

# THE CITY OF CALGARY LAND USE BYLAW 1P2007

## OFFICE CONSOLIDATION

### BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

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

#### NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

**TITLE:** THE CALGARY LAND USE BYLAW 1P2007

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DEVELOPMENT & BUILDING APPROVALS,  
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- (52) “**development**” means:
- (a) an excavation or stockpile and the creation of either of them;
  - (b) a **building** or an addition to or replacement or repair of a **building**, and the construction or placing of any of them on, in, over or under land;
  - (c) a change of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the **use** of the land or **building**; or
  - (d) a change in the intensity of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the intensity of **use** of the land or **building**.
- (53) “**Development Authority**” means a person or body appointed as a **Development Authority** as contemplated by and in accordance with the *Municipal Government Act*.
- (54) “**development completion permit**” means a permit issued by a **Development Authority** confirming that the requirements of a **development permit** have been satisfactorily completed.
- (55) “**development permit**” means a document authorizing a **development**, issued by a **Development Authority** pursuant to this Bylaw or any previous Bylaw governing land use within the **City**, and includes the plans and conditions of approval.
- (55.1) “**digital display**” means a device intended to display **copy** using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated or digital technology. 30P2011
- (56) “**dilapidated vehicle**” means a vehicle that is:
- (a) incapable of being safely operated;
  - (b) partially or fully dismantled; or
  - (c) substantially damaged.
- (57) “**discretionary use**” means a **use** of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (57.1) “**district energy**” means infrastructure consisting of insulated pipes, pumps, metering systems and thermal production facilities capable of transferring heat energy through a controlled conductive medium carried between multiple sites for uses including, but not limited to, space heating, chilled water, domestic hot water heating and industrial processes, A **district energy** system may be designed to serve any group of **buildings** by means of one or a combination of thermal or energy heat plants and pipe systems. 26P2010, 33P2013

- 26P2010, 33P2013,  
13P2017
- (57.2) *deleted*
- 33P2013, 13P2017
- (57.3) *deleted*
- (58) “**eaveline**” means the line formed by the intersection of the wall and roof of a **building**.
- 9P2012
- (59) “**expressway**” means a **street** identified as a Skeletal Road in the Transportation Bylaw.
- (60) “**fence**” means a structure which may be used to prevent or restrict passage, to provide visual **screening**, sound attenuation, yard décor, protection from dust or the elements, or to mark a boundary.
- (61) “**flood fringe**” means those lands abutting the **floodway**, the boundaries of which are indicated on the Floodway/Flood Fringe Maps that would be inundated by floodwaters of a magnitude likely to occur once in one hundred years.
- (62) “**floodway**” means the river channel and adjoining lands indicated on the Floodway/Flood Fringe Maps that would provide the pathway for flood waters in the event of a flood of a magnitude likely to occur once in one hundred years.
- (63) “**floor area ratio**” means the quotient of the total **gross floor area** of all **buildings** on a **parcel** divided by the area of the **parcel**.
- 51P2008
- (63.1) “**floor plate area**” means the horizontal cross-section of a floor, between the floor and the next floor above, measured to the glass line, or where there is no glass line, to the outside surface of the exterior walls and includes all mechanical equipment areas and all open areas inside a **building** that do not contain a floor, including atriums, elevator shafts, stairwells and similar areas.
- (64) “**frequent bus service**” means bus service which has a frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during the times of service.
- 35P2011
- (65) “**frontage**” means the linear length of a **property line** shared with a **street**.
- (66) “**front property line**” means:
- (a) the **property line** separating a **parcel** from an adjoining **street**;
- (b) in the case of a **parcel** that adjoins more than one **street**, the shortest **property line** that is parallel to the direction of travel on the **street**; and
- (c) in the case of a **parcel** that adjoins more than one **street** and where the **property lines** adjoining **streets** are of equal length, the **property line** adjoining the **street** to which the **parcel** has been municipally addressed.
- 71P2008



- (67) “**front setback area**” means an area of a **parcel** defined by the **front property line**, the **side property lines** that intersect with the **front property line**, and a line parallel to the **front property line** measured at the minimum depth of the **setback area** required by the District.
- (68) “**General Manager**” means the **City Manager** or the **City Manager’s** designate. 22P2016
- (69) “**grade**” means the elevation of the finished ground surface, not including any artificial embankment, the elevation of an entrance to underground parking, stairways or window wells.
- (70) “**gross floor area**” means the sum of the areas of all above **grade** floors of a **building** measured to the glassline, or where there is no glassline, to the outside surface of the exterior walls, or where **buildings** are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical equipment areas and all open areas inside a **building** that do not contain a floor including atriums, elevator shafts, stairwells and similar areas.
- (71) “**gross usable floor area**” means, for the purpose of calculating **motor vehicle parking stalls**, **bicycle parking stalls** and **loading stalls**, the total horizontal area of every enclosed floor and mezzanine used exclusively by a single **use area** in a **building**, and is measured from the exterior face of the exterior wall and the centreline of an interior partition wall that separates at least two **uses**, but does not include:
- (a) elevator shafts;
  - (b) stairwells;
  - (c) crawl spaces;
  - (d) mechanical or electrical rooms;
  - (e) indoor garbage or recycling storage;
  - (f) areas used for parking and loading;
  - (g) areas below **grade** used for storage and not accessible to the public; and
  - (h) common corridors and halls available to more than one **use**.
- (72) “**gross vehicle weight**” means the value specified by the vehicle manufacturer as the maximum loaded weight of a vehicle. 41P2009
- (73) “**hard surfaced landscaped area**” means an area with a surface consisting of materials that:
- (a) are not living or derived from living organisms; or
  - (b) were once living but are now formed into a structure;

- (c) may include, but are not limited to, brick, concrete, stone and wood; and
- (d) must not include asphalt.

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

9P2012

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

- (a) cannot be identified; or
- (b) results in a **parcel** that has less than two **side property lines**.

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

32P2009

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

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

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

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

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

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

5P2013

(81) “**large vehicle**” means a vehicle, other than a **recreational vehicle**:

- (a) with a **gross vehicle weight** stated by the manufacturer, vehicle signage, or vehicle registration, to be in excess of 4536 kilograms;
- (b) with one or more of the following characteristics:
  - (i) tandem axles;
  - (ii) a passenger capacity in excess of 15 persons; or
  - (iii) dual wheels where the vehicle includes a flat deck or other form of utility deck; or

- (c) that can be generally described as a:
- (i) bus;
  - (ii) cube van;
  - (iii) dump truck;
  - (iv) flatbed truck; or
  - (v) tractor, trailer, or tractor trailer combination.
- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (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.

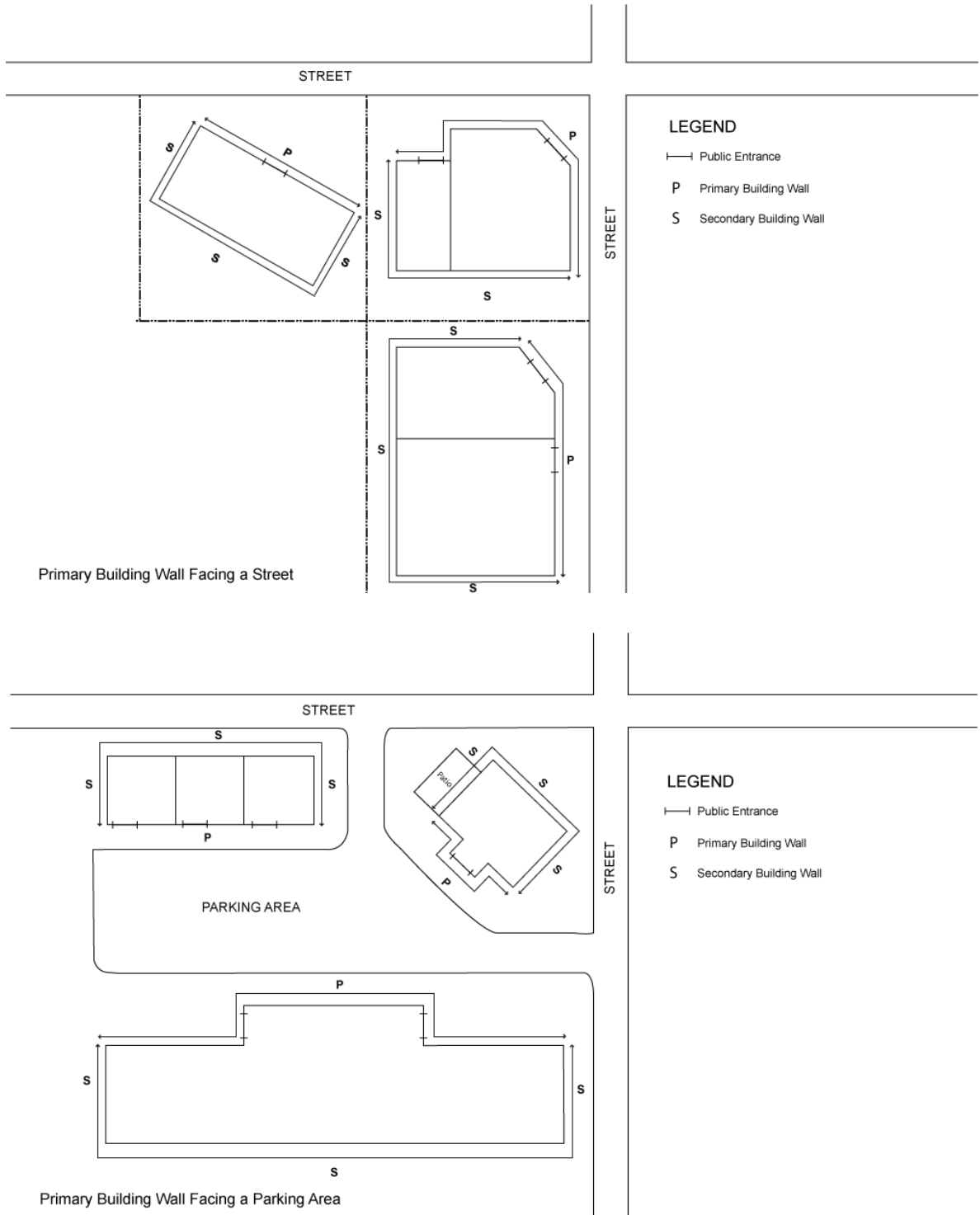
- 51P2008
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX 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**.

- (102) “**parcel width**” means the distance between the **side property lines** of a **parcel** measured at a right angle to the mid-point of the shortest **side property line**.
- (102.1) “**parking area – short stay**” means an area designed for the parking of motor vehicles within a **building** where: 33P2013
- (a) the vehicle remains parked for no more than 4 hours at a time; and
  - (b) there is convenient pedestrian access to the street level and publicly accessible **uses** within the **development**.
- (103) “**patio**” means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above **grade**, intended for use as an outdoor **amenity space**.
- (103.1) “**pedestrian scaled third party advertising**” means a **Sign – Class F** or **Sign – Class G**: 40P2018
- (a) with a maximum height of 2.0 metres and a maximum **sign area** of 2.0 square metres;
  - (b) that may have **copy** visible from a pathway;
  - (c) that must not be located within 20.0 metres of any **Freestanding Sign**, other **Third Party Advertising Signs** or **Digital Third Party Advertising Signs** on the same **parcel**, when measured from the closest point of the **sign**, containing the **digital display** to the closest point of another **sign**; and
  - (d) that must be oriented to pedestrians and must not be legible from **streets**.
- (104) “**permitted use**” means a use of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (105) “**personal sale**” means the sale of goods and includes sales commonly known as garage sales, yard sales, moving sales and estate sales.
- (106) “**pick-up and drop-off stall**” means a **motor vehicle parking stall** intended only for a motor vehicle to stop while picking up or dropping off passengers.
- (107) “**plan of subdivision**” means a plan of subdivision registered or approved for registration at the land titles office.

35P2011

**(108)** “*porch*” means an unenclosed, covered structure forming an entry to a *building*.

Primary and Secondary Building Wall  
 Subsection 13(108.1) and 13(122.1)



## Division 6: General Provisions Relating to Development Permits

### Applications the Development Authority Must Refuse

- 40** The **Development Authority** must refuse a **development permit** application when the proposed **development**:
- (a) is for a **use** that is not listed as either a **permitted** or **discretionary use** in the governing land use district;
  - (b) is for a **use** containing a restriction in its definition that is not met by the proposed **use**;
  - (c) exceeds any of the following requirements where they are specified on a Land Use District Map except where a **development** exceeds the following requirements because a portion of the **parcel** was acquired by the **City** for a municipal purpose in accordance with section 27.1:
    - (i) maximum **floor area ratio**; and
    - (ii) maximum **units** per hectare;
  - (c.1) exceeds the maximum **building height** when specified on a Land Use District Map except where portions of the **building** exceed the maximum **building height** due to:
    - (i) **grade** variations within the **parcel**;
    - (ii) design elements of the **building** that extend above the **eaveline** where there is no usable floor area associated with the element;
  - (d) does not meet the minimum area requirement to accommodate **commercial multi-residential uses** in the M-X1 and M-X2 Districts unless the **parcel** is located in the **Developing Area** and was designated M-X1 or M-X2 prior to 2010 November 25;
  - (e) is for either a **Contextual Semi-detached Dwelling**, **Contextual Single Detached Dwelling** or a **Multi-Residential Development – Minor**, and does not comply with all of the requirements and rules of this Bylaw;
  - (f) is for any **sign** containing a **digital display** that would display **copy** shown on the **digital display** using full motion video, or otherwise gives the appearance of animation or movement;
  - (g) is not adequately serviced by infrastructure referenced in Section 129.1;
  - (h) is for a **Liquor Store** in any district, other than the C-R2, C-R3 and CR20-C20/R20 Districts, that requires more than a 10 per cent relaxation of a minimum separation distance specified in subsections 225(d) or 225(e), except where the **development permit** is for:

- (i) the expansion or alteration of an existing approved **Liquor Store** or renewal of approval of a previously approved **development permit** for a **Liquor Store**; or
  - (ii) an existing approved **Liquor Store** that proposes to move to a new location not within a minimum separation distance specified in subsections 225(d) or 225(e), excluding the distance from the original location of the existing approved **Liquor Store**;
- 43P2015 (i) is for a **Pawn Shop**:
- (i) within 200 metres of another existing approved **Pawn Shop** where the **development permit** is for the expansion or alteration of an existing approved **Pawn Shop** or renewal of a previously approved **development permit** for a **Pawn Shop**; or
  - (ii) in all other cases, where a **Pawn Shop** is located within 90 per cent of a minimum separation distance specified in subsection 254(c.1);
- 25P2018 (j) is for **Payday Loan** located within 90 per cent of minimum separation distance specified in subsection 254.1(c);
- 25P2018 (k) is for a **Cannabis Store** located within 90 per cent of a minimum separation distance specified in subsection 160.3(i); or
- 40P2018 (l) is for a **Sign – Class F pedestrian scaled third party advertising** or a **Sign – Class G pedestrian scaled third party advertising**:
- (i) higher than the **sign** heights indicated in subsection 13(103.1);
  - (ii) has a **sign area** larger than indicated in subsection 13(103.1); or
  - (iii) is located closer to a **Freestanding Sign** or another **Third Party Advertising Sign**, or **Digital Third Party Advertising Sign** than is indicated in subsection 13(103.1).

#### Applications That May Only Be Considered in a Direct Control District

- 41** Where this Bylaw provides that a **use** may only be a listed **use** in a Direct Control District, the **Development Authority** must refuse a **development permit** if it proposes the **use** in a District other than a Direct Control District which lists the **use**.



**Administrative Cancellation of an Application**

31P2009

- 41.1 (1)** In the case of an inactive or non-responsive application the **General Manager** may, in his or her sole and unfettered discretion, cancel a **development permit** application subsequent to acceptance, where he determines that the information provided is not adequate for the **Development Authority** to properly evaluate the application.
- (2)** The **General Manager** must provide written notice of the cancellation of the **development permit** application including reasons for the decision to the applicant.
- (3)** The fees associated with a **development permit** application cancelled by the **General Manager** may be refunded.

**Term of a Development Permit**

- 42** A **development permit** remains in effect until:
- (a) the date of its expiry if the **development permit** was issued for a limited time;
  - (b) it is suspended or cancelled; or
  - (c) it lapses upon the failure of the applicant to commence **development** as required under this Division.

**Suspension or Cancellation of a Development Permit**

- 43 (1)** The **Development Authority** may suspend or cancel a **development permit** following its approval or issuance if:
- (a) the application contains a misrepresentation;
  - (b) facts have not been disclosed which should have been at the time of consideration of the application for the **development permit**;
  - (c) the **development permit** was issued in error;
  - (d) the requirements of conditions of the **development permit** have not been complied with;
  - (e) the applicant requests, by way of written notice of the **Development Authority**, the cancellation of the **development permit**, provided that commencement of the **use, development** or construction has not occurred; or
  - (f) the **Development Authority** cancels a **development permit** for a **use** after it has commenced, to allow the same **use** in a new location that would otherwise not be allowed by a location distance rule when measured from the original location of approval.
- (2)** If the **Development Authority** suspends or cancels a **development permit**, the **Development Authority** must provide written notice of the suspension or cancellation to the applicant.

71P2008

43P2015

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

31P2009

#### Commencement of Development

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

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

31P2009

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

51P2008, 26P2010  
33P2013

- (a) three years of the date of approval of the **development permit** on **parcels** designated M-H1, M-H2, M-H3, C-O, I-B, S-CI, S-CRI, CC-MH, CC-MHX, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET and CR20-C20/R20 Districts;
- (b) three years of the date of approval of the **development permit**, on **parcels** designated DC Direct Control, unless otherwise directed by **Council**; and
- (c) two years of the date of approval of the **development permit** on **parcels** designated as any other District.

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

- (5) Without restricting the generality of the foregoing:

- (a) excavation in anticipation of construction is an alteration of a **parcel**; and
- (b) fencing a site, posting signage, obtaining permits and minor interior demolition are not alterations of the **parcel**.

31P2009

- (6) *deleted*

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

- (a) the date upon which the **Development Authority** approves the **development permit** application;
- (b) in the case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a written decision approving the **development permit** application; or

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

### Commencement of Construction

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

### Reapplication for a Development Permit

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

### Development Completion Permit

- 47 (1) When a **development permit** is required, a **development completion permit** must be issued before the **development** can be occupied or a **use** commenced.
- (2) The **General Manager** must determine which **developments** and **uses** do not require a **Development Completion Permit**, which may be amended from time to time.
- (3) The **Development Authority** must advise an applicant for a **development permit** if the proposed **development** or **use** requires a **Development Completion Permit**.

- (4) An application for a **Development Completion Permit** must be made on a form approved by the **General Manager** and must be accompanied by two copies of a surveyor's certificate.
- (5) An applicant for a **Development Completion Permit** must ensure the **development** or **use** is available for inspection by a Development Inspector during the Inspector's normal work day to confirm the **development** is completed in accordance with the **development permit**, and, upon request by the Development Inspector, the applicant must attend the inspection, produce any documents the Development Inspector feels are necessary for the inspection, and must not hinder the inspection in any way.
- (6) Where a **Development Authority** is satisfied that the **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may issue a **Development Completion Permit** for the **development**.
- (7) Where a **Development Authority** is not satisfied that a **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may:
- (a) issue a **Development Completion Permit** upon receipt of a letter of credit or other security in an amount and form acceptable to the **Development Authority**, in order to ensure fulfilment of the outstanding requirements of the **development permit**; or
  - (b) refuse to issue a **Development Completion Permit**.
- (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 in a local newspaper at least five days prior to the date of the hearing.
- (3) If the decision of the **Development Authority** to refuse a **development permit** is reversed by the Subdivision and Development Appeal Board, the **Development Authority** must endorse the **development permit** in accordance with the decision of the Subdivision and Development Appeal Board.
- (4) If the decision of the **Development Authority** to approve a **development permit** application is reversed by the Subdivision and Development Appeal Board, the **development permit** is null and void.

- (5) If a decision of the **Development Authority** to approve a **development permit** is upheld by the Subdivision and Development Appeal Board, the **Development Authority** must release the **development permit** upon completion of any outstanding prior to release conditions.
- (6) If any decision of the **Development Authority** is varied by the Subdivision and Development Appeal Board, the **Development Authority** must endorse a **development permit** reflecting the decision of the Subdivision and Development Appeal Board and act in accordance therewith.



## Division 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;**
- (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

38P2013

38P2013

44P2013



- (3) **Sign – Class G** is a *discretionary use* where:
- (a) it is replacing a **Sign – Class F** that was approved pursuant to subsection (2); and 30P2011
  - (b) its location on the *parcel* is the same as the **Sign – Class F**.
- (4) The following *uses* are *discretionary uses* when carried on by, or on behalf of, the **City** where located on *parcels* identified in subsections (5) and (6): 40P2018
- (a) **Sign – Class F**; and
  - (b) **Sign – Class G**.
- (5) The *uses* listed in subsection 1068 (4) may be located on a *parcel* identified as one or more of the following: 40P2018
- (a) Block 1 Plan 7611002 excepting Road Plan 8211009 and Subdivision Plan 8911094;
  - (b) Lot 1 Block 13 Plan 7810679; and
  - (c) Block C Plan 7811204.
- (6) The *uses* listed in subsection 1068 (4) may be located on a *parcel* identified as one or more of the following, if they are *pedestrian scaled third party advertising*: 40P2018
- (a) That portion of Research Road NW which lies east of 33 Street NW on Plan 8110138;
  - (b) Lot 5 Block 5 Plan 8110138;
  - (c) Lot 9 Block 5 Plan 9712289;
  - (d) Block 4 Plan 9512418;
  - (e) Block 1 Plan 7611002 excepting Road Plan 8211009 and Subdivision Plan 8911094;
  - (f) Lot 1 Block 1 Plan 8510947;
  - (g) Block 14 Plan Haysboro Industrial Calgary 5115HV;
  - (h) Block 9 Plan Franklin Park Industrial Calgary 7410806; excepting Street Widening Plan 7811004;
  - (i) Lot 10 Block 1 Plan 9912694;
  - (j) Lot 1 Block 9 Plan 8211309;
  - (k) Block 2 Plan 9911775;
  - (l) Lot 106 Block 13 Plan 9710384;
  - (m) Lot 1 Block 13 Plan 7810679;
  - (n) Block C Plan 7811204; and
  - (o) Lot 1 Block 39 Plan 0012045.

## Rules

**1069** In addition to the rules in this District, all **uses** in this District must comply with:

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

## Setback Area

**1070 (1)** Where the **parcel** shares a **property line** with a **parcel** designated as:

- (a) a **commercial district**, the **setback area** must have a minimum depth of 1.2 metres;
- (b) an **industrial district**, the **setback area** must have a minimum depth of 1.2 metres;
- (c) a **residential district**, the **setback area** must have a minimum depth of 6.0 metres; and
- (d) a **special purpose district**, the **setback area** must have a minimum depth of 6.0 metres.

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

- (a) with an **LRT corridor** or **street**, the **setback area** must have a minimum depth of 6.0 metres;
- (b) with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **setback area** must have a minimum depth of 6.0 metres; and
- (c) with a **lane**, in all other cases, the **setback area** must have a minimum depth of 3.0 metres.

## Landscaping In Setback Areas

**1071 (1)** All **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.

**(2)** Where a **setback area** shares a **property line** with a **parcel** designated as a **residential district**, the **setback area** must provide a minimum of:

- (a) 1.0 trees and 2.0 shrubs for every 30.0 square metres; or
- (b) 1.0 trees and 2.0 shrubs for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.

- (3) Where a **setback area** shares a **property line** with a **lane**, **street**, **LRT corridor** or **parcel** designated as a **commercial**, **industrial** or **special purpose district**, the **setback area** must provide a minimum of:
- (a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or
  - (b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a **low water irrigation system**.

### Employee Area

**1072** All **developments** must have an outdoor area, for the use of employees, that is a minimum of 10.0 square metres.

### Reductions to Minimum Required Motor Vehicle Parking Stalls

**1073 (1)** The minimum number of **motor vehicle parking stalls** for an **Office** or **Information and Service Provider** is reduced:

- (a) by 10.0 per cent if the **building** where the **Office** or **Information and Service Provider** is located is within 400.0 metres of an existing or approved Capital funded **LRT platform**; or
- (b) by 5.0 per cent if the **building** where the **Office** or **Information and Service Provider** is located is within 150.0 metres of a **street** where a **frequent bus service** operates.

13P2008

(2) The minimum number of **motor vehicle parking stalls** required for an **Office** or **Information and Service Provider** is reduced:

- (a) by 1.0 **motor vehicle parking stalls** per six (6) **bicycle parking stalls – class 1** provided in excess of the minimum number of **bicycle parking stalls** required in accordance with Part 4; and
- (b) by 1.0 **motor vehicle parking stalls** per two (2) lockers provided in a shower and change room facility.

### Sign Class – F and Sign – Class G Rules

40P2018

**1073.1 (1)** The rules contained in Part 3, Division 5: Signs apply to **Sign – Class F** and **Sign – Class G**, except as follows:

- (a) **Sign – Class F pedestrian scaled third party advertising** may only be illuminated indirectly in a manner that prevents the trespass of light onto **adjacent parcels**;
- (b) Notwithstanding subsections 115.2(6), where a **Sign – Class G pedestrian scaled third party advertising** is visible from and located within 125.0 metres of a **building** containing a **Dwelling Unit**, the **sign** must not operate, or must only display a blank screen between 10 p.m. and 7 a.m.;

- (c) In addition to any *sign* approved under subsections 1068(2), (3) and (5), a maximum of one **Sign – Class F** or **Sign – Class G** larger than a maximum height of 2.0 metres and a maximum *sign area* of 2.0 square metres may be located on each *parcel* identified in subsection 1068(5); and
- (d) When a **Third Party Advertising Sign** or **Digital Third Party Advertising Sign** is located on a *parcel* identified in subsection 1068(5) (a), it must be a minimum of 200.0 metres from another **Third Party Advertising Sign** or **Digital Third Party Advertising Sign**, facing the same oncoming traffic.