

32P2009

32P2009

9P2012

41P2009

38P2013

38P2013

33P2019

38P2013

38P2013

44P2013

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;**
- (c) **Convenience Food Store;**
- (d) **Fitness Centre;**

16P2018

| | | |
|------------------|-------|----------------------------------------------------|
| 32P2009 | (e) | <i>deleted</i> |
| | (f) | Indoor Recreation Facility; |
| 32P2009 | (g) | <i>deleted</i> |
| | (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; |
| 33P2019 | (r.2) | Urban Agriculture; |
| 38P2013 | (s) | Utility Building; |
| 38P2013 | (t) | Wind Energy Conversion System – Type 1; and |
| 38P2013 | (u) | Wind Energy Conversion System – Type 2. |

Rules

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

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

Building Height

1078 The maximum **building height** is 25.0 metres.

Front Setback Area

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

- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.
- (5) Unless otherwise referenced in subsections (6) and (7), all areas of a **parcel**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls, loading stalls**, garbage facilities, or any purpose allowed by the **Development Authority**, must be a **landscaped area**.
- (6) All **setback areas adjacent** to a **street** or another **parcel**, except for those portions specifically required for motor vehicle access, must be a **landscaped area**.
- (7) All **setback areas adjacent** to a **lane**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls, loading stalls** or garbage facilities must be a **landscaped area**.
- (8) **Amenity space** must be included in the calculation of a **landscaped area** where such **amenity space**:
- (a) is provided outdoors at **grade**; and
 - (b) is a **hard surfaced landscaped area** or soft **surfaced landscaped area**.

Specific Rules for Landscaped Areas

- 1101 (1) Any part of the **parcel** used for motor vehicle access, **motor vehicle parking stalls, loading stalls** and garbage or recycling facilities must not be included in the calculation of a **landscaped area**. 7P2011
- (2) The maximum **hard surfaced landscaped area** is 50.0 per cent of the required **landscaped area**.
- (3) For **landscaped areas** above **grade**, a minimum of 30.0 per cent of the area must be covered with **soft surfaced landscaping**.
- (4) Where a **landscaped area** above **grade** is fragmented into isolated spaces, a minimum of 30.0 per cent of each space must be covered with **soft surfaced landscaping**.
- (5) Only landscaping provided at **grade** or between **grade** and 25 metres above **grade** may be counted towards the required **landscaped area**.
- (6) At least 25 per cent of the required **landscaped area** must be provided at **grade**.

Planting Requirements

- 1102 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

33P2019

- (2) A minimum of 1.0 trees and 2.0 shrubs must be planted for every 45.0 square metres of **landscaped area** provided.
- (2.1) **Landscaped areas** may include **Urban Agriculture**.
- (3) A minimum of 25.0 per cent of all trees provided must be coniferous.
- (4) Unless otherwise referenced in section 1104, deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
- (5) Unless otherwise referenced in section 1104, coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.
- (6) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (7) For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
 - (a) 1.2 metres for trees;
 - (b) 0.6 metres for shrubs; and
 - (c) 0.3 metres for all other planting areas.
- (8) The soil depths referenced in subsection (7) must cover an area equal to the mature spread of the planting material.

Landscaped Area Reductions – Multi-Residential Development

1103 The minimum **landscaped area** for **Multi-Residential Development** may be reduced by the two options as referenced in sections 1104 and 1105 individually or in combination, to a total available reduction of 6.0 per cent of the area of a **parcel**.

Enhanced Landscaping Option

1104 For the Enhanced Landscaping Option, the required **landscaped area** may be reduced by 3.0 per cent of the area of the **parcel** where:

- (1) 1.0 trees and 2.0 shrubs are planted for every 25.0 square metres of **landscaped area** provided;
- (2) deciduous trees have a minimum **calliper** of 65 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 85 millimetres at the time of planting; and
- (3) coniferous trees have a minimum height of 3.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum height of 4.0 metres at the time of planting.

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

Purpose

1122 The Centre City Multi-Residential High Rise District:

- (a) is intended to provide for **Multi-Residential Development** on sites within the Centre City area of the city;
- (b) has **Multi-Residential Development** that will provide intense **development**;
- (c) has **Multi-Residential Development** where intensity is measured by **floor area ratio** to provide flexibility in **building** form and **Dwelling Unit** size and number;
- (d) provides a **building** form that is street oriented at grade;
- (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve public benefit and amenities within the same community;
- (f) is primarily residential with a limited range of **uses** in the Care and Health Group and the Culture and Leisure Group of Schedule A of this Bylaw; and
- (g) provides landscaping to complement the design of the **development**, relationship to the public realm and help to screen and buffer elements of the **development** that may have impacts on residents or nearby **parcels**.

Permitted Uses

1123 (1) The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** 17P2009
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**
- (e) **Sign – Class A;** and 4P2012
- (e.1) *deleted* 10P2009,
4P2012
- (f) **Utilities.**

(2) The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise District that has a **building** used or previously used as a **School Authority – School**:

- (a) **School Authority – School;** and
- (b) **School Authority Purpose – Minor.**

Discretionary Uses

1124 (1) The following *uses* are **discretionary uses** in the Centre City Multi-Residential High Rise District:

17P2009

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (b.1) **Child Care Service;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (e) **Home Occupation - Class 2;**
- (f) **Live Work Unit;**
- (g) **Multi-Residential Development;**
- (h) **Place of Worship – Medium;**
- (i) **Place of Worship – Small;**
- (j) **Power Generation Facility – Small;**
- (k) **Residential Care;**
- (l) **Sign – Class B;**
- (l.1) **Sign – Class C;**
- (m) **Sign – Class D;**
- (m.1) **Sign – Class E;**
- (n) **Temporary Residential Sales Centre;**
- (n.1) **Urban Agriculture; and**
- (o) **Utility Building.**

5P2013

4P2013

33P2019

33P2019

(2) The following *uses* are additional **discretionary uses** if they are located in **buildings** used or previously used as a **School Authority – School** in the Centre City Multi-Residential High Rise District:

- (a) **Library;**
- (b) **Museum;**
- (c) **School – Private;**
- (d) **School Authority Purpose – Major; and**
- (e) **Service Organization.**

(3) The following *uses* are additional **discretionary uses** on a **parcel** in the Centre City Multi-Residential High Rise District that has a **building** used or previously used as a **School Authority - School**:

- (a) **Community Recreation Facility;**

- (b) **Food Kiosk;**
 - (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Area;**
 - (e) **Park Maintenance Facility – Large;** and 34P2010
 - (f) **Park Maintenance Facility – Small.**
- (4) The following **uses** are additional **discretionary uses** in the Centre City Multi-Residential High Rise District if they are located on a **parcel** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**:
- (a) **Backyard Suite;** 24P2014
 - (a.1) **Duplex Dwelling;** 24P2014
 - (b) **Secondary Suite;**
 - (c) *deleted* 24P2014
 - (d) *deleted* 24P2014
 - (e) **Semi-detached Dwelling;** and
 - (f) **Single Detached Dwelling.**
- (5) The following **uses** are additional **discretionary uses** on a **parcel** that has an existing **building** used as a **Place of Worship – Large** or **Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**: 22P2016
- (a) **Place of Worship – Large;** and
 - (b) **Place of Worship – Medium.**

Rules

1125 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Floor Area Ratio

- 1126** (1) The maximum **floor area ratio** is 5.0.
- (2) The maximum **floor area ratio** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Setback Area

1127 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 1128.

Building Setbacks

- 1128** (1) The **building setback** from a **property line** shared with a **street** is a minimum of 3.0 metres and a maximum of 6.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **lane** or another **parcel** is zero metres.

Floor Plate Restrictions

1129 Each floor of a **building** located partially or wholly above 25.0 metres above **grade** has a maximum:

- (a) **floor plate area** of 650.0 square metres; and
- (b) horizontal dimension of 37.0 metres.

Building Height

1130 There is no maximum **building height**.

Landscaping

1131 A minimum of 35 per cent of the area of a **parcel** must be a **landscaped area**.

Parking

1131.1 The minimum number of required **motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls - class 1** and **bicycle parking stalls - class 2** is the requirement specified in the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1.

38P2009

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

Purpose

1132 The Centre City Multi-Residential High Rise Support Commercial District:

- (a) is intended to provide for **Multi-Residential Development** on sites within the Centre City area of the city;
- (b) has **Multi-Residential Development** that will provide intense **development**;
- (c) has **Multi-Residential Development** where intensity is measured by **floor area ratio** to provide flexibility in **building** form and **Dwelling Unit** size and number;
- (d) provides a **building** form that is street oriented at grade;
- (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve public benefit and amenities within the same community; and
- (f) is primarily residential with a limited range of **uses** in the Care and Health Group, the Culture and Leisure Group and a limited range of support commercial **uses**, restricted in size and location within the **building**.

Permitted Uses

1133 (1) The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise Support Commercial District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** 17P2009
- (b) **Home occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**
- (e) **Sign – Class A;**
- (f) **Sign – Class B; and** 4P2012
- (f.1) *deleted* 10P2009,
4P2012
- (g) **Utilities.**

(2) The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise Support Commercial District if they are within existing approved buildings: 39P2010

- (a) **Artist’s Studio;**
- (b) **Convenience Food Store;**

- (c) **Counselling Service;**
 - (d) **Fitness Centre;**
 - (e) **Instructional Facility;**
 - (f) **Library;**
 - (g) **Medical Clinic;**
 - (h) **Office;**
 - (i) **Power Generation Facility – Small;**
 - (j) **Print Centre;**
 - (k) **Retail and Consumer Service;**
 - (l) **Service Organization;**
 - (m) **Specialty Food Store;** and
 - (n) **Take Out Food Service.**
- (3) The following *uses* are **permitted uses** on a *parcel* in the Centre City Multi-Residential High Rise Support Commercial District that has a **building** used or previously used as a **School Authority – School**:
- (a) **School Authority – School;** and
 - (b) **School Authority Purpose – Minor.**

Discretionary Uses

- 1134 (1) *Uses* listed in subsection 1133(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to **buildings** in the Centre City Multi-Residential High Rise Support Commercial District.
- (2) *Uses* listed in subsection 1133(2) are **discretionary uses** if they are proposed in a **building** which, at the time the application is made, had a **use** not listed in this District.
- (3) The following *uses* are **discretionary uses** in the Centre City Multi-Residential High Rise Support Commercial District:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (b.1) **Cannabis Counselling;**
 - (c) **Child Care Service;**
 - (d) **Community Entrance Feature;**
 - (e) **Community Recreation Facility;**
 - (f) **Custodial Care;**

25P2018

9P2012

- (g) **Drinking Establishment – Small;**
 - (h) **Dwelling Unit;**
 - (i) **Home Occupation - Class 2;**
 - (j) **Hotel;**
 - (k) **Live Work Unit;**
 - (k.1) *deleted* 28P2016, 25P2018
 - (l) **Multi-Residential Development;**
 - (m) **Outdoor Café;**
 - (n) **Place of Worship – Small;**
 - (o) **Place of Worship – Medium;**
 - (p) **Residential Care;**
 - (q) **Restaurant Food Service Only – Small;**
 - (r) **Restaurant Licensed - Small;**
 - (r.1) **Sign – Class C;** 5P2013
 - (s) **Sign – Class D;**
 - (s.1) **Sign – Class E;** 4P2013
 - (t) *deleted* 10P2009
 - (u) **Temporary Residential Sales Centre;** 33P2019
 - (u.1) **Urban Agriculture; and** 33P2019
 - (v) **Utility Building.**
- (4) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as a **School Authority – School** in the Centre City Multi-Residential High Rise Support Commercial District:
- (a) **Library;**
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major; and**
 - (e) **Service Organization.**
- (5) The following **uses** are additional **discretionary uses** on a **parcel** in the Centre City Multi-Residential High Rise Support Commercial District that has a **building** used or previously used as a **School Authority – School**:

- 44P2013
- (a) **Community Recreation Facility;**
 (b) **Food Kiosk;**
 (c) **Indoor Recreation Facility;**
 (d) **Outdoor Recreation Area;**
 (e) **Park Maintenance Facility - Large;** and
 (f) **Park Maintenance Facility – Small.**
- 34P2010 (6) The following *uses* are additional **discretionary uses** in the Centre City Multi-Residential High Rise Support Commercial District if they are located on a *parcel* that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:**
- 24P2014 (a) **Backyard Suite;**
- 24P2014 (a.1) **Duplex Dwelling;**
- (b) **Secondary Suite;**
- 24P2014 (c) *deleted*
- 24P2014 (d) *deleted*
- (e) **Semi-detached Dwelling;** and
 (f) **Single Detached Dwelling.**

Rules

1135 In addition to the rules in this District, all *uses* in this District must comply with:

- (a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;
 (b) the Rules Governing All Districts referenced in Part 3; and
 (c) the applicable Uses And Use Rules referenced in Part 4.

Maximum Floor Area Ratio

- 1136 (1)** The maximum **floor area ratio** is 5.0.
 (2) The maximum **floor area ratio** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Setback Area

1137 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 1138.

Building Setbacks

- 1138 (1)** The **building setback** from a **property line** shared with a **street** for the following **streets** is a minimum of 1.5 metres and a maximum of 3.0 metres:

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

Projections into Setback Areas

- 1146 (1) Unless otherwise referenced in this section, a **building** must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this section.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) Wheelchair ramps may project without any limits into a **setback area**.
- (5) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any **setback area**.
- (6) **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.
- (7) **Signs** may be located in any **setback area**, and where so located must be in accordance with Part 3, Division 5.

40P2015

General Landscaped Area Rules

- 1147 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to the **building** or **parcel**, and must show at least the following:
- the existing and proposed topography;
 - the existing vegetation and indicated whether it is to be retained or removed;
 - the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - the types, species, sizes and numbers of plant material and the types of **landscaped areas**; and
 - details of the irrigation system.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.

- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless a **low water irrigation system** is provided.
- (5) For the purpose of determining the minimum number of trees and shrubs in a **setback area**, portions of **setback areas** that are paved for sidewalks and vehicle access, utility rights of way, or any other purpose allowed by the **Development Authority** must be included in the calculation of the required area even though they are not capable of sustaining trees and shrubs.
- (6) If the minimum **setback area** is not capable of sustaining trees and shrubs, additional area on the **parcel** located adjoining the **setback area** must be provided for the trees and shrubs.

Planting Requirements

- 1148 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
- (2) A minimum of 25.0 per cent of all trees required must be coniferous.
- (2.1) **Landscaped areas** may include **Urban Agriculture**.
- (3) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
- (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum of 3.0 metres in height at the time of planting.
- (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

33P2019

Low Water Irrigation System

- 1149 (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
- (2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Additional Landscaping Requirements

- 1150 (1) Unless otherwise referenced in a District, all **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **landscaped area**.
- (2) All areas of a parcel must be a **landscaped area** unless specifically allowed by the **Development Authority**.

- (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) *deleted* 28P2016, 25P2018
- (u) **Multi-Residential Development;**
- (v) **Night Club;**
- (w) **Outdoor Café;**
- (x) **Parking Lot – Grade (Temporary);**
- (y) **Parking Lot – Structure;**
- (z) **Pawn Shop;**
- (z.1) **Payday Loan** 43P2015
- (aa) **Performing Arts Centre;**
- (bb) **Place of Worship – Small;**
- (cc) **Place of Worship – Medium;**
- (dd) **Post-secondary Learning Institution;**
- (ee) **Residential Care;**
- (ff) **Restaurant: Food Service Only – Medium;**
- (gg) **Restaurant: Licensed – Medium;** 35P2019
- (hh) **Restaurant: Licensed – Small;** 35P2019
- (hh.1) **Restaurant: Neighbourhood;** 35P2019, 2P2012
- (hh.2) **School – Private;** 35P2019, 16P2018
- (hh.3) **School Authority – School;** 35P2019

- 30P2011, 4P2013
- (ii) **Seasonal Sales Area;**
- (jj) **Sign – Class C;**
- (kk) **Sign – Class E;**
- (ll) **Sign – Class F;**
- (ll.1) *deleted*
- 4P2012
- (mm) **Social Organization;**
- (nn) **Special Function – Class 2;**
- (oo) **Supermarket;**
- 33P2019
- (oo.1) **Urban Agriculture;**
- (pp) **Utility Building;** and
- (qq) **Veterinary Clinic.**
- 4P2013
- (4)** An existing **Sign – Class G** is a *discretionary use* where:
- (a) it existed on the *parcel* prior to March 1, 2013; and
- (b) the previously approved *development permit* issued by the **City** has not expired.

Rules

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

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

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

5P2013

additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**.

- (2) For **developments** located east of Macleod Trail SE the maximum **floor area ratio** is:
- (a) 7.0 for the **parcels** SW-14-24-1-5 and Plan 0716155 Area B;
- (b) for **parcels** between the CPR tracks and 11 Avenue and Olympic Way and 6 Street SE:
- (i) 5.0 for **uses** referenced in sections 1163 and 1164; or
- (ii) the maximum **floor area ratio** in subsection (i) may be increased by a **floor area ratio** of 3.0 when this additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**; and
- (c) 5.0 for all other **parcels**.
- (3) The maximum **floor area ratio** referenced in (1) and (2) may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

35P2019

Building Height

1167 There is no maximum **building height**.

Building Orientation

1168 The main **public entrance** to a **building** must face the **property line** shared with a commercial **street**.

Front Setback Area

- 1169 (1)** The **front setback area** must have a minimum depth of 1.5 metres and a maximum depth of 3.0 metres for **parcels** located on the following **streets**:
- (a) 4 Street SW;
- (b) 8 Street SW;
- (c) 11 Street SW;
- (d) 11 Avenue (west of Olympic Way SE); and
- (e) 12 Avenue (west of Macleod Trail SE).
- (2)** The **front setback area** must have a minimum depth of 1.5 metres and a maximum depth of 6.0 metres for **parcels** located on the following **streets**:
- (a) 1 Street SE;
- (b) 14 Street SW;

- (c) 10 Avenue; and
- (d) Macleod Trail SE.

(3) The **front setback area** must have a maximum depth of 3.0 metres and no minimum depth requirement for **parcels** located on the following **streets**:

- (a) 1 Street SW;
- (b) 17 Avenue; and
- (c) Olympic Way SE.

(4) The **front setback area** must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres for **parcels** located on the following **streets**:

- (a) 2 Street SW;
- (b) 3 Street SE;
- (c) 5 Street SE;
- (d) 5 Street SW;
- (e) 6 Street SE;
- (f) 6 Street SW;
- (g) 7 Street SW;
- (h) 9 Street SW;
- (i) 10 Street SW;
- (j) 12 Street SW;
- (k) 13 Street SW;
- (l) 11 Avenue SE (east of Olympic Way SE);
- (m) 12 Avenue SE (east of Macleod Trail SE);
- (n) 13 Avenue;
- (o) 14 Avenue SE;
- (p) 15 Avenue; and
- (q) Centre Street.

Rear Setback Area

1170 (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:

- (a) a **commercial district**, there is no requirement for a **rear setback area**; and
- (b) a **residential district** or a **special purpose district** the **rear setback area** must have a minimum depth of 3.0 metres.

2P2012

- (2) Where the *parcel* shares a *rear property line* with:
- (a) an *LRT corridor*, or rail corridor, the *rear setback area* must have a minimum depth of 3.0 metres;
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district* or a *special purpose district*, the *rear setback area* must have a minimum depth of 3.0 metres;
 - (c) a *lane*, in all other cases, there is no requirement for a *rear setback area*; and
 - (d) a *street*, the *front setback area* requirement referenced in section 1169 applies.

Side Setback Area

- 1171 (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a *commercial district*, there is no requirement for a *side setback area*; and
 - (b) a *residential district* or a *special purpose district* the *side setback area* must have a minimum depth of 3.0 metres.
- (2) Where the *parcel* shares a *side property line* with:
- (a) an *LRT corridor*, or rail corridor, the *side setback area* must have a minimum depth of 3.0 metres;
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district* or a *special purpose district*, the *side setback area* must have a minimum depth of 3.0 metres;
 - (c) a *lane*, in all other cases, there is no requirement for a *side setback area*; and
 - (d) a *street*, the *front setback area* requirement referenced in section 1169 applies.

Floor Plate Restrictions

- 1172 (1) When located within the area bounded by the CPR tracks, Macleod Trail SE, 12 Avenue and 8 Street SW, each floor of a *building* located partially or wholly above 36.0 metres above *grade*, and containing **Dwelling Units, Hotel suites or Live Work Units**, has a maximum:
- (a) *floor plate area* of 930.0 square metres; and
 - (b) horizontal dimension of 44.0 metres.
- (2) In all other locations, each floor of a *building* located partially or wholly above 36.0 metres above *grade*, and containing **Dwelling Units, Hotel suites or Live Work Units**, has a maximum:
- (a) *floor plate area* of 650.0 square metres; and
 - (b) horizontal dimension of 37.0 metres.

Landscaping

- 1173 (1) A minimum of 30% of the area of the *parcel* must be a *landscaped area*.
- (2) Landscaping provided at *grade* or below 36.0 metres above *grade* may be credited towards the *landscaped area* requirement.

Landscaping In Setback Areas

- 1174 (1) Where a *setback area* shares a *property line* with a *street*, the *setback area* must be a *landscaped area*.
- (2) Where a *setback area* shares a *property line* with a *lane* and approved access to the *parcel* is from the *lane*, there is no requirement for *soft surfaced landscaped area* or *hard surfaced landscaped area* for that *setback area*.
- (3) Where a *setback area* shares a *property line* with an *LRT corridor* or a *parcel* designated as a *residential district*, the *setback area* must:
- (a) be a *soft surfaced landscaped area*;
 - (b) have a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 30.0 square metres; or
 - (ii) for every 45.0 square metres where irrigation is provided by a *low water irrigation system*; and
 - (c) provide trees planted in a linear arrangement along the length of the *setback area*.
- (4) Where a *setback area* shares a *property line* with a *parcel* designated as a *commercial*, *industrial* or *special purpose district*, the *setback area*:
- (a) must be a *landscaped area*; and
 - (b) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres where irrigation is provided by a *low water irrigation system*.
- (5) Where a *setback area* shares a *property line* with a *lane* that separates the *parcel* from a *parcel* designated as a *residential district* and there is no access from the *lane*, the *setback area*:
- (a) must be a *soft surfaced landscaped area*; and
 - (b) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres where irrigation is provided by a *low water irrigation system*.

Location of Uses within Buildings

- 1175 (1)** The following **uses** must not be located on the ground floor of **buildings**:
- (a) **Catering Service – Minor;** 9P2012
 - (b) **Community Recreation Facility;** 9P2012
 - (c) **Counselling Service;**
 - (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.

16P2018

- (3) The maximum **use area** of:
- (a) **Night Club** is 300.0 square metres; and
 - (b) **Supermarket**, or a **Supermarket** combined with any other **use**, is 5200.0 square metres.
- (4) **General Industrial – Light** does not have a **use area** restriction when located in a **building** that was legally existing or approved prior to the effective date of this Bylaw.
- (5) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment**;
 - (b) **Assisted Living**;
 - (c) **Custodial Care**;
 - (d) **Hotel**;
 - (e) **Place of Worship – Medium**;
 - (f) **Place of Worship – Small**;
 - (g) **Protective and Emergency Service**;
 - (h) **Residential Care**; and
 - (i) **Utility Building**.

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

Supplies and Products

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

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

Purpose

1179 The Centre City Commercial Corridor District is intended to be characterized by:

- (a) storefronts along a continuous block face;
- (b) commercial **developments** on both sides of a **street**;
- (c) **buildings** that are close to the **street** and the public sidewalk;
- (d) **building** location, **setback areas**, and landscaping that limit the effect of commercial uses on adjoining **residential districts**;
- (e) opportunities for commercial **uses** on the ground floor of **buildings** and residential and **Office uses** on upper floors;
- (f) varying maximum base density with bonus density over and above base density to achieve commercial residential mixed use, public benefit and amenities within the same community; and
- (g) varying **front setback** based on street type.

5P2013

Permitted Uses

1180 (1) The following **uses** are **permitted uses** in the Centre City Commercial Corridor District:

- (a) **Park**;
- (b) **Sign – Class A**;
- (c) **Sign – Class B**;
- (d) **Sign – Class D**; and
- (d.1) *deleted*
- (e) **Utilities**.

10P2009,
4P2012
10P2009,
4P2012

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

39P2010

- (a) **Accessory Food Service**;
- (b) **Catering Service – Minor**;
- (c) **Convenience Food Store**;
- (d) **Counselling Service**;
- (e) **Financial Institution**;
- (f) **Fitness Centre**;

- (g) **Health Services Laboratory – With Clients;**
- (h) **Home Based Child Care – Class 1;**
- (i) **Home Occupation – Class 1;**
- (j) **Information and Service Provider;;**
- (k) **Library;**
- (l) **Medical Clinic;**
- (m) **Museum;**
- (n) **Office;**
- (o) **Pet Care Service;**
- (p) **Power Generation Facility – Small;**
- (q) **Print Centre;**
- (r) **Protective and Emergency Service;**
- (s) **Radio and Television Studio;**
- (t) **Restaurant: Food Service Only – Small;**
- (u) **Retail and Consumer Service;**
- (v) **Service Organization;**
- (w) **Specialty Food Store;**
- (x) **Take Out Food Service;**
- (y) **Temporary Residential Sales Centre; and**
- (z) **Veterinary Clinic.**

Discretionary Uses

- 1181 (1)** *Uses* listed in subsection 1180(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City Commercial Corridor District.
- (2)** *Uses* listed in subsection 1180(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one **use** listed in this District that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Centre City Commercial Corridor District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Artist’s Studio;**

| | | |
|-------|------------------------------------------------|------------------|
| (c.1) | Assisted Living; | 24P2011 |
| (d) | Billiard Parlour; | |
| (d.1) | Brewery, Winery and Distillery; | 22P2016 |
| (d.2) | Cannabis Counselling; | 25P2018 |
| (d.3) | Cannabis Store; | 26P2018 |
| (e) | Child Care Service; | |
| (f) | Cinema; | |
| (g) | Computer Games Facility; | |
| (h) | Custodial Care;11 | |
| (i) | Drinking Establishment – Medium; | |
| (j) | Drinking Establishment – Small; | |
| (k) | Dwelling Unit; | |
| (k.1) | Food Production; | 49P2017 |
| (l) | Home Occupation – Class 2; | |
| (m) | Hotel; | |
| (n) | Indoor Recreation Facility; | 32P2009, 9P2012 |
| (o) | Instructional Facility; | |
| (p) | Liquor Store; | |
| (q) | Live Work Unit; | |
| (q.1) | Market – Minor; | 5P2013 |
| (q.2) | <i>deleted</i> | 28P2016, 25P2018 |
| (r) | Outdoor Café; | |
| (s) | Parking Lot – Grade; | |
| (t) | Parking Lot – Structure; | |
| (u) | Pawn Shop; | |
| (u.1) | Payday Loan; | 43P2015 |
| (v) | Place of Worship – Small; | |
| (w) | Post-secondary Learning Institution; | |
| (x) | Residential Care; | |
| (y) | Restaurant: Food Service Only – Medium; | |
| (z) | Restaurant: Licensed – Medium; | |
| (aa) | Restaurant: Licensed – Small; | |
| (bb) | Seasonal Sales Area; | |

- 30P2011, 4P2013
- 4P2012
- 33P2019
- 33P2019
- (cc) **Sign – Class C;**
 - (dd) **Sign – Class E;**
 - (ee) **Sign – Class F;**
 - (ee.1) *deleted;*
 - (ff) **Social Organization;**
 - (gg) **Special Function – Class 2;**
 - (hh) **Supermarket;**
 - (hh.1) **Urban Agriculture;** and
 - (ii) **Utility Building.**

Rules

1182 In addition to the rules in this District, all **uses** in this District must comply with:

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

Floor Area Ratio

- 1183** (1) For **developments** that do not contain **Dwelling Units**, the maximum **floor area ratio** is 3.0.
- (2) For **developments** containing **Dwelling Units**, the maximum **floor area ratio** is:
- (a) 3.0; or
 - (b) 3.0, plus the **gross floor area** of **Dwelling Units** above the ground floor, up to a maximum **floor area ratio** of 5.0.
- (3) The maximum **floor area ratio** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Building Height

1184 There is no maximum **building height**.

Building Orientation

- 1185** (1) The main **public entrance** to a **building** must face the **property line** shared with a commercial **street**.
- (2) Each at **grade use** facing a **street** must have an individual, direct access to the **use** from the **building** exterior and such access must face the **street**.

Division 7: Rules Governing Centre City Bonus Overlays

General

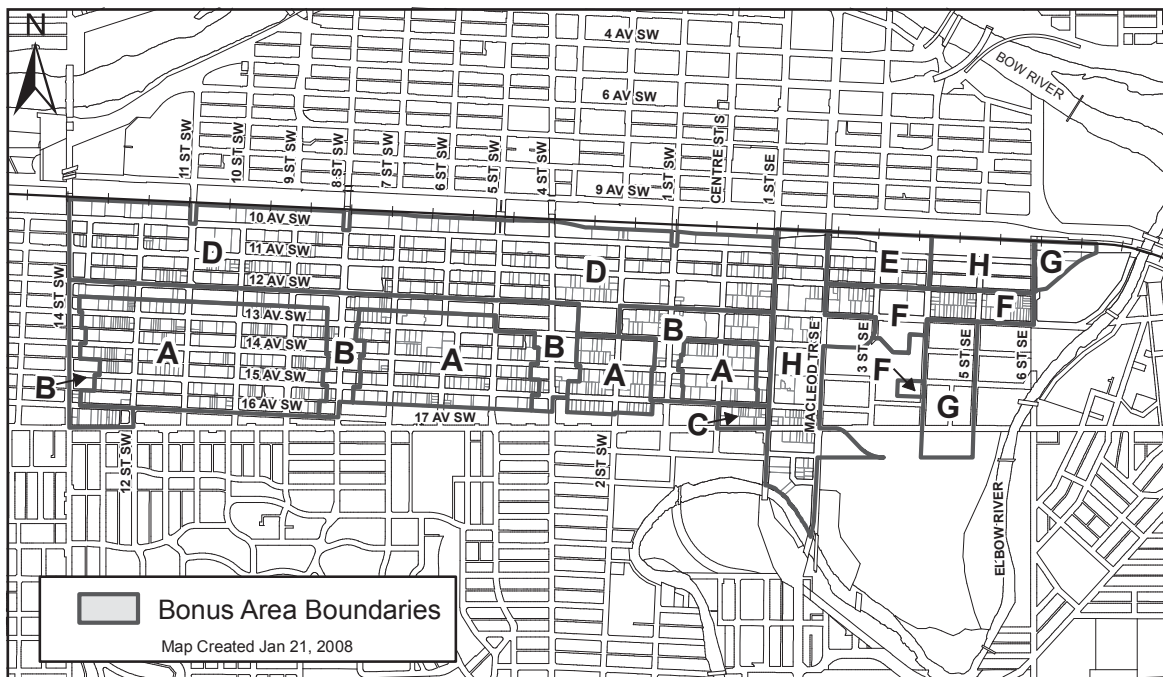
- 1195 (1)** The *floor area ratio* of the CC-MH, CC-MHX, CC-X and CC-COR land use districts may be increased from the maximum *floor area ratio* listed in the district in accordance with the bonus provisions of this Division.
- (2)** For districts other than those listed in 1195(1), including Direct Control Districts approved prior to passage of this Part, the density maximums of that district will continue to apply and those districts are not eligible for the bonus densities set out in this Division.

Bonus Area Boundaries

- 1196** Bonus densities set out in this Division apply only to the bonus areas indicated on Map 9.

Map 9:
Bonus Area Boundaries

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Bonus Area A

- 1197** The maximum *floor area ratio* with bonuses for Bonus Area A is 7.0.

Bonus Area B

- 1198** (1) Only **developments** containing **units** totaling a minimum **gross floor area** equal to a **floor area ratio** of 2.0 are eligible for bonusing under this Division.
- (2) Subject to subsection (1), the maximum **floor area ratio** with bonuses for Bonus Area B is 9.0 for **developments** containing **units** when the bonusable **floor area ratio** is provided as **units**.

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Bonus Area C

- 1199** The maximum **floor area ratio** with bonuses for Bonus Area C is 4.0.

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Bonus Area D

- 1200** In accordance with the bonus provisions contained in this Division, the **floor area ratio** for Bonus Area D may be increased to a maximum of:
- (a) 8.0; or
- (b) 12.0, where the additional **floor area ratio** above 8.0 may only consist of **units** or **Hotel** guest rooms or both.

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Bonus Area E

- 1201** The maximum **floor area ratio** with bonuses for Bonus Area E is 7.0.

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Bonus Area F

- 1201.1** In accordance with the bonus provisions contained in this Division, the **floor area ratio** for Bonus Area F may be increased to a maximum of:
- (a) 8.0; or
- (b) 9.0, where the additional **floor area ratio** above 8.0 may only consist of **units** or **Hotel** guest rooms or both.

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Bonus Area G

- 1201.2** In accordance with the bonus provisions contained in this Division, the **floor area ratio** for Bonus Area G may be increased to a maximum of 9.0, where the additional **floor area ratio** above 7.0 may only consist of **units** or **Hotel** guest rooms or both.

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Bonus Area H

- 1201.3** In accordance with the bonus provisions contained in this Division, the **floor area ratio** for Bonus Area H may be increased to a maximum of:
- (a) 8.0; or
- (b) 12.0, where the additional **floor area ratio** above 8.0 may only consist of **units** or **Hotel** guest rooms or both.

Heritage Density Transfer Increase

35P2019

1202 Notwithstanding sections 1197 to 1201.3, the maximum **floor area ratio** with bonuses for Bonus Areas A through H may be increased by an additional 10 per cent where:

- (a) the additional 10 per cent **floor area ratio** is gained through a heritage density transfer from a site other than the **development** site, as defined for the purposes of this Division in Table 6.1; and
- (b) the additional floor area gained is equal to or less than the amount being transferred from the heritage site.

1203 *deleted*

35P2019

1204 *deleted*

35P2019

Density Transfer Limitation

1205 (1) There is no provision for density transfer from one **parcel** to another other than those bonus earning items listed in Table 6.1.

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- (2) Bonus earning items listed in Table 6.1, heritage density transfer and park dedication transfer, may be from source sites located outside the bonus area boundaries set out in section 1196 and shall be located within the community in accordance with the purpose statements of the CC-MH, CC-MHX, CC-X and CC-COR districts as specified in section 1122(e), 1132 (e), 1162(e) and 1179(f).

35P2019

1206 *deleted*

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1207 *deleted*

35P2019

1208 *deleted*

35P2019

1209 *deleted*

35P2019

1210 *deleted*

35P2019

1211 *deleted*

35P2019

1212 *deleted*

35P2019

1213 *deleted*

35P2019

1214 *deleted*

35P2019

1215 *deleted*

35P2019

1216 *deleted*

35P2019

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Incentive Density Calculation Method

- 1216.1 (1)** The amount of additional **gross floor area** achieved by providing the requirements of the public amenity items in Table 6.1 are calculated as a **floor area ratio**, an Incentive Ratio or an Incentive Rate.
- (2)** An Incentive Rate indicates that the amount of additional **gross floor area** will be calculated by dividing the cost of the provided public amenity item in Table 6.1 by the respective Incentive Rate as established by Council where the following Incentive Rates apply:
- (a)** Incentive Rate 1 is \$270.00 per square metre.
- (3)** Public amenity items that must or may be provided to achieve additional **gross floor area** are shown in Table 6.1.
- (4)** Bonus Areas A through D may use any of Public Amenity Items 1 through 7 in Table 6.1.
- (5)** Bonus Areas E through H may use any of Public Amenity Items 1 through 13 in Table 6.1.
- (6)** Unless otherwise specified in this Part, a Public Amenity Item for which additional **gross floor area** has been achieved must be maintained on the **parcel** for so long as the **development** exists.
- (7)** The **Development Authority** must determine whether a proposed Public Amenity Item is appropriate for the **development**.

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Table 6.1: Beltline Density Bonus Items

| Overview | |
|----------|----------------------------------------------------|
| 1.0 | Indoor Community Amenity Space |
| 2.0 | Publicly Accessible Private Open Space |
| 3.0 | Affordable Housing Units |
| 4.0 | Municipal Historic Resource Designation |
| 5.0 | Heritage Density Transfer |
| 6.0 | Contribution to Beltline Community Investment Fund |
| 7.0 | Parks Density Transfer |
| 8.0 | Public Art On-Site |
| 9.0 | Active Arts Space |
| 10.0 | Cultural Support Space |
| 11.0 | Innovative Public Amenity |
| 12.0 | Indoor Public Hotel Space |
| 13.0 | District Energy Connection Ability |
| | Continued.... |

| Item No. | Public Amenity Items |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.0 | <p>INDOOR COMMUNITY AMENITY SPACE</p> <p>Indoor community amenity space is defined as floor area provided for community purposes, including, but not limited to, offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares and other social services.</p> |
| 1.1 | <p>Incentive Calculation:</p> <p>Where a <i>development</i> provides an indoor community amenity space, the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = total construction cost (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75)</p> |
| 1.2 | <p>Requirements:</p> <p>Provision of indoor community amenity space, within the <i>development parcel</i>, in perpetuity to the <i>City</i>, and in a form acceptable to the Approving Authority.</p> |
| 2.0 | <p>PUBLICLY ACCESSIBLE PRIVATE OPEN SPACE</p> <p>Publicly accessible private open space is defined as outdoor open space located on the <i>development parcel</i> that is made available to the public through a registered public access easement agreement acceptable to the Approving Authority.</p> |
| 2.1 | <p>Incentive Calculation:</p> <p>Where a <i>development</i> provides a publicly accessible private open space, the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = total construction cost (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75).</p> |
| 2.2 | <p>Requirements:</p> <p>Provision of publicly accessible private open space on the <i>development parcel</i> in a location, form, configuration and constructed in a manner acceptable to the Approving Authority.</p> |
| 3.0 | <p>AFFORDABLE HOUSING UNITS</p> <p>Affordable housing units are defined as non-market housing units provided within the <i>development</i>, owned and operated by the <i>City</i> or a bona fide non-market housing provided recognized by <i>the General Manager</i>.</p> |
| 3.1 | <p>Incentive Calculation:</p> <p>Where a <i>development</i> provides affordable housing units, the Incentive Rate is Incentive Rate 1.</p> |

| Item No. | Public Amenity Items |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>Method:</p> <p>Incentive gross floor area (square metres) = total construction (\$) cost divided by (Incentive Rate 1 (\$) multiplied by 0.75) + gross floor area (square metres) of affordable housing units.</p> |
| 3.2 | <p>Requirements:</p> <p>Provision of affordable housing units within the development parcel, in perpetuity, in a number, location and design acceptable to the City or other bona fide non-market housing provider recognized by the City.</p> |
| 4.0 | <p>MUNICIPAL HISTORIC RESOURCE DESIGNATION</p> <p>Municipal Historic Resources are buildings or portions of a building, a site or portions of a site that are designated under the <i>Historic Resources Act</i>.</p> |
| 4.1 | <p>Incentive Calculation:</p> <p>Where a development designates a building, portions of a building, a site or portions of a site, as a Municipal Historic Resource, the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = total construction or restoration costs (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75)</p> |
| 4.2 | <p>Requirements:</p> <p>Historic resource designation includes:</p> <ul style="list-style-type: none"> (a) where the building is listed on the Inventory of Evaluated Historic Resources; (b) maintaining the historic resource or building feature in its approved location on the parcel or within the building where it is incorporated into a new building; (c) an agreement between the Development Authority and the developer establishing the total cost of retention of the heritage resource prior to approval; and (d) designation of the historic resource as a Municipal Historic Resource pursuant to the <i>Historical Resources Act</i> by a Bylaw approved by Council. |
| 5.0 | <p>HERITAGE DENSITY TRANSFER</p> <p>Heritage density transfer is the transfer of unconstructed gross floor area from a parcel designated by bylaw as a Municipal Historic Resource pursuant to the provisions set out in the <i>Historical Resources Act</i> (the source parcel) to a parcel other than the development parcel (the receiving parcel).</p> |

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| 5.1 | <p>Incentive Calculation:</p> <p>The heritage density transfer floor area in square metres is equal to the unconstructed gross floor area of a parcel as a result of designation of a parcel by bylaw as a Municipal Historic Resource. Unconstructed gross floor area is equal to the maximum allowable floor area ratio for that parcel and district, including applicable bonuses, multiplied by the parcel size and, subtracting the gross floor area of the Municipal Historic Resource.</p> <p>Method:</p> <p>Transferable incentive gross floor area (square metres) = maximum allowable gross floor area (square metres) minus Municipal Historic Resource gross floor area (square metres).</p> |
| 5.2 | <p>Requirements:</p> <p>A heritage density transfer must include:</p> <ul style="list-style-type: none"> (a) a transfer agreement that is registered on the Certificate of Title of the parcel(s) from which the density has been transferred; (b) a land use redesignation of the parcel from which the density has been transferred to a Direct Control District in which the allowable maximum floor area ratio remaining after the transfer is regulated; (c) a land use redesignation of the receiving parcel to a Direct Control District in which the allowable maximum floor area ratio achieved through the transfer is regulated; (d) transfers only to receiving parcels located within the bonus area boundaries indicated on Map 9; (e) transfers only from parcels where legal protection through designation as a Municipal Historic Resource has been completed; and (f) only a one-time transfer from the parcel from which the density has been transferred to the receiving parcel with no further transfer possibility. |
| 6.0 | <p>CONTRIBUTION TO THE BELTLINE COMMUNITY INVESTMENT FUND</p> <p>The Beltline Community Investment Fund (BCIF) will be used for projects within the Beltline related to public realm improvements, including but not limited to: park acquisition, park design, redevelopment or enhancement, streetscape design and improvements within rights-of-way, implementation of urban design strategies and public art on public land.</p> |

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| 6.1 | <p>Incentive Calculation:</p> <p>Where a <i>development</i> provides a contribution to the Beltline Community Investment Fund, the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = contribution (\$) divided by Incentive Rate 1 (\$).</p> |
| 6.2 | <p>Requirements:</p> <p>A contribution must be made to the Beltline Community Investment Fund for the <i>development</i>.</p> |
| 7.0 | <p>PARKS DENSITY TRANSFER</p> <p>Private land is dedicated to the <i>City</i> as a public open space. The unused density from the lands to be dedicated may be transferred to another site within the bonus area boundaries indicated on Map 9.</p> |
| 7.1 | <p>Incentive Calculation</p> <p>The transferable bonus <i>gross floor area</i> in square metres for land transferred to the <i>City</i> for park purposes is equal to the maximum <i>floor area ratio</i> of the district, not including bonus provisions, multiplied by 2.5.</p> <p>Method:</p> <p>Transferable incentive <i>gross floor area</i> (square metres) = maximum <i>gross floor area</i> multiplied by 2.5.</p> |
| 7.2 | <p>Requirements:</p> <p>Private land is dedicated to the <i>City</i> as a public open space where the <i>City</i> is the legal owner of the open space and the site is in a location and of a size and configuration acceptable to the <i>City</i>.</p> |
| 8.0 | <p>PUBLIC ART ON-SITE</p> <p>Public art is publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into a <i>development</i>. It is privately owned and must be an original piece of art in any style, expression, genre or media, created by a recognized artist.</p> |
| 8.1 | <p>The maximum incentive <i>floor area ratio</i> for this item is 1.0.</p> |
| 8.2 | <p>Incentive calculation:</p> <p>Where a <i>development</i> provides public art – on site the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = value of the artwork (\$) divided by Incentive Rate 1 (\$).</p> |

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| 8.3 | <p>Requirements:</p> <p>Public art – on site includes the following:</p> <ul style="list-style-type: none"> (a) artwork, the minimum value of which must be: <ul style="list-style-type: none"> (i) \$200000.00 for sites equal to or greater than 1812.0 square metres in area; or (ii) \$50000.00 for sites of less than 1812.0 square metres in area; (b) the work of a recognized artist, i.e. created by a practitioner in the visual arts; (c) a location in a publicly accessible area; and (d) a minimum of 75.0 per cent of the artwork located either: <ul style="list-style-type: none"> (i) outdoors, at grade and visible from the public sidewalk; or (ii) on the building's exterior and visible from the public sidewalk. |
| 9.0 | <p>ACTIVE ARTS SPACE</p> <p>Active arts space is publicly accessible, internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Active arts space is intended for activities that require public accessibility, e.g. performances, exhibitions.</p> |
| 9.1 | <p>The maximum incentive floor area ratio for this item is 4.0.</p> |
| 9.2 | <p>Incentive Calculation:</p> <p>Where a development provides active arts space the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = cost of active arts space (\$) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 (\$).</p> <p>* Future operating costs are calculated by multiplying \$3,324.68 by the amount of active arts space provided in square metres (this is the net present value of operating costs based on \$20 per square foot, a 2 per cent cost escalation, a 6 per cent discount rate, and a 25 year period).</p> |
| 9.3 | <p>Requirements:</p> <p>Active arts space includes the following:</p> <ul style="list-style-type: none"> (a) a location: <ul style="list-style-type: none"> (i) at grade or; |

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| 9.3 cont'd | <p>(ii) fronting on to, with direct access to and visible from the public sidewalk, grade level open space, or on-site pedestrian areas.</p> <p>(b) entranceways and lobbies that are clear glazed where they abut a public sidewalk at grade;</p> <p>(c) an agreement establishing the conditions for a long-term lease for the active arts space to be entered into by the City or its designated representative (“the tenant”) and the building owner, such lease to contain the following terms:</p> <p>(i) a minimum term of 25.0 years;</p> <p>(ii) a total rent of \$11.0 per square metre per year, subject to (c) (iv);</p> <p>(iii) subject to (c)(iv) and (v) the building owner will pay the normal building operating and capital costs attributable to the active arts space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the building;</p> <p>(iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the active arts space, such as additional security costs associated with the use of the space or special events, additional cleaning necessitated by events in the space, and maintenance and repair of the tenant’s fixtures and equipment. The City will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;</p> <p>(v) upon expiry of the lease, the owner may elect, at the owner’s sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry;</p> <p>(vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving the City 30 days written notice, provided that the conditions of (c)(vii) are met;</p> |

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| 9.3 cont'd | <p>(vii) that in the event of termination prior to the end of the 25-year term of the lease, the City will receive financial compensation for the space as calculated as the lesser of Incentive Rate 1 or the fair market value based on the gross floor area of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive gross floor area calculation; and</p> <p>(viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include artist studios, exhibition space, performing arts space and rehearsal spaces.</p> |
| 10.0 | <p>CULTURAL SUPPORT SPACE</p> <p>Cultural support space is an internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Cultural support space is intended for activities that do not require public accessibility, e.g. administration, rehearsal space, storage.</p> |
| 10.1 | <p>The maximum incentive floor area ratio for this item is 4.0.</p> |
| 10.2 | <p>Incentive Calculation:</p> <p>Where a development provides cultural support space the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = cost of cultural support space (\$) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 (\$).</p> <p>* Future operating costs are calculated by multiplying \$3,324.68 by the amount of cultural support space provided in square metres (this is the net present value of operating costs based on \$20 per square foot, a 2 per cent cost escalation, a 6 per cent discount rate, and a 25 year period).</p> |
| 10.3 | <p>Requirements:</p> <p>A cultural support space includes the following:</p> <ul style="list-style-type: none"> (a) access to the tenant during the building's normal office hours unless otherwise agreed upon in the lease agreement; (b) a location above grade where the space is used for administration; (c) an agreement establishing the conditions for a long-term lease for the cultural support space to be entered into by the City or its designated representative ("the tenant") and the building owner, such lease to contain the following terms: |

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| 10.3 cont'd | <ul style="list-style-type: none"> (i) a minimum term of 25.0 years; (ii) a total rent of \$11 per square metre per year, subject to (c)(iv); (iii) subject to (c)(iv) and (v) the building owner will pay the normal building operating and capital costs attributable to the cultural support space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the building; (iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the cultural support space, such as additional security costs associated with the use of the space, additional cleaning necessitated by use of the space, and maintenance and repair of the tenant's fixtures and equipment. the City will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property; (v) upon expiry of the lease, the owner may elect, at the owner's sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry; (vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving the City 30 days written notice, provided that the conditions of (c)(vii) are met; (vii) that in the event of termination prior to the end of the 25-year term of the lease, the City will receive financial compensation for the space as calculated as the lesser of Incentive Rate 1 or the fair market value based on the gross floor area of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive gross floor area calculation; and (viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include administration and storage. |
| 11.0 | <p>INNOVATIVE PUBLIC AMENITY</p> <p>An innovative public amenity is a building feature that has not been considered under any of the other incentive items in this table, but which is determined by the Development Authority to provide a benefit to the public.</p> |
| 11.1 | The maximum incentive floor area ratio for this item is 1.0. |

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| 11.2 | <p>Incentive Calculation: Where a development provides an innovative amenity the Incentive Rate is Incentive Rate 1.</p> <p>Method: Incentive gross floor area (square metres) = cost of amenity (\$) divided by Incentive Rate 1 (\$).</p> |
| 11.3 | <p>Requirements: An innovative public amenity includes the following:</p> <ul style="list-style-type: none"> (a) a benefit to the community in which the density is being accommodated; (b) no items or amenities that are achievable or required through other means, including the other incentive amenity items in this table; (c) no standard features of a building; (d) an amount of additional floor area ratio commensurate with the cost of the amenity item provided; and (e) the sole discretion of the Development Authority to determine whether the proposed amenity feature is considered an innovative public amenity. |
| 12.0 | <p>INDOOR PUBLIC HOTEL SPACE Indoor public hotel space is publicly accessible indoor space that can be used by Hotel guests, conference attendees and the general public without having to be guests of the Hotel or customers of a use within the building. Restaurant, lounge, café, retail and conference use areas, when located at grade and one storey above for conference facilities – and open to the public are considered to be indoor public space.</p> |
| 12.1 | The maximum incentive floor area ratio for this item is 2.0. |
| 12.2 | <p>Incentive Calculation: Where a Hotel development provides:</p> <ul style="list-style-type: none"> (a) Indoor public hotel space that is conference facility space, the Incentive Ratio is 1:18; and (b) For all other indoor hotel public spaces, the Incentive Ratio is 1:10. <p>Method: Incentive gross floor area (square metres) = gross floor area of the amenity space provided (square metres) multiplied by 10.0 or 18.0 for conference facilities.</p> |
| 12.3 | <p>Requirements: An indoor public hotel space includes the following:</p> <ul style="list-style-type: none"> (a) a design as a distinct space within the building that does not contain a guest reception area or administration offices; and |

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| 12.3 cont'd | (b) where the space is not a conference facility, public accessibility through a public access agreement during normal operating hours. |
| 13.0 | <p>DISTRICT ENERGY CONNECTION ABILITY</p> <p>District energy connection ability is the preservation of site areas from physical obstructions that would preclude or make unviable a connection to <i>district energy</i> infrastructure in the future.</p> |
| 13.1 | The maximum incentive <i>floor area ratio</i> for this item is 1.0. |
| 13.2 | <p>Incentive Calculation:</p> <p>Where a <i>development</i> provides district energy connection ability the additional <i>floor area ratio</i> is 1.0.</p> |
| 13.3 | <p>Requirements:</p> <p>A <i>district energy</i> connection ability includes the following:</p> <p>(a) maintenance on the <i>parcel</i> until the <i>development</i> has been connected to and utilizes energy from <i>district energy</i> infrastructure;</p> <p>(b) demonstration of the ability of a <i>building</i> to connect to existing or proposed <i>district energy</i> infrastructure by providing:</p> <p>(i) space allocated for an energy transfer station at ground level or below (energy transfer station is defined as the mechanical interface between the <i>district energy</i> system and the <i>building</i> heating system located in the <i>building</i> - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems);</p> <p>(ii) a heat distribution system that can accommodate the primary heat source at ground level or below; and</p> <p>(iii) an easement with a minimum width of 4.0 metres registered on the certificate of title for the <i>parcel</i> for a thermal pipe from the <i>property line</i> to the <i>building</i> and through the <i>building</i> to the allocated energy transfer station location.</p> |

Specific Rules for Landscaped Areas

- 1229** (1) A minimum of 30.0 per cent of the area of the *parcel* must be a *landscaped area*.
- (2) Any part of the *parcel* used for motor vehicle access, *motor vehicle parking stalls, loading stalls* and garbage or recycling facilities must not be included in the calculation of a *landscaped area*.
- (3) *Landscaped area* provided at *grade* or below 36.0 metres above *grade* may be credited towards the *landscaped area* requirement.

Additional Landscaping Requirements

- 1230** (1) Every *building* on a *parcel* must have at least one sidewalk connecting the *public entrance* to a public sidewalk, or in the case where there is no public sidewalk, to the nearest *street*.
- (2) Where a *building* contains more than one *use*, every *use* that has an exterior *public entrance* must either:
- (a) have a sidewalk connecting the *public entrance* to the sidewalk required by subsection (1); or
- (b) have a sidewalk connecting that *public entrance* to a public sidewalk.
- (3) Every *building* on a *parcel* must have at least one sidewalk connecting the parking area to the *public entrances* of the *building*.
- (4) Where a sidewalk provided in satisfaction of this section is next to a portion of a *building*, the sidewalk must extend along the entire length of that side of the *building*.
- (5) Every sidewalk provided must:
- (a) be a *hard surfaced landscaped area*;
- (b) be a minimum width of 2.0 metres; and
- (c) have different surfacing than the surfacing of the parking areas on the *parcel*.

Planting Requirements

- 1231** (1) Any trees or shrubs provided in satisfaction of the *landscaped area* requirement must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
- (2) A minimum of 25.0 per cent of all trees planted must be coniferous.
- (3) Deciduous trees must have a minimum *calliper* of 50.0 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum *calliper* of 75 millimetres at the time of planting.

- (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum of 3.0 metres in height at the time of planting.
- (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (6) **Landscaped areas** may include **Urban Agriculture**.

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Amenity Space

- 1232 (1) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (3) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.
- (4) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per **unit** may be included to satisfy the **amenity space** requirement.
- (5) **Private amenity space** must:
- (a) be in the form of a **balcony**, **deck** or **patio**; and
 - (b) have no minimum dimensions of less than 2.0 metres.
- (6) **Common amenity space**:
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres; and
 - (d) may be located at or above **grade**.
- (7) A maximum of 50.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (8) **Common amenity space - outdoors**:
- (a) must provide a **balcony**, **deck** or **patio** and at least one of the following as permanent features:
 - (i) a barbeque; or
 - (ii) seating; and
 - (b) must be used in the calculation of the required **landscaped area** when located below 36.0 metres above **grade**.

- (p) **Dwelling Unit;**
- (q) **Food Kiosk;**
- (q.1) **Food Production;** 49P2017
- (r) **General Industrial – Light;**
- (s) **Health Services Laboratory – With Clients;**
- (t) **Home Occupation – Class 2;**
- (u) **Hotel;**
- (v) **Indoor Recreation Facility;**
- (w) **Library;**
- (x) **Liquor Store;**
- (y) **Live Work Unit;**
- (z) **Market;**
- (aa) **Market – Minor;**
- (bb) **Medical Clinic;**
- (cc) *deleted* 25P2018
- (dd) **Office;**
- (ee) **Outdoor Café;**
- (ff) **Parking Lot – Grade (temporary);**
- (gg) **Parking Lot – Structure;**
- (hh) **Performing Arts Centre;**
- (ii) **Place of Worship – Small;**
- (jj) **Post-secondary Learning Institution;**
- (kk) **Residential Care;**
- (ll) **Restaurant: Food Service Only – Large;**
- (mm) **Restaurant: Food Service Only – Medium;**
- (nn) **Restaurant: Licensed – Large;**
- (oo) **Restaurant: Licensed – Medium;**
- (pp) **Restaurant: Licensed – Small;**
- (qq) **School – Private;**
- (rr) **School Authority – School;**
- (ss) **Seasonal Sales Area;**
- (tt) **Service Organization;**
- (uu) **Sign – Class B;**

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- (vv) **Sign – Class C;**
- (ww) **Sign – Class D;**
- (xx) **Sign – Class E;**
- (yy) **Social Organization;**
- (zz) **Special Function – Class 2;**
- (aaa) **Supermarket;**
- (aaa.1) **Urban Agriculture;**
- (bbb) **Utility Building;** and
- (ccc) **Veterinary Clinic.**

Rules

1246 In addition to the rules in this District, all **uses** in this District must comply with:

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

Density

1247 (1) The maximum **floor area ratio** is 7.0.

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

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

- (r) **Health Services Laboratory – With Clients;**
- (s) **Home Occupation – Class 2;**
- (t) **Hotel;**
- (u) **Indoor Recreation Facility;**
- (v) **Library;**
- (w) **Liquor Store;**
- (x) **Live Work Unit;**
- (y) **Market – Minor;**
- (z) **Medical Clinic;**
- (aa) *deleted*
- (bb) **Night Club;**
- (cc) **Office;**
- (dd) **Outdoor Café;**
- (ee) **Parking Lot – Grade (Temporary);**
- (ff) **Parking Lot – Structure;**
- (gg) **Performing Arts Centre;**
- (hh) **Place of Worship – Small;**
- (ii) **Post-secondary Learning Institution;**
- (jj) **Residential Care;**
- (kk) **Restaurant: Food Service Only – Large;**
- (ll) **Restaurant: Food Service Only – Medium;**
- (mm) **Restaurant: Licensed – Large;**
- (nn) **Restaurant: Licensed – Medium;**
- (oo) **Restaurant: Licensed – Small;**
- (pp) **Restaurant: Neighbourhood;**
- (qq) **Seasonal Sales Area;**
- (rr) **Service Organization;**
- (ss) **School - Private;**
- (tt) **School Authority – School;**
- (uu) **Sign – Class B;**
- (vv) **Sign – Class C;**
- (ww) **Sign – Class D;**

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- (xx) **Sign – Class E;**
- (yy) **Social Organization;**
- (zz) **Special Function – Class 2;**
- (aaa) **Supermarket;**
- (aaa.1) **Urban Agriculture;** and
- (bbb) **Utility Building.**

Rules

1256 In addition to the rules in this District, all **uses** in this District must comply with:

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

Density

1257 (1) The maximum **floor area ratio** for development is 7.0.

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

- (a) the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service;**
 - (ii) **Community Recreation Facility;**
 - (iii) **Conference and Event Facility;**
 - (iv) **Indoor Recreation Facility;**
 - (v) **Library;**
 - (vi) **Museum;**
 - (vii) **Performing Arts Centre;**
 - (viii) **Place of Worship – Small;**
 - (ix) **Protective and Emergency Service;**
 - (x) **School – Private;**
 - (xi) **School Authority – School;**
 - (xii) **Service Organization;**
 - (xiii) **Social Organization;** and
 - (xiv) **Utilities;** and

- (v) **Post-secondary Learning Institution;**
 - (w) **Residential Care;**
 - (x) **Restaurant: Food Service Only – Medium;**
 - (y) **Restaurant: Licensed – Medium;**
 - (z) **Restaurant: Licensed – Small;**
 - (aa) **Restaurant: Neighbourhood;**
 - (bb) **School – Private;**
 - (cc) **School Authority – School;**
 - (dd) **Seasonal Sales Area;**
 - (ee) **Service Organization;**
 - (ff) **Sign – Class B;**
 - (gg) **Sign – Class C;**
 - (hh) **Sign – Class D;**
 - (ii) **Sign – Class E;**
 - (jj) **Social Organization;**
 - (kk) **Special Function – Class 2;**
 - (kk.1) **Urban Agriculture;**
 - (ll) **Utility Building; and**
 - (mm) **Veterinary Clinic.**
- (4) The following *uses* are additional **discretionary uses** when located within **buildings** designated as a Municipal Historic Resource pursuant to the Historical Resources Act:
- (a) **Restaurant: Food Service Only – Large; and**
 - (b) **Restaurant: Licensed – Large.**

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Rules

1262 In addition to the rules in this District, all **uses** in this District must comply with:

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

Density

- 1263 (1)** The maximum **floor area ratio** for **development** is 6.65.
- (2)** In this section, for the purpose of calculating **floor area ratio**:
- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
- (i) **Child Care Service**;
 - (ii) **Community Entrance Feature**;
 - (iii) **Community Recreation Facility**;
 - (iv) **Indoor Recreation Facility**;
 - (v) **Museum**;
 - (vi) **Place of Worship – Small**;
 - (vii) **Post-secondary Learning Institution**;
 - (viii) **Protective and Emergency Service**;
 - (ix) **School – Private**;
 - (x) **School Authority – School**;
 - (xi) **Service Organization**;
 - (xii) **Social Organization**; and
 - (xiii) **Utilities**; and
- (b) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, must be excluded from the calculation of **floor area ratio** to a maximum of 3.0 **floor area ratio**.

Use Area

- 1264 (1)** Unless otherwise referenced in subsection (2), the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2)** The maximum **use area** for a **Medical Clinic** is 200.0 square metres where located on the ground floor of a **building**.

- (u) **Outdoor Café;**
- (v) **Outdoor Recreation Area;**
- (w) **Place of Worship – Small;**
- (x) **Residential Care;**
- (y) **Restaurant: Licensed – Small;**
- (z) **Restaurant: Neighbourhood;**
- (aa) **School – Private;**
- (bb) **School Authority – School;**
- (cc) **Seasonal Sales Area;**
- (dd) **Service Organization;**
- (ee) **Sign – Class B;**
- (ff) **Sign – Class C;**
- (gg) **Sign – Class D;**
- (hh) **Sign – Class E;**
- (ii) **Social Organization;**
- (jj) **Special Function – Class 2;** 33P2019
- (jj.1) **Urban Agriculture;** and 33P2019
- (kk) **Utility Building.**

Rules

1268 In addition to the rules in this District, all **uses** in this District must comply with:

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

Density

1269 (1) The maximum **floor area ratio** for **development** is 6.65.

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

- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service;**
 - (ii) **Community Recreation Facility;**

-
- (iii) **Indoor Recreation Facility;**
 - (iv) **Place of Worship – Small;**
 - (v) **Protective and Emergency Service;**
 - (vi) **School – Private;**
 - (vii) **School Authority – School;**
 - (viii) **Service Organization;**
 - (ix) **Social Organization;** and
 - (x) **Utilities;** and

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

Use Area

- 1270 (1)** Unless otherwise referenced in subsection (2), the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2)** The maximum **use area** of a **Medical Clinic** is 200.0 square metres where located on the ground floor of a **building**.

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

Purpose

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

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

Permitted Uses

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

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

Discretionary Uses

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

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;**
- 33P2019 (v) **Social Organization;**
- 33P2019 (w) **Special Function – Class 2; and**
- 33P2019 (x) **Urban Agriculture.**

Rules

- 16P2018 **1274** In addition to the rules in this District, all **uses** in this District must comply with:
- (a) The General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
 - (b) The Rules Governing All Districts referenced in Part 3; and
 - (c) The applicable Uses and Use Rules referenced in Part 4.

Density

- 1275 (1)** The maximum **floor area ratio** is 5.0.
- (2)** In this section, for the purpose of calculating **floor area ratio**:
- (a) the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service;**
 - (ii) **Protective and Emergency Service;**
 - (iii) **Social Organization; and**
 - (iv) **Utilities; and**

- (b) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the Historical Resources Act, must be excluded from the calculation of **floor area ratio** to a maximum of 3.0 **floor area ratio**.

Use Area

- 1276** The maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.

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

Purpose

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

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

Permitted Uses

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

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

Discretionary Uses

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

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

- 33P2019 (m) **Take Out Food Service;**
33P2019 (m.1) **Urban Agriculture;** and
(n) **Utility Building.**

Rules

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

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

Building Design

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*

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1291 *deleted*

1292 *deleted*

1293 *deleted*

PART 13: COMMERCIAL RESIDENTIAL DISTRICTS

33P2013

Division 1: General Rules for Commercial Residential Districts

General Landscaped Area Rules

- 1294 (1)** *Landscaped areas* must be provided in accordance with a landscape plan approved by the *Development Authority*.
- (2)** A landscape plan for the entire *development* must be submitted as part of each *development permit* application, where changes are proposed to the *building* or *parcel*, and must show at least the following:
- (a) the existing and proposed topography;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, *retaining walls*, *screening*, slope of the land, *soft surfaced landscaped areas* and *hard surfaced landscaped areas*;
 - (d) the types, species, sizes and numbers of plant material and the types of *landscaped areas*;
 - (e) details of the irrigation system;
 - (f) for *landscaped areas* using a *low water irrigation system*, the details of the system, including the extent of water delivery; and
 - (g) for *landscaped areas* with a *building* below, the following additional information must be provided:
 - (i) the location of underlying slabs and abutting walls;
 - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
 - (iii) depths of the growing medium for each planting area;
 - (iv) the mature height and spread of all trees and shrubs; and
 - (v) the means of irrigating the planting areas.
- (3)** The *landscaped areas* shown on the landscape plan, approved by the *Development Authority* must be maintained on the *parcel* for so long as the *development* exists.

- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless a **low water irrigation system** is provided.

Planting Requirements

- 1295 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
- (2) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
- (3) Coniferous trees must have a minimum height of 2.0 metres.
- (4) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (5) For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
- (a) 1.2 metres for trees;
 - (b) 0.6 metres for shrubs; and
 - (c) 0.3 metres for all other planting areas.
- (6) The soil depths referenced in subsection (5) must cover an area equal to the mature spread of the planting material.
- (7) **Landscaped areas** may include **Urban Agriculture**.

33P2019

Low Water Irrigation System

- 1296 (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
- (2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Additional Landscaping Rules

- 1297 (1) Unless otherwise referenced in a District, all areas of a **parcel**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls**, **loading stalls**, garbage facilities or any purpose allowed by the **Development Authority**, must be a **landscaped area**.
- (2) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.

- (d) **Health Services Laboratory – With Clients;**
- (e) **Medical Clinic;**
- (f) **Power Generation Facility – Small;**
- (g) **Radio and Television Studio;** and
- (h) **Service Organization.**

Discretionary Uses

1307 (1) *Uses* listed in subsections 1306 (2) and (3) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the CR20-C20/R20 District.

(2) *Uses* listed in subsection 1306 (3) are **discretionary uses** in the CR20-C20/R20 District if they are located on the second floor of an existing approved **building** that contains an existing or approved **+15 Skywalk System walkway**.

(3) The following *uses* are **discretionary uses** in the CR20-C20/R20 District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Amusement Arcade;**
- (d) **Auction Market – Other Goods;**
- (d.1) **Brewery, Winery and Distillery;** 22P2016
- (d.2) **Cannabis Counselling;** 25P2018
- (d.3) **Cannabis Store;** 26P2018
- (e) **Child Care Service;**
- (f) **Cinema;**
- (g) **Community Recreational Facility;**
- (h) **Conference and Event Facility;**
- (i) **Custodial Care;**
- (j) **Cultural Support;**
- (k) **Drinking Establishment – Medium;**
- (l) **Drinking Establishment – Small;**
- (m) **Dwelling Unit;**
- (m.1) **Food Production;** 49P2017
- (n) **Health Services Laboratory – Without Clients;**
- (o) **Home Occupation – Class 2;**
- (p) **Hotel;**
- (q) **Indoor Recreation Facility;**
- (r) **Instructional Facility;**

28P2016, 25P2018

- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- (u) **Market;**
- (u.1) *deleted*
- (v) **Night Club;**
- (w) **Outdoor Café;**
- (x) **Outdoor Recreation Area;**
- (y) **Park Maintenance Facility – Small;**
- (z) **Parking Lot – Structure;**

43P2015

- (aa) **Pawn Shop;**
- (aa.1) **Payday Loan;**
- (bb) **Performing Arts Centre;**
- (cc) **Place of Worship – Medium;**
- (dd) **Place of Worship – Small;**
- (ee) **Post-Secondary Learning Institution;**
- (ff) **Restaurant: Licensed – Large;**
- (gg) **Restaurant: Licensed – Medium;**
- (hh) **Residential Care;**
- (ii) **School – Private;**
- (jj) **School Authority – School;**
- (kk) **School Authority Purpose – Major;**
- (ll) **Sign – Class C;**
- (mm) **Sign – Class E;**
- (nn) **Sign – Class F;**
- (oo) **Social Organization;**
- (pp) **Special Function – Class 2;**
- (pp.1) **Urban Agriculture;**
- (qq) **Utility Building;**
- (rr) **Vehicle Rental – Major;**
- (ss) **Vehicle Rental – Minor; and**
- (tt) **Vehicle Sales – Minor.**

33P2019

- (4) The following **uses** are additional **discretionary uses** in the CR20-C20/R20 District if they were legally existing prior to the **parcel** being designated CR20-C20/R20:

- (b) the horizontal separation occurs between a minimum of 7.5 metres and a maximum of 23.0 metres measured from **grade**.

Building Orientation

1339 **Units** and individual **uses** located at **grade** with an exterior wall facing a **street** must provide:

- (a) individual, separate, direct access to **grade**;
- (b) an entrance that is visible from the **street**; and
- (c) sidewalks that provide direct exterior access to the **unit** or the **use**.

Rules for Façades Facing a Street

- 1340** (1) The length of the **building** façade that faces the commercial **street** must be a minimum of 80.0 per cent of the length of the **property line** it faces.
- (2) In calculating the length of the **building** façade, the depth of any required **rear** or **side setback areas** will not be included as part of the length of the **property line**.
- (3) Lobbies or entrances for upper floor **uses** must not occupy more than 20% of the at **grade** façade facing a **street**. For **laneless parcels**, portions of façades dedicated to underground parking and loading entrances must not be included as part of the at **grade** façade for the purposes of this rule.

Rules for Dwelling Units Facing a Street

- 1341** (1) An entrance to an individual **Dwelling Unit** located at **grade** must be setback a minimum of 2.5 metres from a **property line** shared with a **street**.
- (2) The minimum height of the main floor of any portion of a **Dwelling Unit** located less than 3.0 metres from a **property line** shared with a **street** is 0.6 metres above **grade**.

Rules for Commercial Uses Facing a Street

- 1342** (1) Unless otherwise referenced in subsection (2), the façade of a **building** located on the floor closest to **grade** and facing a **street** must provide windows with unobscured glass that:
- (a) occupy a minimum of 65.0 per cent of the façade between a height of 0.6 metres and 2.4 metres; and
 - (b) where the entire area described in subsection (a) allows views of the indoor space.

- (2) Where the façade of a **building** contains a **Dwelling Unit**, that portion of the façade is not required to meet the requirements of subsection (1).

Internal Access to Uses

1343 The **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of a **Hotel**, may only share an internal hallway with any other **use** in the Residential Group of Schedule A to this Bylaw, with the exception of a **Hotel**.

General Landscaped Area Rules

- 1344** (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped area** and **hard surfaced landscaped areas**;
 - (d) the types, species, sizes and numbers of plant material and the types of **hard surfaced landscaped areas**;
 - (e) details of the irrigation system;
 - (f) for **landscaped areas** with the Low Water Landscaping Option details of the **low water irrigation system**, including extent of water delivery; and
 - (g) for **landscaped areas** with a **building** below, the following additional information must be provided:
 - (i) the location of underlying slabs and abutting walls;
 - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
 - (iii) depths of the growing medium for each planting area;
 - (iv) the mature height and spread of all trees and shrubs; and
 - (v) the means of irrigating the planting areas.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.

- (4) All **soft surfaced landscaped area** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.

Low Water Irrigation System

1345 When a **low water irrigation system** is provided:

- (a) only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area; and
- (b) trees and shrubs that have similar water consumption requirements must be grouped together.

Planting Requirements

- 1346** (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
- (2) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
- (3) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.
- (4) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (5) For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
- (a) 1.2 metres for trees;
 - (b) 0.6 metres for shrubs; and
 - (c) 0.3 metres for all other planting areas.
- (6) The soil depths referenced in subsection (5) must cover an area equal to the mature spread of the planting material.
- (7) **Soft surfaced landscaped areas** may include **Urban Agriculture**.

33P2019

Additional Landscaping Requirements

- 1347** (1) Unless otherwise referenced in a District, all areas on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
- (2) A public sidewalk must be located along the entire length of each **property line** shared with a **street**.

- (3) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk.
- (4) Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:
 - (a) have a sidewalk connecting the **public entrance** to the sidewalk required by subsection (3); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk.
- (5) Every **building** on a **parcel** must have at least one sidewalk connecting the parking area to the **public entrances** of the **building**.
- (6) Every sidewalk provided must:
 - (a) be a **hard surfaced landscaped area**;
 - (b) be a minimum width of:
 - (i) 0.9 metres for a sidewalk providing access to an individual **unit**;
 - (ii) 1.5 metres for a sidewalk providing access to a shared residential entrance or more than one **unit**; or
 - (iii) 2.0 metres in all other cases; and
 - (c) have different surfacing than the surfacing of the parking areas on the **parcel**.

Landscaping in Setback Areas

- 1348 (1) Where a **setback area** shares a **property line** with another **parcel** designated as a **residential district**, the **setback area**:
- (a) must be landscaped with a **soft surface landscaped area**;
 - (b) may include a sidewalk along the length of the **building**;
 - (c) may include a **patio**; and
 - (d) must provide a minimum of 1.0 trees and 2.0 shrubs for every 45.0 square metres.
- (2) Where a **setback area** shares a **property line** with a **lane**, the portion of the **setback area** not required for access from the **lane** must be landscaped with a **soft surface landscaped area** and may include a sidewalk.

Residential Amenity Space

- 1349 (1) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (2) The required minimum amenity space is 5.0 square metres per **unit**.

- (d.2) **Cannabis Store;** 26P2018
- (e) **Child Care Service;**
- (f) **Community Recreation Facility;**
- (g) **Computer Games Facility;**
- (h) **Custodial Care;**
- (i) **Drinking Establishment – Small;**
- (j) **Dwelling Unit;**
- (j.1) **Food Production;** 49P2017
- (k) **Home Occupation – Class 2;**
- (l) **Hotel;**
- (m) **Indoor Recreation Facility;**
- (n) **Liquor Store;**
- (o) **Live Work Unit;**
- (p) **Market – Minor;**
- (q) *deleted* 25P2018
- (r) **Outdoor Café;**
- (s) **Parking Lot – Structure;**
- (t) **Place of Worship – Medium;**
- (u) **Place of Worship – Small;**
- (v) **Post-secondary Learning Institution;**
- (w) **Residential Care;**
- (x) **Restaurant: Food Service Only – Medium;**
- (y) **Restaurant: Licensed – Medium;**
- (z) **Restaurant: Licensed – Small;**
- (aa) **Seasonal Sales Area;**
- (bb) **Signs – Class C;**
- (cc) **Signs – Class E;**
- (dd) **Social Organization;**
- (ee) **Special Function – Class 2;**
- (ff) **Supermarket;**
- (ff.1) **Urban Agriculture;** 33P2019
- (gg) **Utility Building;**

- (hh) **Vehicle Rental – Minor**; and
- (ii) **Vehicle Sales – Minor.**

Rules

1368 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) The General Rules for Mixed Use Districts referenced in Part 14, Division 1;
- (b) The Rules Governing all Districts referenced in Part 3; and
- (c) The applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

- 1369** (1) Unless otherwise referenced in subsection (2), there is no maximum **floor area ratio**.
- (2) The maximum **floor area ratio** for **parcels** designated MU-1 is the number following the letter “f” indicated on the Land Use District Maps.

Density

- 1370** (1) Unless otherwise referenced in subsection (2), there is no maximum **density**.
- (2) The maximum **density** for **parcels** designated MU-1 is the number following the letter “d” indicated on the Land Use District Maps, expressed in **units** per hectare.

Building Height

- 1371** (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is the number following the letter “h” when indicated on the Land Use District Maps.
- (2) Where the **parcel** shares a **side property line** with a **parcel** designated as a **low density residential district**, M-CG or M-G District the maximum **building height**:
- (a) is 11.0 metres measured from **grade** at the shared **property line**;
 - (b) increases at a 45 degree angle to a depth of 5.0 metres from the shared **property line** or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower **building height**; and
 - (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from **grade** at a distance greater than 5.0 metres from the shared **property line**.

- (3) The following *uses* are *discretionary uses* in the Mixed Use – Active Frontage District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Amusement Arcade;**
 - (d) **Assisted Living;**
 - (e) **Billiard Parlour;**
 - (f) **Brewery, Winery and Distillery;**
 - (f.1) **Cannabis Counselling;** 25P2018
 - (f.2) **Cannabis Store;** 26P2018
 - (g) **Child Care Service;**
 - (h) **Cinema;**
 - (i) **Community Recreation Facility;**
 - (j) **Computer Games Facility;**
 - (k) **Conference and Event Facility;**
 - (l) **Custodial Care;**
 - (m) **Dinner Theatre;**
 - (n) **Drinking Establishment – Medium;**
 - (o) **Drinking Establishment – Small;**
 - (p) **Dwelling Unit;**
 - (p) **Dwelling Unit;**
 - (p.1) **Food Production;** 49P2017
 - (q) **Home Occupation – Class 2;**
 - (r) **Hotel;**
 - (s) **Indoor Recreation Facility;**
 - (t) **Liquor Store;**
 - (u) **Live Work Unit;**
 - (v) **Market – Minor;**
 - (w) *deleted* 25P2018
 - (x) **Museum;**
 - (y) **Outdoor Café;**
 - (z) **Parking Lot – Structure;**

- (aa) **Pawn Shop;**
- (bb) **Payday Loan;**
- (cc) **Performing Arts Centre;**
- (dd) **Place of Worship – Medium;**
- (ee) **Place of Worship – Small;**
- (ff) **Post-secondary Learning Institution;**
- (gg) **Residential Care;**
- (hh) **Restaurant: Food Service Only – Medium;**
- (ii) **Restaurant: Licensed – Medium;**
- (jj) **Restaurant: Licensed – Small;**
- (kk) **Seasonal Sales Area;**
- (ll) **Signs – Class C;**
- (mm) **Signs – Class E;**
- (nn) **Social Organization;**
- (oo) **Special Function – Class 2;**
- (pp) **Supermarket;**
- (pp.1) **Urban Agriculture;**
- (qq) **Utility Building;**
- (rr) **Vehicle Rental – Minor; and**
- (ss) **Vehicle Sales – Minor.**

33P2019

Rules

1378 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) The General Rules for Mixed Use Districts referenced in Part 14, Division 1;
- (b) The Rules Governing all Districts referenced in Part 3; and
- (c) The applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

1379 (1) Unless otherwise referenced in subsection (2), there is no maximum **floor area ratio**.

- (2) The maximum **floor area ratio** for **parcels** designated MU-2 is the number following the letter “F” indicated on the Land Use District Maps.