

# THE CITY OF CALGARY

## LAND USE BYLAW 1P2007

### OFFICE CONSOLIDATION

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

11P2008	June 1, 2008	32P2009	December 14, 2009	35P2011	December 5, 2011
13P2008	June 1, 2008	46P2009	December 14, 2009	36P2011	December 5, 2011
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48P2008	June 1, 2008	11P2010	April 19, 2010	9P2012	April 23, 2012
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53P2008	June 1, 2008	12P2010	June 7, 2010		
54P2008	May 12, 2008	19P2010	June 7, 2010		
57P2008	June 9, 2008	23P2010	June 7, 2010		
67P2008	October 1, 2008	32P2010	July 26, 2010		
68P2008	October 6, 2008	34P2010	August 19, 2010		
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51P2008	January 4, 2009	7P2011	January 10, 2011		
75P2008	January 4, 2009	13P2011	February 7, 2011		
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28P2009	July 13, 2009	30P2011	July 25, 2011		
31P2009	September 14, 2009	31P2011	September 12, 2011		
41P2009	October 13, 2009	33P2011	September 19, 2011		

#### NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

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- (13) “*School Act*” means the *School Act*, R.S.A. 2000, c.S-3.
- (14) “Subdivision and Development Appeal Board Bylaw” means *The Subdivision and Development Appeal Board Bylaw*, 25P95.
- (15) “Subdivision and Development Regulation” means the *Subdivision and Development Regulation*, A/R 43/2002.
- (16) “*Surveys Act*” means the *Surveys Act*, R.S.A. 2000, c.S-26.
- (17) “Transportation Bylaw” means *The City of Calgary Transportation System Bylaw*, 40M2009.
- (18) “Waste Bylaw” means the *Waste Bylaw*, 20M2001.

9P2012

### Forms of Words

8 In this Bylaw:

- (a) words in the singular include the plural, and words in the plural include the singular;
- (b) words using masculine gender include feminine gender, and words using feminine gender include masculine gender;
- (c) words in either gender include corporations;
- (d) a word or expression, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) “may” is to be construed as permissive and empowering;
- (f) “must” is to be construed as a compulsory obligation;
- (g) “required” is to be construed as a compulsory obligation;
- (h) a “person” includes an individual, partnership, association, body corporation, trustee, executor, administrator and legal representative of a person; and
- (i) an “individual” does not include a corporation or other types of persons who are not human beings.

### Purpose Statements

- 9 (1) The purpose statements in each land use district are included to illustrate the intent of the land use district.
- (2) The purpose statement relating to **signs** referenced in Part 3, Division 5 are included to illustrate the hierarchy of **signs** and the opportunity for signage on **buildings** and **parcels**.

- (3) The purpose statements of a District are general and all characteristics need not be met to satisfy the intent of the District.
- (4) Where a provision is capable of two or more meanings, it must be given the meaning that is most consistent with the attainment of the purpose of the land use district.

### Reference Aids

- 10 (1) For ease of reference:
- (a) words that are capitalized and bold denote **uses** defined in Part 4;
  - (b) words that are italicized and bold denote terms defined in Part 1; and
  - (c) all other words must be given their plain and ordinary meaning as the context requires.
- (2) Headings are for ease of reference only and do not affect the meaning of the provisions to which they relate.
- (3) A section number referenced in Parts 1 through 9 inclusive, Part 11 and Part 12 must be interpreted to mean such section number as contained only within Parts 1 through 9 inclusive, Part 11 and Part 12, unless otherwise stated.
- (4) A section number referenced in Part 10 must be interpreted to mean such section number as contained only within Part 10, unless otherwise stated.

51P2008, 26P2010

### Validity of Provision

- 11 Every provision of this Bylaw is independent of all other provisions, and if any provision of this Bylaw is declared invalid, for any reason, by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid.

### Rounding Numbers

- 12 Only for the purpose of confirming compliance with this Bylaw in terms of **building** placement on a **parcel** and **building** projection over **setback areas**, measurements of existing **buildings** shall be rounded off to the same number of significant figures as set out in this Bylaw.

- (52) “**development**” means:
- (a) an excavation or stockpile and the creation of either of them;
  - (b) a **building** or an addition to or replacement or repair of a **building**, and the construction or placing of any of them on, in, over or under land;
  - (c) a change of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the **use** of the land or **building**; or
  - (d) a change in the intensity of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the intensity of **use** of the land or **building**.
- (53) “**Development Authority**” means a person or body appointed as a **Development Authority** as contemplated by and in accordance with the *Municipal Government Act*.
- (54) “**development completion permit**” means a permit issued by a **Development Authority** confirming that the requirements of a **development permit** have been satisfactorily completed.
- (55) “**development permit**” means a document authorizing a **development**, issued by a **Development Authority** pursuant to this Bylaw or any previous Bylaw governing land use within the **City**, and includes the plans and conditions of approval.
- (55.1) “**digital display**” means a device intended to display **copy** using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated or digital technology. 30P2011
- (56) “**dilapidated vehicle**” means a vehicle that is:
- (a) incapable of being safely operated;
  - (b) partially or fully dismantled; or
  - (c) substantially damaged.
- (57) “**discretionary use**” means a **use** of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (57.1) “**East Village – High Rise Building**” means a **building** with all of the following characteristics: 26P2010
- (a) the **building** must have a podium and a tower;
  - (b) a maximum podium height of 18.0 metres;
  - (c) a minimum **building height** of 50.0 metres;
  - (d) the façade of the tower must be set back 2.5 metres from the façade of the podium;

- (e) notwithstanding subsection (d), the tower may rise directly from **grade** without a set back from a podium provided the façade of the tower, or a portion thereof does not exceed 20.0 metres in length and must be set back a maximum of 2.0 metres from any **property line** shared with a **street**; and
- (f) the separation distance between towers must be a minimum of 24.0 metres except from a **building** which was legally existing or approved prior to the effective date of this Bylaw.

26P2010

- (57.2) “**East Village – Mid Rise Building**” means a **building** with all of the following characteristics:
- (a) a maximum **building height** of 50.0 metres, and
  - (b) façades facing a **street**, when located above the seventh **storey** must each step back a minimum of 2.0 metres from the façade of the **storey** below.

(58) “**eaveline**” means the line formed by the intersection of the wall and roof of a **building**.

9P2012

- (59) “**expressway**” means a **street** identified as a Skeletal Road in the Transportation Bylaw.
- (60) “**fence**” means a structure which may be used to prevent or restrict passage, to provide visual **screening**, sound attenuation, yard décor, protection from dust or the elements, or to mark a boundary.
- (61) “**flood fringe**” means those lands abutting the **floodway**, the boundaries of which are indicated on the Floodway/Flood Fringe Maps that would be inundated by floodwaters of a magnitude likely to occur once in one hundred years.
- (62) “**floodway**” means the river channel and adjoining lands indicated on the Floodway/Flood Fringe Maps that would provide the pathway for flood waters in the event of a flood of a magnitude likely to occur once in one hundred years.
- (63) “**floor area ratio**” means the quotient of the total **gross floor area** of all **buildings** on a **parcel** divided by the area of the **parcel**.

51P2008

- (63.1) “**floor plate area**” means the horizontal cross-section of a floor, between the floor and the next floor above, measured to the glass line, or where there is no glass line, to the outside surface of the exterior walls and includes all mechanical equipment areas and all open areas inside a **building** that do not contain a floor, including atriums, elevator shafts, stairwells and similar areas.
- (64) “**frequent bus service**” means bus service which has a frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during the times of service.

- (65) “**frontage**” means the linear length of a **property line** shared with a **street**. 35P2011
- (66) “**front property line**” means:
- (a) the **property line** separating a **parcel** from an adjoining **street**;
  - (b) in the case of a **parcel** that adjoins more than one **street**, the shortest **property line** that is parallel to the direction of travel on the **street**; and 71P2008
  - (c) in the case of a **parcel** that adjoins more than one **street** and where the **property lines** adjoining **streets** are of equal length, the **property line** adjoining the **street** to which the **parcel** has been municipally addressed.
- (67) “**front setback area**” means an area of a **parcel** defined by the **front property line**, the **side property lines** that intersect with the **front property line**, and a line parallel to the **front property line** measured at the minimum depth of the **setback area** required by the District.
- (68) “**General Manager**” means the **City** employee appointed to the position of General Manager, Planning Development and Assessment, or his delegate.
- (69) “**grade**” means the elevation of the finished ground surface, not including any artificial embankment, the elevation of an entrance to underground parking, stairways or window wells.
- (70) “**gross floor area**” means the sum of the areas of all above **grade** floors of a **building** measured to the glassline, or where there is no glassline, to the outside surface of the exterior walls, or where **buildings** are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical equipment areas and all open areas inside a **building** that do not contain a floor including atriums, elevator shafts, stairwells and similar areas.
- (71) “**gross usable floor area**” means, for the purpose of calculating **motor vehicle parking stalls**, **bicycle parking stalls** and **loading stalls**, the total horizontal area of every enclosed floor and mezzanine used exclusively by a single **use area** in a **building**, and is measured from the exterior face of the exterior wall and the centreline of an interior partition wall that separates at least two **uses**, but does not include:
- (a) elevator shafts;
  - (b) stairwells;
  - (c) crawl spaces;
  - (d) mechanical or electrical rooms;

- (e) indoor garbage or recycling storage;
- (f) areas used for parking and loading;
- (g) areas below **grade** used for storage and not accessible to the public; and
- (h) common corridors and halls available to more than one **use**.
- 41P2009 (72) “**gross vehicle weight**” means the value specified by the vehicle manufacturer as the maximum loaded weight of a vehicle.
- (73) “**hard surfaced landscaped area**” means an area with a surface consisting of materials that:
- (a) are not living or derived from living organisms; or
- (b) were once living but are now formed into a structure;
- (c) may include, but are not limited to, brick, concrete, stone and wood; and
- (d) must not include asphalt.
- (74) “**industrial district**” means any one or more of the land use districts described in Part 8.
- 9P2012 (74.1) “**irregular parcel**” means a **parcel** that is inconsistent in shape with other **parcels** in the neighbourhood, where the **property line** opposite to and farthest from the **front property line**:
- (a) cannot be identified; or
- (b) results in a **parcel** that has less than two **side property lines**.
- (75) “**kitchen**” means facilities used or designed to be used for the cooking or preparation of food.
- 32P2009 (75.1) “**laboratory**” means a facility where scientific research, experiments and measurement are performed for the purposes of providing information or as part of **research and development**.
- (76) “**landing**” means an uncovered platform extending horizontally from a **building**, abutting an entry door and providing direct access to **grade** or stairs.
- (77) “**landscaped area**” means that portion of a **parcel** that is required to be a **hard surfaced landscaped area** or **soft surfaced landscaped area**.
- (78) “**lane**” means a roadway that is primarily intended to give access to the rear of **buildings** and **parcels**.
- (79) “**laned parcel**” means a **parcel** which is bounded at least in part by a **lane**.
- (80) “**laneless parcel**” means a **parcel** which is not bounded wholly or partially by a **lane**.

- (81) “**large vehicle**” means a vehicle, other than a **recreational vehicle**, with:
- (a) a **gross vehicle weight** in excess of 4500 kilograms, in the case of a vehicle with **gross vehicle weight** specified by the manufacturer of the vehicle;
  - (b) a vehicle with a weight in excess of 2500 kilograms, where no **gross vehicle weight** is specified by the manufacturer of the vehicle; or
  - (c) a vehicle with an enclosed cargo area greater than 17.5 cubic metres.
- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
  - (b) a flow sensor for leak detection; and
  - (c) a master valve to secure the system if a leak is detected.
- (86) “**LRT corridor**” means a **street, parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include an **Accessory Residential Building** that contains a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**. 12P2010
- (90) “**major street**” means a **street** identified as a Street in the Transportation Bylaw. 9P2012
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.

- 51P2008
- (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
  - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.
- (96) “**non-conforming use**” means a lawful specific use:
- (a) being made of land or a **building** or intended to be made of a **building** lawfully under construction, at the date a land use bylaw affecting the land or **building** becomes effective; and
  - (b) that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw.
- 9P2012
- (96.1) “**Officer**” means a Bylaw Enforcement Officer or a Peace Officer.
- (97) “**open balcony**” means a **balcony** that is unenclosed on three sides, other than by a railing, balustrade or **privacy wall**.
- (98) “**overland flow area**” means those lands abutting the **floodway** or the **flood fringe**, the boundaries of which are indicated on the Floodway/ Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.
- 32P2009
- (99) “**parcel**” means
- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
  - (b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N and R-2 districts, includes a **bare land unit** created under a condominium plan;”
- 47P2008
- (100) “**parcel coverage**” means that portion of a **parcel** upon which covered **buildings** are located as measured from a point at **grade** directly below the outside surface of the exterior walls of a **building**, including any covered projections less than 2.4 metres above **grade**, but excluding **Accessory Residential Buildings** which in aggregate are less than 10.0 square metres.
- (101) “**parcel depth**” means the length of a line joining the mid-points of the **front property line** and the **rear property line**.
- (102) “**parcel width**” means the distance between the **side property lines** of a **parcel** measured at a right angle to the mid-point of the shortest **side property line**.

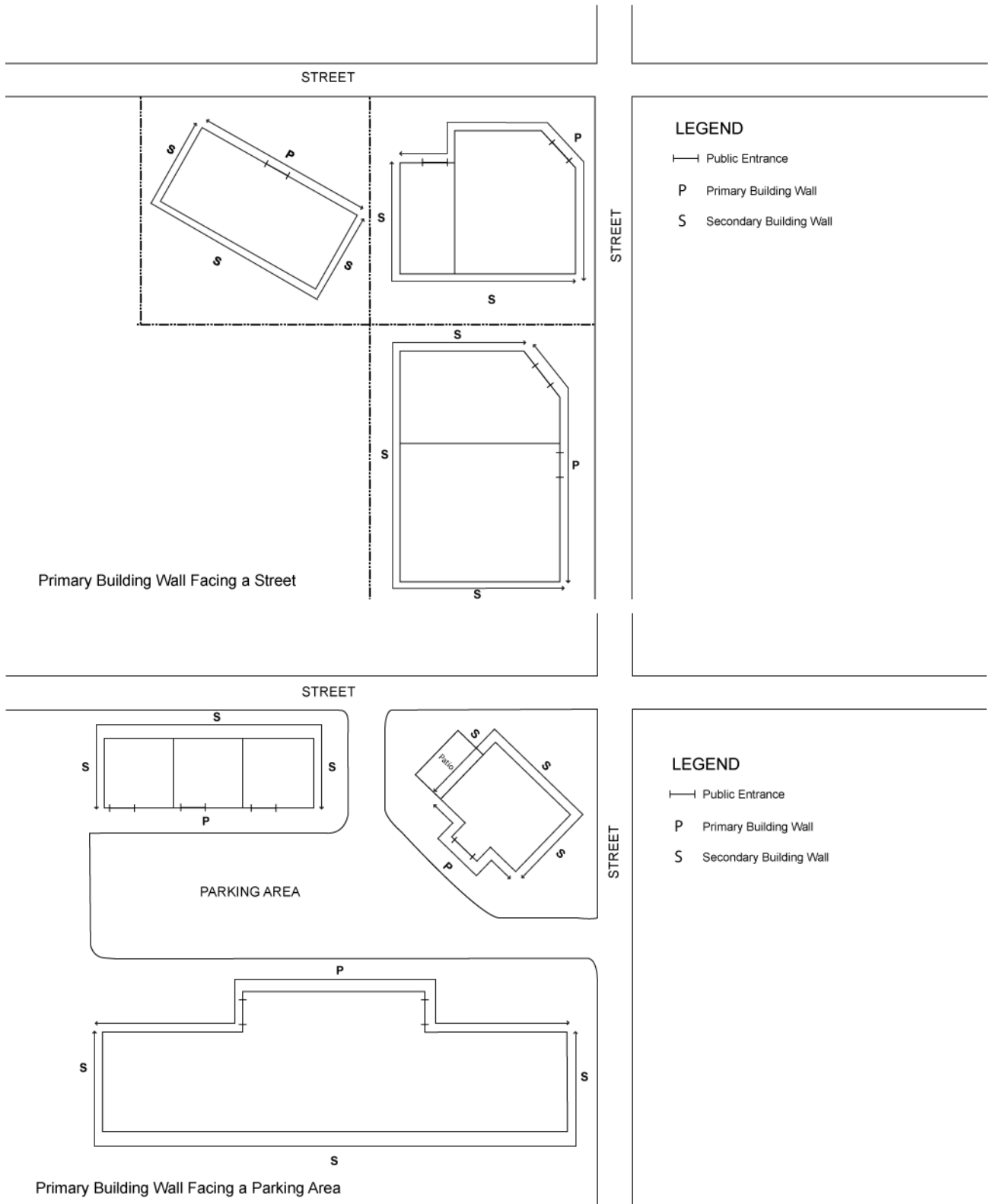


- (103) “**patio**” means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above **grade**, intended for use as an outdoor **amenity space**.
- (104) “**permitted use**” means a use of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (105) “**personal sale**” means the sale of goods and includes sales commonly known as garage sales, yard sales, moving sales and estate sales.
- (106) “**pick-up and drop-off stall**” means a **motor vehicle parking stall** intended only for a motor vehicle to stop while picking up or dropping off passengers.
- (107) “**plan of subdivision**” means a plan of subdivision registered or approved for registration at the land titles office.
- (108) “**porch**” means an unenclosed, covered structure forming an entry to a **building**.
- (108.1) “**primary building wall**” means any exterior **building** wall that forms part of a façade that contains a **public entrance** and faces, or is oriented to, a **street** or a parking area on the same **parcel** as illustrated in Sign Illustration 2, with the exception that corner sites facing public streets can have two **primary building walls** not withstanding one façade may not contain a **public entrance**.

35P2011

35P2011

Sign Illustration 2:  
 Primary and Secondary Building Wall  
 Subsection 13(108.1) and 13(122.1)



- (109) “**privacy wall**” means a structure that:
- (a) provides visual **screening**;
  - (b) is located on a **balcony, deck** or **patio**; and
  - (c) does not include a railing or balustrade.
- (110) “**private amenity space**” means **amenity space** provided for the use of the occupants of only one **unit**.
- (111) “**private condominium roadway**” means an area of land that provides access to a **parcel**, and is contained within:
- (a) common property forming part of a bare land condominium plan; or
  - (b) a **bare land unit** that is used for the purpose of accommodating a private roadway for access purposes in accordance with an easement agreement registered on it.
- (112) “**private garage**” means an **Accessory Residential Building** or a part of a **main residential building** which accommodates the storage or shelter of vehicles and includes a carport.
- (113) “**property line**” means the legal boundary of a **parcel**.
- (114) “**public area**” means the floor area of a **use** that allows access to the public, but does not include washrooms, hallways accessing washrooms or entrance vestibules.
- (115) “**public entrance**” means an entrance to a **building** which is open to the general public.
- (116) “**rear property line**” means the **property line** opposite to and farthest from the **front property line**, or in the case of an **irregular parcel**, the **rear property line** is established by drawing a line the maximum distance from the **front property line** that:
- (a) is wholly within the **parcel**;
  - (b) is not less than 3.0 metres long; and
  - (c) runs parallel to the **front property line**, or, if the **front property line** is a curved line, runs parallel to the straight line between the two end points of the curve of the **front property line**.
- (117) “**rear setback area**” means an area of a **parcel** defined by the **rear property line**, the **side property lines** that intersect with the **rear property line**, and a line parallel to the **rear property line** measured at the minimum depth of the **setback area** required by the District.
- (118) “**recessed balcony**” means a **balcony** that is enclosed on at least two sides other than by a railing, balustrade or **privacy wall**.

13P2008,  
67P2008

9P2012

(119) “**recreational vehicle**” means a vehicle that provides temporary accommodation for recreational or travel purposes and includes but is not limited to:

- (a) motor homes;
- (b) travel trailers;
- (c) fifth wheel travel trailers;
- (d) campers, whether located on a truck or other vehicle or not;
- (e) tent trailers;
- (f) boats; and
- (g) a trailer used to transport any of the above.

32P2009

(119.1) “**research and development**” means the process of creating or improving products and services by way of information obtained through experimental qualitative and quantitative testing for industries such as, but not limited to, pharmaceuticals, bio-technology, computer software, medical instrumentation, aerospace and electronics manufacturers:

(120) “**residential district**” means any of the land use districts in the **low density residential districts** and the **multi-residential districts**.

(121) “**retaining wall**” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials.

(122) “**screen**”, “**screened**” and “**screening**” means the total or partial concealment of a **building**, equipment, structure or activity by a berm, **fence**, vegetation or wall.

35P2011

(122.1) “**secondary building wall**” means any exterior **building** wall that is not a **primary building wall** as illustrated in Sign Illustration 2.

(123) “**setback area**” means the area of a **parcel** between the **property lines** and lines parallel to the **property lines** at a distance equivalent to the minimum depth from each respective **property line** as required by the District.

71P2008

(124) “**shopping centre**” means, for the purposes of **signs** in Part 3, Division 5, a site that:

- (a) is 0.40 hectares or larger;
- (b) contains more than one commercial **use**, being primarily retail and personal service, with shared parking; and
- (c) is located in the C-N1, C-N2, C-C1, C-C2, C-R1, C-R2 or C-R3 Districts.

(125) “**side property line**” means a **property line** other than the **front** and **rear property lines**.

- (126) “**side setback area**” means an area of a **parcel** defined by any **side property line** and a line parallel to that **side property line** measured at the minimum depth of the **setback area** required by the District and terminating where that line meets the **front setback area** and the **rear setback area**.
- (127) “**sign**” means any device or fixture intended to identify or convey information or to advertise or attract attention to a product, service, place, activity, event, person, institution or business. 30P2011, 35P2011
- (128) “**sign area**” means: 35P2011
- (a) the entire area of a **sign** on which **copy** is intended to be placed; and
  - (b) in the case of a **sign** which has **copy** on more than one side of the **sign**, the average of the total area of all sides of the **sign**.
- (129) “**sign owner**” means any person who is described on a **sign**; whose name, address or telephone number appears on a **sign**; who is in control of a **sign**; or who is the subject of or intended to benefit from a **sign**; and there may be more than one **sign owner** of a **sign**.
- (130) “**skateboard ramp**” means a structure that is used to provide a surface upon which an individual may use or operate a skateboard, bicycle, roller skates or other similar devices.
- (131) “**soft surfaced landscaped area**” means an area with a surface consisting of materials that:
- (a) are living, or derived from living organisms;
  - (b) are not formed into a structure; and
  - (c) may include, but are not limited to, mulch, native grasses, plants, shrubs, sod and trees.
- (131.1) “**solar collector**” means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy. 68P2008
- (132) “**special purpose district**” means any one or more of the land use districts described in Part 9.
- (133) “**storey**” means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it but does not include a **basement**.
- (134) “**street**” means:
- (a) any public road, including the boulevards, sidewalks and improvements, but excluding a **lane**, bridge or walkway; or
  - (b) a **private condominium roadway**.

7P2011

(135) “**street oriented multi-residential building**” means a **building** with all of the following characteristics, without exception:

- (a) the facade of the **main residential building** on the floor closest to **grade** facing a **street**:
  - (i) contains either **units** or **commercial multi-residential uses**;
  - (ii) may contain a **public entrance** used solely for accessing **units** on floors above **grade**;
  - (iii) does not contain a motor vehicle access point used for the purposes of accessing **motor vehicle parking stalls**, when the **development** is on a **laned parcel**; and
  - (iv) contains a maximum of one access point used for the purposes of accessing **motor vehicle parking stalls**, when the **development** is on a **laneless parcel**;
- (b) each **unit** at **grade** must provide:
  - (i) an exterior access;
  - (ii) a connection from the exterior access to the public sidewalk by an individual walkway; and
  - (iii) an exterior access within 4.5 metres from a **property line** shared with a **street**;
- (c) a public sidewalk is located along the entire length of each **property line** shared with a **street**; and
- (d) where **commercial multi-residential uses** are provided for on a **parcel** designated M-H1, M-H2, M-H3, M-X1 or M-X2 District, the **building** must meet all of the following requirements:
  - (i) an exterior access facing the **street** must be provided for each **commercial multi-residential use** located on the floor closest to **grade** facing a **street**, which must be connected to the public sidewalk by a direct individual walkway; and
  - (ii) **commercial multi-residential uses** located on the floor closest to **grade** facing a **street** must have windows with clear glass that:
    - (A) allow views of the indoor space or product display areas; and
    - (B) have a minimum clear glass area equivalent to 75.0 per cent of the area of the commercial façade facing the **street** between 0.6 metres and 2.4 metres in height.

9P2012

- (136) “**Subdivision Authority**” means a person or body appointed as a Subdivision Authority in accordance with the *Municipal Government Act*.
- (136.1) “**top of bank**” means the natural transition line or upper natural topographical break at the top of a valley, or at the top of a channel that contains a watercourse, between a slope where the **grade** exceeds 15.0 per cent and the adjacent upper level area where the **grade** is less than 15.0 per cent, and where area that is less than 15.0 per cent in slope is at least 15.0 metres wide.
- (137) “**unit**” means a **Dwelling Unit** or a **Live Work Unit**.
- (138) “**use**” means a **permitted** or **discretionary use**.
- (139) “**use area**”:
- (a) means the entire floor area of a **building** that is separated from other portions of the **building** and is accessible by the same entrance or entrances and is occupied by a specific **use**;
  - (b) for greater certainty, (a) must be interpreted to mean that whenever a person inside of a **building** must exit the **building** or enter a common internal corridor to access a different portion of the **building**, those two portions of the **building** are separate; and
  - (c) the measurement of **use area** includes the floor area of:
    - (i) all mezzanines and **storeys** capable of being accessed by the same entrance without leaving the **building** or using a common internal corridor;
    - (ii) all mechanical rooms, offices and other spaces that support the use and can be accessed without leaving the **building** or using a common internal corridor; and
    - (iii) all spaces within a **building** capable of being accessed by the same entrance without leaving the **building** or using a common internal corridor regardless of whether the space is open to the public including washroom facilities, storage rooms, employee-only areas, and similar spaces.
  - (d) does not apply to **Dwelling Units**.
- (140) “**visitor parking stall**” means a **motor vehicle parking stall** intended only for the use of visitors to **Dwelling Units** and **Live Work Units**.
- (141) “**walkout basement**” means a **basement** in a **building** which has a door that exits directly from the **basement** to the exterior at **grade** that is substantially at the same level as the **basement** floor.

26P2010

**Methods**

- 14 (1)** Unless otherwise specified in this Bylaw, proper mathematical rounding to the nearest significant digit is required for any rule in this Bylaw where a mathematical calculation is performed.
- (2)** For the purpose of calculating the following:
- (a) where **density** is calculated in **units** per hectare, it is always to be rounded down to the next lower whole number;
  - 47P2008 (b) trees in a **setback area** or a **landscaped area** are always rounded up to the next higher whole number;
  - 47P2008 (c) shrubs in a **setback area** or a **landscaped area** are always rounded up to the next higher whole number;
  - (d) the **landscaped area** and tree and shrub requirements of a **setback area** that borders two or more of:
    - (i) an **expressway**;
    - (ii) **lane**;
    - (iii) **LRT corridor**;
    - (iv) **major street**;
    - (v) **street**;
    - (vi) Headworks Canal operated by the Western Irrigation District; or
    - (vii) any land use district;are determined by the longest distance of **property line** bordering the **setback area**; and
  - (e) where determining the **contextual building setback** and the number arrived at is less than zero metres, the **contextual building setback** is zero metres.



## PART 2: ADMINISTRATION

### Division 1: Development Authority

#### Development Authority - Powers and Duties

- 15 (1) The **Development Authority** must administer this Bylaw and decide upon all **development permit** applications.
- (2) The **Development Authority** must make available for inspection, during office hours, all applications and decisions for **development permits**, subject to any legislation in force restricting availability.
- (3) The types of **development permit** applications a **Development Authority** may consider are a development permit for:
- (a) a **permitted use** that complies with all requirements of this Bylaw;
  - (b) a **permitted use** that does not comply with all requirements of this Bylaw;
  - (c) a **discretionary use** that complies with requirements of this Bylaw; and
  - (d) a **discretionary use** that does not comply with all requirements of this Bylaw.
- (3.1) Unless otherwise referenced in this section, the **Development Authority** must not approve a **development permit** for an addition or structural alteration to a **non-conforming building**. 67P2008,  
9P2012
- (4) The **Development Authority** may approve a **development permit** for an addition to a **non-conforming building** only if the addition: 67P2008
- (a) does not increase the **gross floor area** of the **building** by more than 10.0 per cent; and
  - (b) complies with the requirements of this Bylaw.
- (5) The **Development Authority** may approve a **development permit** for structural alterations to a **non-conforming building** where the alterations are limited to: 67P2008
- (a) new exterior openings to the **building**;
  - (b) the replacement of up to 10.0 per cent in total of each of the structural elements of the **building**; or
  - (c) any combination of new exterior openings to the **building** and the replacement of up to 10.0 per cent in total of each of the structural elements of the **building**.

9P2012

- (5.1) Nothing in this section diminishes or in any way affects the power of the **Development Authority** to issue a **development permit** which:
- (a) makes a **non-conforming building** conforming through the granting of a relaxation of the requirements or rules to which the existing **building** does not conform; and
  - (b) may include the approval of an addition, structural alteration or both, on the same **development permit**.
- (6) The **Development Authority** must collect fees according to the scale approved by resolution of **Council**.
- (7) The **Development Authority** may refuse to accept a **development permit** application where:
- (a) the information required by this Part is not provided;
  - (b) the quality of the information provided is inadequate to properly evaluate the application; or
  - (c) the fee for a **development permit** application has not been paid.

9P2012

### Division 3: Development Permits

#### Requirement for a Development Permit

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

#### Conditions for Development Permit Exemptions

- 24** A **development** listed in section 25 will only be exempt from the requirement to obtain a **development permit** if it: 1P2009
- (a) complies with the rules of this Bylaw;
  - (b) is not subject to the Calgary International Airport Vicinity Protection Area Regulation;
  - (c) is not located in the **floodway, flood fringe** or **overland flow area**; and
  - (d) is not subject to any restrictions imposed by the Subdivision and Development Regulation; or 13P2008
  - (e) in the case of **development** described in section 25(bb) of this Bylaw, complies with the rules of The City of Calgary Land Use Bylaw 2P80; or 13P2008
  - (f) in the case of **development** described in section 25(cc) of this Bylaw, complies with the rules of the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97; or 13P2008
  - (g) in the case of **development** described in section 25(hh) of this Bylaw, complies with the rules of Part 10. 51P2008, 75P2008

#### Exempt Developments

- 25** The following **developments** do not require a **development permit** if the conditions of section 24 are met:
- (a) a **Home Occupation – Class 1**;
  - (b) the erection of any **fence** or gate;
  - (c) a driveway;
  - (d) the construction of a **deck, landing** or **patio**;
  - (e) the construction of an **Accessory Residential Building** with a **gross floor area** equal to or less than 75.0 square metres when listed as a **permitted use** in a land use district; 27P2011
  - (f) an exterior alteration or addition to a **Duplex Dwelling, Semi-detached Dwelling** and **Single Detached Dwelling** where: 46P2009
    - (i) listed as a **discretionary use**;
    - (ii) the addition and alteration complies with the rules of section 365; and
    - (iii) the existing **building** is not listed on the **City** inventory of potential heritage sites; 9P2012

- 27P2011
- (g) 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**;
- 9P2012
- (h) 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;
- (i) a satellite dish antenna less than 1.0 metre in diameter;
- 67P2008
- (j) 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**;
- (k) **retaining walls** that are less than 1.0 metre in height, measured from the lowest **grade** at any point **adjacent** to the **retaining wall**;
- (l) external maintenance, internal alterations, and mechanical and electrical work on a **building** provided the intensity of **use** of the **building** does not increase;
- 10P2009, 21P2011,  
4P2012
- (m) a **Special Function – Class 1**;
- 10P2009, 21P2011,  
4P2012
- (n) a **Special Function – Class 2**:
- (i) where located on a **parcel** for 3 consecutive days or less, excluding the time used to erect and dismantle the temporary structures;
- (ii) where the cumulative area of covered temporary structures is less than or equal to:
- (A) 125.0 square metres when located on a **parcel** within 45.0 metres of either a **residential district** or a Direct Control District where the **use** of the **parcel** is residential; and

- (B) 300.0 square metres when located on a **parcel** designated as an East Village District contained in Part 12; and
- (iii) where located on the same **parcel** as:
  - (A) **Conference and Event Facility**;
  - (B) **Drinking Establishment – Large**;
  - (C) **Drinking Establishment – Medium**;
  - (D) **Drinking Establishment – Small**;
  - (E) **Restaurant: Licensed – Large**;
  - (F) **Restaurant: Licensed – Medium**;
  - (G) **Restaurant: Licensed – Small**; and
  - (H) **Night Club**;
- (o) a temporary **building**, the sole purpose of which is incidental to the erection or alteration of a **building** for which a permit has been granted under the Building Permit Bylaw;
- (p) the **use** of all or part of a **building** or **parcel** as a **Motion Picture Filming Location** for a period not exceeding one year;
- (q) facilities required for environmental remediation or monitoring;
- (r) 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;
- (r.1) stockpiling on the same **parcel** undergoing excavation, grading or stripping;
- (s) **Utilities** installed or constructed within a **street** or a utility right-of-way;
- (t) a **Utility Building** with a **gross floor area** less than 10.0 square metres;
- (u) a **Power Generation Facility – Small** required for the purpose of providing electrical power for emergency or back-up purposes with a generation capacity of less than 20 kilowatts;

9P2012

14P2010

- (v) a **Power Generation Facility – Small** required in order to comply with the emergency power requirements of the Alberta Building Code;
- (w) the **City's** use of land which it either owns or has an equitable interest in for a purpose approved by **Council** in connection with any **Utility**;
- (x) the following projects carried on by, or on behalf of, the **City**:
  - (i) roads, traffic management projects, interchanges;
  - (ii) *deleted*
  - (iii) motor vehicle and pedestrian bridges, unless they are part of the +15 and +30 walkway systems;
  - (iv) water, sewage and storm water lines and facilities; and
  - (v) landscaping projects, parks, public tennis courts and street furniture;
- (y) 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;
- (z) the construction of a **Contextual Single Detached Dwelling** when on a **parcel** that is identified as Block 4 Plan 9711796 or Block 6 Plan 9711978, either of which may be further subdivided from time to time;
- (aa) the construction of a **Contextual Single Detached Dwelling** when on a **parcel** that is identified as:
  - (i) Lot 1 Plan 8711504;
  - (ii) Block 3 Plan 7203JK;
  - (iii) Lots 1 through 3 Block 4 Plan 8810907;
  - (iv) Block 5 Plan 7627JK;
  - (v) Lot 1 Block 6 Plan 8811565;
  - (vi) Lots 2 through 5 Block 8 Plan 8910156;
  - (vii) Lot 1 Block 1 Plan 8810212;
  - (viii) Block 1 Plan 6368JK;
  - (ix) Lot 2 Block 1 Plan 8810882;

1P2009

57P2008

- |       |  |                                |
|-------|--|--------------------------------|
| (i)   | <b>Secondary Suite – Detached Garage;</b>  | 12P2010,<br>14P2010,           |
| (i.1) | <b>Secondary Suite – Detached Garden;</b>  | 12P2010, 9P2012                |
| (j)   | <b>Social Organization</b> in the C-N1, C-N2, C-C1, C-COR1,<br>C-COR2, S-CI or CC-COR districts; and | 51P2008,<br>14P2010<br>14P2010 |
| (k)   | <b>Waste Disposal and Treatment Facility.</b>  | 30P2011                        |
- (2.1) The following **uses** must be notice posted when **adjacent** to a **parcel** containing a **Dwelling Unit**:
- (a) **Digital Third Party Advertising Sign**; and
- (b) **Electronic Message Sign.**
- (3) The following **uses** must always be notice posted in a **residential district**:
- (a) **Addiction Treatment**;
- (b) **Bed and Breakfast**;
- (c) **Child Care Service**;
- (d) **Community Recreation Facility**;
- (e) **Custodial Care**;
- (f) **Indoor Recreation Facility**;
- (g) **Library**;
- (h) **Museum**;
- (i) **Place of Worship – Medium**;
- (j) **Place of Worship – Small**;
- (k) **Residential Care**; and
- (l) **Service Organization.**
- (4) The following **uses** must always be notice posted in a **special purpose district**:
- (a) **Addiction Treatment**;
- (b) **Child Care Service**;
- (c) **Custodial Care**;
- (d) **Place of Worship – Medium**;
- (e) **Place of Worship – Small**;
- (f) **Residential Care**; and
- (g) **Service Organization.**
- (5) The construction of a new **building** or an addition to a **building** for the following **uses** must be notice posted:
- (a) **Assisted Living** in the **Developed Area**;

51P2008, 26P2010,  
9P2012

30P2011

- (b) **Duplex Dwelling** when listed as a **discretionary use**;
  - (c) **Semi-detached Dwelling** when listed as a **discretionary use**;
  - (d) **Single Detached Dwelling** when listed as a **discretionary use** in the **Developed Area**; and
  - (e) Any **discretionary use** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, or CC-ET.
- (6) The **Development Authority** must not notice post any **development permit** applications not set out in subsections (2), (2.1), (3), (4) or (5).



## Division 5: Discretionary Use Development Permit

### Discretionary Use Development Permit Application

**35** When making a decision on a *development permit* for a *discretionary use* the *Development Authority* must take into account:

- (a) any plans and policies affecting the *parcel*;
- (b) the purpose statements in the applicable land use district;
- (c) the appropriateness of the location and *parcel* for the proposed *development*;
- (d) the compatibility and impact of the proposed *development* with respect to *adjacent development* and the neighbourhood;
- (e) the merits of the proposed *development*;
- (f) the servicing requirements;
- (g) access and transportation requirements;
- (h) vehicle and pedestrian circulation within the *parcel*;
- (i) the impact on the public transit system; and
- (j) sound planning principles.

### Discretionary Use That Does Not Comply

**36** The *Development Authority* may approve a *development permit* application for a *discretionary use* where the proposed *development* does not comply with all of the applicable requirements and rules of this Bylaw if in the opinion of the *Development Authority*:

- (a) the proposed *development* would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (b) the proposed *development* conforms with a *use* prescribed by this Bylaw for that land or *building*.

### Development Authority's Decision

**37** (1) The *Development Authority* may approve, either permanently or for a limited period of time, a *development permit* application for a *discretionary use*, and may impose the conditions enumerated in section 38 of this Part.

- (2) The **Development Authority** may refuse a **development permit** application for a **discretionary use** even though it meets the requirements and rules of this Bylaw.

**Conditions on Discretionary Use Development Permits**

- 38 (1) The **Development Authority** may, as a condition of issuing a **development permit** for a **discretionary use**, impose conditions in respect of the following matters:

- (a) actions to be performed or carried out prior to the release of the **development permit**;
- (b) the construction or maintenance of the proposed **development** in accordance with the approved plans;
- (c) the appropriate performance of a **use**;
- (d) an environmental site assessment;
- (e) the time or times a **use** may be carried out;
- (f) phasing of the **development**;
- (g) limits imposed on the **development**;
- (h) bonusing requirements;
- (i) the construction of or payment for public utilities, other than telecommunications systems or works, and vehicular and pedestrian access that are necessary to serve the **development**; and
- (j) the furtherance of sound planning principles.

- (2) The **Development Authority** may, as a condition of issuing a **development permit** for a **discretionary use**, require the applicant to enter into an agreement with the **City** to do any or all of the following:

- (a) to construct or pay for the construction of a public thoroughfare required to give access to the **development**;
- (b) to construct or pay for the construction of:
  - (i) a pedestrian walkway system to serve the **development**; or
  - (ii) pedestrian walkways to connect the pedestrian walkway system serving the **development** with a pedestrian walkway system that serves or is proposed to serve an **adjacent development**; or

9P2012

## Division 7: Ensuring Compliance With This Bylaw

### General Offences

- 49 (1) Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing or by failing to do any act or thing the person is required to do is guilty of an offence.
- (2) A person is guilty of an offence where they make use of land or a **development**:
- (a) in a manner that is not in accordance with an approved **development permit** including any conditions forming part of that **development permit**;
  - (b) without a **development permit** where one is required in accordance with Part 2, Division 3; or
  - (c) for a **use**, other than a **non-conforming use**, that is not a **permitted use** or a **discretionary use** in the governing land use district.
- (3) Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000 and in default of payment of any fine imposed, to a period of imprisonment not exceeding six months.

9P2012

### Violation Tickets and Penalties

- 50 (1) Where an **Officer** believes that a person has contravened any provision of this Bylaw, the **Officer** may commence proceedings against the person by issuing a violation ticket pursuant to the *Provincial Offences Procedures Act*.
- (2) Where there is a specified penalty listed for an offence in Schedule B to this Bylaw, that amount is the specified penalty for the offence.
- (3) Where there is a minimum penalty listed for an offence in Schedule B to this Bylaw, that amount is the minimum penalty for that offence.
- (4) If a person is convicted twice of the same provision of this Bylaw within a twenty-four month period:
- (a) the specified penalty for the second conviction is twice the amount of the specified penalty for a first offence as set out in Schedule B; and
  - (b) the minimum penalty for the second conviction is the amount of the specified penalty for a first offence.
- (5) If a person is convicted three or more times of the same provision of this Bylaw within a twenty four month period:
- (a) the specified penalty for the third and subsequent convictions is three times the amount of the specified penalty as set out in Schedule B; and

9P2012

- (b) the minimum penalty for the third and subsequent convictions is twice the amount of the specified penalty for a first offence.

9P2012

- (6) This section does not prevent any **Officer** from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedures Act*, or from laying an information in lieu of issuing a violation ticket.

### Other Remedies

9P2012

- 51 (1) Nothing in this Bylaw diminishes or in any way affects the powers of a **Development Authority** to issue orders for compliance or in any way affects any person's rights to appeal a **Development Authority's** order.
- (2) Nothing in this Bylaw diminishes or in any way affects the provisions of the *Municipal Government Act* relating to offences and penalties.
- (3) Nothing in this Bylaw diminishes or in any way affects the rights of the **City** pursuant to the *Municipal Government Act*, or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.
- (4) The levying and payment of any fine or the imprisonment for any period provided in this Bylaw does not relieve a person from the necessity of paying any fees, charges or costs for which that person is liable under the provisions of this Bylaw, any other Bylaw or other enactment.

### Specific Enforcement Relating to Signs

9P2012

- 52 (1) Every **sign owner** must ensure that its **signs** are in compliance with every applicable rule. More than one **sign owner** may be subject to enforcement respecting the same **sign**.
- (2) When a **sign** that is subject to this Bylaw no longer fulfils its function under the terms of the **development permit**, the **Development Authority** may issue an order for the removal of the **sign** to the **sign owner** or property owner, and the person to whom the order is issued must:
- (a) within 30 days from the receipt of the order remove the **sign** and all related structural components including removing or **screening** exposed base and foundations to the satisfaction of the **Development Authority**;
- (b) restore the immediate area around the **sign** to the satisfaction of the **Development Authority** including the ground or any **building** to which the **sign** was attached, as close as possible to its original form prior to the installation of the **sign**; and
- (c) bear all the costs related to the removal and restoration.

- (3) Where an **Officer** believes that a **Temporary Sign, Flag Sign, Banner Sign, String of Pennants, Real Estate Sign, Special Event Sign** or **Inflatable Sign** is not authorized or in compliance with this Bylaw and the **Officer** has written authorization from the owner of the **parcel** on which the **sign** is located to enter onto the property to obtain compliance, the **Officer** may enter onto the **parcel** and remove the **sign** without prior notice to any person. 9P2012
- (4) Immediately following the impoundment of a **sign** pursuant to subsection (3), the **Officer** must provide written notice of the impoundment to the **sign owner**, when the identity of such person is ascertainable. 9P2012
- (5) The **Officer** may cause the **sign** to be destroyed or disposed of without incurring any obligation to compensate any party for the destruction or disposal of the **sign**: 9P2012
- (a) within 14 days of issuing the notice referred to in subsection (4), if the **sign owner** is ascertainable; or
  - (b) within 14 days of the **sign** being impounded, prior to its destruction, if the **sign owner** is not ascertainable.
- (6) Prior to the destruction of a **sign** contemplated by subsection (5), a **sign owner** may reclaim a **sign** that has been impounded, but the **sign** will not be returned to the **sign owner** unless and until payment for all impoundment and storage fees is made. 9P2012
- (7) The fees for the impoundment referred to in subsection (6) are:
- (a) towing and impounding **signs** is \$75.00 per **sign**;
  - (b) storing **signs** that are equal to or less than 1.5 square metres is \$3.00 per **sign** for every day the **sign** is stored; and
  - (c) storing **signs** that are greater than 1.5 square metres is \$5.00 per **sign** for every day the **sign** is stored.

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## PART 3: RULES GOVERNING ALL DISTRICTS

### Division 1: Road Rights-of-Way

#### Rights-of-Way Property Line Setbacks

**53 (1)** The *Development Authority* must not relax the basic right-of-way requirements referenced in Table 1 below:

Table 1: Road Rights-of-Way

ON (Numbered Streets)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)	
1 STREET E.	10 AVENUE S.	17 AVENUE S.	20.117	30.481	5.182	Each
1 STREET E.	17 AVENUE S.	ELBOW RIVER	20.117	30.481	5.182	Each
1 STREET W.	10 AVENUE S.	15 AVENUE S.	20.117	24.385	2.134	Each
1 STREET W.	15 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134	Each
4 STREET W.	40 AVENUE N.	16 AVENUE N.	20.117	24.385	2.134	Each
4 STREET E.	2 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134	Each
4 STREET E.	7 AVENUE S.	9 AVENUE S.	20.117	24.385	2.134	Each
5 STREET W.	10 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134	Each
5 STREET W.	17 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134	Each
8 STREET W.	10 AVENUE S.	15 AVENUE S.	20.117	24.385	2.134	Each
8 STREET W.	15 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134	Each
9 STREET W.	10 AVENUE S.	16 AVENUE S.	20.117	24.385	2.134	Each
9 STREET W.	16 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134	Each
10 STREET W.	24 AVENUE N.	LANE S. OF 5 AVENUE N. (S. LEG)	20.117	30.481	5.182	Each
11 STREET E.	12 STREET E. SUBWAY	C.P.R. Right-Of-Way	20.117	24.385	2.134	Each
11 STREET W.	11 AVENUE S.	16 AVENUE S.	20.117	24.385	2.134	Each
11 STREET W.	16 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134	Each
12 STREET E.	1 AVENUE N.	SAINT GEORGE'S DRIVE	20.117	24.385	2.134	Each
12 STREET E.	BOW RIVER	12 STREET E. SUBWAY	20.117	24.385	2.134	Each
14 STREET W.	48 AVENUE N.	NORTH HAVEN DRIVE	25.299	30.481	5.182	WEST
14 STREET W.	ROSELAWN CRESCENT N.	38 AVENUE S.	20.117	30.481	5.182	Each
18 STREET W.	10 AVENUE S.	11 AVENUE S.	20.117	24.385	2.134	Each
19 STREET W.	10 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134	Each
28 STREET E.	8 AVENUE S.	17 AVENUE S.	22.251	24.385	2.134	WEST
29 STREET W.	8 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134	Each
29 STREET W.	BOW TRAIL	35 AVENUE S.	20.117	24.385	2.134	Each
33 STREET W.	8 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134	Each
36 STREET E.	AIRPORT TRAIL N.	64 AVENUE N.	20.117	36.577	8.230	Each
36 STREET E.	8 AVENUE S.	26 AVENUE S.	20.117	30.481	5.182	Each
37 STREET W.	BOW TRAIL	17 AVENUE S.	25.299	30.481	5.182	WEST
37 STREET W.	28 AVENUE S.	33 AVENUE S.	25.299	30.481	5.182	WEST
37 STREET W.	44 AVENUE S.	45 AVENUE S.	25.299	30.481	5.182	EAST
44 STREET E.	17 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134	Each
45 STREET W.	BOW TRAIL	15 AVENUE S.	22.251	24.385	2.134	EAST
45 STREET W.	17 AVENUE S.	26 AVENUE S.	22.251	24.385	2.134	EAST
45 STREET W.	33 AVENUE S.	35 AVENUE S.	22.251	24.385	2.134	WEST
52 STREET E.	14 AVENUE S.	16 AVENUE S.	25.299	30.481	5.182	WEST
52 STREET E.	50 AVENUE S.	54 AVENUE S.	20.117	45.000	4.942	EAST
52 STREET E.	50 AVENUE S.	56 AVENUE S.	20.117	45.000	19.941	WEST
52 STREET E.	114 AVENUE S.	126 AVENUE S.	20.117	45.000	24.883	EAST
52 STREET E.	126 AVENUE S.	130 AVENUE S.	20.117	49.956	29.853	EAST
53 STREET W.	VARSITY ESTATES DRIVE (N. LEG)	53 AVENUE N.	20.117	24.385	2.134	EAST
83 STREET W.	BOWNESS ROAD	33 AVENUE N.	20.117	30.481	5.182	Each
85 STREET W.	BOWNESS ROAD	48 AVENUE N.	20.117	30.481	5.182	Each

51P2008,  
26P2010,  
9P2012

51P2008,  
26P2010  
19P2010,  
9P2012

Table 1: Road Rights-of-Way – continued

ON (Numbered Avenues)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
1 AVENUE N.	4 STREET E.	6 STREET E.	20.117	24.385	2.134 Each
6 AVENUE S	3 STREET E	4 STREET E	20.117	24.385	2.134 Each
9 AVENUE S	3 STREET E	ELBOW RIVER	20.117	24.385	2.134 Each
10 AVENUE S.	14 STREET W.	OLYMPIC WAY	20.117	24.385	2.134 Each
10 AVENUE S.	BOW TRAIL	14 STREET W.	20.117	22.385	1.134 Each
11 AVENUE S.	17 STREET W.	18 STREET W.	24.384	26.518	2.134 NORTH
11 AVENUE S.	17 STREET W	14 STREET W.	20.117	24.385	2.134 Each
11 AVENUE S.	14 STREET W	6 STREET E.	20.117	24.385	2.134 Each
12 AVENUE S.	14 STREET W.	6 STREET E.	20.117	24.385	2.134 Each
12 AVENUE S.	19 STREET W.	14 STREET W.	20.117	24.385	2.134 Each
16 AVENUE N.	13 STREET W.	4 STREET E.	20.117	40.539	5.182 NORTH
17 AVENUE S.	37 STREET W.	17 STREET W.	20.117	30.481	5.182 Each
17 AVENUE S.	27 STREET E.	50 STREET E.	20.117	34.747	7.315 Each
17 AVENUE S.	C.N.R. RIGHT-OF-WAY	WEST EDGE OF T.U.C.	20.117	36.577	8.230 Each
26 AVENUE S.	24A STREET W.	37 STREET W.	20.117	24.385	2.134 Each
26 AVENUE S.	4 STREET W.	5 STREET E.	20.117	25.299	5.182 NORTH
26 AVENUE S.	26 STREET E.	28 STREET E.	20.117	24.385	2.134 Each
26 AVENUE S.	39 STREET E.	47 STREET E.	20.117	24.385	2.134 Each
26 AVENUE S.	DARTMOUTH ROAD	OGDEN ROAD	20.117	24.385	2.134 Each
34 AVENUE N.	77 STREET W.	69 STREET W.	22.250	24.384	2.134 NORTH
42 AVENUE S.	BRANDON STREET	LANE E. OF CLEVELAND	25.298	30.480	5.182 NORTH
42 AVENUE S.	BLACKFOOT TRAIL	CR.	20.117	30.481	5.182 Each
58 AVENUE S.	ELBOW DRIVE	12 STREET E.	25.298	27.432	2.134 NORTH
58 AVENUE S.	2 STREET W.	MACLEOD TRAIL	20.117	30.481	5.182 Each
		LANE E. OF C.P.R.			
90 AVENUE S.	BONAVENTURE DRIVE	RIGHT-OF-WAY FAIRMOUNT DRIVE	20.117	24.385	2.134 Each
ON (Named St. & Ave.)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
BOWNESS ROAD	85 STREET W.	40 AVENUE N.	20.117	30.481	5.182 Each
BOWNESS ROAD	C.P.R. RIGHT-OF-WAY	BOW CRESCENT	20.117	30.481	5.182 Each
BOWNESS ROAD	51 STREET W.	48 STREET W.	20.117	30.481	5.182 Each
BOWNESS ROAD	48 STREET W.	MACKAY ROAD	20.117	23.117	1.5 Each
BURNSLAND RD.	34 AVENUE S.	39 AVENUE S.	20.117	24.385	2.134 Each
CENTRE STREET N.	LAYCOCK DRIVE	40 AVENUE N.	24.384	30.480	3.048 Each
CENTRE STREET N.	40 AVENUE N.	32 AVENUE N.	20.117	30.481	5.182 Each
CENTRE STREET N.	32 AVENUE N.	MEMORIAL DRIVE	22.860	30.480	3.810 Each
EDMONTON TRAIL	38 AVENUE N.	16 AVENUE N.	20.117	24.385	2.134 Each
EDMONTON TRAIL	16 AVENUE N.	5 AVENUE N.	20.117	30.481	5.182 Each
MACDONALD AVE.	ELBOW RIVER	8 STREET E.	20.117	24.385	2.134 Each
MACLEOD TRAIL	10 AVENUE S.	17 AVENUE S.	20.117	30.481	5.182 Each
OGDEN ROAD	24 STREET E.	80 AVENUE S.	24.384	30.480	3.048 Each
OGDEN ROAD	26 AVENUE S.	17 STREET E.	20.117	30.481	5.182 Each
OGDEN ROAD	MILLICAN ROAD	69 AVENUE S.	20.117	30.480	10.363 WEST
OLYMPIC WAY	11 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 EAST
RICHMOND ROAD	29 STREET W.	37 STREET W.	22.860	24.384	0.762 Each
RICHMOND ROAD	41 STREET W.	45 STREET W	25.298	30.480	5.182 NORTH
TRANS-CANADA HIGHWAY	46 STREET W	MCKAY ROAD	26.213	36.576	10.363 SOUTH



- (d) character of the District where the **sign** is proposed to be located;
  - (e) amount of signage in the nearby surroundings; and
  - (f) extent to which the **sign** does not comply with the rule proposed to be relaxed.
- (2) Where a type of **sign** is listed as a **discretionary use** in a District, the **Development Authority's** exercise of discretion must be guided by the: 9P2012
- (a) test for a relaxation referenced in section 36 where the relaxation of a rule is requested;
  - (b) purpose statement of this Part;
  - (c) rules relating to opportunities for signage;
  - (d) character of the District where the **sign** is sought to be located; and
  - (e) amount of signage in the nearby surroundings.

### Rules Governing All Signs

35P2011

- 73 (1) All **signs** regulated by this Bylaw must be located on a **parcel**.
- (2) No **sign**, other than a **Special Event Sign** or an approved **Sign – Class F** or **Sign – Class G**, may display third party advertising.
- (3) Where a rule in this Division provides a maximum height for a **sign**, the height must be measured from **grade** at any point adjacent to:
- (a) a **building** to the highest portion of the **sign** when the **sign** is located on or projects from a **building**; or
  - (b) the **sign** support structure to the highest portion of the **sign** when the **sign** is freestanding.
- (4) A **sign** must not:
- (a) have the position, shape, colour, format or illumination which is similar to a traffic sign, signal or device; or
  - (b) display lights which is similar to lights generally associated with danger or those used by police, fire, ambulance or other emergency vehicles.
- (5) **Signs** in **residential districts** must not be internally illuminated, but may be illuminated indirectly in a manner that prevents the trespass of light onto **adjacent parcels**.
- (6) **Signs**, sign supports and structures for **signs** must be located a minimum of 0.75 metres back from a curb line.

- (7) **Signs** must not be placed in or on a required **motor vehicle parking stall** or **loading stall**, and must be placed so as to not reduce the number of required **motor vehicle parking stalls** or **loading stalls** required pursuant to this Bylaw or a **development permit**.
- (8) **Signs** must not be placed within a **corner visibility triangle** where any part of the **sign** is higher than 0.75 metres and lower than 4.6 metres above the lowest elevation of the **street**.
- (9) **Signs**, sign supports and structures for **signs** must not be located in the required road rights-of-way setbacks as referenced in section 53 and Table 1.
- (10) The **Development Authority** may only relax the requirements in subsection (9) if the **sign owner** agrees, in writing, to remove the **sign** from its location within 30 days of being asked to remove it by the **City**.
- (11) **Signs** may project over sidewalks or road rights-of way provided:
- the **sign owner** agrees in writing to remove the **sign** from its location within 30 days of being asked to remove it by the **City**;
  - the **sign** will have a minimum clearance of 4.6 metres over a **City** owned driveway, **lane** or alley; and
  - the **sign** will have a minimum clearance of 2.4 metres in any instance not referenced in subsection (b).
- (12) Trees and shrubs must not be removed or damaged to erect a **sign**, to make a **sign** more visible, to maintain a **sign**, or to change **copy** on a **sign**.
- (13) The **Development Authority** may only relax the requirement of subsection (12) if the **Development Authority** is satisfied that new trees or shrubs will be planted to replace any trees and shrubs that are removed or damaged and that the new plantings are consistent with any conditions respecting landscaping on a **development permit** for the **parcel** where the **sign** is located.
- (14) When a panel on a multi-panel **sign** or a **sign** structure is removed it must be replaced with a blank panel until such time as a new panel is installed.

35P2011

#### Rules Governing Signs containing Digital Displays

- 74 (1) **Copy** shown on a **digital display** must be static and remain in place for a minimum of six (6.0) seconds before switching to a new or the next **copy**.
- (2) The maximum transition time between each digital **copy** must not exceed 0.25 seconds.
- (3) The transition between each digital **copy** must not involve any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects.

- (p) Metis Trail;
  - (q) Peigan Trail;
  - (r) Sarcee Trail N.W. from 34 Avenue N.W. to Glenmore Trail;
  - (s) Shaganappi Trail;
  - (t) The Transportation and Utility Corridor;
  - (u) Spruce Meadows Trail;
  - (v) Trans-Canada Highway from Deerfoot Trail, east to the **City** limits;
  - (w) Trans-Canada Highway from Crowchild Trail to Bowness Road;
  - (x) Trans-Canada Highway from the junction of Home Road, west to the **City** limits;
  - (y) 17 Avenue S.E. from the east **City** limit to Stoney Trail;
  - (z) 114 Avenue S.E. from the east **City** limit to Stoney Trail; and
  - (aa) Symons Valley Road NW from the north **City** limit to 144 Avenue NW.
- (2) A **Temporary Sign** must not be placed on a **parcel** that is located in the following pedestrian corridors:
- (a) 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;
  - (b) the south side of 17 Avenue S.E. from 33 Street S.E. to 36 Street S.E.;
  - (c) Bowness Road from 47 Street N.W. to 42 Street N.W.;
  - (d) Kensington/Louise Crossing Business Revitalization Zone;
  - (e) Fourth Street Business Revitalization Zone;
  - (f) Marda Loop Business Revitalization Zone;
  - (g) Uptown 17 Business Revitalization Zone; and
  - (h) Victoria Crossing/First Street S.W. Business Revitalization Zone;
  - (i) Bowness Road from 62 Street N.W. to 66 Street N.W.
- (3) A **Temporary Sign** must be stabilized and anchored in a way that ensures it will not be unintentionally moved, blown over or dislocated.
- (4) Sandbags and guy wires may only be used to stabilize or anchor a **Temporary Sign** if the **sign** is located on a hard surface.
- (5) A **Temporary Sign** must not be located within 7.5 metres of a motor vehicle access to a **parcel**.
- (6) In **residential districts**, the maximum **sign area** of a **Temporary Sign** is:

9P2012

- (a) 1.0 square metre if a **Dwelling Unit** is located on the *parcel* where the **Temporary Sign** is located; and
  - (b) 3.0 square metres if there are no **Dwelling Units** located on the *parcel* where the **Temporary Sign** is located, with the exception of election signs.
- (7) In all other Districts not addressed by subsection (6), the maximum **sign area** of a **Temporary Sign** is:
- (a) 1.5 square metres if the **frontage** of the *parcel* where the **Temporary Sign** is located is 30.0 metres or less; and
  - (b) 5.5 square metres if the **frontage** of the *parcel* where the **Temporary Sign** is located is greater than 30.0 metres.
- (8) The maximum height of a **Temporary Sign** is:
- (a) 1.5 metres if the **sign area** is 2.5 square metres or less;
  - (b) 2.0 metres if the **sign area** is greater than 2.5 square metres, but less than 3.0 square metres; and
  - (c) 3.0 metres if the **sign area** is 3.0 square metres or more.
- (9) A **Temporary Sign** with a **sign area** greater than 1.5 square metres must be located on a **Temporary Sign Marker** that has been approved in accordance with the rules for **Sign – Class E** and must:
- (a) be no further than 1.0 metres away from the **Temporary Sign Marker**; and
  - (b) not be closer to the **street** than the **Temporary Sign Marker**.
- (10) Unless otherwise referenced in subsection (11) a maximum of one **Temporary Sign** may be located on a *parcel*.
- (11) Where a *parcel* has a **frontage**:
- (a) less than or equal to 75.0 metres, a maximum of one **Temporary Sign** may be located on that *parcel*;
  - (b) greater than 75.0 metres, but less than or equal to 200.0 metres, a maximum of two **Temporary Signs** may be located on that *parcel*; and
  - (c) greater than 200.0 metres, a maximum of three **Temporary Signs** be located on that *parcel*.

35P2011

**Window Sign**

- 90 (1) The total **copy area** of one or more **Window Signs** must not exceed 30.0 per cent of the window area.
- (2) For the purposes of subsection (1), “window area” includes all contiguous panes of glass, including panes of glass that would be contiguous if not separated by mullions, but does not include contiguous planes of glass on a doorway.

- (4) A **Third Party Advertising Sign** must not block natural light or the sky from the surrounding buildings' windows and doors.
- (5) The lighting or orientation of a **Third Party Advertising Sign** must not adversely affect any neighbouring residential areas.
- (6) A **Third Party Advertising Sign** must utilize lighting fixtures which are not readily discernible or obtrusive, to the satisfaction of the **Development Authority**.
- (7) An auxiliary **sign** or other material must not be attached to, on, above or below a **Third Party Advertising Sign**.
- (8) The backs of all **Third Party Advertising Signs** and all cut-outs must be enclosed to the satisfaction of the **Development Authority**.
- (9) The space between the faces of double-faced **Third Party Advertising Signs** must be enclosed to the satisfaction of the **Development Authority**.
- (10) Electrical power supply to **Third Party Advertising Signs** or base landscaping must be underground unless otherwise allowed by the **Development Authority** such as, but not limited to, situations where reasonable access to an underground power source is not available or the **Third Party Advertising Sign** is located in an area where underground power has not commenced.

### Major Parks

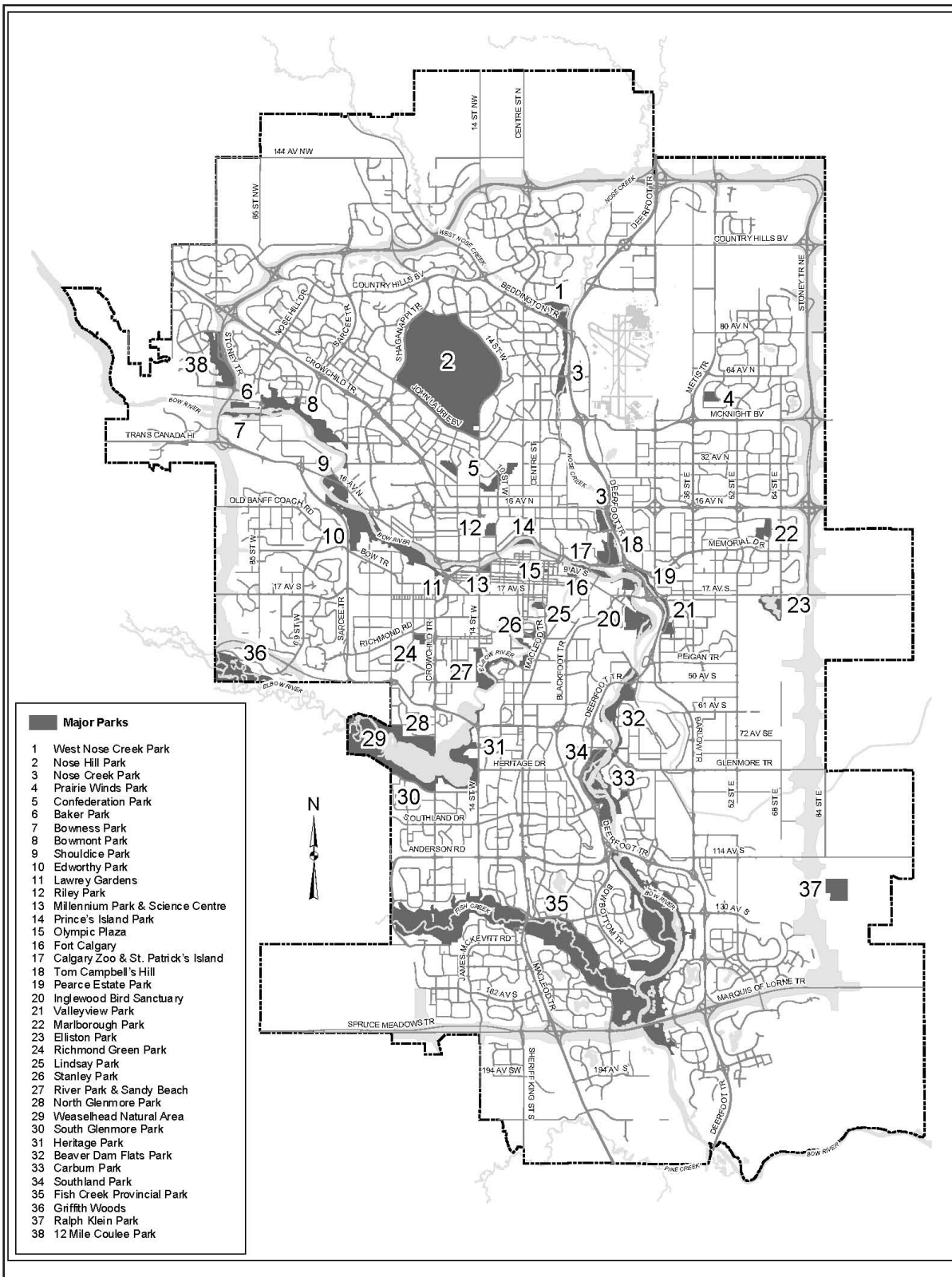
**115** Map 3 identifies the following major parks:

1. West Nose Creek Park
2. Nose Hill Park
3. Nose Creek Park
4. Prairie Winds Park
5. Confederation Park
6. Baker Park
7. Bowness Park
8. Bowmont Park
9. Shouldice Park
10. Edworthy Park
11. Lawrey Gardens
12. Riley Park
13. Millennium Park & Science Centre
14. Prince's Island Park
15. Olympic Plaza
16. Fort Calgary
17. Calgary Zoo & St. Patrick's Island
18. Tom Campbell's Hill
19. Pearce Estate Park
20. Inglewood Bird Sanctuary
21. Valleyview Park
22. Marlborough Park
23. Elliston Park

24. Richmond Green Park
25. Lindsay Park
26. Stanley Park
27. River Park & Sandy Beach
28. North Glenmore Park
29. Weaselhead Natural Area
30. South Glenmore Park
31. Heritage Park
32. Beaver Dam Flats Park
33. Carburn Park
34. Southland Park
35. Fish Creek Provincial Park
36. Griffith Woods
37. Ralph Klein Park
38. 12 Mile Coulee Park

9P2012

Map 3:  
Major Parks



30P2011

## Rules Governing Class G Signs – Digital Third Party Advertising Signs

### 115.1 Where a rule for Digital Third Party Advertising Signs:

- (a) refers to a “Regional Shopping Centre”, it means a **shopping centre** which provides a wide variety of goods and services on a **City**-wide scale and may include **Office** and other non-commercial **uses**;
- (b) refers to a “Sector (Community) shopping Centre”, it means a **shopping centre** which provides a wide variety of goods and services on a **City**-wide scale and may include **Office** and other non-commercial **uses**; and
- (c) refers to a “Neighbourhood Shopping Centre” it means a **shopping centre** which provides commercial **uses** to meet the frequent needs of the immediate neighbourhoods.

30P2011

## Prohibited Locations for Digital Third Party Advertising Signs

**115.2 (1) Digital Third Party Advertising Signs** are prohibited in a Regional or Sector (Community) Shopping Centre.

**(2) Digital Third Party Advertising Signs** are prohibited on any site where the **sign** is positioned such that the **copy** on the **sign** is legible from:

- (a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;
- (b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;
- (c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;
- (d) 85 Street N.W. from Bowness Road, north to Bearspaw Dam Road;
- (e) 87 Street N.W. from Bearspaw Dam Road, north to Nose Hill Drive;
- (f) 17 Avenue South from the eastern **City** limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.;
- (g) 32 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- (h) 64 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- (i) 96 Avenue North from Harvest Hills Boulevard, east to Barlow Trail;
- (j) 144 Avenue N.W.;



## Division 6: Requirements for Motor Vehicle Parking Stalls, Bicycle Parking Stalls and Loading Stalls

### General Rules

- 116** All *motor vehicle parking stalls*, *visitor parking stalls*, *bicycle parking stalls* and *loading stalls* required by this Bylaw for a *development* must be located on the same *parcel* as the *development*.

### Parking Stall Signage

- 117** (1) Permanent signage must identify and restrict the use of motor *vehicle parking stalls* as being only for the purpose required for:
- (a) residents of **Dwelling Units** that are not **Single Detached Dwellings**, **Semi-detached Dwellings** or **Duplex Dwellings**;
  - (b) residents of **Live Work Units**;
  - (c) *visitor parking stalls*; and
  - (d) *pick-up and drop-off parking stalls*.
- (2) Permanent signage must identify *loading stalls* for the approved purpose.

### Location of Parking and Loading Requirements

- 118** (1) The minimum number of *motor vehicle parking stalls*, *visitor parking stalls* and *bicycle parking stalls* for a *development* are specified in Part 4, General Rules for Multi-Residential Districts and the land use districts.
- (2) The minimum number of *loading stalls* is specified in this Part.
- (3) Where the minimum number of *motor vehicle parking stalls*, *visitor parking stalls*, *bicycle parking stalls* or *loading stalls* for a *development* is not specified, the Development Authority must determine the minimum number of stalls for that *development* in consideration of the minimum number of stalls for other *developments* with similar characteristics and other relevant information.

### Use of Parking and Loading Stalls

- 119** *Motor vehicle parking stalls* must be used and made available only for the purpose for which they were approved.

13P2008

### Identification of Required Parking and Loading Stalls

**120** A plan forming part of a *development permit* must:

- (a) show the location, number and size of required *motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls, pick-up and drop-off stalls* and *loading stalls*;
- (b) label required *motor vehicle parking stalls* for **Dwelling Units** and **Live Work Units**; and
- (c) label required *motor vehicle parking stalls* for non-residential uses.

### Calculation of the Minimum Number of Required Parking and Loading Stalls

**121 (1)** When the calculation of the minimum number of required *motor vehicle parking stalls, bicycle parking stalls, visitor parking stalls* or *loading stalls* results in a fractional number of stalls, the next higher whole number must be the minimum requirement for:

- (a) *motor vehicle parking stalls*;
  - (b) *bicycle parking stalls – class 1*;
  - (c) *bicycle parking stalls – class 2*; and
  - (d) *loading stalls*.
- (2)** For *uses* other than **Dwelling Units** and **Live Work Units**, the following must be calculated separately:
- (a) *motor vehicle parking stalls*;
  - (b) *bicycle parking stalls – class 1*; and
  - (c) *bicycle parking stalls – class 2*.
- (3)** For **Dwelling Units** and **Live Work Units**, the following must be calculated separately:
- (a) *motor vehicle parking stalls* required for residents of **Dwelling Units**;
  - (b) *visitor parking stalls* for **Dwelling Units**;
  - (c) *motor vehicle parking stalls* required for residents of **Live Work Units**;
  - (d) *visitor parking stalls* for **Live Work Units**;

- (e) **bicycle parking stalls – class 1** required for **Dwelling Units** and **Live Work Units**; and
- (f) **bicycle parking stalls – class 2** required for **Dwelling Units** and **Live Work Units**.

### Standards for Motor Vehicle Parking Stalls

- 122 (1)** Unless otherwise specified, the minimum width and depth of **motor vehicle parking stalls** are illustrated in Table 2.

Table 2: Minimum Dimensions for Motor Vehicle Parking Stalls

28P2009

Parking angle (degrees)	Aisle width (metres)	Stall depth perpendicular to aisle (metres)	Stall width parallel to aisle (metres)	
			Dwelling Units	Other Uses
90	7.20	5.40	2.50	2.60
75	6.12	5.64	2.59	2.69
60	4.82	5.49	2.89	3.00
45	4.00	5.00	3.54	3.68

- (1.1)** The minimum width of a **motor vehicle parking stall** when it abuts a physical barrier, is:
- (a) 3.1 metres when a physical barrier abuts both sides; and
  - (b) 2.85 metres when a physical barrier abuts only one side.
- (2)** The angle of a **motor vehicle parking stall** must be 90 degrees or must be between 75 degrees and 45 degrees. Minimum required **motor vehicle parking stall** dimensions between 45 degrees and 75 degrees must be calculated using a straight line interpolation between dimensions.
- (3)** The minimum depth of a **motor vehicle parking stall** is 5.9 metres where it is required for:
- (a) a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Secondary Suite – Detached Garage, Secondary Suite – Detached Garden, Semi-detached Dwelling or Single Detached Dwelling**; and
  - (b) a **Dwelling Unit** where the stall is provided in a **private garage** intended to be used for the occupants of only one **Dwelling Unit**.
- (4)** The minimum width of a **motor vehicle parking stall** required for a **Dwelling Unit** is:
- (a) 3.0 metres where both sides of a stall abut a physical barrier;
  - (b) 2.85 metres where one side of a stall abuts a physical barrier; and
  - (c) 2.5 metres in all other cases.

- 28P2009
- (5) *deleted*
- (6) *deleted*
- (7) The minimum width of a **motor vehicle parking stall** for **Multi-Residential Development, Multi-Residential Development – Minor, a Townhouse** or a **Rowhouse** provided for the exclusive use of a **Dwelling Unit** is reduced to 2.60 metres where:
- 28P2009
- 28P2009
- (a) the stall is one of two or more **motor vehicle parking stalls** that are provided in a **private garage**;
- (b) the **motor vehicle parking stalls** in the **private garage** are for the sole use of the occupants of the **Dwelling Unit**; and
- (c) the **motor vehicle parking stalls** are only counted towards fulfilling the minimum **motor vehicle parking stall** requirements for that **Dwelling Unit**.
- (8) *deleted*
- (9) The minimum vertical clearance of a **motor vehicle parking stall** is 2.1 metres.
- (10) Minimum required **motor vehicle parking stall** dimensions must be clear of all obstructions, other than wheel stops and structural columns.
- 47P2008, 28P2009
- (11) Where structural columns encroach into a **motor vehicle parking stall**, such columns:
- (a) must not encroach into the width of the **motor vehicle parking stall** by more than a total of 0.30 metres;
- (b) must be located within 1.2 metres of either end of the **motor vehicle parking stall**; and
- (c) must not encroach into a **motor vehicle parking stall** within 0.30 metres of a drive aisle.
- (12) Wheel stops:
- (a) must have a maximum height of 0.10 metres;
- (b) must be placed perpendicular to the **motor vehicle parking stall** depth; and
- (c) must be a minimum of 0.60 metres from the front of the **motor vehicle parking stall**.
- (13) The maximum slope of a **motor vehicle parking stall** is 4.0 per cent in any direction.
- (14) **Motor vehicle parking stalls** must not be provided as tandem parking unless otherwise allowed in this Bylaw.

- (15) **Motor vehicle parking stalls** for a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and **Single Detached Dwelling** must be:

13P2008,  
27P2011,  
9P2012

- (a) hard surfaced; and
- (b) located wholly on the subject **parcel**.

### Loading Stalls

- 123 (1) A **loading stall** must be located so that all motor vehicles using the stall can be parked and manoeuvred entirely within the boundary of the site before moving onto a **street** or a **lane**.
- (2) A **loading stall** must have:
- (a) a minimum width of 3.1 metres;
  - (b) a minimum depth of 9.2 metres; and
  - (c) a minimum height of 4.3 metres.
- (3) Minimum **loading stall** dimensions must be clear of all obstructions, other than wheel stops.
- (4) Wheel stops must not exceed 0.10 metres in height above the **loading stall** surface and shall be placed perpendicular to the **loading stall** depth a minimum of 0.60 metres from the front of the **loading stall**.
- (5) Unless otherwise referenced in subsections (6), (7), (8) and (9), **uses** in all **commercial** and **industrial districts** and the Special Purpose – Community and Regional Infrastructure District must provide a minimum of 1.0 **loading stall** for every 9300.0 square metres of **gross floor area** of the **building**.
- (6) The following **uses** are not required to provide **loading stalls** in any District:
- (a) **Auto Service – Minor;**
  - (b) **Billiard Parlour;**
  - (c) **Bulk Fuel Sales Depot;**
  - (d) **Car Wash – Multi-Vehicle;**
  - (e) **Car Wash – Single Vehicle;**
  - (f) **Child Care Service;**
  - (g) **Computer Games Facility;**
  - (h) **Counselling Service;**
  - (i) **Drive Through;**
  - (j) **Financial Institution;**

39P2010

- (k) **Fitness Centre;**
- (l) **Gas Bar;**
- (m) **Home Occupation – Class 1;**
- (n) **Home Occupation – Class 2;**
- (o) **Instructional Facility;**
- (p) **Large Vehicle Wash;**
- (q) **Medical Clinic;**
- (r) **Park;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Pet Care Service;**
- (v) **Place of Worship – Large;**
- (w) **Place of Worship – Medium;**
- (x) **Place of Worship – Small;**
- (y) **Power Generation Facility – Medium;**
- (z) **Power Generation Facility – Small;**
- (aa) **Residential Care;**
- (bb) **Self Storage Facility;**
- (cc) **Sign – Class A;**
- (dd) **Sign – Class B;**
- (ee) **Sign – Class C;**
- (ff) **Sign – Class D;**
- (gg) **Sign – Class E;**
- (hh) **Sign – Class F;**
- (ii) **Special Function Tent – Commercial;**
- (jj) **Special Function Tent – Recreational;**
- (kk) **Protective and Emergency Service;**
- (ll) **Utilities;**
- (mm) **Utility Building;**
- (nn) **Vehicle Rental – Major;**
- (oo) **Vehicle Rental – Minor; and**
- (pp) **Veterinary Clinic.**

- (7) In every District, a **Liquor Store** must provide a minimum of 1.0 **loading stall**.
- (8) In all **special purpose districts**, only the following **uses** must provide a minimum of 1.0 **loading stall** for every 9300.0 square metres of **gross floor area** of the **building**;
- (a) **Community Recreation Facility**;
  - (b) **Hospital**;
  - (c) **Indoor Recreation Facility**;
  - (d) **Library**;
  - (e) **Museum**;
  - (f) **Performing Arts Centre**;
  - (g) **Place of Worship – Large**;
  - (h) **Place of Worship – Medium**;
  - (i) **School Authority – School**;
  - (j) **School Authority Purpose – Major**; and
  - (k) **Spectator Sports Facility**.
- (9) **Multi-Residential Developments**, where the **building** contains 20 or more **units** with shared entrance facilities, must provide a minimum of 1.0 **loading stall**.
- (10) Where the **gross floor area** of all **commercial multi-residential uses** exceeds 300.0 square metres, the following **uses** must provide a minimum of 1.0 **loading stall** for every 9300.0 square metres of **gross floor area** of the commercial portion of the **building**:
- (a) **Convenience Food Store**;
  - (b) **Drinking Establishment – Small**;
  - (c) *deleted* 39P2010
  - (d) **Print Centre**;
  - (e) **Restaurant: Food Service Only – Small**;
  - (f) **Restaurant: Licensed – Small**;
  - (g) **Retail and Consumer Service**; 39P2010
  - (h) **Specialty Food Store**; and
  - (i) **Take Out Food Service**.

### Relaxations of Parking and Loading Stall Requirements

- 124 (1) For **uses** in **buildings** listed on the **City** inventory of potential heritage sites, the **Development Authority** may consider a relaxation of the minimum **motor vehicle parking stalls**, **visitor parking stalls**, **bicycle parking stall** and **loading stall** requirements. Consideration for relaxations must be based on:
- (a) satisfaction of the test for a relaxation referenced in section 31;
  - (b) the existing ability of the site to accommodate **motor vehicle parking stalls**, **visitor parking stalls**, **loading stalls** and **bicycle parking stalls**; and
  - (c) the number of **motor vehicle parking stalls**, **visitor parking stalls**, **loading stalls** and **bicycle parking stalls** to be relaxed.
- (2) The **Development Authority** may consider a relaxation in the **required motor vehicle parking stalls** and **visitor parking stalls** for **uses** when a transportation demand management measure is approved by the **Development Authority** and is required to be implemented as a condition in a **development permit**.
- (3) Any approved transportation demand management measure must:
- (a) be sustainable throughout the term of the **development permit**; and
  - (b) include requirements that must be incorporated into an approved plan or condition on a **development permit**.
- (4) The **Development Authority** may consider a relaxation in the minimum required **motor vehicle parking stalls**, **visitor parking stalls**, **loading stalls** and **bicycle parking stalls** for a **development** when:
- (a) the test for a relaxation referenced in section 31 is satisfied; and
  - (b) the type of **use**, the size or shape of the **parcel**, or the topographical constraints present practical difficulties in accommodating the requirements of this Bylaw; when a relaxation is given for this reason, it and the reasons must be stated on the **development permit**; or
  - (c) an applicant submits a parking study, as part of a **development permit** application, that demonstrates that the **motor vehicle parking stall** requirement, **visitor parking stall** or **bicycle parking stall** requirement should be less than the requirements of this Bylaw due to unique site, location or **use** characteristics, and the conclusions of the study are considered acceptable by the **Development Authority**.



- (5) The **Development Authority** may consider a relaxation in the minimum required **motor vehicle parking stalls** and **pick-up and drop-off stalls** for a **School Authority – School** when:
- (a) the proposed **development** is an addition to a **School Authority – School building** existing on the effective date of this Bylaw; or 9P2012
  - (b) The proposed **development** is a new **School Authority – School building** proposed on a **parcel** designated as reserve land existing on the effective date of this Bylaw; and 57P2009
  - (c) in the opinion of the **Development Authority**, it would be difficult to provide the required **pick-up and drop-off stalls** due to the **parcel** configuration, area of a **parcel** and **frontage**.

### Bicycle Parking Stalls

- 125 (1) **Bicycle parking stalls – class 1** must be located on hard surfaced areas.
- (2) **Bicycle parking stalls – class 2** may only be located in hard surfaced areas and in **hard surfaced landscaped areas**.
- (3) **Bicycle parking stalls** must not interfere with a pedestrian walkway.
- (4) **Bicycle parking stalls** must be separated from **motor vehicle parking stalls, visitor parking stalls** or **loading stalls** by 2.0 metres or a physical barrier.
- (5) A **bicycle parking stall** that is not an individual locker must be at least 2.0 metres in height.
- (6) A **bicycle parking stall** that is not an individual locker and is attached to the ground must be located at least 0.6 metres from any physical barrier.
- (7) Rows of bicycle parking devices, when affixed on the floor or **grade**, must be separated by at least 2.0 metres.
- (8) Bicycle parking devices, when affixed on the floor or **grade**, must be separated by at least 0.6 metres.
- (9) Required **bicycle parking stalls – class 2** should be located within 15.0 metres of the **public entrance** of a **building** containing the **uses** for which they are required.
- (10) Directional signage indicating the location of minimum required **bicycle parking stalls – class 2** must be provided when the stalls are not obviously visible near the entrance to a **building**.
- (11) The area where **bicycle parking stalls** are located must be illuminated.

**Motor Vehicle Pick-Up and Drop-Off Stalls**

- 126** (1) All minimum required ***pick-up and drop-off stalls*** must be located:
- (a) on the same ***parcel*** as the ***development*** requiring them; or
  - (b) within a ***street***, if approved by the ***Development Authority*** and the General Manager of Transportation or his delegate.
- (2) The minimum dimensions of a ***pick-up and drop-off stall*** are the same as those for ***motor vehicle parking stalls*** provided in Table 2, except that a ***pick-up and drop-off stall*** that is parallel to a ***street***, driveway or curb has a minimum width of 2.6 metres and a minimum depth of 6.7 metres.

13P2008

**Cash-in-lieu: Kensington 10th Street NW Commercial Parking Area**

**127** *deleted*

13P2008

**Cash-in-lieu: 17th Avenue S. Commercial Parking Area**

**128** *deleted*

13P2008

**Cash-in-lieu: 4th Street SW Commercial Parking Area**

**129** *deleted*

- (ii) that may include the incidental sales and rental of products and equipment related to the materials and supplies being sold;
- (iii) that may include the sale and rental of tools and construction equipment;
- (iv) that may include the outdoor storage of the materials and supplies being sold or rented; and
- (v) that does not include the sale of home furnishings, household appliances, furniture or electronics;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) that has maximum **gross floor area** of 3500.0 square metres;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

#### 159 “Bulk Fuel Sales Depot”

- (a) means a **use**:
  - (i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and
  - (ii) where the vehicles receiving fuel have a **gross vehicle weight** greater than 4500 kilograms;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

#### 160 “Campground”

- (a) means a **use**:
  - (i) where spaces are provided for temporary accommodation in **recreational vehicles** or tents;
  - (ii) that may include a **building** for the administration of the **use**;

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

#### 161 “Car Wash – Multi Vehicle”

- (a) means a **use**:
  - (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4500 kilograms are washed; and
  - (ii) where more than one vehicle may be washed at one time;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must provide at least five (5) vehicle stacking spaces for each wash bay entrance door;
- (e) must provide a drying area in the form of one (1) **motor vehicle parking stall** for each vehicle that can be accommodated by a wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
  - (i) within the **building**; or
  - (ii) within a **screened** enclosure that must be:
    - (A) shown on plans required at the time the application for the **use** is made;
    - (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
    - (C) constructed of materials and to the standards required by the **Development Authority**;

71P2008

9P2012

47P2008

9P2012

- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**.

## 162 “Car Wash – Single Vehicle”

- (a) means a **use**:
  - (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4500 kilograms are washed; and
  - (ii) that contains one wash bay, and this wash bay is only capable of washing one motor vehicle at a time; 71P2008
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**; 47P2008
- (d) must provide at least two (2) vehicle stacking spaces for the wash bay entrance door;
- (e) must provide a drying area in the form of a motor vehicle **parking stall** for the wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
  - (i) within the **building**; or
  - (ii) within a **screened** enclosure that must be:
    - (A) shown on plans required at the time the application for the **use** is made;
    - (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
    - (C) constructed of materials and to the standards required by the **Development Authority**;
- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**.

**163 “Catering Service – Major”**

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

54P2008

**164 “Catering Service – Minor”**

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

54P2008

**165 “Child Care Service”**

- (a) means a **use**:
- (i) where temporary care and supervision is provided to seven or more children:
    - (A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
    - (B) for periods of less than 24 consecutive hours;
  - (ii) that may provide programming for the social, creative, educational and physical development of children; and

17P2009

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

### 170.2 “Contextual Semi-detached Dwelling”

27P2011

- (a) means a **building** that:
  - (i) contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof; and
  - (ii) meets all of the rules specified for the **use** in a district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

### 171 “Contextual Single Detached Dwelling”

47P2008

- (a) means a **building** containing one **Dwelling Unit** that:
  - (i) meets all of the rules specified for the **use** in a district; and
  - (ii) may include a **Secondary Suite, Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden** in Districts that list those **uses**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

12P2010

9P2012

172 *deleted*

32P2009

173 *deleted*

32P2009

**174 “Convenience Food Store”**

- (a) means a **use**:
- 13P2008 (i) where fresh and packaged food is sold;
- 13P2008 (ii) where daily household necessities may be sold;
- (iii) that is entirely within a **building**;
- (iv) that has a maximum **gross floor area** of 465.0 square metres; and
- (v) that may display the items for sale within the **use** outside of a **building** a maximum distance of 6.0 metres from the public entrance of the **use**;
- 9P2012 (vi) *deleted*
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- 9P2012 (b.1) may have a maximum floor area of 7.5 square metres to accommodate a seating area;
- (c) must not locate any outdoor display area in a required **setback area**, a parking area or on a sidewalk, if it impedes pedestrian movement;
- (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**.

13P2008

**175 “Cottage Building”**

- (a) means a residential **building** that is restricted in size and contains one, two or three **Dwelling Units**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**;
- (d) requires a minimum of 0.15 **visitor parking stalls** per **Dwelling Unit**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

**176 “Counselling Service”**

- (a) means a **use** where people receive treatment, advice or guidance for emotional, psychological or life management issues;
- (b) is a **use** within the Office Group in Schedule A to this Bylaw;



- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

#### 177 “Crematorium”

- (a) means a **use** where the deceased are incinerated and the ashes of the deceased are collected for interment;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**, and a minimum of 1.0 stalls per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
  - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
  - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
  - (iii) one (1) person per 0.5 linear metres of bench seating; or
  - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**; and
  - (v) does not require **bicycle parking stalls – class 1** or **class 2**.

#### 178 “Custodial Care”

- (a) means a **use**:
  - (i) where care, accommodation and on-site professional supervision is provided to one or more persons who have been required to reside full –time in the facility as part of a conditional or early release from a correctional institution or part of an open custody program; and
  - (ii) that has at least one staff person at the facility at all times;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) may have a maximum of 10 residents when located in a **low density residential district**;

24P2011

- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per two (2) resident staff and additional **motor vehicle parking stalls** may be required based on the projected level of visits by non-resident staff and visitors; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

**179 “Custodial Quarters”**

- (a) means a **use**:
  - (i) where living accommodation is provided primarily in an **industrial district**;
  - (ii) which will only be approved on a **parcel** where another **use** has been approved; and
  - (iii) where the occupant of the **use** performs a custodial or security function that is necessary for the operation of the **use** with which the **Custodial Quarters** is combined;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Custodial Quarters**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

**180 “Dinner Theatre”**

- (a) means a **use**:
  - (i) where live performance of theatre, music and dance are provided to the public;
  - (ii) where food and beverages must be prepared on the premises and served to the patrons of the theatre before, during or after the performance; and
  - (iii) that may have a specific licence for the sale of liquor, that is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must provide a sufficient area **adjacent** to outdoor entry doors for patrons to queue;
- (d) must not be located within 45.0 metres of a **residential district**;
- (e) must not have any openings, except emergency exits, loading bay doors or non-opening windows on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (f) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by an intervening **street**;
- (g) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (h) does not require **bicycle parking stalls – class 1**; and
- (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **public area**.

**181 “Distribution Centre”**

- (a) means a **use**:
  - (i) where goods are stored inside a **building** for a short duration before being loaded onto transport trucks;

67P2008

- (ii) where the **use** has a **gross floor area** that is a minimum of 20 000.0 square metres;
  - (iii) where areas of the **parcel** are used for movement of transport trucks on, off and within the **parcel**;
  - (iv) that does not accommodate the manufacture of any goods;
  - (v) that does not accommodate the display or sale of goods; and
  - (vi) may include the administrative functions associated with the **use**.
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
  - (c) must provide **screening** for loading docks when the loading docks are within view of an **expressway** or **major street**;
  - (d) 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 stall 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;
  - (e) does not require **bicycle parking stalls – class 1**; and
  - (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

## 182 “Drinking Establishment – Large”

- (a) means a **use**:
  - (i) where liquor is sold for consumption on the premises;
  - (ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that restricts minors on the premises;
  - (iii) that may include the preparation and sale of food for consumption on the premises;

9P2012

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

67P2008,  
51P2008,  
75P2008, 9P2012

### 183 “Drinking Establishment – Medium”

- (a) means a **use**:
  - (i) where liquor is sold for consumption on the premises;
  - (ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that restricts minors on the premises;
  - (iii) that may include the preparation and sale of food for consumption on the premises;
  - (iv) that has a **public area** greater than 75.0 square metres and less than 300.0 square metres; and

9P2012

- (v) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by an intervening **street**;
- (e) must not be within 45.0 metres of a **residential district** when the **use** is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X and S-R Districts, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (f) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **public area**.

67P2008, 51P2008,  
75P2008

#### 184 “Drinking Establishment – Small”

- (a) means a **use**:
  - (i) where liquor is sold for consumption on the premises;
  - (ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that restricts minors on the premises;
  - (iii) that may include the preparation and sale of food for consumption on the premises;
  - (iv) that has a **public area** of 75.0 square metres or less; and
  - (v) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;

9P2012

- (C) the offices or workshops of contractors engaged in either building trades and services, or road and utility construction;
- (D) the crushing, dismantling, sorting or processing of discarded goods, provided these activities do not involve chemicals or the application of heat;
- (E) the warehousing, shipping and distribution of goods, including the functions of repackaging and wholesaling, provided the **gross floor area** of the warehouse is less than 20 000.0 square metres;
- (F) the analysis or testing of materials or substances in a **laboratory**; or
- (G) **research and development**;
  - (ii) where part of the processes and functions associated with the **use** may be located outside of a **building**, including the function of using trailer units or railway cars prior to shipping; and
  - (iii) where dust or vibration may be seen or felt outside of the **building** containing the **use** provided it is contained on the **parcel**;
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) 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;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

**204 “Health Services Laboratory – With Clients”**

- 15P2008
- (a) means a **use**:
- (i) where bodily samples are taken from members of the public, to be tested;
  - (ii) where imaging technology is employed on members of the public, for medical assessments; or
  - (iii) where prosthetics, dental aids or medical devices are fitted or serviced;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) must not create electronic interference which would be considered objectionable outside of the **use**;
- 9P2012
- (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**.

**205 “Health Services Laboratory – Without Clients”**

- 13P2008
- (a) means a **use**:
- (i) where any of the following activities occur:
    - (A) bodily samples are tested;
    - (B) medical assessments and research are conducted; or
    - (C) prosthetics, dental aids or medical devices are serviced; and
  - (ii) where no members of the public visit the **use** for any reason;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) must not create electronic interference which would be considered objectionable, outside of the **use**;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.



**206 “Hide Processing Plant”**

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

**206.1 “Home Based Child Care – Class 1”**

17P2009

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

**206.2 “Home Based Child Care – Class 2”**

17P2009

- (a) means:
  - (i) an incidental *use* by a resident of a **Contextual Single Detached Dwelling** or **Single Detached Dwelling** for the purpose of providing temporary care or supervision to a maximum of 10 children:

- (A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
- (B) for periods of less than 24 consecutive hours;
- (ii) a **use** that may have a maximum of one non-resident employee at any one time working at the residence where the **use** is located;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) must be located on a **parcel** with a **parcel width** equal to or greater than 9.0 metres;
- (d) may have an outdoor play area on the **parcel**, provided the outdoor play area:
  - (i) is **screened** by a **fence**;
  - (ii) is shown on the plan submitted for a **development permit**;
- (e) must not:
  - (i) locate play structures within an **actual front setback area**; and
  - (ii) display any **signs** related to the **use** on the **parcel**;
- (f) requires a minimum of 1.0 **motor vehicle parking stalls** in addition to the **motor vehicle parking stalls** required for the **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (g) requires a minimum of 1.0 **pick-up and drop-off stalls**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**;

67P2008, 14P2010,  
9P2012

## 207 “Home Occupation – Class 1”

- (a) means:
  - (i) the incidental **use** by a resident of a **Dwelling Unit** for business purposes; and
  - (ii) a **use** that meets all the rules of this section;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have a maximum of three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;
- (d) may only have residents of the **Dwelling Unit** work on the **parcel** where the **use** is located;

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

## 208 “Home Occupation – Class 2”

14P2010,  
9P2012

- (a) means the incidental **use** by a resident of a **Dwelling Unit** for business purposes;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have more than three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;
- (d) may only have one (1) non-residents of the **Dwelling Unit** work on the **parcel** were the **use** is located;
- (e) may use the **private garage** or **Accessory Residential Building** for business related activities, including storage;

- 
- (f) is limited to one (1) per **Dwelling Unit**;
  - (g) must not create electronic interference, dust, noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable to normal sensory perception, outside the **building** containing the **use**;
  - (h) must not display any form of signage related to the **use** on the **parcel**;
  - (i) must not advertise the address of the **use** to the general public;
  - (j) may only occupy the lesser of 20.0 per cent of the cumulative floor area of the **Dwelling Unit**, or 30.0 square metres;
  - (k) must not have any activities related to the **use** take place outside of a **Dwelling Unit**, which includes the outside storage of materials, tools, products or equipment;
  - (l) may only have one (1) vehicle, associated with the **use**, provided that vehicle is not a **large vehicle**;
  - (m) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the **use**;
  - (n) does not require additional **motor vehicle parking stalls**; and
  - (o) does not require **bicycle parking stalls – class 1** or **class 2**.

14P2010

### 208.1 “Hospital”

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

## 209 “Hotel”

- (a) means a **use**:
  - (i) where sleeping accommodation, other than a **Dwelling Unit**, is provided to visitors for remuneration; and
  - (ii) that may be combined with a **use** from the Eating and Drinking Group in Schedule A when such a **use** is contained within a **Hotel**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) does not have a maximum **use area** in any District;
- (d) must not have more than 20 guest rooms in the C-C2, C-COR1 and C-COR2 Districts when located within 45.0 metres of a **low density residential district**, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **low density residential district**; 67P2008
- (e) located in the I-B District must not have a **building height** greater than 11.0 metres where the **parcel** containing the **Hotel** shares a **property line** with a **low density residential district**; and
- (e.1) when it is combined with a **use** from the Eating and Drinking Group in Schedule A as allowed in subsection (a)(ii), must also comply with the rules for that **use**;
- (f) requires a minimum number of **motor vehicle parking stalls** for the sleeping accommodation that is the greater of:
  - (i) 1.0 stalls per 2.5 guest rooms: or
  - (ii) 1.0 stalls per guest room when the **parcel** on which the **building** containing the **use** is located **adjacent** to or separated by a **lane** or **street** from a **low density residential district**.
- (g) does not require **bicycle parking stalls – class 1 or class 2**.

210 *deleted*

39P2012



- (g) must provide a designated storage area for all equipment stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (h) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be:
  - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
  - (ii) shown on the plan submitted for a **development permit**;
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

## 222 “Large Vehicle Service”

- (a) means a **use** where vehicles with a **gross vehicle weight** greater than 4500 kilograms undergo maintenance and repair;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

9P2012

## 223 “Large Vehicle Wash”

- (a) means a **use** where vehicles with a **gross vehicle weight** greater than 4500 kilograms are washed;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must provide at least two (2) vehicle stacking spaces when the **use** only has one wash bay door;
- (e) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
  - (i) within the **building**; or
  - (ii) within a **screened** enclosure that:

47P2008

- (A) must be shown on the plans required at the time of **development permit** application;
  - (B) is located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties;
  - (C) is constructed of materials and to the standards required by the **Development Authority**; and
  - (D) is maintained in a state of repair and tidiness such that it does not become an eyesore or a hazard;
- (f) requires 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

## 224 “Library”

- (a) means a **use**:
- (i) where collections of materials are maintained primarily for the purpose of lending to the public;
  - (ii) that may provide lecture theatres, meeting rooms, study space and computers for users of the **use**; and
  - (iii) that may have rooms for the administrative functions of the **use**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** and 1.0 **motor vehicle parking stalls** per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
- (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
  - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
  - (iii) one (1) person per 0.5 linear metres of bench seating; or
  - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;



- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of **bicycle parking stalls – class 2** based on 10.0 per cent of the minimum required **motor vehicle parking stalls**.

## 225 “Liquor Store”

- (a) means a **use** where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) 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**;
- (d) must not be located within 300.0 metres of any other **Liquor Store**, when measured from the closest point of a **Liquor Store** to the closest point of another **Liquor Store**;
- (e) in all **commercial** and **industrial districts**, not including C-R2 and C-R3 Districts, must not be located within 150.0 metres of a **parcel** that contains a **School – Private** or a **School Authority – School**, when measured from the closest point of a **Liquor Store** to the closest point of a **parcel** that contains a **School Authority – School** or a **School – Private**;
- (f) requires a minimum of 5.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

## 226 “Live Work Unit”

- (a) means a **use**:
  - (i) where a business is operated from a **Dwelling Unit**, by the resident of the **Dwelling Unit**, but does not include a **Home Occupation – Class 1** or **Home Occupation – Class 2**;
  - (ii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **commercial districts**, CC-EMU, CC-ET or CC-EIR Districts:
    - (A) **Artist’s Studio**;
    - (B) **Counselling Service**;
    - (C) **Instructional Facility**;

13P2008,  
39P2010

- (D) **Office**; and
  - (E) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided;
- 13P2008, 39P2010
- (iii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **multi-residential districts** or the CC-EPR District:
    - (A) **Artist's Studio**;
    - (B) **Counselling Service**;
    - (C) **Office**; and
    - (D) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided;
- 67P2008
- (iv) that, in the **multi-residential districts**, must be contained within a **Multi-Residential Development**;
  - (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
  - (c) must not exceed 50.0 per cent of the **gross floor area** of the **Dwelling Unit**;
- 13P2008, 9P2012
- (d) may have two persons, other than a resident of the **Live Work Unit**, working at the residence where the **use** is located; and
  - (e) requires a minimum number of **motor vehicle parking stalls** and **bicycle parking stalls – class 1** or **class 2** in accordance with the District the **use** is listed in.

**227 “Manufactured Home”**

- (a) means a residential **building**:
  - (i) that is intended for year round occupancy, containing one **Dwelling Unit**;
  - (ii) that is constructed on a permanent undercarriage or chassis;
  - (iii) that is designed with the capability of being transported, from time to time, from one location to another without the necessity of being placed on a permanent foundation; and
  - (iv) that is not a **recreational vehicle**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

15P2008

**228 “Manufactured Home Park”**

- (a) means a **use**:
  - (i) that provides sites for two or more **Manufactured Homes** on a **parcel**;
  - (ii) that must provide on-site laundry and recreation facilities for the occupants of the **use**;
  - (iii) that must provide administration facilities for the management of the **use**; and
  - (iv) that may have **buildings** for the recreational activities of the **use**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Manufactured Home** located on the **parcel**;
- (d) requires a minimum of 0.1 **visitor parking stalls** per **Manufactured Home** located on the **parcel**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

32P2009            **229**    *deleted*

32P2009            **230**    *deleted*

32P2009            **231**    *deleted*

**232**    **“Market”**

(a)    means a **use**:

- (i)     where individual vendors provide goods for sale directly to the public;
- (ii)    where the goods may be sold both inside and outside of a **building**;
- (iii)    where the vendors may change on a frequent or seasonal basis;
- (iv)    where the goods being sold are finished consumer goods, food products, produce, handcrafted articles, antiques or second hand goods;
- (v)     where the items being sold are not live animals;
- (vi)    that may include a limited seating area; and
- (vii)    that does not include a **Retail and Consumer Service** or **Supermarket**;

9P2012

39P2010

- (b)    is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c)    requires 4.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d)    does not require **bicycle parking stalls – class 1**; and
- (e)    requires **bicycle parking stalls – class 2** based on 5.0 per cent of the minimum required **motor vehicle parking stalls**.

**233**    **“Medical Clinic”**

- (a)    means a **use** where human health services that are preventative, diagnostic, therapeutic or rehabilitative are provided without overnight accommodation for patients;
- (b)    is a **use** within the Care and Health Group in Schedule A to this Bylaw;

**272 “Radio and Television Studio”**

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

9P2012

**273 “Recreational Vehicle Sales”**

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

**274 “Recreational Vehicle Service”**

- (a) means a **use** where **recreational vehicles** undergo maintenance and repair;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;

- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

41P2009

**274.1 “Recyclable Construction Material Collection Depot (temporary)”**

- (a) means a **use**:
  - (i) where recyclable waste materials from the construction of **buildings** on other **parcels** are stored temporarily prior to their removal and processing on a different **parcel**;
  - (ii) where the materials may be dimensional lumber, drywall, woody vegetation and shrubs, asphalt shingles, asphalt and concrete, scrap metal, plastics, wire, and cardboard, but must not include adhesives or sealants, aerosols, food, vegetable matter, motor vehicles or motor vehicle parts, tires, or petroleum and petroleum-based products;
  - (iii) that is not a landfill, waste disposal facility, or recycling plant for any materials or components of these materials;
  - (iv) where storage activities may occur either within or outside of a **building**;
  - (v) that may have limited equipment used for crushing, dismantling or moving the materials;
  - (vi) that does not involve the manufacture or assembly of any goods; and
  - (vii) that may have a temporary **building** for administrative functions associated with the **use**;

41P2009

- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) may be approved for a period no greater than five (5) years;
- (d) must provide **screening** for any materials located outside of a building, that are within view of a **street**;
- (e) may store materials outside of a **building** provided that piles have a maximum height of 5.0 metres including any pallets, supports or other things the materials are stacked on;
- (f) does not require **motor vehicle parking stalls**; and
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

32P2009

**275** *deleted*

**276 “Refinery”**

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

**277 “Residential Care”**

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

24P2011

**278 “Restaurant: Food Service Only – Large”**

- (a) means a **use**:
  - (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
  - (ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission;
  - (iii) that has a **public area** of 300.0 square metres or greater; and
  - (iv) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;

9P2012

- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated by an intervening **street**;
- (d.1) must not be within 45.0 metres of a **residential district** when the **use** is located within the C-C2 and S-R Districts, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (e) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of the **public area**.

### 279 “Restaurant: Food Service Only – Medium”

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

57P2008, 67P2008,  
51P2008, 75P2008



- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of the **public area**.

**280 “Restaurant: Food Service Only – Small”**

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

15P2008

**281 “Restaurant: Licensed – Large”**

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

9P2012

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

## 282 “Restaurant: Licensed – Medium”

- (a) means a **use**:
  - (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
  - (ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time;
  - (iii) that has a **public area** greater than 75.0 square metres but less than 300.0 square metres; and
  - (iv) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;

- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by an intervening **street**;
- (d.1) must not be within 45.0 metres of a **residential district** when the **use** is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X and S-R Districts, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (e) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class** per 250.0 square metres of the **public area**.

47P2008, 67P2008,  
51P2008, 75P2008

### 283 “Restaurant: Licensed – Small”

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

15P2008

57P2008

**284 “Restored Building Products Sales Yard”**

- (a) means a **use**:
  - (i) where products that have been recovered from demolished **buildings** are stored, displayed or sold either entirely within a **building** or outside of a **building**;
  - (ii) that does not accommodate the wrecking, dismantling, manufacturing, servicing or repairing of anything on the same **parcel** as the **use**;
  - (iii) that does not accommodate the display, wrecking or sale of any motor vehicles or auto parts;
  - (iv) that does not accommodate waste disposal or landfilling of any product; and
  - (v) that does not accommodate a drop off site for products related to the **use**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

**285 “Retail Garden Centre”**

- (a) means a **use**:
  - (i) where gardening products, plants, seeds, shrubbery, trees and other gardening related products are sold to the public from a permanent **building**;
  - (ii) that may accommodate temporary structures such as greenhouses and pole barns for the planting and growing of plants;
  - (iii) that may accommodate temporary structures and specifically identified outdoor areas for the storage, display and sale of plants and products; and
  - (iv) that may not accommodate the sale of produce or other food stuff;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

39P2010

**286** *deleted*

## 286.1 “Retail and Consumer Service”

39P2012

- (a) means a **use** where any of the following activities occur:
  - (i) the general retail sale or rental of goods, materials products or supplies including merchandise that may also be sold at a **Building Supply Centre**;
  - (ii) services related to the care and appearance of the human body or hair;
  - (iii) services intended for relaxation and rejuvenation through massage, aromatherapy and similar non-medical therapies;
  - (iv) the care, cleaning, alteration or repair of clothing, jewellery, or shoes;
  - (v) portrait and professional photography services; or
  - (vi) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) may display merchandise related to the **use** outside of a **building**, provided the merchandise:
  - (i) is within 6.0 metres of a public entrance of the **use**; and
  - (ii) is not located in a **setback area**, a parking area or on a sidewalk if it impedes pedestrian movement;
- (d) may only stock merchandise on the premises in quantities sufficient only to supply the premises;
- (e) may contain laundering services provided it:
  - (i) does not include a **Dry-cleaning and Fabric Care Plant**; and
  - (ii) is not located within a **Live Work Unit**;
- (f) when located in the C-R1 District, may incorporate the following **uses** within a **Retail and Consumer Service**, provided the requirements referenced in subsection (g) are satisfied:
  - (i) **Amusement Arcade**;
  - (ii) **Computer Games Facility**;
  - (iii) **Counselling Service**;
  - (iv) **Financial Institution**;
  - (v) **Fitness Centre**;
  - (vi) **Health Services Laboratory – With Clients**;

- (vii) **Medical Clinic;**
  - (viii) **Office;**
  - (ix) **Pet Care Service;**
  - (x) **Print Centre;**
  - (xi) **Radio and Television Studio;**
  - (xii) **Restaurant: Food Service Only – Small;**
  - (xiii) **Restaurant: Food Service Only – Medium;**
  - (xiv) **Take Out Food Service;** and
  - (xv) **Veterinary Clinic;**
- (g) must only incorporate the **uses** referenced in section (f) when those **uses**:
- (i) are located in an existing approved **building**;
  - (ii) are located in a **use area** that is a minimum of 3600.0 square metres;
  - (iii) are located within a **use area** that contains a **Retail and Consumer Service**;
  - (iv) do not exceed 10.0 per cent of the **use area** of the **Retail and Consumer Service** within which they are located; and
  - (v) do not have direct customer access outside of the **Retail and Consumer Service** within which they are located;
- (h) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

## 287 “Rowhouse”

- (a) means a **building**:
- (i) comprising three or more **Dwelling Units**, located side by side and fronting on a **street**;
  - (ii) where each **Dwelling Unit** is located on an individual **parcel**;
  - (iii) where each **Dwelling Unit** has a separate direct entry from **grade adjacent** to a **street**; and
  - (iv) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**;

- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

## 288 “Salvage Processing – Heat and Chemicals”

- (a) means a **use**:
  - (i) where salvaged and recycled material are processed using heat or the application of chemicals;
  - (ii) that is not a landfill or waste disposal facility for any goods;
  - (iii) that does not involve the disassembly of any goods;
  - (iv) where activities may occur entirely within a **building**, or partially outside of a **building**, or entirely outdoors;
  - (v) that does not involve the manufacture or assembly of any goods;
  - (vi) that may have a **building** for administrative functions associated with the **use**; and
  - (vii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Salvage Processing – Heat and Chemicals** 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.

### 288.1 “Salvage Yard”

32P2009

- (a) means a **use**:
  - (i) where any of the following are stored, dismantled or crushed:
    - (A) **dilapidated vehicles**; or
    - (B) damaged, inoperable or obsolete goods, machinery or equipment;
  - (ii) where motor vehicles in their complete and operable state are not displayed or sold;
  - (iii) where part or all of the **use** takes place outside of a **building**;

- (iv) that may have equipment located outdoors to assist in the processes and functions of the **use**;
- (v) that may have the incidental sale of parts that are recovered from the **dilapidated vehicles**, goods, machinery or equipment;
- (vi) that may have a **building** for administrative functions associated with the **use**;
- (vii) that does not involve the manufacture or assembly of any goods; and
- (viii) that does not involve the servicing or repair of anything;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) requires the following minimum number of **motor vehicle parking stalls**:
  - (i) for a **building**, the greater of:
    - (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
    - (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time; and
  - (ii) for outdoor storage:
    - (A) 0.25 stalls for 100.0 square metres of outdoor storage area for areas up to 4000.0 square metres; and
    - (B) 0.1 stalls per 100.0 square metres thereafter;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

## 289 “Sawmill”

- (a) means a **use**:
  - (i) where timber is cut, sawed, planed or milled to finished lumber or an intermediary step;
  - (ii) that may include facilities for the kiln drying of lumber;
  - (iii) that may include areas for the outdoor storage of raw or finished lumber products;
  - (iv) that may include the distribution or sale of lumber products; and



- (v) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Sawmill** 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.

## 290 “School – Private”

67P2008

- (a) means a **use**:
  - (i) where an operator other than the following teaches students the education curriculum from kindergarten to grade 12 pursuant to the *School Act*:
    - (A) a school district;
    - (B) a school division; or
    - (C) a society or company named within a charter approved by the Minister of Education operating a charter school;
  - (ii) that may have before and after school care programs that are defined in this Bylaw as **Child Care Service**;
  - (iii) where other educational programs pursuant to the *School Act* may be offered to students; and
  - (iv) that may provide food service for students and staff;
- (b) is a **use** within the Teaching and Learning Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per 8.5 students, and 1.0 **pick-up and drop-off stalls** per 100 students, based upon the maximum number of students stated in the **development permit**,
- (d) requires a minimum number of **bicycle parking stalls – class 1** equal to 3.0 per cent of the number of employees; and
- (e) requires a minimum number of **bicycle parking stalls – class 2** equal to 10.0 per cent of the maximum number of students as stated in the **development permit**.

## 291 “School Authority – School”

67P2008

- (a) means a **use**:
  - (i) where any of the following teaches students the education curriculum from kindergarten to grade 12 pursuant to the *School Act*:

- (A) a school district;
  - (B) a school division; or
  - (C) a society or company named within a charter approved by the Minister of Education operating a charter school;
- (ii) that may have before and after school care programs that are defined in this Bylaw as **Child Care Service**;
  - (iii) that will include any **building** and related playing fields;
  - (iv) that may provide food service to the students and staff; and
  - (v) that may provide programs for parental and community involvement;
- (b) is a **use** within the Teaching and Learning Group in Schedule A to this Bylaw;
  - (c) requires the following number of **motor vehicle parking stalls**:
    - (i) for the maximum number of students that may be enrolled in kindergarten to grade 6, a minimum of 1.0 **motor vehicle parking stalls** per 15 students and 2.5 **pick-up and drop-off stalls** per 100 students, with a minimum of 5.0 **pick-up and drop-off stalls**; and
    - (ii) for the maximum number of students that may be enrolled in grades 7 to 9, a minimum of 1.0 **motor vehicle parking stalls** per 18 students and 2.5 **pick-up and drop-off stalls** per 100 students, with a minimum of 5.0 **pick-up and drop-off stalls**; and
    - (iii) for the maximum number of students that may be enrolled in grades 10 to 12, a minimum of 1.0 **motor vehicle parking stalls** per 8 students and 1.5 **pick-up and drop-off stalls** per 100 students, with a minimum of 5.0 **pick-up and drop-off stalls**;
  - (d) requires a minimum number of **bicycle parking stalls – class 1** equal to 3.0 per cent of the maximum number of employees; and
  - (e) requires a minimum number of **bicycle parking stalls – class 2** equal to 10.0 per cent of the maximum number of students as stated in the **development permit**.

## 292 “School Authority Purpose – Major”

- (a) means a **use**:
  - (i) where a school division or school district may:

- (B) does not contain **copy** that is full motion video, motion picture, Moving Picture Experts Group (MPEG) or any other digital video format; and
- (b) is a **use** within the Signs Group in Schedule A to this Bylaw.

### 305 “Single Detached Dwelling”

- (a) means a **building** which contains only one **Dwelling Unit** and may include a **Secondary Suite, Secondary Suite - Detached Garage or Secondary Suite - Detached Garden** in Districts which allow those **uses**, but does not include a **Manufactured Home**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

12P2010

### 306 “Slaughter House”

- (a) means a **use**:
  - (i) where live animals are processed into food for human consumption;
  - (ii) that may have an area for supplies required to make the food products as part of the **use**;
  - (iii) that may have the functions of packaging or shipping the products made as part of the **use**;
  - (iv) that may have the function of using trailer units to keep the product on the **parcel** prior to shipping;
  - (v) that may have the administrative functions associated with the **use**; and
  - (vi) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Slaughter House** as a **use**;
- (b) is a **use** within the Direct Control Use Group in Schedule A to this Bylaw;
- (c) 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;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

### 307 “Social Organization”

- (a) means a **use**:
  - (i) where members of a club or group assemble to participate in recreation, social or cultural activities;
  - (ii) where there are sports, recreation, cultural, or social events for the members of the group;
  - (iii) where there may be an area for the preparation or consumption of food; and
  - (iv) that may have meeting rooms for the administration of the group;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**, or a C-N1, C-N2, C-COR1 District;
- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by an intervening **street**;
- (e) must not have a **public area** greater than 75.0 square metres where the **use** shares a **property line** with, or is only separated by an intervening **lane** from a **residential district**, or a C-N1, C-N2, C-COR1 District;
- (f) requires 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**, and 1.0 **motor vehicle parking stalls** per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
  - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
  - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
  - (iii) one (1) person per 0.5 linear metres of bench seating; or

9P2012

- (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (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**.

### 308 “Special Function – Class 1”

10P2009,  
39P2010,  
21P2011,  
4P2012

- (a) means a **use** where temporary structures are erected on a **parcel**:
  - (i) that allow for an educational, recreational, sporting, social, and worship event that includes, but is not limited to a wedding, circus, birthday, trade show and ceremony; or
  - (ii) that allow an existing approved **use** to expand within the **parcel** that includes, but is not limited to a grand opening, customer appreciation event, staff appreciation event and sale;
- (b) means a **use** that may allow for the provision of entertainment or the sale and consumption of liquor but does not include a **Special Function – Class 2**;
- (c) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (d) may only be located on a **parcel**, excluding the time used to erect and dismantle the temporary structures, for a maximum of:
  - (i) 15 consecutive days; and
  - (ii) 30 cumulative days in a calendar year;
- (e) has a maximum height for covered temporary structures of one **storey**;
- (f) may be temporarily located on any part of the **parcel**, other than a **corner visibility triangle**;
- (g) does not require **motor vehicle parking stalls**; and
- (h) does not require **bicycles parking stalls – class 1** or **class 2**.

9P2012

### 309 “Special Function – Class 2”

10P2009,  
21P2011,  
4P2012

- (a) means a **use** where temporary structures are erected on a **parcel** which operate as a:
  - (i) **Conference and Event Facility**;
  - (ii) **Drinking Establishment – Large**;
  - (iii) **Drinking Establishment – Medium**;

- (iv) **Drinking Establishment – Small;**
- (v) **Restaurant: Licensed – Large;**
- (vi) **Restaurant: Licensed – Medium;**
- (vii) **Restaurant: Licensed – Small;** or
- (viii) **Night Club;**
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may only be located on a **parcel** for 15 cumulative days in a calendar year, excluding the time used to erect or dismantle the temporary structures;
- (d) has a maximum height for covered temporary structures of one **storey**;
- (e) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** unless that façade is separated from the residential district by a **street**;
- (f) must not exceed a cumulative area for covered temporary structures of 75.0 square metres when located on a **parcel** designated C-N1, C-N2, I-E, I-R, CC-ER and CC-EPR;
- (g) may be temporarily located on any part of the **parcel**, other than a **corner visibility triangle**;
- (h) does not require **motor vehicle parking stalls**; and
- (i) does not require **bicycles parking stalls – class 1 or class 2**.

32P2009

**309.1 “Specialized Industrial”**

- (a) means a **use**:
  - (i) where any of the following activities occur:
    - (A) **research and development**;
    - (B) the analysis or testing of materials or substances in a **laboratory**; or
    - (C) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, products or equipment, provided live animals are not involved in any aspect of the operation;
  - (ii) that may include a **Health Services Laboratory – Without Clients**;
  - (iii) where all of the processes and functions associated with the **use** are contained within a fully enclosed **building**; and

- (iv) where no dust or vibration is seen or felt outside of the **building** containing the **use**;
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) 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;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

### 310 “Specialty Food Store”

32P2009

- (a) means a **use**:
  - (i) where food and non-alcoholic beverages for human consumption are made;
  - (ii) where live animals are not involved in the processing of the food;
  - (iii) where the food products associated with the **use** may be sold within the premises;
  - (iv) with a maximum **gross floor area** of 465.0 square metres;
  - (v) that has the functions of packaging, bottling or shipping the products made as part of the **use**;
  - (vi) where the only mechanical systems that are not completely contained within the **building** are those systems and equipment required for air conditioning, heating or ventilation; and
  - (vii) that may include a limited seating area no greater than 25.0 square metres within the total **gross floor area** of the **use**;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and

- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

### 311 “Spectator Sports Facility”

- (a) means a **use**:
  - (i) where sporting or other events are held primarily for public entertainment;
  - (ii) that has tiers of seating or viewing areas for spectators; and
  - (iii) that does not include **Motorized Recreation and Race Track**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires 1.0 **motor vehicle parking stalls** per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
  - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
  - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
  - (iii) one (1) person per 0.5 linear metres of bench seating; or
  - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum number of **bicycle parking stalls – class 2** equal to 10.0 per cent of the minimum required **motor vehicle parking stalls**.

### 312 “Stock Yard”

- (a) means a **use**:
  - (i) where animals are temporarily penned or housed before being sold or transported elsewhere; and
  - (ii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Stock Yard** 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.

### 313 “Storage Yard”

- (a) means a **use**:
- (i) where goods, materials and supplies are stored outside;
  - (ii) where goods, materials and supplies being stored are capable of being stacked or piled;
  - (iii) where the goods, materials and supplies stored are not motor vehicles, equipment or waste;
  - (iv) where the goods, materials and supplies are not stored in a **building**, shipping container, trailer, tent or any enclosed structure with a roof;
  - (v) where the piles or stacks of goods, materials and supplies may be packaged into smaller quantities for transportation off the **parcel**; and 9P2012
  - (vi) *deleted* 9P2012
  - (vii) that may have a **building** for the administrative functions associated with the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) may cover piles or stacks of goods, materials and supplies associated with the **use**, with tarps or a structure with a roof but it must be open on the sides;
- (d) requires the following minimum number of **motor vehicle parking stalls**:
- (i) for a **building**, the greater of:
    - (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres: or
    - (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time; and
  - (ii) for outdoor storage areas:
    - (A) 0.25 stalls per 100.0 square metres of outdoor storage area for areas up to 4000.0 square metres; and
    - (B) 0.1 stalls per 100.0 square metres thereafter; and

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

**314 “Supermarket”**

13P2008

- (a) means a **use**:
- (i) where fresh and packaged food is sold;
  - (ii) where daily household necessities may be sold;
  - (iii) that will be contained entirely within a **building**;
  - (iv) that has a minimum **gross floor area** greater than 465.0 square metres; and
  - (v) that may include a limited seating area no greater than 15.0 square metres for the consumption of food prepared on the premises;

39P2010

- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) that is located in the C-R1 District may incorporate the following **uses** within a **Supermarket**, provided the requirements referenced in subsection (d) are satisfied:
- (i) **Amusement Arcade**;
  - (ii) **Computer Games Facility**;
  - (iii) **Counselling Service**;
  - (iv) **Financial Institution**;
  - (v) **Fitness Centre**;
  - (vi) **Health Services Laboratory – With Clients**;
  - (vii) **Medical Clinic**;
  - (ix) **Office**;
  - (x) **Pet Care Service**;
  - (xi) **Print Centre**;
  - (xii) **Power Generation Facility – Small**;
  - (xiii) **Radio and Television Studio**;
  - (xiv) **Restaurant: Food Service Only – Medium**;
  - (xv) **Restaurant: Food Service Only – Small**;
  - (xvi) **Retail and Consumer Service**;
  - (xvii) **Take Out Food Service**; and
  - (xviii) **Veterinary Clinic**;

- (d) must only incorporate the **uses** referenced in subsection (c) when those **uses**:
  - (i) are located in an existing approved **building**;
  - (ii) are located in a **use area** that is a minimum of 3600.0 square metres;
  - (iii) are located within a **use area** that contains a **Supermarket**;
  - (iv) do not exceed 10.0 per cent of the **use area** of the **Supermarket** within which they are located; and
  - (v) do not have direct customer access outside of the **Supermarket** within which they are located;
- (e) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.



- (9) **Balconies** and **decks** must not project into any **side setback area**. 67P2008
- (10) Central air conditioning equipment may project a maximum of 1.0 metres into a **side setback area**: 67P2008
- (a) for a **Contextual Semi-detached Dwelling** and a **Semi-detached Dwelling**, only where the **side setback area** is on the **street** side of a **corner parcel**; and 27P2011
- (b) for all other **uses**:
- (i) when located on a **corner parcel**; or
- (ii) where at least one **side setback area** is clear of all central air conditioning equipment, window wells and portions of the **building** measured from **grade** to a height of 2.4 metres.

### Projections Into Rear Setback Area

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

### Patios

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

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

### Decks

- 339 (1) The height of a **deck** in the **Developing Area** must not exceed 0.3 metres above the main floor level of the closest **main residential building** on the **parcel**.

57P2008

- (2) The height of a **deck** in the **Developed Area** must not exceed:
- (a) 1.5 metres above **grade** at any point, except where the **deck** is located on the same façade as the at-grade entrance to a **walkout basement**; and
  - (b) 0.3 metres above the main floor level of the closest **main residential building** on the **parcel**.

67P2008, 3P2010

- (2.1) Unless otherwise referenced in subsection (3), a **privacy wall** located on a **deck**:
- (a) must not exceed 2.0 metres in height when measured from the surface of the **deck**; and
  - (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.

13P2008, 67P2008,  
9P2012

- (3) A **deck** attached to a **Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse** or **Townhouse** within 1.2 metres of a party wall must have a solid **privacy wall** that:
- (a) is a minimum of 2.0 metres in height;
  - (b) is a maximum of 3.0 metres in height; and
  - (c) extends the full depth of the **deck**.

### Balconies

- 340 (1) An **open balcony** must not project more than 1.85 metres from the **building** façade to which it is attached.

- (2) The floor area of a **recessed balcony** must not exceed 10.0 square metres.

67P2008

- (2.1) Unless otherwise referenced in this Part, a **privacy wall** located on a **balcony**:
- (a) must not exceed 2.0 metres in height when measured from the surface of the **balcony**; and
  - (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.

13P2008, 67P2008,  
9P2012

- (3) A **balcony** attached to a **Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse** or **Townhouse** within 1.2 metres of a party wall must have a solid **privacy wall** that:

- (a) is a minimum of 2.0 metres in height;
- (b) is a maximum of 3.0 metres in height; and
- (c) extends the full depth of the **balcony**.

## Driveways

- 341 (1)** A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
  - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (2)** A driveway connecting a **street** to a **private garage** must: 9P2012
- (a) be a minimum of 6.0 metres in length along the intended direction of travel for vehicles and measured from:
    - (i) the back of the public sidewalk to the door of the **private garage**; or
    - (ii) a curb where there is no public sidewalk to the door of a **private garage**; and
  - (b) contain a rectangular area measuring 6.0 metres in length and 3.0 metres in width.
- (3)** A driveway connecting a **lane** to a **private garage** must be a minimum of 0.60 metres in length along the intended direction of travel for vehicles, measured from the **property line** shared with the **lane** to the door of a **private garage**. 9P2012
- (4)** Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or **motor vehicle parking stall** that is hard surfaced. 9P2012
- (5)** That portion of a driveway, including a **motor vehicle parking stall**, within 6.0 metres of a public sidewalk, or a curb on a **street** where there is no public sidewalk, must not exceed a width of: 9P2012
- (a) 6.0 metres where the **parcel width** is 9.0 metres or less; or
  - (b) 7.0 metres where the **parcel width** is greater than 9.0 metres and less than 15.0 metres.
- (6)** In the **Developed Area** a driveway accessing a **street** must not be constructed, altered or replaced except where: 57P2008,  
13P2011
- (a) it is located on a **laneless parcel**;
  - (b) it is located on a **laned parcel** and 50.0 per cent or more **parcels** on the same block face have an existing driveway accessing a **street**; or
  - (c) there is a legally existing driveway that it is not being relocated or widened.

- 13P2011 (7) A driveway constructed, altered or replaced in accordance with subsection (6) may be extended in length.
- 57P2008, 13P2011 (8) Where a **parcel** is the subject of **development**, the **Development Authority** must not require the removal of a legally existing driveway accessing a **street** even where the proposed **development** is a **discretionary use**.

### Retaining Walls

- 342 (1) A **retaining wall** must be less than 1.0 metre in height when measured from **grade**.
- (2) A minimum horizontal separation of 1.0 metre must be maintained between **retaining walls** on the same **parcel**.

### Fences

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

### Solar Collectors

- 343.1 (1) A **solar collector** may only be located on the wall or roof of a **building**.
- 68P2008 (2) A **solar collector** mounted on a roof with a pitch of less than 4:12, may project:
- (a) a maximum of 0.5 metres from the surface of a roof, when the solar collector is located 5.0 metres or less from a side property line, measured directly due south from any point along the **side property line**; and
  - (b) in all other cases, maximum of 1.3 metres from the surface of a roof.
- (3) A **solar collector** mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 metres from the surface of a roof.
- (4) A **solar collector** mounted on a roof must not extend beyond the outermost edge of the roof.
- (5) A **solar collector** that is mounted on a wall:



- (a) must be located a minimum of 2.4 metres above **grade**; and
- (b) may project a maximum of:
  - (i) 1.5 metres from the surface of that wall, when the wall is facing a **rear property line**; and
  - (ii) in all other cases, 0.6 metres from the surface of that wall.

### Objects Prohibited or Restricted

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

### Accessory Residential Building

- 345** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** for an **Accessory Residential Building** is:

- (a) 1.2 metres from a **side** or **rear property line** shared with a **street**; or
  - (b) 0.6 metres from a **side** or **rear property line** in all other cases.
- (2) The minimum **building setback** for an **Accessory Residential Building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres when:
- (a) the **Accessory Residential Building** is less than 10.0 square metres **gross floor area**;
  - (b) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; or
  - (c) the owner of the **adjacent parcel** grants a 1.5 metre private maintenance easement that must:
    - (i) be registered against the title of the **parcel** proposed for development and the title of the **adjacent parcel**; and
    - (ii) include a 0.60 metre eave and footing encroachment easement.
- (3) An **Accessory Residential Building** must not be located in the **actual front setback area**.
- (4) A **private garage** on a **laneless parcel** may be located within the required 3.0 metre **side setback area**, except along the **street** side of a **corner parcel**.
- 12P2010 (5) The minimum distance between any façade of an **Accessory Residential Building** 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**; and
  - (c) one **storey**, which may include an attic space that:
    - (i) is accessed by a removable ladder;
    - (ii) does not have windows;
    - (iii) is used by the occupants of the **main residential building** for placement of personal items; and
    - (iv) has a maximum height of 1.5 metres when measured from the attic floor to the underside of any rafter.

**Restrictions on Use of Accessory Residential Building**

- 346** (1) The finished floor of an **Accessory Residential Building**, other than a **private garage**, must not exceed 0.6 metres above **grade**.
- (2) An **Accessory Residential Building** must not be used as a **Dwelling Unit**, unless a **Secondary Suite – Detached Garage** has been approved.
- (3) An **Accessory Residential Building** must not have a **balcony** or rooftop **deck**.
- (4) The area of a **parcel** covered by all **Accessory Residential Buildings** located on a **parcel**, must not exceed the lesser of:
- (a) the **building coverage** of the **main residential building**; or
  - (b) 75.0 square metres; and
  - (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.
- (5) All roof drainage from an **Accessory Residential Building** must be discharged onto the **parcel** on which the **building** is located.

27P2011

**Contextual Single Detached Dwelling**

- 347** (1) A **Contextual Single Detached Dwelling**:
- (a) must have:
    - (i) a portion of the front façade 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;

3P2010

9P2012

- (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
- 27P2011 (d) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum **building height**;
- 27P2011 (e) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres; and
- 27P2011 (f) must not have an exterior entrance to a **basement** except where:
- (i) the exterior entrance is located on the same façade as the at-grade entrance to a **walkout basement**;
  - (ii) the exterior entrance provides access to a **basement level private garage**; or
  - (iii) the exterior entrance provides access to a **Secondary Suite**.

(2) **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
- 27P2011 (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) 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**.
- (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**.

27P2011

### 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 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:
    - (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 **contextually adjacent 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

9P2012

- (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;
  - (h) must not have an exterior entrance from **grade**:
    - (i) directly accessing an internal stairwell; or
    - (ii) located on a side façade, except on the **street** side of a **corner parcel**; and
  - (i) must not have an exterior entrance to a **basement** except where:
    - (i) the exterior entrance is located on the same façade as the at-**grade** entrance to a **walkout basement**; or
    - (ii) the exterior entrance provides access to a **basement** level **private garage**.
- (2) **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**.

### Planting Requirement for Contextual Single Detached and Contextual Semi-detached Dwellings

347.2 (1) 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; and
  - (e) are not required to be shown on a plan that is part of an application for **development permit**.
- (2) A minimum of 2.0 trees must be provided for each **unit** of a **Contextual Semi-detached Dwelling**.
- (3) Where a **Contextual 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** is located on a **parcel** with a **parcel width** greater than 10.0 metres a minimum of 3.0 trees must be provided.
- (5) The requirement for the provision of 1.0 trees is met where:
- (a) a deciduous tree has a minimum **calliper** of 50 millimetres; or
  - (b) a coniferous tree has a minimum height of 2.0 metre.
- (6) 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.

### 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**

- 68P2008
- 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.
- (2) Mechanical equipment may project a maximum of 0.3 metres from the surface of a roof on a **building**.

**Private Maintenance Easements**

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

12P2010

**Secondary Suite – Setbacks**

- 351** (1) For a **Secondary Suite** the minimum **building setback**:
- (a) from a **front property line**, must be equal to or greater than the minimum **building setback** from the **front property line** for the **main residential building**;
  - (b) from a **rear property line**, must be equal to or greater than the minimum **building setback** from the **rear property line** for the **main residential building**; and
  - (c) from a **side property line**, must be equal to or greater than the minimum **building setback** from the **side property line** for the **main residential building**.
- (2) For a **Secondary Suite – Detached Garage**, the minimum **building setback**:
- (a) from a **rear property line** is:
    - (i) 1.5 metres for that portion of the **building** used as a **Secondary Suite – Detached Garage**; and
    - (ii) 0.6 metres for that portion of the **building** used as a **private garage**;
  - (b) from a **side property line** is 1.2 metres.
- (3) For a **Secondary Suite – Detached Garden**, the minimum **building setback**:
- (a) from a **rear property line** is 1.5 metres; and
  - (b) from a **side property line** is 1.2 metres.



**Secondary Suite – Building Separation**

12P2010

**351.1** A minimum separation of 3.0 metres is required between the closest façade of the **main residential building** to the closest façade of a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**.

**Secondary Suite – Floor Area**

12P2012

**352 (1)** The maximum floor area of a **Secondary Suite**, excluding any area covered by stairways, is 70.0 square metres:

- (a) in the R-C1Ls, R-C1s, R-C1N, R-1s and R-1N Districts; or
- (b) when located on a **parcel** with a **parcel width** less than 13.0 metres.

**(2)** The maximum floor area of a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**, excluding any area covered by stairways, is 70.0 square metres.

**(3)** The maximum **floor area** in subsections (1) and (2) may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.

**Secondary Suite – Outdoor Private Amenity Space**

12P2010

**353** A **Secondary Suite**, **Secondary Suite – Detached Garage** and **Secondary Suite – Detached Garden** must have a **private amenity space** that:

- (a) is located outdoors;
- (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres; and
- (c) is shown on a plan approved by the **Development Authority**.

**Secondary Suite – Density**

12P2010

**354** There must not be more than one **Secondary Suite**, **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden** located on a **parcel**.

**Secondary Suite – Entry and Stairways**

12P2010

**355** *deleted*

**Secondary Suite – Building Height**

**356 (1)** The maximum **building height** is:

- (a) 5.0 metres for a **Secondary Suite – Detached Garden**; and
- (b) 7.5 metres for a **Secondary Suite – Detached Garage**.

**(2)** *deleted*

12P2010

### Parcels Deemed Conforming

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

### Dwellings Deemed Conforming

- 27P2011 **358 (1)** *Decks* greater than 1.5 metres in height, *landings* and window wells that are legally existing or approved prior to the effective date of this Bylaw are deemed to conform with the requirements of this Bylaw.
- 53P2008 **(2)** When a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** has been constructed in accordance with this Bylaw, and is located in a *Developed Area*, the maximum *building height*, minimum *building setback* from a *front property line* and maximum *building depth* determined at the time of the *development* are the requirements until further *development* occurs on the *parcel*.
- 67P2008 **(3)** The *building setback* from the *front property line* for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw if:
- (a) the **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw;
  - (b) the *building setback* from the *front property line* is:
    - (i) a minimum of 6.0 metres for the R-C1L or R-C1Ls districts; or
    - (ii) a minimum of 3.0 metres for any other *residential district*; and
  - (c) the *main residential building*:
    - (i) has not been added to after the effective date of this Bylaw; or
    - (ii) has been added to after the effective date of this Bylaw and the addition complies with the requirements specified in this Bylaw for a *building setback* from the *front property line*.
- 67P2008, 46P2009 **(4)** The *building height* for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw providing:
- (a) the **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw; and

- (b) all subsequent additions and alterations conformed to the rules of this Bylaw.
- (5) A relaxation or variance of one or more rules applicable to an **Accessory Residential Building, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** granted by a *development permit* under a previous Land Use Bylaw is deemed to continue to be valid under this Bylaw.

46P2009

### Personal Sales

- 359 *Personal sales* may be conducted on a *parcel* a total of eight days in any calendar year.

### Building Height

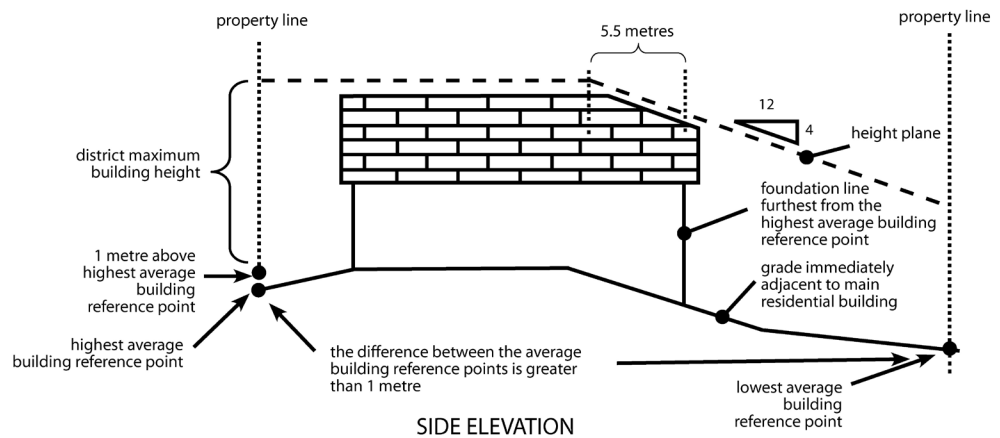
3P2010

- 360 (1) Unless otherwise referenced in (5), the *building height* of a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and Single Detached Dwelling, must not exceed a height plane described in this section.
- (2) When the difference between the *average building reference point* at the front corners of the *parcel* and those at the rear of the *parcel* is greater than or equal to 1.0 metres, the *building height* must not be greater than a height plane that:
- begins at the highest *average building reference point*;
  - extends vertically to the maximum *building height* plus 1.0 metre;
  - extends horizontally towards the opposite end of the *parcel* to a point that is 5.5 metres closer than the point on the foundation which is furthest from the highest *average building reference point*; and
  - extends downward at a 4:12 slope.
- (3) When the difference between the *average building reference points* at the front corners of the *parcel* and those at the rear of the *parcel* is less than 1.0 metres, the *building height* must not be greater than the height plane that:
- begins at the highest *average building reference point*;
  - extends vertically to the maximum *building height* plus 1.0 metre; and
  - extends horizontally towards the opposite end of the *parcel*.
- (4) The following diagrams illustrate the rules of subsections (2) and (3).

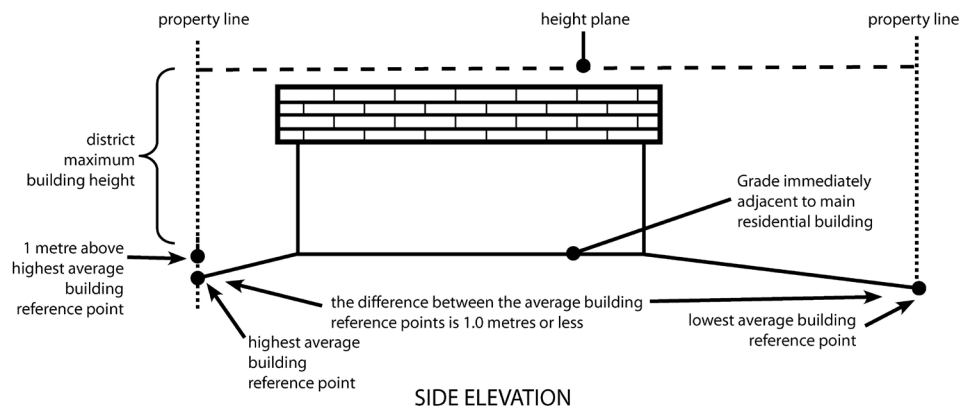
9P2012

3P2010

Illustration 1:  
Building Height  
Subsection 360(2)



Subsection 360(3)



3P2010

- (5) The **building height** for an addition to a **main residential building** is measured from **grade** at any point adjacent to the addition when the addition is less than or equal to:
- 7.5 metres in height from **grade** where the existing **building** has a **walkout basement**; and
  - 6.0 metres in height from **grade** where the existing **building** does not have a **walkout basement**.

**Building Height on a Corner Parcel**

3P2012

**361** In addition to the rules of sections 360 (2) and (3), for a **corner parcel**, no portion of a **building** facing a **street** may exceed the maximum **building height** for the District when measured vertically at any point from **grade** adjacent to the **building**.

**362** *deleted*

3P2012

**Approved Building Grade Plans**47P2008,  
46P2009,  
9P2012

**363** All **building reference points** must be in accordance with a **building** grade plan.

**Gated Access**

**364** A gate must not be located across a **private condominium roadway**.

**Exempt Additions**

**365** In order for the exemption in section 25(f) to apply to an exterior alteration or addition to an existing **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:

- (a) the existing **building** must:
  - (i) conform to the rules of this Bylaw; and
  - (ii) be legally existing or approved prior to the effective date of this Bylaw;
- (b) the addition may be a maximum of:
  - (i) 40.0 square metres in floor area for any portion at a height less than or equal to:
    - (A) 7.5 metres measured from **grade** where the existing **building** has a **walkout basement**; or
    - (B) 6.0 metres measured from **grade** where the existing **building** does not have a **walkout basement**; and
  - (ii) 10.0 square metres in floor area for any portion not exceeding the highest point of the existing roof;
- (b.1) The additions allowed in Section 365(b)(i) and (ii) must not be located on the same storey.
- (c) the addition or exterior alteration may:
  - (i) reduce the existing **building setback** from a **front property line** a maximum of 1.5 metres provided the **building** will comply with the minimum **setback** from a **front property line** specified in the district; and
  - (ii) reduce the existing **building setback** from **rear property line** a maximum of 4.6 metres provided the **building** will comply with the minimum **setback** from a **rear property line** specified in the district; and

3P2010

- (d) the addition or exterior alteration must meet the rules:
  - (i) of section 347(1)(c) where there is a new window opening being created or where an existing window is being moved or enlarged; and
  - (ii) of section 347(2) where a new **balcony** is being constructed or an existing **balcony** is being altered.

## Division 5: Residential – Contextual One / Two Dwelling (R-C2) District

### Purpose

**424** The Residential – Contextual One / Two Dwelling District is intended to accommodate existing residential **development** and contextually sensitive redevelopment in the form of **Duplex Dwellings, Semi-detached Dwellings,** and **Single Detached Dwellings** in the **Developed Area**.

### Permitted Uses

- 425 (1)** The following **uses** are **permitted uses** in the Residential – Contextual One / Two Dwelling District:
- (a) **Accessory Residential Building;**
  - (a.1) **Contextual Semi-detached Dwelling;** 27P2011
  - (b) **Contextual Single Detached Dwelling;**
  - (b.1) **Home Based Child Care – Class 1;** 17P2009
  - (c) **Home Occupation – Class 1;**
  - (d) *deleted* 46P2009
  - (e) **Park;**
  - (f) **Protective and Emergency Service;**
  - (f.1) **Secondary Suite;** 33P2011
  - (g) **Sign – Class A;** and 4P2012
  - (h) *deleted* 4P2012
  - (i) **Utilities.** 53P2008
- (2)** The following **uses** are **permitted uses** on a **parcel** that has a **building** used or previously used as a **Community Recreation Facility** or **School Authority – School**:
- (a) **Community Recreation Facility;**
  - (b) **School Authority – School;** and
  - (c) **School Authority Purpose – Minor.**

### Discretionary Uses

- 426 (1)** The following **uses** are **discretionary uses** in the Residential – Contextual One / Two Dwelling District:
- (a) **Addiction Treatment;**
  - (a.1) **Assisted Living** 24P2011
  - (b) **Bed and Breakfast;**

- 9P2012
- (c) **Community Entrance Feature;**  
 (d) **Custodial Care;**  
 (d.1) *deleted*  
 (e) **Duplex Dwelling;**
- 17P2009, 9P2012
- (e.1) **Home Based Child Care – Class 2;**  
 (f) **Home Occupation – Class 2;**  
 (g) **Place of Worship – Small;**  
 (h) **Power Generation Facility – Small;**  
 (i) **Residential Care;**  
 (j) *deleted*  
 (j.1) **Secondary Suite – Detached Garage;**  
 (j.2) **Secondary Suite – Detached Garden;**  
 (k) **Semi-detached Dwelling;**  
 (l) **Sign – Class B;**  
 (m) **Sign – Class C;**  
 (n) **Sign – Class E;**  
 (o) **Single Detached Dwelling;**  
 (p) **Temporary Residential Sales Centre; and**  
 (q) **Utility Building.**
- 33P2011
- 12P2010
- 12P2010
- 53P2008
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **Community Recreation Facility** or **School Authority – School** in the Residential – Contextual One / Two Dwelling District:
- (a) **Child Care Service;**  
 (b) **Library;**  
 (c) **Museum;**  
 (d) **School Authority Purpose – Major;**  
 (e) **School – Private; and**  
 (f) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Residential – Contextual One / Two Dwelling District that has a **building** used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**  
 (b) **Food Kiosk;**



## Division 11: Residential – Cottage Housing (R-CH) District

### Purpose

- 525** The Residential – Cottage Housing District is intended to accommodate new **development**, in the **Developed Area** and the **Developing Area**, in the form of a comprehensively designed **cottage housing cluster**, which is characterized by:
- (a) the provision of **Cottage Buildings** which are smaller in scale than other low density residential building forms;
  - (b) a high quality of aesthetics, **building** design, function, **landscaping**, materials and site design;
  - (c) a centrally located common open space, around which the **Cottage Buildings** are clustered, and at least one façade of each **Dwelling Unit** must have direct exposure to the common open space;
  - (d) comprehensively planned **development** that uses site and **building** design to integrate and interface with the surrounding **low density residential district** context; and
  - (e) being located on a **parcel** that is immediately **adjacent** to a **lane** and **adjacent** to other **parcels** that are designated with **low density residential districts**.

### Permitted Uses

- 526** The following **uses** are **permitted uses** in the Residential – Cottage Housing District:

- (a) **Home Based Child Care – Class 1;** 17P2009
- (a.1) **Home Occupation – Class 1;** 17P2009
- (b) **Sign – Class A;** and 4P2012
- (c) *deleted* 4P2012
- (d) **Utilities.**

### Discretionary Uses

- 527** The following **uses** are **discretionary uses** in the Residential – Cottage Housing District:

- (a) **Accessory Residential Building;**
- (b) **Community Entrance Feature;**
- (c) **Cottage Building;**
- (d) **Home Occupation – Class 2;**

- (e) **Power Generation Facility – Small;**
- (f) **Temporary Residential Sales Centre;** and
- (g) **Utility Building.**

### **Rules**

**528** 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.

### **Building Density**

**529** The maximum **density** for each **cottage housing cluster** is 65.0 **Dwelling Units** per hectare.

### **Block Face Requirement**

**530** In the **Developed Area**, each block face must not contain more than one **cottage housing cluster**.

9P2012

**531** *deleted*

9P2012

**532** *deleted*

### **Parcel Area**

**533** The minimum area of a **parcel** for a **cottage housing cluster** is 760.0 square metres.

### **Parcel Coverage**

**534** The maximum **parcel coverage** is 50.0 per cent of the area of the **parcel**, which must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not provided in a **private garage**.

### **Building Setback Areas**

**535** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 536.

### Building Setbacks from a Property Line

- 536 (1) The minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is:
- (a) 1.2 metres for a **Cottage Building**; and
  - (b) 0.6 metres for a **Cottage Building** containing a **private garage** with **Dwelling Units** located above.

### Projections into Setback Areas

- 537 (1) The provisions referenced in sections 334, 335, 336, 337 and 338 do not apply to **buildings** in the Residential – Cottage Housing District.
- (2) Eaves may project a maximum of 0.6 metres into any **setback area**.

### Building Height

- 538 The maximum **building height** for a **Cottage Building** is 8.6 metres.

9P2012

### Building Separation

- 539 (1) Unless referenced in subsection (2), the minimum separation distance between all **buildings** is 3.0 metres.
- (2) When a **common amenity space – outdoors** is located between two **buildings**, the minimum separation distance between those **buildings** is 6.0 metres.

### Orientation and Number of Dwellings

- 540 (1) Within each **cottage housing cluster**, there must be a minimum of four (4) and a maximum of 12 **Cottage Buildings**.
- (2) A **Dwelling Unit** must not be located above any portion of another **Dwelling Unit**.
- (3) Within each **cottage housing cluster**, only one **Cottage Building** may provide a maximum of three (3) **Dwelling Units**.

- (4) Where a **Cottage Building** contains three (3) **Dwelling Units**, those **Dwelling Units** must be located above a **private garage**.
- (5) All **Dwelling Units** located above a **private garage** must be setback at least 1.0 metres from the façade of the **private garage** that faces the **lane**.
- (6) Each **Cottage Building** must:
  - (a) be **adjacent** to the common open space; and
  - (b) have the entire length of any **building** façade within 5.0 metres of the common open space.

### Building Roof Pitch

- 541** All portions of a roof on a **Cottage Building** must have a roof pitch of 4:12 or greater within 1.5 metres of the maximum **building height**.

### Dwelling Unit Size

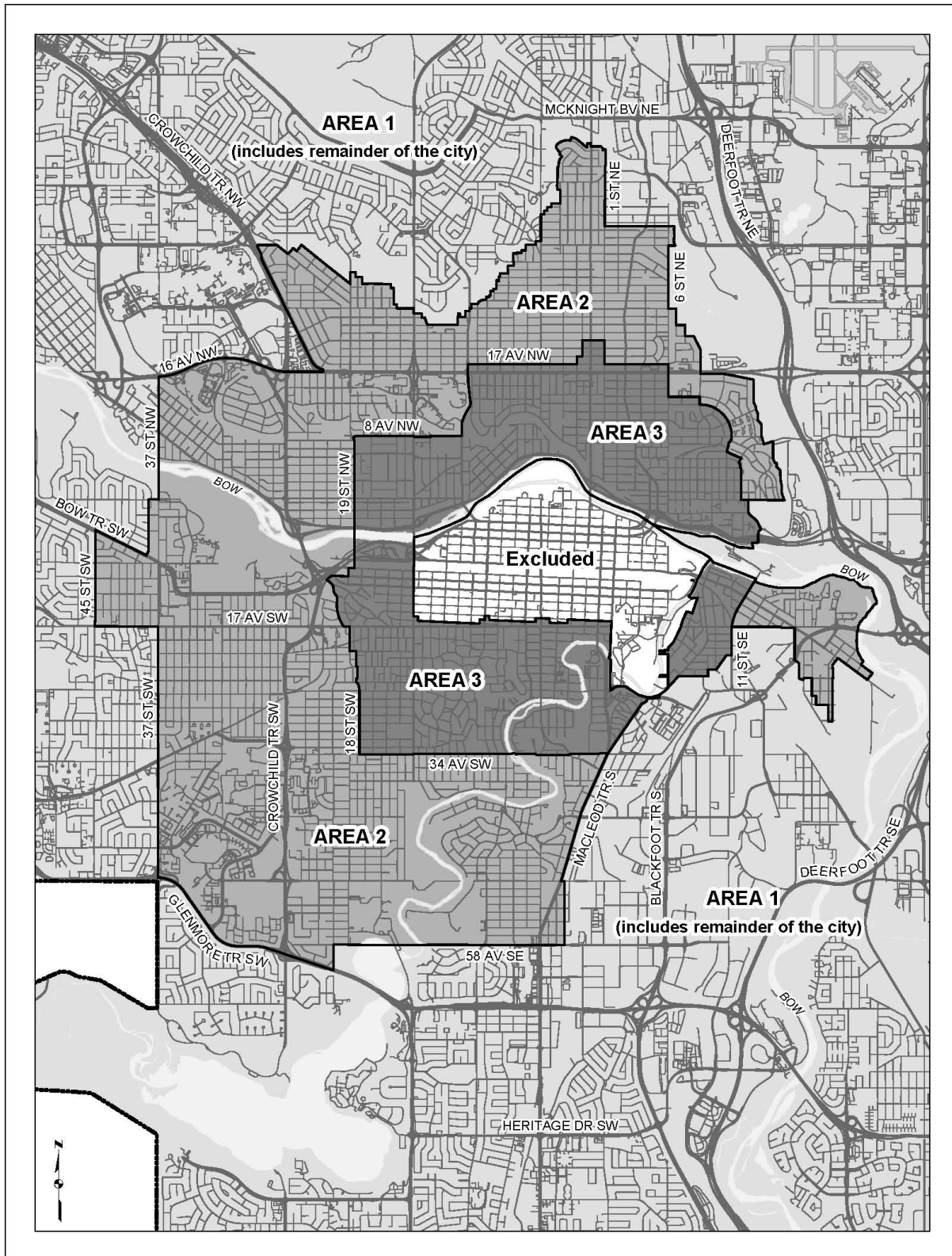
9P2012

- 542** (1) The maximum **gross floor area** of the first **storey** of a **Dwelling Unit** is 82.0 square metres.
- (2) The maximum **gross floor area** that may be located above the first **storey** of a **Dwelling Unit** is 70.0 per cent of the **gross floor area** of the first **storey**.

### Outdoor Private Amenity Space

- 543** (1) Each **Dwelling Unit** must have an **private amenity space** that:
- (a) is provided outdoors; and
  - (b) has a minimum area of 12.0 square metres with no dimension less than 1.5 metres.
- (2) For **Dwelling Units** that are located on the main floor closest to **grade**, a **private amenity space** must be provided in the form of a **patio** or **deck**.
- (3) For **Dwelling Units** that are located above a **private garage**, a **private amenity space** may only be provided in the form of a **patio**, **deck** or **balcony**.
- (4) All **balconies** must be recessed and oriented toward the **common amenity space – outdoors**.
- (5) A **private amenity space** must not be **adjacent** to a **lane**.

Map 7:  
Parking Areas Map



### Minimum Motor Vehicle Parking Stall Requirements for Commercial Multi-Residential Uses

- 562 (1)** Unless otherwise referenced in subsection (2), the minimum number of **motor vehicle parking stalls** for **commercial multi-residential uses** is the requirement referenced in Part 4.
- (2)** Where a **street-oriented multi-residential building** contains **commercial multi-residential uses** on the floor closest to **grade**, the minimum number of **motor vehicle parking stalls** is:
- (a) 1.7 stalls per 10.0 square metres of **public area** for **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small**; and
- (b) 2.0 stalls per 100.0 square metres of cumulative **gross usable floor area** for all other **commercial multi-residential uses**, which is reduced by 1.0 stalls per 50.0 square metres of **gross usable floor area** to a maximum reduction of 3.0 stalls.

### Accessory Residential Buildings

- 563 (1)** An **Accessory Residential Building**:
- 13P2008 (a) may have an **amenity space** in the form of a **deck** or a **patio**;
- 41P2009 (b) Unless specified in subsection (4) must not be located in a required **setback area**; and
- 41P2009 (c) must not be located between any **building** and a public **street**.
- (2)** The maximum **gross floor area** of an **Accessory Residential Building** is:
- 27P2011 (a) 75.0 square metres, when approved for storage, garbage containers and recycling facilities; and
- (b) 100.0 square metres, when approved and used as a **private garage**.
- (3)** The maximum height for an **Accessory Residential Building**, when approved as a **private garage** is:
- (a) in the Multi-Residential – Contextual Grade-Oriented District:
- (i) 4.6 metres, when measured from **grade** at any point adjacent to the **building**; and
- (ii) 3.0 metres to any **eaveline**, when measured from the finished floor of the **building**; and
- (b) in all other **multi-residential districts**, 5.0 metres measured from **grade**.
- 41P2009 **(4)** Where the **main residential building** is a **Multi-Residential Development**, an **Accessory Residential Building** used to accommodate garage and waste material, a **private garage** or both, the **Accessory Residential Building** may be located in a **setback area** from another **parcel** provided that:

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

### Objects Prohibited or Restricted

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

### Driveway Length and Parking Areas

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

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

### Garbage

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

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

41P2009

(2) A garbage container enclosure:

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

41P2009

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

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

### Recycling Facilities

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

### Mechanical Screening

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



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

### Density

- 609** (1) The minimum **density** for **parcels** designated M-G District is 35 **units** per hectare.
- (2) The maximum **density** for **parcels** designated M-G District is 80 **units** per hectare.
- (3) The maximum **density** for **parcels** designated M-G District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
- (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1) or exceed the maximum **density** referenced in subsection (2).

9P2012

### Building Form

- 610** (1) **Buildings** that contain a **unit** must contain at least three or more **units**.
- (2) Each **unit** must have a separate and direct pedestrian access to **grade**.
- (3) *deleted*

7P2011

### Setback Area

- 611** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 612.

### Building Setbacks

- 612** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.

- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street oriented multi-residential building** is zero metres, when the adjoining **parcel** is designated as:
- (a) C-N1 or C-COR1 District; or
  - (b) M-G, M-1, M-2, M-H1, M-H2, M-H3, M-X1, or M-X2 District.

### Landscaping

**613** All of the minimum required **landscaped area** must be provided at **grade**.

### Building Height

**614** The maximum **building height** is 13.0 metres.

7P2011

### Amenity Space

- 615** (1) Unless otherwise referenced in subsection (4), a **balcony**, **deck**, or **patio** must not be located in any **setback area**.
- (2) Each **unit** in a **Multi-Residential Development** and a **Multi-Residential Development – Minor** must have an **amenity space**:
- (a) provided for the private use of the occupants of the **unit**;
  - (b) that has a minimum area of 7.5 square metres with no dimension less than 2.0 metres; and
  - (c) in the form of a **balcony**, **deck**, or **patio**.
- (3) Where a **patio** is located within 4.0 metres of a **lane** or another **parcel**, it must be **screened**.
- (4) A **patio** may be located between a **street-oriented multi-residential building** and a **property line** shared with a **street**.

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

## Rules

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

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

## Floor Area Ratio

- 639** (1) The maximum *floor area ratio* is 4.0. 7P2011
- (2) The maximum *floor area ratio* for all *buildings* on *parcels* designated M-H1 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 4.0.

## Density

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

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

### Setback Area

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

### Building Setbacks

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

9P2012

51P2008

### Landscaping

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

7P2011

### Building Height

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

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

33P2011

## Rules

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

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

## Floor Area Ratio

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

## Density

13P2008

- 662** (1) The minimum **density** for **parcels** designated M-H3 District is 300 **units** per hectare.
- (2) There is no maximum **density** for **parcels** designated M-H3 District, unless established as referenced in subsection (3).

- (3) The maximum **density** for **parcels** designated M-H3 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

### Setback Area

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

### Building Setbacks

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

9P2012

51P2008

### Landscaping

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

### Building Height

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

- (b) for each **Live Work Unit** is:
- (i) 1.0 **stalls** per **unit** for resident parking; and
  - (ii) 0.5 **visitor parking stalls**;
- (c) for an **Office**, when located on floors above the ground floor is:
- (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
  - (ii) the cumulative number of stalls referenced in subsection (i) are reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (d) for a **Retail and Consumer Service** is: 39P2010
- (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
  - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
  - (iii) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum of 3.0 stalls; and
- (e) for a **Child Care Service, Cinema, Conference and Event Facility, Drinking Establishment – Medium, Home Occupation – Class 1, Home Occupation Class – 2, Hotel, Library, Museum, Restaurant: Food Service Only – Medium, Restaurant: Licensed – Medium, and Seasonal Sales Area** is the minimum requirement referenced in Part 4; 13P2008,  
10P2009,  
4P2012
- (f) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small, and Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**; and
- (g) for all other **uses** is 3.5 stalls per 100.0 square metres of **gross usable floor area**.

38P2009, 23P2010,  
39P2010

- (3) For a **Computer Games Facility, Convenience Food Store, Drinking Establishment – Medium, Drinking Establishment – Small, Liquor Store, Outdoor Café, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail and Consumer Service**, located on the ground floor of a **building**, the minimum number of **motor vehicle parking stalls**:
- (a) In Area A, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where:
- (A) the **building** contains a **Dwelling Unit, Hotel** or **Office** above the ground floor; or
- (B) the **use area** is less than or equal to 465.0 square metres; and
- (ii) 1.0 stalls per 100.0 square metres of **gross usable floor area** in all other cases; and
- (b) In Area B, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where a **building** contains a **Dwelling Unit** above the ground floor;
- (ii) 0.0 stalls where the **use area** is less than or equal to 465.0 square metres, provided:
- (A) the **building** is only one **storey**; or
- (B) the **building** was legally existing or approved as of November 1, 2009; and
- (iii) 1.0 stalls per 100.0 square metres of **gross usable floor area** where the **use area** is greater than 465.0 square metres and where:
- (A) the **building** is only one **storey**; or
- (B) the **building** was legally existing or approved as of November 1, 2009; and
- (iv) in all other cases the minimum requirement referenced in subsections (1) and (2).

9P2012

### Excess Motor Vehicle Parking Stalls

- 792** Where the number of **motor vehicle parking stalls** provided for **uses**, not including **Dwelling Units** or **Live Work Units**, is in excess of 6.0 stalls per 100.0 square metres of **gross usable floor area**, those excess stalls must be located in either underground or structured parking.



- (b) for each **Live Work Unit** is:
    - (i) 1.0 stall per **unit** for resident parking;
    - (ii) 0.5 **visitor parking stalls** per **unit**;
  - (c) for an **Office** is:
    - (i) the minimum requirement referenced in Part 4;
    - (ii) when **Office uses** are located on the second floor, the cumulative number of stalls referenced in subsection (i) must be reduced by 1.0 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 4.0 stalls; and
    - (iii) when **Office uses** are located on the third floor, the cumulative number of stalls referenced in subsection (i) must be reduced by 1.0 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 4.0 stalls; and
  - (d) for all other **uses** is the minimum requirement referenced in Part 4.
- (2) On **parcels** 0.4 hectares or less, the minimum number of **motor vehicle parking stalls** for an **Information and Service Provider, Pet Care Service, Print Centre and Retail and Consumer Service** is:
- (a) 2.0 per 100.0 square metres of **gross usable floor area** when those **uses** are located in a **building** that was legally existing or approved prior to the effective date of this Bylaw; or
  - (b) the minimum requirement for the **uses** as referenced in Part 4 when those **uses** are located in a **building** approved after the effective date of this Bylaw.
- (3) The minimum number of **motor vehicle parking stalls** for **uses** located on the ground floor must be reduced by 40.0 per cent when:
- (a) the number of stalls required was determined by using the requirements referenced in Part 4;
  - (b) the **floor area ratio** of the **building** is a minimum of 90.0 per cent of the maximum **floor area ratio** of the **parcel**; and
  - (c) only **Office** and **Dwelling Units** are located on the upper floors.

392010

### Reductions of Minimum Motor Vehicle Parking Requirement

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

13P2008

(a) a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved Capital funded **LRT platform**; and

(b) the number of stalls required was determined by using the provisions referenced in subsections 809(1)(d) and 809(2)(b); and

9P2012

(c) the reduction for stalls in subsection 809(2)(a) and 809(3) was not applied.

**(2)** The minimum number of *motor vehicle parking stalls* for an **Office** or **Information and Service Provider** is reduced by 5.0 per cent where:

(a) a **building** is located within 150.0 metres of a **street** where a **frequent bus service** operates,

(b) the number of stalls required was determined by using the provisions referenced in subsections 809(1)(d) or 809(2)(b); and

(c) the reduction for stalls referenced in subsection (1) was not applied.

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

(a) by 1.0 *motor vehicle parking stalls* per six (6) **bicycle parking stalls – class 1** provided in excess of the minimum number of **bicycle parking stalls** required; and

(b) by 1.0 *motor vehicle parking stalls* per two (2) lockers provided in a shower and change room facility.

### Required Bicycle Parking Stalls

**811 (1)** The minimum number of **bicycle parking stalls – class 1** for:

(a) each **Dwelling Unit** and **Live Work Unit** is:

(i) no requirement where the number of **units** is less than 20; and

(ii) 0.5 stalls per **unit** when the total number of **units** equals or exceeds 20; and

- (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) **Beverage Container Drop-Off Depot;**
  - (f) **Billiard Parlour;**
  - (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;**
  - (l) **Dinner Theatre;**

67P2008

67P2008

- (m) **Drinking Establishment – Large;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Drive Through;**
- (q) **Funeral Home;**
- (r) **Gaming Establishment – Bingo;**
- (s) **Gas Bar;**
- (t) **Hotel;**
- (u) **Indoor Recreation Facility;**
- (u.1) **Large Vehicle Sales;**
- (v) **Liquor Store;**
- (w) **Market;**
- (x) **Night Club;**
- (y) **Outdoor Café;**
- (z) **Parking Lot – Grade;**
- (aa) **Parking Lot – Structure;**
- (bb) **Pawn Shop;**
- (cc) **Performing Arts Centre;**
- (dd) **Place of Worship – Small;**
- (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;**

9P2012

9P2012

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

#### **Minimum Required Motor Vehicle Parking Stalls**

**857** All **uses** must provide a minimum of 4.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**.

#### **Excess Motor Vehicle Parking Stalls**

**858** Where the number of **motor vehicle parking stalls** required for **uses** is in excess of 6.0 stalls per 100.0 square metres of **gross usable floor area**, those excess stalls must be located in either underground or structured parking.

#### **Exclusive Use of Motor Vehicle Parking Stalls**

9P2012

**859** **Motor vehicle parking stalls** required for **uses** referenced in section 857, must not be signed or in any way identified as being other than for the use of all users on the **parcel**.

#### **Required Bicycle Parking Stalls**

- 860** (1) The minimum number of **bicycle parking stalls – class 1** for all **uses** is the minimum requirement referenced in Part 4.
- (2) The minimum required number of **bicycle parking stalls – class 2** is 5.0 per cent of the required number of **motor vehicle parking stalls**.



**Discretionary Uses**

32P2009

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

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

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

- (a) **Auction Market – Other Goods;**
- (b) **Auction Market – Vehicles and Equipment;**
- (c) **Building Supply Centre;**
- (d) **Bulk Fuel Sales Depot;**
- (e) **Child Care Service;**
- (f) **Convenience Food Store;**
- (g) **Custodial Quarters;**
- (h) **Drive Through;**
- (i) **Equipment Yard;**
- (j) **Gas Bar;**
- (k) **Instructional Facility;**
- (l) **Kennel;**
- (m) **Large Vehicle and Equipment Sales;**
- (n) **Office;**
- (o) **Outdoor Café;**
- (p) **Pet Care Service;**
- (p.1) **Place of Worship – Large;**
- (q) **Print Centre;**
- (r) **Restaurant: Food Service Only – Medium;**
- (s) **Restaurant: Food Service Only – Small;**
- (t) **Restaurant: Licensed – Medium;**
- (u) **Restaurant: Licensed – Small;**
- (v) **Restored Building Product Sales Yard;**
- (w) **Salvage Yard;**
- (x) **Self Storage Facility;**

9P2012

36P2011

30P2011

4P2012

4P2012

- (y) **Storage Yard;**
- (z) **Sign – Class E;**
- (aa) **Sign – Class F;**
- (aa.1) **Sign – Class G;**
- (bb) **Special Function – Class 2;**
- (cc) *deleted*
- (dd) **Take Out Food Service;**
- (ee) **Vehicle Sales – Minor; and**
- (ff) **Veterinary Clinic.**

### Rules

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

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

### Building Size

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

### Floor Area Ratio

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

### Building Height

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

### Building Setback

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

### Storage of Goods, Materials and Supplies

32P2009

- 913.1 (1)** A **use** may have an outdoor area for the storage of goods, materials or supplies provided the storage area is:
- (a) not located in a **setback area**;
  - (b) not located between a **building** and a **major street** or **expressway**; and
  - (c) shown on a plan approved as part of a **development permit**.



## Division 4: Industrial – Edge (I-E) District

### Purpose

**937** The Industrial – Edge District is intended to be characterized by:

- (a) locations on the perimeter of industrial areas where the industrial *parcel* shares a *property line* with a *residential district*, local *street* or *lane* abutting a *residential district*;
- (b) a limited range and size of *uses*; and
- (c) limitations on outside activities, vehicular access, and parking and loading, aimed at mitigating the impact of *uses* on nearby non – industrial *parcels*.

### Permitted Uses

**938 (1)** The following *uses* are *permitted uses* in the Industrial – Edge District:

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

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

32P2009,  
39P2010

- (a) **Catering Service – Minor**;
- (b) **Computer Games Facility**;
- (c) **Convenience Food Store**;
- (d) **Counselling Service**;
- (e) **Financial Institution**;
- (f) **Information and Service Provider**;
- (g) **Instructional Facility**;
- (h) **Office**;
- (i) **Pawn Shop**;

- (j) **Pet Care Service;**
- (k) **Power Generation Facility – Small;**
- (l) **Print Centre;**
- (m) **Protective and Emergency Service;**
- (n) **Radio and Television Studio;**
- (o) **Restaurant: Food Service Only – Small;**
- (p) **Retail and Consumer Service; and**
- (q) **Veterinary Clinic.**

**Discretionary Uses**

**939 (1)** *Uses* listed in subsection 938(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Industrial – Edge District.

32P2009

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

9P2012

9P2012

- (a) **Artist’s Studio;**
- (a.1) **Auto Service – Minor;**
- (a.2) **Car Wash – Single Vehicle;**
- (b) **Child Care Service;**
- (c) **Custodial Quarters;**
- (d) **Drinking Establishment – Small;**
- (e) **Fitness Centre;**
- (f) **General Industrial – Light;**
- (g) **Health Services Laboratory – With Clients;**
- (h) **Indoor Recreation Facility;**
- (i) **Liquor Store;**
- (j) **Medical Clinic;**

**Discretionary Uses**

- 955 (1)** *Uses* listed in subsection 954(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Industrial – Commercial District.
- (2)** The following **uses** are **discretionary uses** in the Industrial – Commercial District: 32P2009
- (a) **Auction Market – Other Goods;**
  - (b) **Auction Market – Vehicles and Equipment;**
  - (c) **Auto Body and Paint Shop;**
  - (d) **Auto Service – Major;**
  - (e) **Auto Service – Minor;**
  - (f) **Car Wash – Multi-Vehicle;**
  - (g) **Car Wash – Single Vehicle;**
  - (h) **Child Care Service;**
  - (i) **Convenience Food Store;**
  - (j) **Custodial Quarters;**
  - (k) **Drinking Establishment – Small;**
  - (l) **Drive Through;**
  - (m) **Gas Bar;**
  - (n) **Large Vehicle and Equipment Sales;** 9P2012
  - (o) **Large Vehicle Service;**
  - (p) **Large Vehicle Wash;**
  - (q) **Liquor Store;**
  - (r) **Outdoor Café;**
  - (s) **Power Generation Facility – Medium;**
  - (t) **Recreational Vehicle Sales;**
  - (t.1) **Recreational Vehicle Service;** 9P2012
  - (u) **Restaurant: Licensed – Medium;**
  - (v) **Restaurant: Licensed – Small;**
  - (w) **Restored Building Product Sales Yard;**
  - (x) **Self Storage Facility;**
  - (y) **Sign – Class C;**
  - (z) **Sign – Class E;**
  - (aa) **Sign – Class F;**
  - (aa.1) **Sign – Class G;** 30P2011

- 4P2012 (bb) **Special Function – Class 2;**
- 4P2012 (cc) *deleted*
- (dd) **Utility Building;**
- (ee) **Vehicle Rental – Major;** and
- (ff) **Vehicle Sales – Major.**

### Rules

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

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

### Parcel Location

32P2009 **957** *deleted*

### Floor Area Ratio

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

### Building Height

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

### Use Area

- 960** (1) Unless otherwise provided in subsection (2), there is no **use area** requirement in the Industrial – Commercial District.
- 32P2009, 39P2010 (2) The maximum **use area** for a **Retail and Consumer Service** is 930.0 square metres.

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

## Rules

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

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

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

### Building Size

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

### Floor Area Ratio

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

### Building Height

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

32P2009

### Screening

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

32P2009

### Building Setback

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

### Front Setback Area

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

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

### Purpose

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

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

### Permitted Uses

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

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

1P2009

- (p) *deleted*
- (q) **Tree Farm;**
- (r) **Utilities;**
- (s) **Utility Building;**
- (t) **Vehicle Storage – Large;**
- (u) **Vehicle Storage – Passenger;**
- (v) **Waste Disposal and Treatment Facility;** and
- (w) **Water Treatment Plant.**

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

- (a) **Temporary Shelter.**

28P2009, 41P2009,  
4P2012

**Discretionary Uses**

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

- (a) **Custodial Care;**
- (b) **Distribution Centre;**
- (c) **Equipment Yard;**
- (d) **Freight Yard;**
- (e) **Information and Service Provider;**
- (f) **Instructional Facility;**

32P2009

- (g) *deleted*

32P2009

- (h) **Office;**

9P2012

- (h.1) **Outdoor Recreation Area;**

- (i) **Parking Lot – Grade;**

- (j) **Parking Lot – Structure;**

41P2009

- (k) **Power Generation Facility – Medium;**

- (l) **Sign – Class C;** and

- (m) **Sign – Class E.**

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

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

(3) **Sign – Class G** is a **discretionary use** where:



### Exclusive Use of Bicycle Parking Stalls

**1109** *Bicycle parking stalls – class 1* provided for **Dwelling Units** and **Live Work Units** are for the exclusive use of residents.

### Accessory Residential Buildings

**1110** (1) An **Accessory Residential Building**:

- (a) may have an **amenity space** in the form of a **deck** or a **patio**;
- (b) must not be located in a required **setback area**; and
- (c) must not be located between a **building** containing **Dwelling Units** and a **street**.

(2) The maximum **gross floor area** of an **Accessory Residential Building** is:

- (a) 75.0 square metres when approved as storage, garbage containers and recycling facilities; and
- (b) 100.0 square metres when approved and used as a **private garage**.

27P2011

(3) The maximum height for an **Accessory Residential Building** when approved as a **private garage** is 5.0 metres measured from **grade**.

### Objects Prohibited or Restricted

**1111** (1) A **recreational vehicle** must not remain in an **actual front setback area** for longer than 24 hours.

(2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an **actual front setback area** except engaged in loading or unloading.

(3) A **dilapidated vehicle** must not remain outside of a **building**.

(4) A **large vehicle** must not remain on a **parcel** except while engaged in loading or unloading.

(5) A satellite dish antenna greater than 1.0 metre in diameter must not:

- (a) be located in an **actual front setback area** or in an **actual side setback area** of a **corner parcel**; and
- (b) be illuminated.

(6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter when the applicant demonstrates:

- (a) compliance with subsection (5) would prevent signal reception; and
- (b) the satellite dish will be located and screened to the satisfaction of the **Development Authority**.

### Driveway Length and Parking Areas

- 1112 (1) A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
  - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (2) A driveway connecting to a **street** must:
- (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
  - (b) be a minimum of 3.0 metres in width.
- (3) A driveway connecting to a **lane** must:
- (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and
  - (b) be located between the **property line** shared with a **lane** and the vehicular entrance of the **private garage**.
- (4) Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or parking stall that is hard-surfaced.

9P2012

### Vehicle Access

- 1113 (1) Unless otherwise referenced in subsection (2), where the **parcel** shares a **rear** or **side property line** with a **lane**, all vehicle access to the **parcel** must be from the **lane**.
- (2) Where a **parcel** shares a **rear** or **side property line** with a **lane** but access from the **lane** is not physically feasible due to elevation differences between the **parcel** and the **lane**, all vehicle access must be from a **street**.

### Uses At Grade

- 1114 (1) An exterior access facing a **street** must be provided for each individual **use** or **unit** located on the floor closest to **grade** facing a **street**, which must be connected to the public sidewalk by an individual walkway.
- (2) For **laned parcels**, the area between a **building** and a **street** must:
- (a) be a **landscaped area**;
  - (b) not provide motor vehicle access, parkade access, garbage or loading access; and
  - (c) not contain **motor vehicle parking stalls, loading stalls, garbage facilities** or parkade and building venting.

- (e) **Community Recreation Facility;**
- (f) **Custodial Care;**
- (g) **Drinking Establishment – Small;**
- (h) **Dwelling Unit;**
- (i) **Home Occupation - Class 2;**
- (j) **Hotel;**
- (k) **Live Work Unit;**
- (l) **Multi-Residential Development;**
- (m) **Outdoor Café;**
- (n) **Place of Worship – Small;**
- (o) **Place of Worship – Medium;**
- (p) **Residential Care;**
- (q) **Restaurant Food Service Only – Small;**
- (r) **Restaurant Licensed - Small;**
- (s) **Sign – Class D;**
- (t) *deleted*
- (u) **Temporary Residential Sales Centre;** and
- (v) **Utility Building.**

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

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

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

- (a) **Community Recreation Facility;**
- (b) **Food Kiosk;**
- (c) **Indoor Recreation Facility;**

34P2010

- (d) **Outdoor Recreation Facility;**
  - (e) **Park Maintenance Facility - Large;** and
  - (f) **Park Maintenance Facility – Small.**
- (6) The following **uses** are additional **discretionary uses** in the Centre City Multi-Residential High Rise Support Commercial District if they are located on a **parcel** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:
- (a) **Duplex Dwelling;**
  - (b) **Secondary Suite;**
  - (c) **Secondary Suite – Detached Garage;**
  - (d) **Secondary Suite – Detached Garden;**
  - (e) **Semi-detached Dwelling;** and
  - (f) **Single Detached Dwelling.**

### Rules

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

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

### Maximum Floor Area Ratio

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

### Setback Area

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

### Building Setbacks

- 1138 (1)** The **building setback** from a **property line** shared with a **street** for the following **streets** is a minimum of 1.5 metres and a maximum of 3.0 metres:
- (a) 1 Street SE;
  - (b) 11 Street SW;
  - (c) 12 Avenue SW; and

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

### Floor Plate Restrictions

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

### Landscaping

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

### Landscaping In Setback Areas

- 1174 (1) Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **landscaped area**.
- (2) Where a **setback area** shares a **property line** with a **lane** and approved access to the **parcel** is from the **lane**, there is no requirement for **soft surfaced landscaped area** or **hard surfaced landscaped area** for that **setback area**.

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

#### Location of Uses within Buildings

1175 (1) The following **uses** must not be located on the ground floor of **buildings**:

9P2012

- (a) **Catering Service – Minor**;
- (b) **Community Recreation Facility**;

9P2012

- (c) **Counselling Service**;

32P2009

- (d) **Health Services Laboratory – with Clients**;

9P2012

- (e) *deleted*

- (f) **Indoor Recreation Facility**;

- (a) **Accessory Liquor Service;**
- (b) **Addiction Treatment;**
- (c) **Artist's Studio;**
- (c.1) **Assisted Living;** 24P2011
- (d) **Billiard Parlour;**
- (e) **Child Care Service;**
- (f) **Cinema;**
- (g) **Computer Games Facility;**
- (h) **Custodial Care;**
- (i) **Drinking Establishment – Medium;**
- (j) **Drinking Establishment – Small;**
- (k) **Dwelling Unit;**
- (l) **Home Occupation – Class 2;**
- (m) **Hotel;**
- (n) **Indoor Recreation Facility;**
- (o) **Instructional Facility;** 32P2009,  
9P2012
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Pawn Shop;**
- (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;**
- (ee.1) **Sign – Class G;** 30P2011

4P2012

- (ff) **Social Organization;**
- (gg) **Special Function – Class 2;**
- (hh) **Supermarket;** 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**.
- (3) Lobbies or entrances for upper floor **uses** must not occupy more than 20% of the at **grade** façade facing a **street**. For **laneless parcels**, portions of façades dedicated to underground parking and loading entrances must not be included as part of the at **grade** façade for the purposes of this rule.
- (4) For **laned parcels**, no motor vehicle access, **motor vehicle parking stalls**, **loading stalls**, garbage facilities, parkade access/egress or parkade venting may be located between the **street** and an at **grade use**.



### Building Façade

- 1186 (1)** The length of the **building** façade that faces the commercial **street** must be a minimum of 80.0 per cent of the length of the **property line** it faces.
- (2)** In calculating the length of the **building** façade, the depth of any required **rear** or **side setback areas** referenced in sections 1191 and 1192 will not be included as part of the length of the **property line**.

### Vehicle Access

- 1187 (1)** Unless otherwise referenced in subsections (2) and (3), where the **parcel** shares a **rear** or **side property line** with a **lane**, all vehicle access to the **parcel** must be from the **lane**.
- (2)** Where the **corner parcel** shares a **property line** with a **lane**, those **parcels** may have vehicle access from either the **lane** or the **street**.
- (3)** Where a parcel shares a **rear** or **side property line** with a **lane** but access from the **lane** is not physically feasible due to elevation differences between the **parcel** and the **lane**, all vehicle access must be from a **street**.

### Use Area

- 1188 (1)** Unless otherwise referenced in subsection (3), the maximum **use area** for **uses** on the ground floor of **buildings** in the Centre City Commercial Corridor District is 465.0 square metres.
- (2)** Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors in the Centre City Commercial Corridor District.
- (3)** The maximum **use area** of a:
- (a) Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres;
  - (b) Cinema**, or a **Cinema** combined with any other **use**, is 550.0 square metres; and
  - (c) Supermarket**, or a **Supermarket** combined with any other **use**, is 1400.0 square metres.
- (4)** The following **uses** do not have a **use area** restriction:
- (a) Addiction Treatment;**
  - (b) Assisted Living;**
  - (c) Custodial Care;**
  - (d) Hotel;**
  - (e) Place of Worship – Small;**

- (f) **Protective and Emergency Service;**
- (g) **Residential Care;** and
- (h) **Utility Building.**

**Location of Uses within Buildings**

24P2011, 39P2010,  
9P2012

**1189 (1)** The following *uses* must not be located on the ground floor of *buildings*:

- (a) **Assisted Living;**
- (b) **Catering Service – Minor;**
- (c) **Child Care Service;**
- (d) **Counselling Service;**
- (e) **Dwelling Unit;**
- (f) **Health Services Laboratory – With Clients;**
- (g) **Instructional Facility;**
- (h) **Live Work Unit;**
- (i) **Medical Clinic;**
- (j) **Office;**
- (k) **Place of Worship – Small;**
- (l) **Post-secondary Learning Institution;**
- (m) **Residential Care;**
- (n) **Social Organization;** and
- (o) **Veterinary Clinic.**

24P2011

**(2)** “Commercial Uses” and **Live Work Units**:

- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and
- (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**.

**(3)** Where this section refers to “Commercial Uses”, it refers to the listed permitted and discretionary uses of this District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Home Occupation - Class 1, Home Occupation - Class 2, Multi-Residential Development, Hotel, Place of Worship – Small, and Residential Care**.

**Front Setback Area**

- 1190 (1)** The **front setback area** has no minimum depth requirement and must have a maximum depth of 3.0 metres for **parcels** located on the following **streets**:
- (a) 1 Street SW; and
  - (b) 17 Avenue SW.
- (2)** 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; and
  - (c) 12 Avenue.
- (3)** 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) 14 Street SW.
- (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) 13 Avenue SW;
  - (b) 14 Avenue SW;
  - (c) 15 Avenue SW; and
  - (d) 16 Avenue SW.

**Rear Setback Area**

- 1191 (1)** Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **commercial district**, there is no requirement for a **rear setback area**;
  - (b) an **industrial district**, the **rear setback area** must have a minimum depth of 1.2 metres;
  - (c) a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
  - (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 3.0 metres.
- (2)** Where the **parcel** shares a **rear property line** with:
- (a) an **LRT corridor**, the **rear setback area** must have a maximum depth of 3.0 metres;
  - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres;

- (c) a **lane**, in all other cases, there is no requirement for a **rear setback area**; and
- (d) a **street**, the **front setback area** requirement as referenced in section 1190 applies.

### Side Setback Area

- 1192 (1)** Where the **parcel** shares a **side property line** with a **parcel** designated as:
- (a) a **commercial district**, there is no requirement for a **side setback area**;
  - (b) an **industrial district**, the **side setback area** must have a minimum depth of 1.2 metres;
  - (c) a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres; and
  - (d) a **special purpose district**, the **side setback area** must have a minimum depth of 3.0 metres.
- (2)** Where the **parcel** shares a **side property line** with:
- (a) an **LRT corridor**, the **side setback area** must have a maximum depth of 3.0 metres;
  - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres;
  - (c) a **lane**, in all other cases, there is no requirement for a **side setback area**; and
  - (d) a **street**, the **front setback area** requirement as referenced in section 1190 applies.

### Floor Plate Restrictions

- 1193** Each floor located partially or wholly above 36.0 metres above **grade**, and containing **Dwelling Units**, **Hotel suites** or **Live Work Units**, has a maximum:
- (a) **floor plate area** of 650.0 square metres; and
  - (b) horizontal dimension of 37.0 metres.

### Landscaping In Setback Areas

- 1194 (1)** Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced landscaped area**.
- (2)** Where a **setback area** shares a **property line** with a **lane** and approved access to the **parcel** is from the **lane**, there is no requirement for **soft surfaced landscaped area** or **hard surfaced landscaped area** for that **setback area**.

## Division 6: Centre City East Village Integrated Residential District (CC-EIR)

### Purpose

**1276** The Centre City East Village Integrated Residential District is intended to provide for:

- (a) a residential area integrated with a broad range of support commercial **uses**;
- (b) commercial **uses** located on the ground floor; and
- (c) a **building** form that is street oriented at **grade**.

### Permitted Uses

**1277 (1)** The following **uses** are **permitted uses** in the Centre City East Village Integrated Residential District:

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

**(2)** The following **uses** are **permitted uses** in the Centre City East Village Integrated Residential District if they are located within existing approved **buildings**: 39P2010

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;** 9P2012
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Instructional Facility;**
- (h) **Liquor Store;**
- (i) **Museum;**

- (j) **Pet Care Service;**
- (k) **Print Centre;**
- (l) **Radio and Television Studio;**
- (m) **Restaurant: Food Service Only – Small;**
- (n) **Retail and Consumer Service;**
- (o) **Specialty Food Store;** and
- (p) **Take Out Food Service.**

### **Discretionary Uses**

**1278 (1)** The following *uses* are **discretionary uses** in the Centre City East Village Integrated Residential 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 1277(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Integrated Residential District.

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

(a) **Amusement Arcade;**

(a.1) **Artist's Studio;**

(b) **Assisted Living;**

(c) **Billiard Parlour;**

(d) **Child Care Service;**

(e) **Cinema;**

(f) **Community Entrance Feature;**

(g) **Community Recreation Facility;**

(h) **Conference and Event Facility;**

(i) **Drinking Establishment – Medium;**

(j) **Drinking Establishment – Small;**

(k) **Dwelling Unit;**

(l) **Home Occupation - Class 2;**

(m) **Hotel;**

39P2010