

# THE CITY OF CALGARY

## LAND USE BYLAW 1P2007

### OFFICE CONSOLIDATION

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

11P2008	June 1, 2008	32P2009	December 14, 2009	35P2011	December 5, 2011
13P2008	June 1, 2008	46P2009	December 14, 2009	36P2011	December 5, 2011
15P2008	June 1, 2008	38P2009	December 15, 2009		
47P2008	June 1, 2008	3P2010	March 1, 2010		
48P2008	June 1, 2008	11P2010	April 19, 2010		
49P2008	June 1, 2008	14P2010	May 17, 2010		
50P2008	June 1, 2008	26P2010	May 17, 2010		
53P2008	June 1, 2008	12P2010	June 7, 2010		
54P2008	May 12, 2008	19P2010	June 7, 2010		
57P2008	June 9, 2008	23P2010	June 7, 2010		
67P2008	October 1, 2008	32P2010	July 26, 2010		
68P2008	October 6, 2008	34P2010	August 19, 2010		
71P2008	December 22, 2008	39P2010	November 22, 2010		
51P2008	January 4, 2009	7P2011	January 10, 2011		
75P2008	January 4, 2009	13P2011	February 7, 2011		
1P2009	January 26, 2009	21P2011	June 20, 2011		
10P2009	April 21, 2009	24P2011	June 27, 2011		
17P2009	June 1, 2009	27P2011	July 1, 2011		
28P2009	July 13, 2009	30P2011	July 25, 2011		
31P2009	September 14, 2009	31P2011	September 12, 2011		
41P2009	October 13, 2009	33P2011	September 19, 2011		

#### NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

## **PUBLISHING INFORMATION**

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- (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 **gross usable floor area**.

258 *deleted*

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259 “Pits and Quarries”

- (a) means a **use**:
  - (i) where earth, clay, gravel, sand, stone or other forms of aggregate are extracted from the **parcel**;
  - (ii) where material that is extracted may be stockpiled on the **parcel**; and
  - (iii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Pits and Quarries** as a **use**;
- (b) is a **use** within the Direct Control Uses Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application.

260 “Place of Worship – Large”

- (a) means a **use**:
  - (i) where people assemble for religious or spiritual purposes;
  - (ii) where the largest **assembly area** of the **use** is equal to or greater than 500.0 square metres;
  - (iii) that may provide occasional refuge for people;
  - (iv) that may have rooms for the administrative functions of the **use**;
  - (v) that may have a **Child Care Service** within the **building**;
  - (vi) that may have a food preparation area, kitchen and seating area available for the users of the **use**; and

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- (vii) that may have a maximum of three **Dwelling Units**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) when it contains a **Child Care Service** must also ensure that the **Child Care Service** complies with the rules for that **use**;
- (c.1) when located in an **industrial district**:
  - (i) must not include **Dwelling Units**; and
  - (ii) must be located in a **building** at least 250.0 metres from the **property line** of any **parcel** designated Industrial – Heavy District;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per four (4) person capacity of the area of the largest **assembly area** for the **use**, 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**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum number of **bicycle parking stalls – class 2** equal to 10.0 per cent of the minimum required **motor vehicle parking stalls**.

## 261 “Place of Worship – Medium”

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- (a) means a **use**:
  - (i) where people assemble for religious or spiritual purposes;
  - (ii) where the largest **assembly area** of the **use** is greater than 300.0 square metres and less than 500.0 square metres;
  - (iii) that may provide occasional refuge for people;
  - (iv) that may have rooms for the administrative functions of the **use**;
  - (v) that may have a **Child Care Service** within the **building**;

**Discretionary Uses**

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- 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;**
  - (c) **Building Supply Centre;**
  - (d) **Bulk Fuel Sales Depot;**
  - (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 Sales;**
  - (n) **Office;**
  - (o) **Outdoor Café;**
  - (p) **Pet Care Service;**
  - (p.1) **Place of Worship – Large;**
  - (q) **Print Centre;**
  - (r) **Restaurant: Food Service Only – Medium;**
  - (s) **Restaurant: Food Service Only – Small;**
  - (t) **Restaurant: Licensed – Medium;**
  - (u) **Restaurant: Licensed – Small;**
  - (v) **Restored Building Product Sales Yard;**
  - (w) **Salvage Yard;**
  - (x) **Self Storage Facility;**

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- (y) **Storage Yard;**
- (z) **Sign – Class E;**
- (aa) **Sign – Class F;**
- (aa.1) **Sign – Class G;**
- (bb) **Special Function Tent – Commercial;**
- (cc) **Special Function Tent – Recreational;**
- (dd) **Take Out Food Service;**
- (ee) **Vehicle Sales – Minor; and**
- (ff) **Veterinary Clinic.**

### 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.

### Building Setback

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

### Storage of Goods, Materials and Supplies

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

- (a) not located in a **setback area**;
- (b) not located between a **building** and a **major street** or **expressway**; and
- (c) shown on a plan approved as part of a **development permit**.

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- (k) **Outdoor Café;**
- (k.1) **Place of Worship – Large;** 36P2011
- (l) **Power Generation Facility – Medium;**
- (m) **Restaurant: Licensed – Small;**
- (n) *deleted* 39P2010
- (o) **Self Storage Facility;**
- (p) **Sign – Class C;**
- (q) **Sign – Class E;**
- (r) **Sign – Class F;**
- (r.1) **Sign – Class G;** 30P2011
- (s) **Special Function Tent – Commercial;**
- (t) **Special Function Tent – Recreational;**
- (u) **Specialty Food Store;**
- (v) **Take Out Food Service;** and
- (w) **Utility Building.**

### 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**;

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**Storage of Goods, Materials and Supplies**

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

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**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



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

### Purpose

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- 999 (1)** The Industrial – Heavy District is intended to be characterized by:
- (a) industrial **uses** that typically have significant external nuisance effects that are likely to impact their land and neighbouring **parcels**;
  - (b) industrial **uses** that are generally larger in scale and require large **parcels**;
  - (c) **buildings** that are generally purpose-built that are not easily adaptable to other **uses**;
  - (d) **uses** that typically feature tall stacks, silos, extensive outdoor activities, outdoor conveyor belts, pipes and ducts extending between multiple buildings and other highly visible equipment that is difficult to **screen** but is integral to the operation of the **use**;
  - (e) **buildings** and structures that are generally higher than those found in the Industrial – General District;
  - (f) **parcels** that are accessed by hazardous goods routes, railway lines, or other means of access suitable for the transportation of raw materials and goods;
  - (g) locations **adjacent** to Industrial – General or Industrial – Outdoor Districts; and
  - (h) **developments** that require thorough scrutiny and wide discretion by the **Development Authority**.
- (2)** A **parcel** located within 250.0 metres of a **residential district**, a **Place of Worship – Large** or an area of land proposed in a statutory plan for future residential **uses**, should not be designated Industrial – Heavy District.

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### Permitted Uses

**1000** The following **uses** are **permitted uses** in the Industrial – Heavy District:

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

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**Discretionary Uses**

**1001 (1)** The following *uses* are **discretionary uses** in the Industrial – Heavy District:

- (a) **Asphalt, Aggregate and Concrete Plant;**
- (b) **Bulk Fuel Sales Depot;**
- (c) **General Industrial – Heavy;**
- (d) **Freight Yard;**
- (e) **Power Generation Facility – Medium;**
- (f) **Sign – Class E;**
- (g) **Sign – Class F;**
- (g.1) **Sign – Class G;**
- (h) **Special Function Tent – Recreational; and**
- (i) **Utility Building.**

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**(2)** The following *uses* are **discretionary uses** in the Industrial – Heavy District if they are located in a **building** that was legally existing or approved prior to the effective date of this Bylaw:

- (a) **General Industrial – Light; and**
- (b) **General Industrial – Medium.**

**Rules**

**1002** In addition to the rules in this District, all *uses* in this District must comply with:

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

**Front Setback Area**

**1003** The **front setback area** must have a minimum depth of 6.0 metres.

**Rear Setback Area**

**1004 (1)** Where the *parcel* shares a **rear property line** with a *parcel* designated as:

- (a) a **commercial district**, the **rear setback area** must have a minimum depth of 6.0 metres;
- (b) an **industrial district**.