

# THE CITY OF CALGARY LAND USE BYLAW 1P2007

## OFFICE CONSOLIDATION

### BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

11P2008	June 1, 2008	21P2011	June 20, 2011	28P2016	June 14, 2016
13P2008	June 1, 2008	24P2011	June 27, 2011	43P2016	November 21, 2016
15P2008	June 1, 2008	27P2011	July 1, 2011	4P2017	January 23, 2017
47P2008	June 1, 2008	30P2011	July 25, 2011	5P2017	February 13, 2017
48P2008	June 1, 2008	31P2011	September 12, 2011	13P2017	March 27, 2017
49P2008	June 1, 2008	33P2011	September 19, 2011	20P2017	May 1, 2017
50P2008	June 1, 2008	35P2011	December 5, 2011	29P2017	June 26, 2017
53P2008	June 1, 2008	36P2011	December 5, 2011	30P2017	June 26, 2017
54P2008	May 12, 2008	4P2012	January 10, 2012	37P2017	August 2, 2017
57P2008	June 9, 2008	2P2012	February 6, 2012	49P2017	September 12, 2017
67P2008	October 1, 2008	9P2012	April 23, 2012	50P2017	September 25, 2017
68P2008	October 6, 2008	12P2012	May 7, 2012	56P2017	September 25, 2017
71P2008	December 22, 2008	30P2012	November 5, 2012	24P2018	March 13, 2018
51P2008	January 4, 2009	32P2012	December 3, 2012		January 29, 2019
75P2008	January 4, 2009	4P2013	March 1, 2013	13P2018	April 2, 2018
1P2009	January 26, 2009	5P2013	March 25, 2013	16P2018	April 2, 2018
10P2009	April 21, 2009	38P2013	September 2, 2013	18P2017	April 2, 2018
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46P2009	December 14, 2009	11P2014	June 19, 2014	51P2018	August 6, 2018
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39P2010	November 22, 2010	23P2016	May 24, 2016	46P2019	July 1, 2019
7P2011	January 10, 2011	27P2016	June 13, 2016		
13P2011	February 7, 2011	29P2016	June 13, 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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- (n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of evaluated historic resources, and: 67P2018,  
46P2019
- (i) the **solar collectors** are located on a **building**, a minimum of 2.4 metres above **grade**; 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;
- (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
- (t) "pop-up uses" that comply with the rules of section 134.2; and 42P2019
- (u) "interim uses" that comply with the rules of section 134.3. 42P2019
- (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**;

67P2018

- (ii) the addition and alteration complies with the rules of section 365; and
  - (iii) the existing **building** is not listed on the **City** inventory of 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;

- (iii) both (i) and (ii).
  - (c) to install or pay for installation of public utilities, other than telecommunications systems or works, that are necessary to serve the **development**;
  - (d) to construct or pay for the construction of:
    - (i) off-street or other parking facilities; and
    - (ii) loading and unloading facilities.
  - (e) to pay an off-site levy or redevelopment levy; and
  - (f) to give security to ensure that the terms of the agreement under this section are carried out.
- (3) The **Development Authority** may, as a condition of issuing of a **development permit** for a **discretionary use** on a **parcel adjacent to a freight rail corridor**. 51P2018
- (a) require additional information as necessary to mitigate the impact of a potential train derailment and noise impact associated with freight rail operations; and
  - (b) require the mitigation identified in subsection (a) to be incorporated into the **development** for the life of the **development**.

### Notification of Decision for Discretionary Use Application

- 39 (1) After approving a **development permit** application for a **discretionary use**, the **Development Authority** must:
- (a) publish a notice online for the public stating the location and **use** of the **parcel** for which the application has been approved; and 83P2018,  
46P2019
  - (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
    - (i) before the 21 day appeal period referred to in the *Municipal Government Act* has expired; or 16P2018
    - (ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.
- (2) After refusing an application for a **development permit** application for a **discretionary use**, whether or not it complies with all of the rules of this Bylaw, the **Development Authority** must provide written notification of the decision and the reasons for it to the applicant.

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**160.2 “Cannabis Facility”**

25P2018

- (a) means a **use** where cannabis is grown, processed, packaged, tested, destroyed or stored;
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) where a licence for all activities associated with cannabis growing, processing, packaging, testing, destruction or storage is issued by Health Canada;
- (d) where an ancillary **building** or structure used for security purposes may be located on the **parcel** containing the **use**;
- (e) must include equipment designed and intended to remove odours from the air where it is discharged from the facility as part of a ventilation system;
- (f) must not be within 75.0 metres of a **residential district** measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (g) where a **Cannabis Store** may be approved as an ancillary use;
- (h) 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 details on:
  - (i) the incineration of waste products and air borne emission, including smell;
  - (ii) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (iii) the method and location of collection and disposal of liquid and waste material;
- (i) 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; or
  - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (j) does not require **bicycle parking stalls – class 1**; and
- (k) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250 square metres of **gross usable floor area**.

26P2018

46P2019

25P2018

**160.3 “Cannabis Store”**

- (a) means a **use**:
  - (i) where cannabis is sold for consumption off the premises;
  - (ii) where consumption of cannabis must not occur;
  - (iii) that may include the ancillary retail sale or rental of merchandise; and
  - (iv) where counselling on cannabis may be provided;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) where all cannabis that is offered for sale or sold must be from a federally approved and licenced facility;
- (d) that has been licensed by the Alberta Government;
- (e) in the C-N1 and C-N2 Districts, must only be located on a **parcel** with a **front property line** on a **major street** or a primary collector **street**;
- (f) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other **Cannabis Store**, when measured from the closest point of a **Cannabis Store** to the closest point of another **Cannabis Store**;
- (g) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:
  - (i) abut a **Liquor Store**;
  - (ii) if not for one or more intervening **actual side setback areas**, abut a **Liquor Store**; and
  - (iii) when located on the same **parcel**, if not for a vacant space between **buildings**, not including an internal road, abut a **Liquor Store**;
- (h) in all Districts, must not be located within 100 metres of a **parcel** that does not have a **School Authority – School** located on it and is designated as a municipal and school reserve or school reserve on the certificate of title;
- (i) in all **commercial, industrial** and **mixed use districts**, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located with 150.0 metres of a **parcel** that contains any of the following **uses**, when measured from the closest point of a **Cannabis Store** to the closest point of a **parcel** that contains any of them:
  - (i) **Emergency Shelter**;

- (ii) 1.0 stalls per three (3) students based on the maximum number of students at the **use** at any given time stated in the **development permit** when the **use** has more than 30 students; 14P2010
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

### 217.1 “Intensive Agriculture”

49P2017

- (a) means a **use**:
  - (i) where livestock or other farmed animals are continuously confined in a **building** or outside;
  - (ii) where concentrated feeding and rearing methods are used grow, maintain and bring animals and their products to market; and
  - (iii) includes feedlots, hog and poultry farms, rabbitries, fur farms and other intensive methods of feeding and raising livestock;
- (b) is a **use** within the Direct Control Uses Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of a land use redesignation application; and
- (d) does not require **bicycle parking stalls class 1 or class 2**.

### 218 *deleted*

14P2010

### 218.1 “Inter-City Bus Terminal”

14P2010

- (a) means a **use**:
  - (i) that utilizes public or commercial transit vehicles for pick-up or drop-off of passengers;
  - (ii) that may include loading and unloading areas, freight handling, shelters, restrooms, concessions, benches, information offices, other office uses, parking, ticket sales, and landscaping;
  - (iii) where transit modes served may include, without limitation, bus services, taxi, commuter rail, and light rail;
  - (iv) that may be designed for the parking of motor-driven buses; and



- (v) that may allow for the storing of goods and supplies or motor vehicles such as buses, and other transit vehicles;
- (b) is a **use** within the Direct Control Uses in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application;
- (d) requires a minimum of 8.0 **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 10.0 **bicycle parking stalls – class 2** or 10.0 per cent of the minimum required **motor vehicle parking stalls**, whichever is greater.

#### 219 “Jail”

- (a) means a **use**:
  - (i) where people are confined in lawful detention; and
  - (ii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Jail** 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.

#### 220 “Kennel”

- (a) means a **use**:
  - (i) where domestic animals are boarded overnight or for periods greater than 24 hours;
  - (ii) that does not include **Pet Care Service, Veterinary Clinic** or Veterinary Hospital;
  - (iii) that may provide for the incidental sale of products relating to the services provided by the **use**; and
  - (iv) that includes enclosures, pens, runs or exercise areas;
- (b) is a **use** within the Agriculture and Animal Group in Schedule A to this Bylaw;

**252.1 Parking Lot - Grade (temporary)**

51P2008, 75P2008

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

16P2018, 46P2019

**253 “Parking Lot – Structure”**

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

16P2018

13P2008

13P2008

**254 “Pawn Shop”**

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

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

43P2015

#### 254.1 “Payday Loan”

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

- (3) A **dilapidated vehicle** must not be located outside of a **building**.
- (4) A **large vehicle** must not remain on a **parcel** except while actively engaged in loading or unloading. Only one **large vehicle** may remain on a **parcel** while actively engaged in loading or unloading.
- (5) A satellite dish greater than 1.0 metre in diameter must:
- not be located in an **actual front setback area** or in an **actual side setback area** where the **parcel** shares a **property line** with a **street**;
  - not be located higher than 3.0 metres from **grade**; and
  - not be illuminated.
- (6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter when the applicant demonstrates:
- compliance with subsection (5) would prevent signal reception; and
  - the satellite dish will be located and **screened** to the satisfaction of the **Development Authority**.
- (7) *deleted* 43P2016
- (8) A **Power Generation Facility – Small** with a capacity greater than 100kW must not be located on a **parcel** when the principal **use** on the **parcel** is a **Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling, Single Detached Dwelling, or Semi-detached Dwelling**. 13P2014

### Accessory Residential Building

- 345 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** for an **Accessory Residential Building** is:
- 1.2 metres from a **side** or **rear property line** shared with a **street**; or
  - 0.6 metres from a **side** or **rear property line** in all other cases.
- (2) The minimum **building setback** for an **Accessory Residential Building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres when:
- the **Accessory Residential Building** is less than 10.0 square metres **gross floor area**;
  - the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; or
  - the owner of the **adjacent parcel** grants a 1.5 metre private maintenance easement that must:

- (i) be registered against the title of the **parcel** proposed for development and the title of the **adjacent parcel**; and
  - (ii) include a 0.60 metre eave and footing encroachment easement.
- (3) An **Accessory Residential Building** must not be located in the **actual front setback area**.
- (4) A **private garage** on a **laneless parcel** may be located within the required 3.0 metre **side setback area**, except along the **street** side of a **corner parcel**.
- 12P2010, 16P2018 (5) The minimum distance between any façade of an **Accessory Residential Building** 10.0 square metres or more and a **main residential building** is 1.0 metres.
- 67P2008 (6) The height of an **Accessory Residential Building** must not exceed:
- (a) 4.6 metres, measured from the finished floor of the **building**;
  - (b) 3.0 metres at any **eaveline**, when measured from the finished floor of the **building**; or
  - (c) one **storey**, which may include an attic space that:
    - (i) is accessed by a removable ladder;
    - (ii) does not have windows;
    - (iii) is used by the occupants of the **main residential building** for placement of personal items; and
    - (iv) has a maximum height of 1.5 metres when measured from the attic floor to the underside of any rafter.
- 46P2019

### Restrictions on Use of Accessory Residential Building

- 346 (1) The finished floor of an **Accessory Residential Building**, other than a **private garage**, must not exceed 0.6 metres above **grade**.
- 24P2014 (2) An **Accessory Residential Building** must not be used as a **Dwelling Unit**, unless a **Backyard Suite** has been approved.
- (3) An **Accessory Residential Building** must not have a **balcony** or rooftop **deck**.
- 45P2015 (4) The area of a **parcel** covered by all **Accessory Residential Buildings** located on a **parcel**:
- (a) must not exceed the lesser of:
    - (i) the **building coverage** of the **main residential buildings**; or
    - (ii) 75.0 square metres for each **Dwelling Unit** located on the **parcel**; and
- 62P2018

- (b) *deleted* 27P2011, 62P2018
- (c) the calculation to determine the area of a **parcel** covered by **Accessory Residential Buildings** must not include any **Accessory Residential Buildings** with a cumulative **gross floor area** of 10.0 square metres or less. 3P2010, 45P2015
- (5) All roof drainage from an **Accessory Residential Building** must be discharged onto the **parcel** on which the **building** is located.

### General Landscaping Rules for the Developed Areas

46P2019

- 346.1 (1)** In Developed Areas, trees required by this section:
- (a) may be provided through the planting of new trees or the preservation of existing trees;
- (b) must be provided on a **parcel** within 12 months of issuance of a **development completion permit**;
- (c) must be maintained on the **parcel** for a minimum of 24 months after issuance of a **development completion permit**;
- (d) must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association;
- (e) are not required to be shown on a plan that is part of an application for **development permit** unless subject to subsection (f); and
- (f) may be provided through the planting of a new tree in an **adjacent** boulevard to the **parcel** approved by the **Development Authority** for a **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**.
- (2) A minimum of 2.0 trees must be provided for each **unit** of a **Contextual Semi-detached Dwelling**, **Duplex Dwelling**, **Rowhouse Building** or **Semi-detached Dwelling**.
- (3) Where a **Contextual Single Detached Dwelling** or **Single Detached Dwelling** is located on a **parcel** with a **parcel width** less than or equal to 10.0 metres a minimum of 2.0 trees must be provided.
- (4) Where a **Contextual Single Detached Dwelling** or **Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10.0 metres a minimum of 3.0 trees must be provided.
- (5) A minimum of 1.2 trees per **unit** must be provided for a **Cottage Housing Cluster**.
- (6) The requirement for the provision of 1.0 tree is met where:
- (a) a deciduous tree has a minimum **calliper** of 60 millimetres; or
- (b) a coniferous tree has a minimum height of 2.0 metres.

- (7) The requirement for the provision of 2.0 trees is met where:
- (a) a deciduous tree has a minimum **calliper** of 85 millimetres; or
  - (b) a coniferous tree has a minimum height of 4.0 metres.



**Contextual Single Detached Dwelling**

- 347 (1) A Contextual Single Detached Dwelling:** 3P2010
- (a) must have:
    - (i) a portion of the front façade, with an area less than or equal to 50% of the area of all front façades, recessed or projecting forward from the remaining façade that has a minimum dimension of:
      - (A) 2.0 metres in width
      - (B) 0.6 metres in depth; and
      - (C) 2.4 metres in height; or
    - (ii) a **porch** projecting from the front façade with a minimum dimension of:
      - (A) 2.0 metres in width; and
      - (B) 1.2 metres in depth;
  - (b) must not have vehicular access from the **lane** to an attached **private garage**;
  - (c) must not have windows that are located beyond the rear façade of a **main residential building** on an adjoining **parcel** unless:
    - (i) the window is located below the second **storey**;
    - (ii) the window is located on the rear façade;
    - (iii) the glass in the window is entirely obscured; or
    - (iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and
  - (d) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum **building height**; and 27P2011, 45P2015
  - (e) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres. 27P2011, 45P2015
  - (f) **deleted** 45P2015

15P2016

**(2) Unless otherwise referenced in this Part, a Contextual Single Detached Dwelling:**

- (a) may have a **balcony** located on a side façade:
  - (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
  - (ii) where it is on the **street** side of a **corner parcel**;
- (b) may have a **balcony** located on a rear façade where:
  - (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
  - (ii) a **privacy wall** is provided where the **balcony** is facing a **side property line** shared with a **parcel**; and
  - (iii) the **privacy wall** is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
- (c) must not have a **balcony** with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**.

27P2011

**(3) Where a Contextual Single Detached Dwelling is located on a parcel with a parcel width less than or equal to 10.0 metres the maximum building depth is the greater of:**

- (a) 65.0 per cent of the **parcel depth**; or
- (b) the **contextual building depth average**.

**(4) Where a Contextual Single Detached Dwelling is located on a parcel with a parcel width greater than 10 metres the maximum building depth is the contextual building depth average.****(5) Where a Contextual Single Detached Dwelling is located on a parcel with a parcel width greater than 10.0 metres, the maximum area of a horizontal cross section through each storey above the first storey must not exceed the building coverage.**

27P2011

**(6) Where a private garage is attached to a Contextual Single Detached Dwelling, the maximum building coverage is the maximum parcel coverage which must be reduced by 21.0 square metres for each required motor vehicle parking stall.**

**Contextual Semi-detached Dwelling****347.1 (1) A Contextual Semi-detached Dwelling:**

27P2011

- (a) must have:
  - (i) the principal front façade of one **unit** staggered a minimum of 0.6 metres behind the principal front façade of the other **unit**; and
  - (ii) the principal rear façade of one **unit** staggered a minimum of 0.6 metres behind the principal rear façade of the other **unit**;

- (b) must have façade articulation for each **unit**, by including:

- (i) a portion of the front façade, with an area less than or equal to 50% of the area of all front façades of each **unit**, recessed or projecting forward from the remainder of the front façade of that **unit**, with the projecting or recessed portion having a minimum dimension of:
  - (A) 2.0 metres in width;
  - (B) 0.6 metres in depth; and
  - (C) 2.4 metres in height; or
- (ii) a **porch** that projects from the front façade a minimum dimension of:

45P2015

- (A) 2.0 metres in width; and
- (B) 1.2 metres in depth;

- (c) located on a **corner parcel** must have an exterior entrance which is visible from the **street** side of the **corner parcel**;
- (d) must not have vehicular access from the lane to an attached **private garage**;
- (e) must not have windows that are located beyond the rear façade of a **contextual adjacent building** on an adjoining **parcel** unless:

9P2012, 44P2013

- (i) the window is located below the second **storey**;
- (ii) the window is located on the rear façade;
- (iii) the glass in the window is entirely obscured; or
- (iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and

- (f) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum **building height**;

- (g) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres; and

45P2015

- 45P2015 (h) must not have an exterior entrance from **grade** located on a side façade, except on the **street** side of a **corner parcel**.
- 45P2015 (i) *deleted*
- 15P2016 (2) Unless otherwise referenced in this Part, a **Contextual Semi-detached Dwelling**:
- (a) may have a **balcony** located on a side façade where:
- (i) it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
- (ii) it is on the **street** side of a **corner parcel**;
- (b) may have a **balcony** located on a rear façade where:
- (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
- (ii) a **privacy wall** is provided where the **balcony** is facing a **side property line** shared with a **contextual adjacent building**; and
- (iii) the **privacy wall** is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
- (c) must not have a **balcony** with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**.
- (3) The maximum **building depth** of a **Contextual Semi-detached Dwelling** is the greater of:
- (a) 60.0 per cent of the **parcel depth**; or
- (b) the **contextual building depth average**.
- (4) Where a **private garage** is attached to a **Contextual Semi-detached Dwelling**, the maximum **building coverage** is the maximum **parcel coverage** which must be reduced by 21.0 square metres for each required **motor vehicle parking stall**.
- 4P2017 (5) A **Contextual Semi-detached Dwelling** must not be located on a **parcel** that contains more than one **main residential building**.

46P2019 **347.2** *deleted*

**Permitted use Rowhouse Building**

24P2014

**347.3 (1) To be a *permitted use* in the R-CG District a **Rowhouse Building**:**

15P2016

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

- 15P2016 (2) *deleted*
- 4P2017 (3) Unless otherwise referenced in subsection (4) the maximum **building depth** of a **Rowhouse Building** that is a **permitted use** in the R-CG District is the greater of:
- (a) 60.0 per cent of the **parcel depth**; or
  - (b) the **contextual building depth average**.
- 4P2017 (4) There is no maximum **building depth** for a **Rowhouse Building** located on a **corner parcel** in the R-CG District.
- 4P2017 (5) To be a **permitted use** in the R-CG District a **Rowhouse Building** must not be located on a **parcel** that contains more than one **main residential building**.

### Visibility Setback

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

### Roof Equipment Projection

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

- (a) is the greater of:
    - (i) the highest geodetic elevation of a **main residential building** on the adjoining **parcel**; or
    - (ii) 7.0 metres from **grade**;
 measured at the shared **property line**; and
  - (b) increases at a 45 degree angle to a maximum of 11.0 metres measured from **grade**.
- (3) The maximum area of a horizontal cross section through a **building** at 9.5 metres above average **grade** must not be greater than 75.0 per cent of the maximum area of a horizontal cross section through the **building** between average **grade** and 8.6 metres.
- (4) The maximum **building height** for a **cottage building** is 8.6 metres.
- (5) For all other **uses**, the maximum **building height** is 10.0 metres.

#### Outdoor Private Amenity Space

- |            |   |                     |
|------------|---|---------------------|
|            |   | 15P2016             |
| <b>542</b> | For a <b>Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling</b> and a <b>Single Detached Dwelling</b> , each <b>unit</b> must have direct access to <b>private amenity space</b> that: | 62P2018             |
|            | (a) is provided outdoors;   |                     |
|            | (b) has a minimum total area of 20.0 square metres; and   | 62P2018             |
|            | (c) may be divided over a maximum of two <b>amenity spaces</b> where:   |                     |
|            | (i) one <b>amenity space</b> has no dimension less than 3.0 metres; and   |                     |
|            | (ii) the second <b>amenity space</b> has a minimum contiguous area of 7.5 square metres with no dimension less than 1.5 metres.   | 62P2018             |
|            | (d) <i>deleted</i>  | 62P2018             |
| <b>543</b> | <i>deleted</i>  | 15P2016,<br>46P2019 |



15P2016

**Balconies**

62P2018

- 544** (1) Where a **balcony** is located on the roof of the first or second **storey** of a **Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Single Detached Dwelling** or **Semi-detached Dwelling** and does not overhang any façade of the **storey** below, the **balcony** may have a maximum **floor area** that equals 30.0 per cent of the horizontal cross section of the **storey** below.
- (2) A **balcony** attached to a **Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, or Rowhouse Building** that is a **permitted use**:
- (a) may be located on a side façade of a **building**:
- (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
- (ii) where it is on the **street** side of a **corner parcel**;
- (b) may be located on a rear façade of a **building** where:
- (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
- (ii) a privacy wall is provided where the **balcony** is facing a **side property line** shared with a **contextually adjacent building**; and
- (iii) the privacy wall is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
- (c) must not have a **balcony** on the rear façade with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**.

62P2018

**545** *deleted*

**Motor Vehicle Parking Stalls**

- 546** (1) The minimum number of **motor vehicle parking stalls** for a **Contextual Semi-detached Dwelling** is 1.0 stall per **Dwelling Unit**. 15P2016
- (2) The minimum number of **motor vehicle parking stalls** for a **Secondary Suite** is reduced to 0.0 where: 62P2018
- (a) the floor area of a **Secondary Suite** is 45.0 square metres or less;
  - (b) the **parcel** is located within 600.0 metres of an existing or approved capital funded **LRT platform** or within 150.0 metres of **frequent bus service**; and
  - (c) space is provided in a **building** for the occupant of the **Secondary Suite** for storage of mobility alternatives such as bicycles or strollers that:
    - (i) is accessed directly from the exterior; and
    - (ii) has an area of 2.5 square metres or more for every **Secondary Suite** that is not provided with a **motor vehicle parking stall**.
- (3) **Parcel coverage** excludes the **building coverage** area required by subsection (2)(c). 62P2018



## Rules

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

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

## Number of Main Residential Buildings on a Parcel

- 547.5** (1) Unless otherwise referenced in subsection (2) the maximum number of **main residential buildings** on a **parcel** is one.
- (2) Subsection (1) does not apply to a **Cottage Housing Cluster**.

## Parcel Width

- 547.6** (1) Unless otherwise referenced in subsections (2) and (3) the minimum **parcel width** is 6.0 metres per **Dwelling Unit**.
- (2) The minimum **parcel width** is 5.0 metres per **Dwelling Unit** for a **laned parcel** containing a **Duplex Dwelling** or a **Rowhouse Building**.
- (3) There is no minimum **parcel width** for a **Cottage Housing Cluster** or a **carriage house lot**.

## Parcel Area

- 547.7** (1) Except as otherwise referenced in subsections (2) and (3), the minimum area of a **parcel** is 150.0 square metres per **Dwelling Unit**.
- (2) The area of a **carriage house lot** is:
- (a) a minimum 120.0 square meters per **Dwelling Unit**; and
  - (b) a maximum of 250.0 square metres per **Dwelling Unit**.
- (3) The minimum area of a **parcel** for a **Cottage Housing Cluster** is 90.0 square metres per **Dwelling Unit**.

## Parcel Coverage

- 547.8** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **parcel coverage** is 60.0 per cent of the area of the **parcel**.
- (2) Unless otherwise referenced in subsection (3), the maximum **parcel coverage** for a **laned parcel** is 70.0 per cent of the area of the **parcel**.
- (3) The maximum **parcel coverage** referenced in subsections (1) and (2), must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.

### Building Setback Areas

**547.9** The minimum depth of all **setback areas** must be equal to the minimum **building setbacks** required in sections 547.10, 547.11 and 547.12.

### Building Setback from Front Property Line

**547.10** The minimum **building setback** from a **front property line** is 1.0 metres.

### Building Setback from Side Property Line

46P2019

**547.11 (1)** Unless otherwise referenced in subsections (4), (5), (5.1) and (6), for a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.

46P2019

**(2)** Unless otherwise referenced in subsections (3), (4), (5), (5.1) and (6), for a **laneless parcel**, the minimum **building setback** from any **side property line** is:

- (a) 1.2 metres; or
- (b) 3.0 metres on one side of the **parcel**, when no provision has been made for a **private garage** on the front or side of a **building**.

**(3)** The **building setback** required in subsection 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the adjacent **parcel** register, against both titles, an exclusive private access easement:

- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
- (b) provides unrestricted vehicle access to the rear of the **parcel**.

**(4)** For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.0 metre.

**(5)** For a **parcel** containing a **Single Detached Dwelling** one **building setback** from a **side property line** may be reduced to zero metres where:

- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a minimum 1.5 metre private maintenance easement that provides for:
  - (i) a 0.30 metre eave encroachment easement with the requirement that the eaves must not be closer than 0.90 metres to the eaves on a **building** on an **adjacent parcel**; and
  - (ii) a 0.60 metre footing encroachment easement; and
- (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the parcel on which the **building** is located.

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

- (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.

(9) Planting of new trees in an **adjacent** boulevard to the **parcel** approved by the **Development Authority** may be counted towards the planting requirements in this section.

33P2019

46P2019

**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
  - (o.1) **Kennel;** 46P2019



- 5P2013, 42P2019  
28P2016, 25P2018
- 43P2015
- 14P2010
- 4P2012  
10P2009, 4P2012  
33P2019  
33P2019
- (p) **Liquor Store;**
  - (q) **Live Work Unit;**
  - (q.1) **Market;**
  - (q.2) *deleted*
  - (r) **Outdoor Café;**
  - (s) **Parking Lot – Grade;**
  - (t) **Parking Lot – Structure;**
  - (u) **Pawn Shop;**
  - (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;**
  - (cc) **Sign – Class C;**
  - (dd) **Sign – Class E;**
  - (ee) **Sign – Class F;**
  - (ff) **Social Organization;**
  - (gg) **Special Function – Class 2;**
  - (gg.1) *deleted*
  - (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.

## Discretionary Uses

- 798 (1)** *Uses* listed in subsection 797(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 2 District.
- (2)** *Uses* listed in subsection 797(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 2 District:
- (a) **Addiction Treatment;**
  - (b) **Amusement Arcade;**
  - (c) **Artist’s Studio;**
  - (c.1) **Assisted Living;** 24P2011
  - (d) **Auto Service – Major;**
  - (e) **Auto Service – Minor;**
  - (f) **Billiard Parlour;**
  - (f.1) **Brewery, Winery and Distillery;** 22P2016
  - (f.2) **Cannabis Counselling;** 25P2018
  - (f.3) **Cannabis Store;** 26P2018
  - (g) **Car Wash – Multi-Vehicle;**
  - (h) **Car Wash – Single Vehicle;**
  - (i) **Child Care Service;**
  - (j) **Cinema;**
  - (k) **Computer Games Facility;**
  - (k.1) **Conference and Event Facility;** 67P2008
  - (l) **Custodial Care;**
  - (m) **Dinner Theatre;**
  - (n) **Drinking Establishment – Medium;**

- (o) **Drinking Establishment – Small;**
- (p) **Drive Through;**
- (q) **Dwelling Unit;**
- 49P2017 (q.1) **Food Production;**
- (r) **Funeral Home;**
- (s) **Gas Bar;**
- (t) **Health Services Laboratory – without Clients;**
- (u) **Home Occupation – Class 2;**
- (v) **Hotel;**
- (w) **Indoor Recreation Facility;**
- 32P2009 (x) **Instructional Facility;**
- 46P2019 (x.1) **Kennel;**
- (y) **Liquor Store;**
- (z) **Live Work Unit;**
- 5P2013, 42P2019 (z.1) **Market;**
- 28P2016, 25P2018 (z.2) *deleted*
- (aa) **Outdoor Café;**
- (bb) **Parking Lot – Grade;**
- (cc) **Parking Lot – Structure;**
- (dd) **Pawn Shop;**
- 43P2015 (dd.1) **Payday Loan;**
- (ee) **Performing Arts Centre;**
- (ff) **Place of Worship – Small;**
- (gg) **Post-secondary Learning Institution;**
- (hh) **Power Generation Facility – Medium;**
- (ii) **Residential Care;**
- (jj) **Restaurant: Licensed – Medium;**
- (kk) **Seasonal Sales Area;**
- (ll) **Sign – Class C;**
- (mm) **Sign – Class E;**
- (nn) **Sign – Class F;**

- (cc) **Supermarket;**
- (dd) **Take Out Food Service;**
- (ee) **Vehicle Rental – Minor;**
- (ff) **Vehicle Sales – Minor;** and
- (gg) **Veterinary Clinic.**

### Discretionary Uses

**815 (1)** **Uses** listed in subsection 814(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 3 District.

**(2)** **Uses** listed in subsection 814(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 3 District:

- (a) **Amusement Arcade;**
- (b) **Auto Body and Paint Shop;**
- (c) **Auto Service – Major;**
- (d) **Auto Service – Minor;**
- (e) *deleted* 37P2014
- (f) **Billiard Parlour;**
- (f.1) **Brewery, Winery and Distillery;** 22P2016
- (f.2) **Cannabis Counselling;** 25P2018
- (f.3) **Cannabis Store;** 26P2018
- (g) **Car Wash – Multi-Vehicle;**
- (h) **Car Wash – Single Vehicle;**
- (i) **Child Care Service;**
- (j) **Cinema;**
- (k) **Computer Games Facility;**
- (k.1) **Conference and Event Facility;** 67P2008
- (l) **Dinner Theatre;**
- (m) **Drinking Establishment – Large;**

- 49P2017
- (n) **Drinking Establishment – Medium;**
  - (o) **Drinking Establishment – Small;**
  - (p) **Drive Through;**
  - (p.1) **Food Production;**
  - (q) **Funeral Home;**
  - (r) **Gaming Establishment – Bingo;**
  - (s) **Gas Bar;**
  - (t) **Hotel;**
  - (u) **Indoor Recreation Facility;**
- 46P2019
- 67P2008, 46P2019
- (u.1) **Kennel;**
  - (u.2) **Large Vehicle Sales;**
  - (v) **Liquor Store;**
  - (w) **Market;**
- 28P2016, 25P2018
- (w.1) *deleted*
  - (x) **Night Club;**
  - (y) **Outdoor Café;**
  - (z) **Parking Lot – Grade;**
  - (aa) **Parking Lot – Structure;**
  - (bb) **Pawn Shop;**
- 43P2015
- (bb.1) **Payday Loan;**
  - (cc) **Performing Arts Centre;**
  - (dd) **Place of Worship – Small;**
- 9P2012
- 9P2012
- (ee) **Post-secondary Learning Institution;**
  - (ff) **Power Generation Facility – Medium;**
  - (gg) **Printing, Publishing and Distributing;**
  - (hh) **Recreational Vehicle Sales;**
  - (ii) **Restaurant: Food Service Only – Large;**
  - (jj) **Restaurant: Licensed – Large;**
  - (kk) **Seasonal Sales Area;**
  - (ll) **Sign – Class C;**
  - (mm) **Sign – Class E;**

## Division 5: Centre City Mixed Use District (CC-X)

### Purpose

**1162** The Centre City Mixed Use District:

- (a) is intended to provide for a mix of commercial, residential and a limited range of light industrial **uses** on sites within the Centre City area; 75P2008
- (b) is intended for mixed **uses** that are sensitive to adjacent districts that allow residential **uses**;
- (c) provides intense **development** where intensity is measured by **floor area ratio**;
- (d) provides a **building** form that is street oriented at **grade**; and
- (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve commercial-residential mixed use, public benefit and amenities within the same community.

### Permitted Uses

**1163 (1)** The following **uses** are **permitted uses** in the Centre City Mixed Use District:

- (a) **Park**;
- (b) **Sign – Class A**;
- (c) **Sign – Class B**;
- (d) **Sign – Class D**; and 4P2012
- (d.1) *deleted* 10P2009,  
4P2012
- (e) **Utilities**.

**(2)** The following **uses** are **permitted uses** in the Centre City Mixed Use 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) **Fitness Centre**;
- (f) **Health Services Laboratory – With Clients**;
- (g) **Home Based Child Care – Class 1**;
- (h) **Home Occupation – Class 1**;
- (i) **Information and Service Provider**;
- (j) **Library**;

- (k) **Medical clinic;**
- (l) **Office;**
- (m) **Pet Care Service;**
- (n) **Power Generation Facility– Small;**
- (o) **Print Centre;**
- (p) **Protective and Emergency Service;**
- (q) **Radio and Television Studio;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Retail and Consumer Service;**
- (t) **Service Organization;**
- (u) **Specialty Food Store;**
- (v) **Take Out Food Service;** and
- (w) **Temporary Residential Sales Centre.**

**Discretionary Uses**

- 1164 (1)** *Uses* listed in subsection 1163(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City Mixed Use District.
- (2)** *Uses* listed in subsection 1163(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.

32P2009

- (3)** The following **uses** are **discretionary uses** in the Centre City Mixed Use District:

- (a) **Accessory Liquor Service;**
- (b) **Addiction Treatment;**
- (c) **Artist’s Studio;**
- (c.1) **Assisted Living;**
- (c.2) **Beverage Container Quick Drop Facility;**
- (d) **Billiard Parlour;**
- (d.1) **Brewery, Winery and Distillery;**
- (d.2) **Cannabis Counselling;**
- (d.3) **Cannabis Store;**
- (e) **Child Care Service;**
- (f) **Cinema;**
- (f.1) **Community Recreation Facility;**
- (g) **Computer Games Facility;**
- (g.1) **Conference and Event Facility;**

24P2011

37P2014

22P2016

25P2018

26P2018

2P2012

46P2019

- (h) **Custodial Care;**
- (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;**
- (r.1) **Kennel;** 46P2019
- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- (t.1) **Market;** 5P2013, 42P2019
- (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



- 35P2019, 16P2018 (hh.2) **School – Private;**
- 35P2019 (hh.3) **School Authority – School;**
- (ii) **Seasonal Sales Area;**
- (jj) **Sign – Class C;**
- (kk) **Sign – Class E;**
- (ll) **Sign – Class F;**
- 30P2011, 4P2013 (ll.1) *deleted*
- (mm) **Social Organization;**
- 4P2012 (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 additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**. 5P2013
- (2) For **developments** located east of Macleod Trail SE the maximum **floor area ratio** is: 35P2019
- (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.

### 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

## 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;**

- (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;** 46P2019
- (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;**
- (o.1) **Kennel;** 46P2019
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- (q.1) **Market;** 5P2013, 42P2019
- (q.2) *deleted* 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;**

30P2011, 4P2013

4P2012

33P2019

33P2019

- (bb) **Seasonal Sales Area;**
- (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**.

- (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;**
- (v.1) **Kennel;** 46P2019
- (w) **Library;**
- (x) **Liquor Store;**
- (y) **Live Work Unit;**
- (z) **Market;**
- (aa) *deleted* 42P2019
- (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;**
- (pp.1) **Restaurant: Neighbourhood;** 46P2019
- (qq) **School – Private;**
- (rr) **School Authority – School;**
- (ss) **Seasonal Sales Area;**



- (tt) **Service Organization;**
- (uu) **Sign – Class B;**
- (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.**

33P2019

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

### Use Area

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

### Motor Vehicle Parking Stalls

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

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

### Restricted Parking Area

13P2018

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

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

## Division 4: Centre City East Village Mixed Use District (CC-EMU)

### Purpose

**1259** The Centre City East Village Mixed Use District is intended to provide for:

- (a) a mixed-use area that integrates residential *uses* with a range of commercial *uses*, local services and amenities; and
- (b) a *building* form that is *street* oriented at *grade*.

### Permitted Uses

**1260 (1)** The following *uses* are *permitted uses* in the Centre City East Village Mixed Use 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.**

**(2)** The following *uses* are *permitted uses* in the Centre City East Village Mixed Use District if they are located within existing approved *buildings*:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Instructional Facility;**
- (h) **Museum;**
- (i) **Pet Care Service;**
- (j) **Power Generation Facility – Small;**
- (k) **Print Centre;**
- (l) **Restaurant: Food Service Only – Small;**
- (m) **Retail and Consumer Service;**
- (n) **Specialty Food Store; and**

(o) **Take Out Food Service.****Discretionary Uses**

**1261 (1)** The following *uses* are **discretionary uses** in the Centre City East Village Mixed Use District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade.**

**(2)** *Uses* listed in subsection 1260(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Mixed Use District.

**(3)** The following *uses* are **discretionary uses** in the Centre City East Village Mixed Use District:

(a) **Artist’s Studio;**(b) **Assisted Living;**(c) **Brewery, Winery and Distillery;**

25P2018

(c.1) **Cannabis Counselling;**

26P2018

(c.2) **Cannabis Store;**(d) **Child Care Service;**(e) **Community Entrance Feature;**(f) **Community Recreation Facility;**(g) **Counselling Service;**(h) **Drinking Establishment – Medium;**(i) **Drinking Establishment – Small;**(j) **Dwelling Unit;**

49P2017

(j.1) **Food Production;**(k) **Home Occupation – Class 2;**(l) **Hotel;**(m) **Indoor Recreation Facility;**

46P2019

(m.1) **Kennel;**(n) **Liquor Store;**(o) **Live Work Unit;**

42P2019

(p) **Market;**(q) **Medical Clinic;**

25P2018

(r) *deleted*(s) **Office;**

- (t) **Outdoor Café;**
  - (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) **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.**

33P2019

## 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**.

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

### Purpose

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

16P2018

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

### Permitted Uses

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

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



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

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

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

- (a) **Catering Service – Minor;**
- (b) **Counselling Service;**
- (c) **Fitness Centre;**
- (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;**
- (r.1) **Kennel;** 49P2017

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:

- (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;**
- (m.1) **Kennel;** 46P2019
- (n) **Liquor Store;**
- (o) **Live Work Unit;**
- (p) **Market;** 25P2018, 42P2019
- (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;**
  - (s.1) **Kennel;** 46P2019
  - (t) **Liquor Store;**
  - (u) **Live Work Unit;**
  - (v) **Market;** 42P2019
  - (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.

**SCHEDULE B**  
**Minimum and Specified Penalties**

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



<b>Sign Offences cont'd</b>			
<b>Section</b>	<b>Offence</b>	<b>Minimum Penalty First Offence</b>	<b>Specified Penalty First Offence</b>
101, 102	Fail to comply with Rules for Projecting Signs	\$200	\$400
74,104, 105,106, 107,108, 109,110, 111,112, 113,114, 115.1, 115.2, 115.3, 115.4 and 115.5	Fail to comply with Rules for Class E, Class F and Class G Signs and Rules for signs with Digital Displays	\$500	\$1000
<b>Use Rules Offences</b>			
117	Fail to identify stalls through signage	\$500	\$1000
119	Stalls used for Unauthorized Purpose	\$500	\$1000
122	Fail to comply with Parking Stall Standards	\$500	\$1000
123	Fail to comply with Loading Stall Standards	\$500	\$1000
125	Fail to comply with Bicycle Stall Standards	\$500	\$1000
<b>Use Rules Offences</b>			
Part 4	Fail to comply with Rules relating to Uses	\$200	\$400
<b>Residential Offences</b>			
341(4), 565(4), 1112(4), 1357(4)	Vehicle parked in front setback not on hard surface	\$200	\$400
342(1)	Retaining Wall Exceed Height	\$500	\$1000
342(2)	Retaining Wall not meet Separation Requirement	\$500	\$1000
343	Fail to comply with Fence Rules	\$200	\$400
344, 564, 1111, 1357	Have prohibited/restricted object	\$200	\$400
345, 346	Fail to comply with Accessory Building Rules	\$200	\$400

<b>Residential Offences cont'd</b>			
348	Fail to comply with Corner Visibility Rules	\$200	\$400
359	Fail to comply with Personal Sales Rules	\$200	\$400
<b>Commercial Offences</b>			
696	Fail to screen mechanical	\$200	\$1000
697	Fail to enclose garbage	\$200	\$1000

Schedule B has been amended by the following bylaws: *30P2011, 35P2011, 16P2018, 46P2019*

