

THE CITY OF CALGARY LAND USE BYLAW 1P2007 OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

11P2008	June 1, 2008
13P2008	June 1, 2008
15P2008	June 1, 2008
47P2008	June 1, 2008
48P2008	June 1, 2008
49P2008	June 1, 2008
50P2008	June 1, 2008
53P2008	June 1, 2008
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57P2008	June 9, 2008
67P2008	October 1, 2008
68P2008	October 6, 2008
71P2008	December 22, 2008
51P2008	January 4, 2009
75P2008	January 4, 2009

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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BYLAW 1P2007

A BYLAW TO REGULATE THE DEVELOPMENT AND USE OF LAND IN THE CITY OF CALGARY

WHEREAS the *Municipal Government Act* requires every municipality to pass a land use bylaw which may prohibit, regulate and control the use and development of land and buildings in a municipality;

AND WHEREAS Council has held a public hearing in accordance with the requirements of the *Municipal Government Act*;

NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART 1: INTERPRETATION OF THIS BYLAW

Division 1: General Interpretation

Short Title

1 This Bylaw may be cited as “the Land Use Bylaw”.

Repeal of Bylaw 2P80 and Coming into Force of Bylaw 1P2007

- 2 (1) *The City of Calgary Land Use Bylaw*, 2P80, as amended, is hereby repealed and will cease to have effect on the day this Bylaw comes into force.
- (2) This Bylaw comes into force on the 1st day of June, 2008.
- (3) Notwithstanding (2) above, the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97, will apply to applications for a **development permit** received prior to June 1, 2008 and which are located in the lands annexed from the Municipal District of Rocky View No. 44 to the City of Calgary as described in Appendix A of Order in Council 333/2007.

13P2008

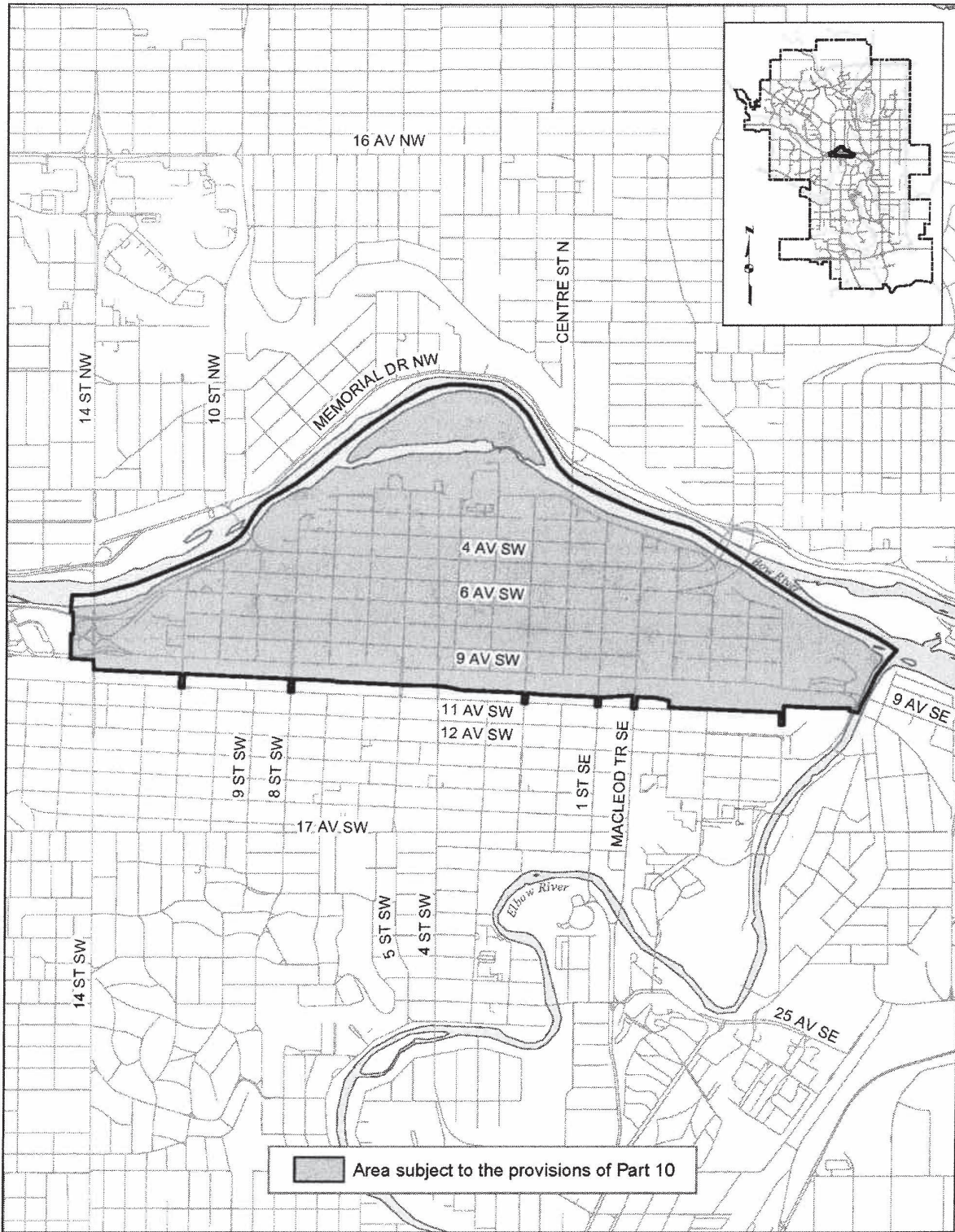
Content

- 3 This Bylaw includes the:
- (a) Schedules appended hereto;
 - (b) Land Use District Maps deposited with the City Clerk;
 - (c) Floodway/Flood Fringe Maps deposited with the City Clerk;
 - (d) Floodway/Floodplain Maps deposited with the City Clerk;
 - (e) Developed Area and Developing Area Maps deposited with the City Clerk;
 - (f) Parking Areas Map deposited with the City Clerk; and
 - (g) Bonus Area Boundaries Map deposited with the City Clerk.

51P2008

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Map 1: Application of Land Use Bylaw 1P2007



Land Use Districts and Land Use District Maps

- 4 (1) The **City** is divided into land use districts, the boundaries of which are shown on the Land Use District Maps.
- (2) The portion of the Land Use District Maps that are:
- (a) shaded, including any area denoted with a Direct Control District Bylaw number, will be governed only by sections 1 through 4 inclusive of Part 1, sections 21(1), (2) and 22 of Part 2, Part 10 and the rules and **uses** contained in the applicable Direct Control District Bylaw; and
 - (b) unshaded, including any area denoted with a Direct Control District Bylaw number, will be governed only by Parts 1 through 9 inclusive, Part 11, and the rules and **uses** contained in the applicable Direct Control District Bylaw.
- (3) For ease of reference, the shaded and unshaded portions of the Land Use District Maps are generally illustrated on Map 1 titled “Application of Land Use Bylaw 1P2007”.
- (4) Where there is a conflict between Map 1 and the Land Use District Maps, the Land Use District Maps must prevail.
- (5) The Land Use District Maps, as may be amended by Bylaw from time to time, will be deposited with the City Clerk.
- (6) In this Bylaw, a land use district may be referred to by its full name or abbreviation as referenced in the title of each District.
- (7) Where this Bylaw refers to a rule or requirement relating to a **parcel** that is designated a particular land use district, it must be read to include a **parcel** that is designated Direct Control based on that land use district unless the Direct Control Bylaw indicates a contrary intent.

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Interpreting the Land Use District Maps

- 5 (1) Despite the land use district shown on the Land Use District Maps, for the purpose of this Bylaw roads must only be used for:
- (a) the passage of motorized and non-motorized vehicles;
 - (b) the passage of pedestrians;
 - (c) the placement of public and private utilities authorized by the **City**; and
 - (d) activities pursuant to the Calgary Traffic Bylaw.

- (2) Concurrent with the closure of a road, **Council** must consider a corresponding land use redesignation.
- (3) Despite the land use district shown on the Land Use District Maps, water bodies under the jurisdiction of the Crown in right of the Province of Alberta or Canada are not regulated by this Bylaw.

Requirements of Other Legislation

- 6 Compliance with this Bylaw does not exempt any person from the requirements of any Federal, Provincial or Municipal legislation, approval process, licensing or permitting regime, or other Bylaw.

Referenced Legislation

- 7 (1) Where the following enactments and Bylaws are referred to in this Bylaw, the reference is to the enactment or Bylaw as may be amended from time to time, or to any enactment or Bylaw passed in substitution therefore.
- (2) “Building Permit Bylaw” means the *Calgary Building Permit Bylaw*, 64M94.
- (3) “Calgary International Airport Vicinity Protection Area Regulation” means the *Calgary International Airport Vicinity Protection Area Regulation*, A/R 318/79.
- (4) “Calgary International Airport Zoning Regulations” means the *Regulations Respecting Calgary International Airport*, pursuant to the RSC, *Aeronautics Act*, 1985, c.A-2.
- (5) “Calgary Traffic Bylaw” means *The Calgary Traffic Bylaw*, 26M96.
- (6) “Controlled Streets Bylaw” means *The Controlled Streets Bylaw*, 12M80.
- (7) “Licence Bylaw” means *The Business Licence Bylaw*, 32M98.
- (8) “*Municipal Government Act*” means the *Municipal Government Act*, R.S.A. 2000, c.M-26.
- (9) “Municipal Planning Commission Bylaw” means *The Calgary Planning Commission Bylaw*, 28P95.
- (10) “*Post-secondary Learning Act*” means the *Post-secondary Learning Act*, S.A. 2003, c.P-19.5.
- (11) “*Provincial Offences Procedure Act*” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.
- (12) “*Safety Codes Act*” means the *Safety Codes Act*, R.S.A. 2000, c.S-1.

- (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*, 41M95.
- (18) “Waste Bylaw” means the *Waste Bylaw*, 20M2001.

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 and Part 11 must be interpreted to mean such section number as contained only within Parts 1 through 9 inclusive and Part 11, 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.

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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.

Division 2: Definitions and Methods

General Definitions

- 13 (1) In this Bylaw, the following terms have the following meanings.
- (2) “**accent lighting**” means outdoor lighting that is entirely used to illuminate architectural features, art, landscaping features, monuments, or trees and is only directed at such features.
- (3) “**actual front setback area**” means the 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 farthest **building setback** from the **front property line**.
- (4) “**actual side setback area**” means the area of a *parcel* defined by a **side property line** and a line parallel to that **side property line** measured at the farthest **building setback** from the **side property line** and terminating where that area meets the **actual front setback area**, the **rear setback area** or another **actual side setback area**.
- (5) “**adjacent**” means contiguous or contiguous if not for a **street, lane**, river or stream.
- (6) “**amenity space**” means a space designed for active or passive recreational use.
- (7) “**ancillary structure**” means, with reference to **building height**, an essential component that protrudes above the roof of a **building** and which is necessary for the functioning of a **building** including, but not limited to, an elevator housing, mechanical penthouse, chimney, **solar collectors** or an architectural feature commonly associated with a **Place of Worship**, but does not include a **sign**, flag pole or other similar structure. 68P2008
- (8) “**assembly area**” means the area within a **building** where people assemble for ceremonies, religious services, educational, recreation, social or sporting events. 67P2008
- (9) “**average building contextual reference points**” means the points:
- (a) determined by calculating the average of the corresponding **building contextual reference points**;
 - (b) expressed as geodetic elevations; and

- (c) placed midway between the corresponding **building contextual reference points**.
- (10) “**average building reference points**” means the points:
- (a) determined by calculating the average of the corresponding **building reference points**; and
- (b) expressed as geodetic elevations.
- (11) “**average contextual high point**” means:
- (a) where there are at least two other **buildings** on the same block face, the average of the greatest geodetic elevation of the **contextual adjacent buildings**, excluding **ancillary structures**;
- (b) where there is only one other **building** on the same block face, the greatest geodetic elevation of such **building**, excluding **ancillary structures**; and
- (c) where there is no other **building** on the same block face, a point 8.6 metres above the greatest geodetic elevation at **grade** on the subject **parcel**.
- (12) “**average grade**” means, when determining the maximum area of a horizontal cross section through a **building** in the M-CG, M-C1 and M-C2 Districts, the average of the four geodetic elevation points of finished **grade** immediately adjacent to the primary four corners of a **building**.
- (13) “**balcony**” means a horizontal platform that is attached to a **building** above the first storey floor level and is intended for use as an outdoor **amenity space**.
- (14) “**bare land unit**” means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act* respecting subdivision.
- (15) “**basement**” means that portion of a **building** which is located below the first floor and is either partially or wholly below **grade**.
- (16) “**bay window**” means a window that projects outward from the façade of a **building** but does not include an opening that is intended to give access to a **building**.
- (17) “**bicycle parking stall**” means an area approved as **bicycle parking stall – class 1** or **bicycle parking stall – class 2** that is equipped to store a bicycle and must include a device:
- (a) specifically designed to park a bicycle;
- (b) designed to allow a bicycle frame and both wheels to be secured; and

- (c) extending a line from the portion of the **main residential building** closest to the **rear property line** to a point where it intersects the line connecting the midpoint of the **front property line** and the midpoint of the **rear property line** at a right angle; and
- (d) measuring the distance between these two points.
- (26) “**building reference points**” means the geodetic elevation of four points:
- (a) located at the intersection of the **front property line** and each **side property line**;
- (b) located at the intersection of the **rear property line** and each **side property line**; and
- (c) where each pair of points must be considered as corresponding.
- (27) “**building setback**” means the distance from a **property line** to the point on a **parcel** where a **building** is located measured at a right angle from the **property line** to which it relates.
- (28) “**calliper**” means the diameter of the trunk of a tree measured at 0.3 metres above the ground.
- (29) “**City Manager**” means the Chief Administrative Officer of the City of Calgary.
- (30) “**City**” means The City of Calgary, a municipal corporation in the Province of Alberta, or the area within the corporate limits of The City of Calgary, as the context requires.
- (31) “**commercial district**” means any one or more of the land use districts described in Part 7 and the CC-X and CC-COR districts contained in Part 11.
- (32) “**commercial multi-residential uses**” means any one or more of the following **uses**, when referenced in a **multi-residential district**:
- (a) **Beauty and Body Service**;
- (b) **Convenience Food Store**;
- (c) **Drinking Establishment – Small**;
- (d) **Office**;
- (e) **Personal Apparel Service**;
- (f) **Photography Studio**;

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- (g) **Print Centre;**
 - (h) **Restaurant: Food Service Only – Small;**
 - (i) **Restaurant: Licensed – Small;**
 - (j) **Retail Store;**
 - (k) **Specialty Food Store;**
 - (l) **Take Out Food Service;** and
 - (m) **Video Store.**
- (33) “**common amenity space**” means a space designed for active or passive recreational use that is provided for the use of all of the occupants of a **development**.
- (34) “**common amenity space – indoors**” means **common amenity space** that is located in a **building**.
- (35) “**common amenity space – outdoors**” means **common amenity space** that is not located in a **building**.
- (36) “**contextual adjacent buildings**” means the two closest **buildings** to a **parcel**:
- (a) located on the same block face not separated by a **street**; and
 - (b) where the **building** is not an **Accessory Residential Building**.
- (37) “**contextual building depth average**” means:
- (a) where there are at least two other **buildings** on the same block face, the average **building depth** of the **contextual adjacent buildings**;
 - (b) where there is only one other **building** on the same block face, the **building depth** of such **building**; and
 - (c) where there is no other **building** on the same block face, 65.0 per cent of **parcel depth**.
- (38) “**contextual building plane**” means a series of planes extending across the width of a **parcel** connecting the **average building contextual reference points** at:
- (a) the **front property line** and the point 6.0 metres from the **front property line**;

- (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.
- (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.
- (58) “**eaveline**” means the line formed by the intersection of the wall and roof of a **building**.
- (59) “**expressway**” means a **street** identified as an **expressway/freeway** 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:
- (a) in the case of a **parcel**, the length of the **front property line**; or
 - (b) in the case of a **use**, the length of the **property line** abutting the **use**.
- (66) “**front property line**” means:
- (a) the **property line** separating a **parcel** from an adjoining **street**;
 - (b) in the case of a **parcel** that adjoins more than one **street**, the shortest **property line** that is parallel to the direction of travel on the **street**; and
 - (c) in the case of a **parcel** that adjoins more than one **street** and where the **property lines** adjoining **streets** are of equal length, the **property line** adjoining the **street** to which the **parcel** has been municipally addressed.
- 71P2008 (67) “**front setback area**” means an area of a **parcel** defined by the **front property line**, the **side property lines** that intersect with the **front property line**, and a line parallel to the **front property line** measured at the minimum depth of the **setback area** required by the District.
- (68) “**General Manager**” means the **City** employee appointed to the position of General Manager, Planning Development and Assessment, or his delegate.

- (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**.
- (90) “**major street**” means a **street** identified as a **major street** in the Transportation Bylaw.
- (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**.
- (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. 51P2008
- (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.
- (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.
- (99) “**parcel**” means 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 includes a **bare land unit** created under a condominium plan.
- (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.

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- (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**.
- (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 a **parcel** for which the above does not apply, the **rear property line** will be 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**.

13P2008, 67P2008

- (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**.
- (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.
- (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.
- (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.
- (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.

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Division 3: Development Permits

Requirement for a Development Permit

- 23** A *development permit* is required for every *development* unless it satisfies the conditions prescribed by section 24 and is listed in section 25.

Conditions for Development Permit Exemptions

- 24** A *development* will only be exempt from the requirement to obtain a *development permit* if it:

- (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 74.0 square metres when listed as a *permitted use* in a land use district;
- (f) the construction of a **Minor Residential Addition**;
- (g) an addition to 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

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- (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**;
- (h) the construction of and addition to a **Single Detached Dwelling, Semi-detached Dwelling and Duplex Dwelling** when listed as a **permitted use**;
- (i) a satellite dish antenna less than 1.0 metre in diameter;
- (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;
- (m) **a Special Function Tent – Recreational** if it is located in:
 - (i) any **residential district**;
 - (ii) the Special Purpose – School, Park and Reserve District;
 - (iii) the Special Purpose – Community Service District;
 - (iv) the Special Purpose – Recreation District;
 - (v) the Special Purpose – Community Institution District;
 - (vi) the Special Purpose – University Research District; or
 - (vii) A Direct Control District where the **use** of the **parcel** is residential, institutional, educational, or recreational;

- (dd) a **sign** that is exempt from the requirement to obtain a **development permit** as specified in Part 3, Division 5; 67P2008
- (ee) A **Power Generation Facility – Small** with a total power generation capacity of 10 kilowatts or less where the **Power Generation Facility – Small**: 68P2008
- (i) does not use an internal combustion engine; and
- (ii) is located entirely within an existing approved **building**;
- (ff) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of potential heritage sites, and: 68P2008
- (i) the total power generation capacity of all **solar collectors** on the **parcel** is 10 kilowatts or less; or
- (ii) the **solar collectors** are used for thermal energy;
- (gg) a **Temporary Residential Sales Centre** located: 71P2008
- (i) in the **Developing Area**; or
- (ii) on a **parcel** identified in subsection 25(z) or 25(aa); and
- (hh) **developments** as defined in Section 8(2) of Part 10, that have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to 2008 January 4. 75P2008

Development Permit Application Requirements

- 26 (1) Any owner of a **parcel**, his authorized agent, or other persons having legal or equitable interest in the **parcel** may apply to the **General Manager** for a **development permit**.
- (2) An application for a **development permit** must be made on an application form approved by the **General Manager** and be submitted with the fee for an application as prescribed by resolution of **Council**.
- (3) An applicant for a **development permit** must provide such information as may be required by the **Development Authority** to evaluate the application.

Notice Posting Requirement

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- 27 (1) At least 7 days prior to making a decision on an application for a **development permit** for those **uses** listed in subsections (2), (3) (4) and (5), the **Development Authority** must post in a conspicuous place a notice stating:
- (a) the proposed **use** of the **building** or **parcel**;
- (b) that an application respecting the proposed **development** will be considered by the **Development Authority**;
- (c) that any person who objects to the proposed **development** on the **parcel** may deliver to a **Development Authority** a written statement of their objection to the **development**;

- (d) the date by which the objection must be delivered to the **Development Authority** to be considered by the **Development Authority**; and
- (e) that the objection must include:
 - (i) their full name and the address for service of any notice to be given to the objector in respect of the objection; and
 - (ii) the reason for their objection to the proposed **development**.

(2) The following **uses** must always be notice posted:

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- (a) **Drinking Establishment – Medium** in the C-C1, C-COR1, C-COR2, CC-X or CC-COR districts;

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- (b) **Drinking Establishment – Small** in the M-H2, M-H3, C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X or CC-COR districts;

- (c) **Drive Through** in the C-N2, C-C1 or C-COR2 districts;

- (d) **Home Occupation – Class 2**;

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- (e) **Liquor Store** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X or CC-COR districts;

- (f) **Multi-Residential Development** in the **Developed Area**;

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- (g) **Outdoor Café** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, I-R, S-R, CC-X or CC-COR districts;

- (h) **Place of Worship – Large**;

- (i) **Secondary Suite**; and

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- (j) **Social Organization** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, S-CI or CC-COR districts.

(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**;
 - (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, CC-1, C-COR1, C-COR2, I-E, CC-X or CC-COR districts.
- (6) The **Development Authority** must not notice post any **development permit** applications not set out in subsections (2), (3), (4) or (5).

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Division 4: Permitted Use Development Permit

Permitted Uses That Meet All Requirements

- 28 (1) Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** conforms to all of the applicable requirements and rules of this Bylaw, the **Development Authority** must approve the application and issue the **development permit**.
- (2) The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted use**, require the applicant to construct or pay for the construction of the following that are necessary to serve the **development**:
- (a) public utilities, other than telecommunications systems or works; and
 - (b) vehicular and pedestrian access.
- (3) The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted use**, require the applicant to undertake an environmental site assessment.
- (4) The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted 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
 - (iii) both (i) and (ii);
 - (c) to install or pay for installation of public utilities, other than telecommunications systems or works, that are necessary to serve the **development**;
 - (d) to construct or pay for the construction of:
 - (i) off-street or other parking facilities; and
 - (ii) loading and unloading facilities.

- (e) to pay an off-site levy or redevelopment levy; and
 - (f) to give security to ensure that the terms of the agreement under this section are carried out.
- (5) The **Development Authority** may require the fulfilment of the conditions referred to in subsections (2), (3) and (4) before releasing the **development permit**.

Notification of Decision for Permitted Use Application

- 29 (1) After approving a **development permit** application for a **permitted use**, the **Development Authority** must endorse the **development permit** as of the date of the decision.
- (2) When a **development permit** application for a **permitted use** is refused, the applicant must be given written notification of the decision and the reasons for it.

Permitted Uses That Do Not Meet All Requirements

- 30 Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** does not conform to all of the applicable requirements and rules of this Bylaw, the **Development Authority** may:
- (a) refuse to approve the **development permit** application; or
 - (b) approve the **development permit** application and grant a relaxation of the requirement or rule to which the proposed **use** does not conform.

Test for a Relaxation

- 31 The **Development Authority** may approve a **development permit** application for a **permitted 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**.

Use Area Relaxation

- 32** Where the **Development Authority** is considering an application for a relaxation of a **use area** restriction, the **Development Authority** must consider the test in section 31 of this Part and:
- (a) the purpose of the District;
 - (b) whether granting the relaxation would make the proposed **development** incompatible with existing **developments** or **uses**;
 - (c) proximity of the proposed **development to residential districts**; and
 - (d) sound planning principles.

Conditions

- 33** The **Development Authority** may, as a condition of approving a **development permit** for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw:
- (a) impose the conditions referenced in subsections 28(2), (3), (4) and (5) of this Part; and
 - (b) require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the **Development Authority**, conformance to a higher standard will off-set any impact of granting the relaxation.

Notification of Decision

- 34** (1) After approving a **development permit** application for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw, the **Development Authority** must:
- (a) publish, in a local newspaper, a notice stating the location and **use** of the **parcel** for which the application has been approved; and
 - (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
 - (i) before the 14 day appeal period referred to in the *Municipal Government Act* has expired; or

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- (ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.
- (2) After refusing a **development permit** application for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw, the **Development Authority** must provide written notification of the decision and the reasons for it to the applicant.

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) bonussing 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

Division 6: General Provisions Relating to Development Permits

Applications the Development Authority Must Refuse

- 40** The **Development Authority** must refuse a **development permit** application when the proposed **development**:
- (a) is for a **use** that is not listed as either a **permitted** or **discretionary use** in the governing land use district;
 - (b) is for a **use** containing a restriction in its definition that is not met by the proposed **use**;
 - (c) exceeds any of the following requirements where they are specified on a Land Use District Map:
 - (i) maximum **building height**;
 - (ii) maximum **floor area ratio**; and
 - (iii) maximum **units** per hectare;
 - (d) does not meet the minimum area requirement to accommodate **commercial multi-residential uses** in the M-X1 and M-X2 Districts; and
 - (e) is for either a **Contextual Single Detached Dwelling** or a **Multi-Residential Development – Minor**, and does not comply with all of the requirements and rules of this Bylaw.

Applications That May Only Be Considered in a Direct Control District

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

Term of a Development Permit

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

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Suspension or Cancellation of a Development Permit

- 43** (1) The **Development Authority** may suspend or cancel a **development permit** following its approval or issuance if:
- (a) the application contains a misrepresentation;
 - (b) facts have not been disclosed which should have been at the time of consideration of the application for the **development permit**;
 - (c) the **development permit** was issued in error;
 - (d) the requirements or conditions of the **development permit** have not been complied with; or
 - (e) the applicant requests, by way of written notice to the **Development Authority**, the cancellation of the **development permit**, provided that commencement of the **use, development** or construction has not occurred.
- (2) If the **Development Authority** suspends or cancels a **development permit**, the **Development Authority** must provide written notice of the suspension or cancellation to the applicant.
- (3) Upon receipt of the written notice of suspension or cancellation, the applicant must cease all **development** and activities to which the **development permit** relates.

Commencement of Development

- 44** (1) Where a **development permit** application is for a change of **use**, a change of intensity of **use** or both, **development** must commence within one year of the date of approval of the **development permit**.
- (2) For the purpose of subsection (1), **development** commences when the applicant begins occupying the **parcel** and operating the **use** which was approved by the **development permit**.
- (3) Where a **development permit** application is for construction, or for construction combined with a change of **use**, a change in intensity of **use** or both, **development** must commence within:
- (a) three years of the date of approval of the **development permit** on **parcels** designated M-H1, M-H2, M-H3, C-O, I-B, S-CI, S-CRI, CC-MH, CC-MHX, CC-X and CC-COR Districts;
 - (b) three years of the date of approval of the **development permit**, on **parcels** designated DC Direct Control, unless otherwise directed by **Council**; and
 - (c) two years of the date of approval of the **development permit** on **parcels** designated as any other District.
- (4) For the purpose of subsection (3), **development** commences when the applicant has altered the **parcel** in furtherance of the construction.

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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

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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.	3 AVENUE N.	MEMORIAL DRIVE	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.	10 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
METIS TRAIL N.	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.	126 AVENUE S.	20.117	45.000	4.942 EAST
52 STREET E.	50 AVENUE S. (S. LEG)	126 AVENUE S.	20.117	45.000	19.941 WEST
53 STREET W.	VARSIITY ESTATES DRIVE (N. LEG)	53 AVENUE N.	20.117	24.385	2.134 EAST
68 STREET E.	17 AVENUE S.	26 AVENUE S.	20.117	36.577	8.230 Each
83 STREET W.	BOWNESS ROAD	33 AVENUE N.	20.117	30.481	5.182 Each
85 STREET	BOWNESS ROAD	48 AVENUE N.	20.117	30.481	5.182 Each

51P2008 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
10 AVENUE S.	14 STREET W.	OLYMPIC WAY	20.117	24.385	2.134 Each
10 AVENUE S.	BOW TRAIL	18 STREET W.	20.117	24.385	2.134 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.	5 STREET E.	20.117	40.539	15.240 SOUTH
16 AVENUE N.	13 STREET W.	5 STREET E.	20.117	40.539	5.182 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	5.182 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	8.230 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	15.240 SOUTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	8.230 SOUTH
17 AVENUE S.	37 STREET W.	42 STREET W.	25.298	42.672	17.374 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 CR.	25.298	30.480	5.182 NORTH
42 AVENUE S.	BLACKFOOT TRAIL	12 STREET E.	20.117	30.481	5.182 Each
58 AVENUE S.	ELBOW DRIVE	MACLEOD TRAIL	25.298	27.432	2.134 NORTH
58 AVENUE S.	2 STREET W.	LANE E. OF C.P.R. RIGHT-OF-WAY	20.117	30.481	5.182 Each
90 AVENUE S.	BONAVENTURE DRIVE	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	1.5Each
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
GLENMORE TRAIL	52 STREET E.	WEST EDGE OF T.U.C.	20.117	60.960	12.801 NORTH
MACDONALD AVE.	ELBOW RIVER	SPILLER ROAD	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	10 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 Each
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

- (2) When considering a **development permit** application for a **parcel adjacent** to a **street** right-of-way referenced in Table 1, the **Development Authority** must require that the **building** be set back from the basic right-of-way by a distance equal to:
- the required **building setback** in the applicable land use district; plus
 - the Required Setbacks referenced in Table 1.

Art Sign

- 78 (1) An **Art Sign** that does not contain any **copy** is exempt from the requirements of this Bylaw.
- (2) An **Art Sign** must not contain advertising **copy**.
- (3) An **Art Sign** may contain **copy** acknowledging:
- (a) the name of the business occupying the **building** where the **sign** is located; and
 - (b) the name of any individual, organization or business that contributed to making the **Art Sign**.
- (4) The **copy** allowed by subsection (3) must not be so prominent as to detract from the primarily artistic nature of the **Art Sign** or to function as an **Identification Sign**.

Special Event Sign

- 79 (1) A **Special Event Sign** may be displayed in any District, but, where the **Special Event Sign** is located in a **low density residential district**, it may only be located on a site that does not contain a **Dwelling Unit**.
- (2) A **Special Event Sign** must not contain advertising **copy** beyond **copy** that promotes the special event, but may contain **copy** acknowledging the name of an individual, organization or business that sponsors or contributes to the special event.
- (3) A **Special Event Sign** may take the structure and form of other types of **signs**.
- (4) A **Special Event Sign** is not subject to the rules relating to the size and maximum number per site applicable to any other type of **sign**, but:
- (a) must comply with the rules of section 72 applicable to all **signs**; and
 - (b) must comply with the other rules applicable to the type of **sign** that the **Special Event Sign** most closely resembles in structure and form.
- (5) A **Special Event Sign** may be displayed for up to seven days prior to the date of the special event to which it relates and for the duration of the special event, but must not be displayed for more than 30 days in total.

Flag Sign

- 80** (1) A **Flag Sign** may:
- (a) be primarily decorative; or
 - (b) promote the buying or selling of products or the supply of services.
- (2) A **Flag Sign** and the structures they are on must not extend higher than the maximum height allowed for a **Freestanding Identification Sign** as referenced in sections 95 and 96.
- (3) A **Flag Sign** that promotes the buying or selling of products or the supply of services:
- (a) must have a maximum **sign area** of 1.0 square metres;
 - (b) must not be located on the roof of a **building** or structure; and
 - (c) are limited to one per site.
- (4) A **Flag Sign** which is primarily decorative is:
- (a) limited to three per site where the site has a **frontage** of 30.0 metres or less; and
 - (b) limited to six per site where the site has a **frontage** greater than 30.0 metres.

Banner Sign

- 81** (1) A **Banner Sign** may:
- (a) be primarily decorative; or
 - (b) identify by name or symbol the **use**, business, or occupant of the site on which the **Banner Sign** is located.
- (2) A **Banner Sign** is prohibited in those locations referenced in section 87.
- (3) A **Banner Sign** must not contain advertising **copy**.
- (4) A **Banner Sign** may contain real estate **copy** in accordance with subsections 84(6) and 84(7) and must comply with the rules of this section and the rules governing **Real Estate Signs** referenced in section 84.
- (5) A **Banner Sign** must be secured in a way that ensures the **Banner Sign** is clear and legible without folds or wrinkles and will not flip.
- (6) The maximum area of a **Banner Sign** which is primarily decorative is 3.0 square metres.

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windows on the second **storey**, 0.80 metres above the floorline of the second **storey**; and

- (b) the lower limit of the signable area is the height of the top of the window frame of windows on the first **storey** unless the height of the top of the window frame is less than 2.4 metres above **grade** in which case, the lower limit of the signable area is 2.4 metres above **grade**.

(6) A **Fascia Identification Sign** which does not have the additional elements of section 74, may be located on a side of a **building** other than the front so long as:

- (a) the side of the **building** where the **sign** is proposed does not face a **Park** or **Natural Area**; and
- (b) the proposed sign is integrated with any **Fascia Identification Sign** on the front of the **building** and is the same width and height as any **Fascia Identification Sign** on the front of the **building**; or
- (c) if there is no **Fascia Identification Sign** on the front of the **building**, the proposed **sign** fits within the signable area described in subsections (4) and (5).

(7) **Fascia Identification Signs** which do not have the additional elements of section 74 may be located below the signable area referenced in subsections (4) and (5) so long as:

- (a) the **sign** consists of individual letters, symbols or logos that are directly attached to the **building**;
- (b) the portion of the **sign** below the signable area occupies less than 30.0 per cent of the wall of the **building** below the signable area; and
- (c) the area of the **sign** below the signable area is less than 9.3 square metres.

(8) A **Fascia Identification Sign**, which does not have the additional elements of section 74, may be located between the top second **storey** window frame and the roof or parapet of a two **storey building** or between the top second **storey** window frame and a third **storey** window sill so long as:

- (a) the **sign** is architecturally integrated with the **building**; and
- (b) the **copy** relates to a **use**, business or occupant that is not located on the first **storey** of the **building**.

- (9) A **Fascia Identification Sign**, that does not have the additional elements of section 74, may be located above the third **storey** window sill so long as:
- (a) the **sign** says no more than the name of the **building** or the main occupant of the **building**;
 - (b) the **sign** consists of individual letters, symbols or logos that are directly attached to the **building face**;
 - (c) there is no more than one **sign** per **building** face above the third **storey**; and
 - (d) the **sign area** does not exceed 1/40 of the area formed by multiplying the clearance of the **sign** by the width of the **building**.

Rules Governing Class C Signs

90 (1) A **Freestanding Identification Sign** does not require a **development permit** when:

- (a) *deleted*
- (b) a **Freestanding Identification Sign** is replacing a **Freestanding Identification Sign** that had previously been approved through a **development permit**;
- (c) the replacement **Freestanding Identification Sign** will be installed on the same base as the previously approved **Freestanding Identification Sign**;
- (d) the replacement **Freestanding Identification Sign** will be installed on the same or similar sign support as the sign support used for the previously approved **Freestanding Identification Sign**;
- (e) the replacement **Freestanding Identification Sign** is installed within six months of the removal of the previously approved **Freestanding Identification Sign**;
- (f) the **sign area** of the replacement **Freestanding Identification Sign** is not larger than the **sign area** of the previously approved **Freestanding Identification Sign**;
- (g) the **Freestanding Identification Sign** is not mounted at a higher point than the previously approved **Freestanding Identification Sign**;
- (h) neither the replacement **Freestanding Identification Sign** or the previously approved **Freestanding Identification Sign** are in a **corner visibility triangle**; and

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- (i) both the replacement **Freestanding Identification Sign** and the previously approved **Freestanding Identification Sign** meet all applicable rules.
- (2) A **development permit** is not required to add message panels to a **Freestanding Identification Sign** when:
- (a) **Signs – Class C** is listed as a **permitted use** in the District;
 - (b) the **Freestanding Identification Sign** was previously approved through a **development permit**;
 - (c) the panel sought to be added is the same length as any message panels already on the **Freestanding Identification Sign** within the limits of the existing sign structure;
 - (d) the panel sought to be added can be incorporated into the **Freestanding Identification Sign**;
 - (e) the addition of the panel would not result in the **Freestanding Identification Sign** violating any rules respecting maximum height, **copy**, clearance or location; and
 - (f) the addition of the panel would not result in the **Freestanding Identification Sign** violating any conditions of the approved **development permit** for the **Freestanding Identification Sign**, other than a condition relating to drawings submitted at the time of the **development permit** application.

All Freestanding Identification Signs in All Districts

- 91
- (1) A **Freestanding Identification Sign** must not interfere with vehicle parking or traffic circulation.
 - (2) Electrical power supply to a **Freestanding Identification Sign** must be underground.
 - (3) Where the **Development Authority** has relaxed subsection (2) to allow for overhead power supply, the **development permit** allowing the relaxation must not be issued for a period of time exceeding five (5) years.
 - (4) Anchor bolts securing the base of a **Freestanding Identification Sign** must be permanently covered.

Separation Rules for Freestanding Identification Signs

- 92
- (1) There must be a minimum of 30.0 metres between all **Freestanding Identification Signs** on the same **frontage**.
 - (2) There must be a minimum of 15.0 metres between the **property line** shared with another site and the **Freestanding Identification Sign**.

- (3) Subsection (2) does not apply if the **property line** is shared with a road right-of-way.

District Rules for Freestanding Identification Signs

- 93 (1) **Freestanding Identification Signs** may be approved in all Districts.
- (2) In the Special Purpose – Future Urban Development District, **Freestanding Identification Signs** must not have the additional elements referenced in section 74.
- (3) A maximum of one **Freestanding Identification Sign** may be allowed on a site in the Special Purpose – Future Urban Development District.
- (4) In **low density residential districts**, **Freestanding Identification Signs** may only be approved on sites that do not contain **Dwelling Units**.

Number of Freestanding Identification Signs

- 94 (1) On sites, other than those containing **shopping centres**, one **Freestanding Identification Sign** facing each **street** that provides access to the business identified on the sign is allowed, provided the business **frontage** on that **street** is at least 16.0 metres long.
- (2) On sites containing **shopping centres**, one **Freestanding Identification Sign** facing each commercial **street** that provides access to the **shopping centre** is allowed, and it must provide identification for both the **shopping centre** and the businesses located in the **shopping centre**.
- (3) **Freestanding Identification Signs** that provide identification for a business within the **shopping centre** may be allowed in addition to the **Freestanding Identification Sign** referenced in subsection (2), provided the **signs** on the site comply with:
- all rules regarding separation between **signs**;
 - all rules regarding separation between **signs** and **property line**; and
 - all the rules regarding the size and height of **Freestanding Identification Signs**.

Size and Height Restrictions for Freestanding Identification Signs

- 95 (1) Unless otherwise referenced in subsections 96(1) or 96(2), in the C-N1, C-N2 and C-C1 Districts:
- the maximum **sign area** of a **Freestanding Identification Sign** is 7.0 square metres if the **sign** relates to only one **use** on the site;

71P2008

- (b) the maximum **sign area** of a **Freestanding Identification Sign** is 9.5 square metres if the **sign** relates to more than one **use** on the site; and
- (c) the maximum height of a **Freestanding Identification Sign** is 6.0 metres.
- (2) In the C-COR3 District: 71P2008
- (a) the maximum **sign area** of a **Freestanding Identification Sign** is 18.5 square metres; and
- (b) the maximum height of a **Freestanding Identification Sign** is 12.2 metres.
- (3) Unless otherwise referenced in subsections 96(4) or 96(6), in all other **commercial** and **industrial districts**: 71P2008
- (a) the maximum **sign area** of a **Freestanding Identification Sign** is 14.0 square metres; and
- (b) the maximum height of a **Freestanding Identification Sign** is 9.0 metres.
- (4) In the M-H1, M-H2, M-H3, M-X1 and M-X2 Districts where the site contains a commercial component: 71P2008
- (a) the maximum **sign area** for a **Freestanding Identification Sign** is 7.0 square metres if the **sign** relates to only one **use** on the site;
- (b) the maximum **sign area** of a **Freestanding Identification Sign** is 9.5 square metres if the **sign** relates to more than one **use** on the site; and
- (c) the maximum height of a **Freestanding Identification Sign** is 6.0 metres.
- (5) In the M-CG, M-C1, M-C2, M-G, M-1 and M-2 Districts:
- (a) the maximum **sign area** of a **Freestanding Identification Sign** is 5.0 square metres; and
- (b) the maximum height of a **Freestanding Identification Sign** is 4.0 metres.
- (6) In the S-SPR, S-CS, S-R and S-CI Districts:
- (a) the maximum **sign area** of a **Freestanding Identification Sign** is 7.0 square metres; and

- (b) the maximum height of a **Freestanding Identification Sign** is 6.0 metres.

Size and Height Restrictions on Shopping Centre Sites

- 71P2008 **96** **(1)** In the C-N1, C-N2 and C-C1 Districts, where the **Freestanding Identification Sign** relates to a **shopping centre** and the **uses** within it have a **gross floor area** less than or equal to 1500.0 square metres:
- (a) the maximum **sign area** of the **sign** is 9.5 square metres if it is not a multi-panel sign;
- (b) the maximum **sign area** of the **sign** is 14.0 square metres if it is a multi-panel sign; and
- (c) the maximum height of the **sign** is 6.0 metres.
- 71P2008 **(2)** In the C-N1, C-N2 and C-C1 Districts, where the **Freestanding Identification Sign** relates to a **shopping centre** and the **uses** within it have a **gross floor area** greater than 1500.0 square metres:
- (a) the maximum **sign area** of the **sign** is 14.0 square metres if it is not a multi-panel sign;
- (b) the maximum **sign area** of the **sign** is 18.5 square metres if it is a multi-panel sign; and
- (c) the maximum height of the **sign** is 9.0 metres.
- 67P2008 **(3)** On sites where subsections (1) or (2) apply, additional **Freestanding Identification Signs**, as referenced in section 94(3), must not exceed a maximum **sign area** of 4.5 square metres and a maximum height of 6.0 metres.
- (4)** In the C-C2 District, where the **Freestanding Identification Sign** relates to a **shopping centre**:
- (a) the maximum **sign area** of the **sign** is 18.5 square metres if it is not a multi-panel sign;
- (b) the maximum **sign area** of the **sign** is 23.2 square metres if it is a multi-panel sign; and
- (c) the maximum height of the **sign** is 9.0 metres.
- 67P2008 **(5)** On sites where subsection (4) applies, additional **Freestanding Identification Signs**, as referenced in section 94(3), must not exceed a maximum **sign area** of 9.3 square metres and a maximum height of 9.0 metres.
- (6)** In the C-R2 and C-R3 Districts, where a **Freestanding Identification Sign** relates to a **shopping centre**:

- (4) An **Inflatable Sign** must not extend higher than the maximum height allowed for a **Freestanding Identification Sign** as referenced in sections 95 and 96.
- (5) There must not be more than one **Inflatable Sign** on a site at any time.
- (6) The maximum number of **Inflatable Signs** that may be on the same site in a calendar year is two.
- (7) The maximum time period an **Inflatable Sign** may be displayed on a **site** is 30 days.

Rotating Sign

- 108 (1) A **Rotating Sign** may be approved only in **commercial** and **industrial districts**.
- (2) A **Rotating Sign** must be in character with the surrounding area with respect to:
- (a) the listed **uses** of the District;
 - (b) the location, size and character of **buildings** in the District;
 - (c) the existence of other signage;
 - (d) the design and character of other signage; and
 - (e) the traffic and road conditions.

Flashing or Animated Sign

- 109 (1) A **Flashing or Animated Sign** may be approved only in **commercial** and **industrial districts**.
- (2) A **Flashing or Animated Sign** may only be used to identify a **Cinema, Performing Arts Centre or Night Club**.
- (3) A **Flashing or Animated Sign** must not have an impact on any residential **uses**.

Rules Governing Class F Signs – Third Party Advertising Signs

- 110 Where a rule for **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 to an area beyond the immediate neighbourhoods 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.

Prohibited Locations For Third Party Advertising Signs

71P2008

- 111 (1) Third Party Advertising Signs** are prohibited in the following land use districts:
- (a) all **residential districts**;
 - (b) the C-C2, C-R2 and C-R3 Districts; and
 - (c) the S-UN, S-SPR, S-CS, S-CI, S-CRI and S-URP Districts.
- (2) Third Party Advertising Signs** are prohibited in a Regional or Sector (Community) Shopping Centre.
- (3) 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;

PART 4: USES AND USE RULES

Division 1: General Provisions

Interpretation

- 130 (1) Every definition relating to a **use** is the exclusive definition of that **use**.
- (2) Every **use** is classified as belonging to a group of **uses** as set out in Schedule A to this Bylaw, which is referenced only to compare and contrast related **uses**.
- (3) All subsections and clauses that precede the subsection indicating within which group of **uses** a **use** belongs in Schedule A are part of the definition of that **use** and must not be relaxed in accordance with section 40. All subsections and clauses that follow the **use** classification are rules and may be relaxed at the discretion of the **Development Authority**, in accordance with section 31 or 36, unless this Bylaw specifically provides that it is a rule that must not be relaxed.
- (4) The **use** definitions must not be interpreted to include a **development** that clearly falls within another defined **use**.
- (5) Where a **development** is capable of being more than one **use**, the **use** under which the **development** more clearly fits must govern.
- (6) Every definition of a **use** must be read to allow for all things necessary or customary for the functioning of the **use** such as, but not limited to, an area for the administration of the **use**, toilet facilities, and staff rooms.
- (7) Where this Part contains a definition or rules for a **use** that expressly allow for another **use** to be combined with it, the other **use** must be read to be part of the defined **use**. 67P2008

Identification of Proposed Uses within a Development Permit Application

- 131 (1) When a proposed **development** is not a listed **use** within the applicable land use district the **development permit** application must be refused. 67P2008
- (2) When a proposed **development** includes multiple **uses**, subject to any restrictions on **use** combinations contained within this Bylaw, the **Development Authority** must issue a single **development permit** listing each approved **use**.
- (3) The **Development Authority** must consider a proposed **development** as a **discretionary use** in accordance with the requirements of Part 2, Division 5 if the **development permit** application is for: 13P2008
- (a) multiple **uses** including at least one **discretionary use** that is not a **sign**; or 71P2008

- (b) a **permitted use** which shares a **use area** with a **discretionary use**.

Commencement of Development for a Development Permit Authorizing Multiple Uses

- 132** Where a **development permit** application for multiple **uses** is approved, the provisions respecting commencement of **development** referenced in section 44 apply to all **uses** approved by the **development permit**.

Rules for All Uses

- 133** (1) In addition to all of the **setback area** rules required by this Bylaw, the **Development Authority** must ensure that all the setback requirements contained within the *Subdivision and Development Regulation* are satisfied.
- (2) Unless otherwise specified in a District, the minimum number of required **motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** is the requirement specified in each **use** definition in this Part.
- (3) A change of **use** must satisfy the minimum **motor vehicle parking stall** requirement in effect for that **use** as of the date of the change of **use**.
- (4) A change of **use**:
- (a) must provide the minimum **bicycle parking stall** requirement in effect for that **use** as of the date of the change of **use**; or
 - (b) is not required to provide any **bicycle parking stalls** where it occurs in a **building** that was legally constructed or approved prior to the effective date of this Bylaw.
- (5) A **building** may be constructed using **modular construction** methods but a **Manufactured Home** does not qualify as **modular construction**.

Uses Not Listed But Allowed in All Districts

- 134** (1) The following **uses** are **permitted uses** in all Districts, regardless of whether they are listed in the District:
- (a) **Motion Picture Filming Location.**
- (2) The following **uses** are **discretionary uses** in all Districts, regardless of whether they are listed in the District:
- (a) Excavation, Stripping and Grading.

150 “Auto Service – Major”

- (a) means a **use**:
- (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4500 kilograms are serviced and repaired in a **building**; and 67P2008, 71P2008
 - (ii) that is capable of servicing or repairing four or more motor vehicles at a time; 67P2008
 - (iii) *deleted* 67P2008
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) *deleted* 67P2008
- (d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;
- (e) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (f) must have service bay doors oriented away from an **adjacent residential district**;
- (g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;
- (h) 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
- (i) may have activities associated with the **use**, equipment, scrap, auto parts and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:
- (i) shown on plans required at the time the application for the **use** is made;
 - (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
 - (iii) constructed of materials and to the standards required by the **Development Authority**;

- (j) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
- (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (l) does not require **bicycle parking stalls – class 1**; and
- (m) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

151 “Auto Service – Minor”

- (a) means a **use**:
 - (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4500 kilograms are serviced and repaired in a **building**; and
 - (ii) where no more than three motor vehicles are capable of being serviced or repaired at a time;
 - (iii) *deleted*
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (b.1) must not have more than 200 square metres of floor area designated for the servicing of motor vehicles, excluding areas used for administration and storage, which must be shown on the plan submitted for a **development permit**;
- (c) *deleted*
- (d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;
- (e) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (f) must have service bay doors oriented away from an **adjacent residential district**;
- (g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;
- (h) 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**;

- (e) 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”

- 71P2008
- (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 two or more wash bays, and each wash bay is only capable of washing one motor vehicle at a time;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 47P2008
- (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 a **motor vehicle parking stall** for every 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**.

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 71P2008
 - (ii) that contains one wash bay, and this wash bay is only capable of washing one motor vehicle at a 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**; 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** where care and supervision is provided, for periods of less than 24 consecutive hours, to seven or more children under the age of 13 years;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;

169 “Community Recreation Facility”

- (a) means a **use**:
 - (i) operated by, or on behalf of, an organization whose membership is voluntary and generally serves the residents of a specific neighbourhood with the purpose of:
 - (A) providing programs, public facilities or services;
 - (B) providing non-profit sporting, educational, social, recreational or other activities; or
 - (C) where members of the facility and the public participate in recreation and leisure activities;
 - (ii) that has recreation space within a **building**; and
 - (iii) that may have outdoor sports fields and equipment on the same **parcel** as the **building**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**, and a minimum of 1.0 stalls per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
 - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (iii) one (1) person per 0.5 linear metres of bench seating; or
 - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

170 “Computer Games Facility”

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

67P2008

170.1 “Conference and Event Facility”

- (a) means a **use**:
 - (i) that provides permanent facilities for meetings, seminars, conventions, weddings or other special events;
 - (ii) that may include banquet facilities including areas for food preparation; and
 - (iii) that does not include any **use** listed in the Eating and Drinking Group in Schedule A;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**, or a C-N1, C-N2, or C-COR1 District;
- (d) must not have a **public area** greater than 75.0 square metres where the **use** shares a **property line** with, or is only separated by an intervening **lane** from a **residential district**, or a C-N1, C-N2, or C-COR1 District;
- (e) requires a total of:
 - (i) 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**; and
 - (ii) 1.0 **motor vehicle parking stalls** per four (4) person capacity of the **assembly area** of the **building**, which is calculated by one of the following methods:

- (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 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

183 “Drinking Establishment – Medium”

- (a) means a **use**:
- (i) where liquor is sold for consumption on the premises;
 - (ii) where a licence for the sale of liquor, that prohibits minors on the premises at any time, is issued by the Alberta Gaming and Liquor Commission;
 - (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

- (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 licence for the sale of liquor, that prohibits minors on the premises at any time, is issued by the Alberta Gaming and Liquor Commission;
 - (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;

- (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**.

238 “Motorized Recreation”

- (a) means a **use**:
 - (i) where people participate in motorized sports and recreation activities outdoors;
 - (ii) that may provide a **building** containing change rooms, washrooms, showers and rooms for the administrative and storage functions required to operate the **use**;
 - (iii) that may provide seating areas for viewing the sport and recreation activities associated with the **use**; and
 - (iv) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Motorized Recreation** 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.

239 “Multi-Residential Development”

- (a) means a **use**:
 - (i) that consists of one or more **buildings**, each containing one or more **units**;
 - (ii) that has a minimum of three **units**;
 - (iii) where all of the **units** in a **development** with only three **units** are provided within the same **main residential building**;
 - (iv) where a minimum of 50.0 per cent of the **units** in a **development** with a minimum of four **units** and a maximum of nine **units** are provided in **buildings** containing two or more **units**; and
 - (v) where a minimum of 90.0 per cent of the **units** in a **development** with 10 or more **units** are provided in **buildings** containing three or more **units**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) provides for all **building** forms referenced in subsection (a), including **building** forms similar to **Townhouse** and **Rowhouse**, unless otherwise referenced in a District;

67P2008

- 51P2008 (d) requires a minimum number of **motor vehicle parking stalls** as referenced in Part 6, Division 1 or Part 11;
- 51P2008 (e) requires a minimum number of **visitor parking stalls** as referenced in Part 6, Division 1 or Part 11; and
- 51P2008 (f) requires a minimum number of **bicycle parking stalls – class 1** and **class 2** as referenced in Part 6, Division 1 or Part 11.

240 “Multi-Residential Development – Minor”

- 67P2008 (a) means a **use**:
- (i) on a **parcel** 1.0 hectares or less in area;
 - (ii) that consists of one or more **buildings**, each containing one or more **units**;
 - (iii) that has a minimum of three **units**;
 - (iv) where a minimum of 90.0 per cent of the **units** are provided in **buildings** containing three or more **units**; and
 - (v) that complies with all of the rules specified for the **use** in the district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) provides for all **building** forms referenced in subsection (a), including **building** forms similar to **Townhouse** and **Rowhouse**, unless otherwise referenced in a District;
- (d) requires a minimum number of **motor vehicle parking stalls** as referenced in Part 6, Division 1;
- (e) requires a minimum number of **visitor parking stalls** as referenced in Part 6, Division 1;
- (f) requires a minimum number of **bicycle parking stalls – class 1** and **class 2** as referenced in Part 6, Division 1.

241 “Municipal Works Depot”

- (a) means a **use**:
- (i) where infrastructure maintenance services are provided by a level of government;
 - (ii) where large areas of land are required for **buildings** and storage;

246 “Office”

- (a) means a **use**:
 - (i) where business people, professional, clerical and administrative staff work in fields other than medical or counselling fields;
 - (ii) that provides services to either a select clientele or no clients, and therefore has limited contact with the public at large;
 - (iii) that may have a reception area;
 - (iv) that may contain work stations, boardrooms, and meeting rooms; and
 - (v) that does not have facilities for the production or sale of goods directly to the public inside the **use**;
- (b) is a **use** within the Office Group in Schedule A to this Bylaw;
- (c) *deleted*
- (d) requires a minimum of 2.0 motor vehicle parking stalls per 100.0 square metres of **gross usable floor area**;
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 1000.0 square metres of **gross usable floor area**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 1000.0 square metres **gross usable floor area** for **Offices** greater than 1000.0 square metres.

67P2008

247 “Outdoor Café”

- (a) means a **use**:
 - (i) where food or beverages are served or offered for sale for consumption on a portion of the premises which are not contained within a fully enclosed **building**;
 - (ii) that must be approved on a seasonal basis operating from April to October of any year; and

15P2008

(iii) that must be approved with another **use** listed within the Eating and Drinking Group in Schedule A, or with a **Convenience Food Store, Specialty Food Store or Supermarket**;

(b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;

(c) must be located more than 25.0 metres from a **residential district**, unless the **use** is completely separated from the **residential district** by a **building** or by an intervening **street**;

(d) must not have a floor higher than 0.6 metres above the height of the first **storey** floor level when the **use** is located within 100.0 metres of a **residential district**;

(e) must not have outdoor speakers;

51P2008

(f) has a maximum area of 25.0 square metres in the C-N1, C-N2, C-C1, C-C2, C-COR1, C-COR2, C-O, C-R1, I-B, CC-MHX, CC-X and CC-COR Districts;

(g) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of outdoor area if the area is greater than 25.0 square metres; and

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

248 “Outdoor Recreation Area”

(a) means a **use**:

(i) where people participate in sports and athletic activities outdoors;

(ii) where the sport or athletic activity is not **Motorized Recreation or Firing Range**;

(iii) that may include a **building** containing change rooms, washrooms or showers and rooms for the administrative functions required to operate the **use**; and

(iv) that may provide a temporary seating area for the viewing of the sport or athletic activity associated with the **use**;

(b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;

252.1 Parking Lot - Grade (temporary)

51P2008, 75P2008

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

253 “Parking Lot – Structure”

- (a) means a *use*:
 - (i) where parking is provided for vehicles for a short duration, independent of the provision of any other *use*; and
 - (ii) where a parking lot is designed for the parking of vehicles in tiers of floors;
- (b) is a *use* within the Infrastructure Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of *bicycle parking stalls – class 1* and *class 2* based on 2.5 per cent of the number of *motor vehicle parking stalls* provided.

254 “Pawn Shop”

- (a) means a *use*:
 - (i) where money is lent in conjunction with the exchange of merchandise;
 - (ii) where the merchandise may be sold to the public according to the agreement with the owner of the merchandise; and
 - (iii) where merchandise other than motor vehicles is contained entirely within a *building*;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) where the pawned merchandise includes motor vehicles:

13P2008

13P2008

- (i) may only be approved in a District where **Vehicle Sales – Major** or **Vehicle Sales – Minor** are listed **uses**; and
- (ii) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the **parcel** which must be shown on the plan submitted for a **development permit**.
- (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**.

255 “Performing Arts Centre”

- (a) means a **use** where live performance of theatre, music, dance or other artistic activities are available to the public;
- (b) is a **use** within the Culture and Leisure 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 **development permit** application;
- (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**.

256 “Personal Apparel Service”

- (a) means a **use**:
 - (i) where clothing, jewellery, personal effects or shoes are altered, cared for, cleaned or repaired; and
 - (ii) that may have the incidental sale of products relating to the services provided by the **use**;
- (b) is a **use** within the Personal Service Group in Schedule A to this Bylaw;
- (c) has a maximum **gross floor area** of 150.0 square metres when the **use** contains a laundering facility which uses a combination of solvents and detergents to launder items;
- (d) must not include any laundering facilities when combined with **Live Work Unit**;
- (e) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;

- (a) means a **use**:
 - (i) where electrical power is generated; and
 - (ii) where the total power generation capacity is between 1.0 and 12.4 megawatts;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must not be located within 50.0 metres of a **residential district**, measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must be located within a **building**, with the exception of **solar collectors**; 68P2008
- (e) must be shielded and insulated so as to limit noise generation as much as possible;
- (f) must not: 68P2008
 - (i) exceed the height of the District it is located in, excluding **ancillary structures**; and
 - (ii) be located in a required **setback area**, excluding **solar collectors**;
- (g) must be **screened**, with the exception of **solar collectors**; 68P2008
- (h) does not require **motor vehicle parking stalls**; and
- (i) does not require **bicycle parking stalls – class 1 or class 2**.

266 “Power Generation Facility – Small”

- (a) means a **use**:
 - (i) where electrical power is generated; and
 - (ii) where the total power generation capacity is between 10 watts and 1.0 megawatts; 68P2008
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must not: 68P2008
 - (i) exceed the height of the District it is located in, excluding **ancillary structures**; and
 - (ii) be located in a required **setback area**, excluding **solar collectors**;
- (d) must be **screened**, with the exception of **solar collectors**; 68P2008
- (e) does not require **motor vehicle parking stalls**; and

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

267 “Print Centre”

- (a) means a **use**:
 - (i) where graphic and printed materials are printed or duplicated;
 - (ii) where film or digital images are processed and finished;
 - (iii) that may include the binding of printed materials;
 - (iv) that has a maximum **gross floor area** of 300.0 square metres; and
 - (v) that may have the incidental sale of products relating to the services provided by the **use**;
- (b) is a **use** within the Personal 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 250.0 square metres of **gross usable floor area**.

268 “Printing, Publishing and Distributing”

- (a) means a **use**:
 - (i) where graphic and printed materials are printed or duplicated;
 - (ii) that may include the binding of printed materials;
 - (iii) where the **gross floor area** containing the **use** is greater than 300.0 square metres;
 - (iv) that may have an area for supplies required to make the product as part of the **use**;
 - (v) that may have the functions of packaging or shipping the products made as part of the **use**; and
 - (vi) that may have the administrative functions associated with the **use**;

13P2008

- (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**; 57P2008, 67P2008,
51P2008, 75P2008
- (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**.

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 15P2008
- (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**.

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
 - (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** 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;

15P2008

- (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**.

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**.

315 “Take Out Food Service”

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

316 “Temporary Residential Sales Centre”

67P2008, 71P2008

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

317 “Temporary Shelter”

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

318 “Tire Recycling”

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

319 “Townhouse”

- (a) means a **building**:
 - (i) comprising three or more **Dwelling Units**;

exclusive use of the customers and employees of the **use**, which 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**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

324 “Vehicle Rental – Minor”

- (a) means a **use**:
 - (i) where passenger vehicles and light trucks are rented to the public;
 - (ii) where the **gross vehicle weight** of the vehicles rented is equal to or less than 4500 kilograms; and
 - (iii) where no more than five (5) vehicles are available for rent;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be;
 - (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**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

71P2008

325 “Vehicle Sales – Major”

- (a) means a **use**:
 - (i) where motor vehicles are sold or leased;

71P2008

- (ii) where six (6) or more vehicles, each with a **gross vehicle weight** equal to or less than 4500 kilograms, are available for sale or lease; and
 - (iii) that may be combined with an **Auto Body and Paint Shop**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
 - (c) must not have more than 25.0 per cent of the **gross floor area** occupied by an **Auto Body and Paint Shop**;
 - (d) must not have an outdoor speaker system;
 - (e) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
 - (f) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
 - (g) must provide 1.0 **motor vehicle parking stall** for every inventory vehicle 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**.

326 “Vehicle Sales – Minor”

- (a) means a **use**:
 - (i) where motor vehicles are sold or leased; and
 - (ii) where no more than five (5) vehicles, each with a **gross vehicle weight** equal to or less than 4500 kilograms, are available for sale or lease;
 - (iii) *deleted*

71P2008

71P2008

- (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 1.0 **motor vehicle parking stalls** 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**.

327 “Vehicle Storage – Large”

- (a) means a **use**:
 - (i) where motor vehicles with a **gross vehicle weight** greater than 4500 kilograms are stored outdoors;
 - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
 - (iii) that does not accommodate the storage of any equipment;
 - (iv) that does not accommodate the storage of any **dilapidated vehicles**;
 - (v) that may have a **building** for administrative functions associated with the **use**; and
 - (vi) that does not involve the production, display or sale of vehicles as part of the **use**;

- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide a stall for every vehicle stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be:
 - (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**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

328 “Vehicle Storage – Passenger”

- (a) means a **use**:
 - (i) where motor vehicles with a **gross vehicle weight** of 4500 kilograms or less are stored outdoors;
 - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
 - (iii) that does not accommodate the storage of any equipment;
 - (iv) that does not accommodate the storage of any derelict vehicles;
 - (v) that may have a **building** for administrative functions associated with the **use**; and
 - (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every vehicle stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the

Parcel Depth

- 480** (1) Unless otherwise specified in subsection (2), the minimum *parcel depth* is 22.0 metres.
- (2) The minimum *parcel depth* for a *parcel* containing a **Secondary Suite** is 30.0 metres.

Parcel Area

- 481** The minimum area of a *parcel* is:
- (a) 330.0 square metres for a *parcel* containing a **Single Detached Dwelling**;
 - (b) 400.0 square metres for a *parcel* containing a **Duplex Dwelling**;
 - (c) 400.0 square metres for a *parcel* containing a **Secondary Suite**; and
 - (d) 400.0 square metres for a *parcel* containing a **Semi-detached Dwelling**, and if a *parcel* containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each **Dwelling Unit**.

Parcel Coverage

- 482** (1) Unless otherwise referenced in subsection (3), the maximum *parcel coverage* for a **Single Detached Dwelling** is 45.0 per cent of the area of a *parcel*.
- (2) Unless otherwise referenced in subsection (3), the maximum *parcel coverage* for a **Semi-detached Dwelling** or **Duplex Dwelling** is 50.0 per cent of the area of a *parcel*.
- (3) The maximum *parcel coverage* referenced in subsections (1) and (2) must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.
- (4) For all other *uses*, the maximum *parcel coverage* is 45.0 per cent.

Building Setback Areas

- 483** The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 484, 485 and 486.

Building Setback from Front Property Line

484 The minimum **building setback** from a **front property line** is:

- (a) 2.0 metres for a **laned parcel**; and
- (b) 3.0 metres for a **laneless parcel**.

Building Setback from Side Property Line

485 (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.

(2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:

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

(3) For a **parcel** containing a **Semi-detached Dwelling**, there is no requirement for a **building setback** from the **property line** upon which the party wall is located.

(4) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:

- (a) the back of the public sidewalk; or
- (b) the curb where there is no public sidewalk.

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

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

(6) One **building setback** from a **side property line** may be reduced to zero metres where:

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Division 9: Residential – Low Density Multiple Dwelling (R-2M) District

Purpose

489 The Residential – Low Density Multiple Dwelling District (R-2M) is intended to primarily accommodate comprehensively designed low density residential *development* in the form of **Duplex Dwellings, Rowhouses, Semi-detached Dwellings,** and **Townhouses** in the *Developing Area*.

Permitted Uses

490 The following *uses* are *permitted uses* in the Residential – Low Density Multiple Dwelling District:

13P2008

- (a) **Accessory Residential Building;**
- (b) **Home Occupation – Class 1;**
- (c) **Minor Residential Addition;**
- (d) **Park;**
- (e) **Protective and Emergency Service;**
- (f) **Rowhouse;**
- (g) **Sign – Class A;**
- (h) **Special Function Tent – Recreational; and**
- (i) **Utilities.**

490.1 The following *uses* are *permitted uses* in the Residential – Low Density Multiple Dwelling District where there is only one *main residential building* located on a *parcel*:

13P2008

- (a) **Duplex Dwelling; and**
- (b) **Semi-detached Dwelling.**

Discretionary Uses

491 (1) *Uses* listed in Section 490.1 are *discretionary uses* in the Residential – Low Density Multiple Dwelling District where there is more than one *main residential building* on a *parcel*.

13P2008

(2) The following *uses* are *discretionary uses* in the Residential – Low Density Multiple Dwelling District:

- (a) **Addiction Treatment;**

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- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (e) **Home Occupation – Class 2;**
- (f) **Place of Worship – Small;**
- (g) **Power Generation Facility – Small;**
- (h) **Residential Care;**
- (i) **Secondary Suite;**
- (j) **Sign – Class B;**
- (k) **Sign – Class C;**
- (k.1) **Sign – Class D;**
- (l) **Sign – Class E;**
- (m) **Single Detached Dwelling;**
- (n) **Temporary Residential Sales Centre;**
- (o) **Townhouse;** and
- (p) **Utility Building.**

Rules

492 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.

Density

13P2008

493 The maximum **density** for a **parcel** designated Residential – Low Density Multiple Dwelling District is:

- (a) 50 **units** per hectare for **Rowhouses**; and
- (b) 38 **units** per hectare where there is a **Townhouse** or more than one **main residential building** on a **parcel**.

- (s) **Sign – Class E;**
 - (t) **Single Detached Dwelling;**
 - (u) **Temporary Residential Sales Centre;** and
 - (v) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **School Authority – School** in the Multi-Residential – Contextual Grade-Oriented District:
- (a) **Library;**
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major;** and
 - (e) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Multi-Residential – Contextual Grade-Oriented District that has a **building** used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**
 - (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Area;**
 - (e) **Park Maintenance Facility – Large;** and
 - (f) **Park Maintenance Facility – Small.**

Rules

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

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

- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 577(2) and 578(2) and (3).

Density

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

At Grade Orientation of Units

13P2008

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

Setback Area

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

Building Setbacks

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

- (t) **Single Detached Dwelling;**
 - (u) **Temporary Residential Sales Centre;** and
 - (v) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **School Authority – School** in the Multi-Residential – Contextual Low Profile District:
- (a) **Library;**
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major;** and
 - (e) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Multi-Residential – Contextual Low Profile District that has a **building** used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**
 - (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Area;**
 - (e) **Park Maintenance Facility – Large;** and
 - (f) **Park Maintenance Facility – Small.**

Rules

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

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

Density

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

Setback Area

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

Building Setbacks

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

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- (5) The minimum **building** setback from a **property line** shared with another **parcel** for a **street oriented multi-residential building** is zero metres when the adjoining **parcel** is designated:
- (a) C-N1, C-COR1, CC-X or CC-COR District; or 51P2008
 - (b) M-CG, M-C1, M-C2, M-H1, M-H2, M-H3, M-X1, M-X2, CC-MH or CC-MHX District and contains four or more **Dwelling Units**. 51P2008

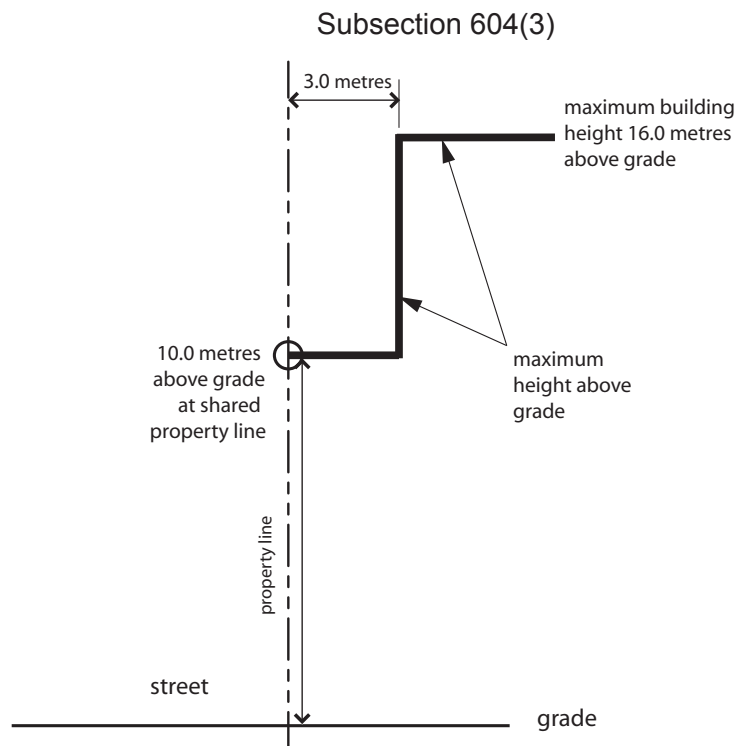
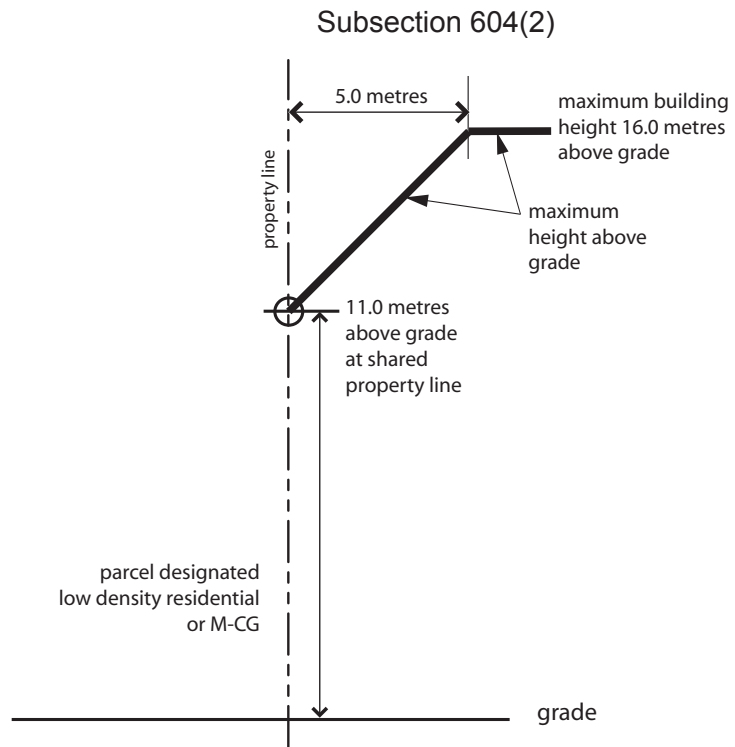
Landscaping

- 603** At least 90.0 per cent of the required **landscaped area** must be provided at **grade**.

Building Height and Cross Section

- 604** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 16.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated with a **low density residential district** or M-CG District, the maximum **building height**:
- (a) is 11.0 metres measured from **grade** at the shared **property line**; and
 - (b) increases proportionately to a maximum of 16.0 metres measured from **grade** at a distance of 5.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**; and
 - (b) 16.0 metres measured from **grade** at a distance greater than 3.0 metres from that shared **property line**.
- (4) The maximum area of a horizontal cross section through a **building** at 14.0 metres above **average grade** must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the **building** between average **grade** and 12.0 metres.
- (5) The following diagrams illustrate the rules of subsections (2), (3) and (4):

Illustration 5:
Building Height and Cross Section in the Multi-Residential
Contextual Medium Profile (M-C2) District



- (u) **Sign – Class D;**
- (v) **Sign – Class E;**
- (w) **Specialty Food Store;**
- (x) **Temporary Residential Sales Centre;**
- (y) **Utility Building;** and
- (z) **Video Store.**

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 The maximum **floor area ratio** is 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 district**; or
 - (d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

51P2008

Landscaping

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

Building Height

- 644** (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is 26.0 metres.
- (2) Where a **parcel** shares a **property line** with a **street** or a **parcel** designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 4.0 metres of that shared **property line**; and
 - (b) 26.0 metres measured from **grade** at a distance greater than 4.0 metres from that shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **lane** or a **parcel** designated as a **low density residential district**, M-CG, M-C1, M-G, M-1, or M-X1 District, the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 6.0 metres of that shared **property line**; and
 - (b) 26.0 metres measured from **grade** at a distance greater than 6.0 metres from that shared **property line**.

- (t) **Restaurant: Food Service Only – Small;**
- (u) **Restaurant: Licensed – Small;**
- (v) **Retail Store;**
- (w) **Sign – Class B;**
- (x) **Sign – Class C;**
- (y) **Sign – Class D;**
- (z) **Sign – Class E;**
- (aa) **Specialty Food Store;**
- (bb) **Take Out Food Service;**
- (cc) **Temporary Residential Sales Centre;**
- (dd) **Utility Building;** and
- (ee) **Video Store.**

Rules

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

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

Maximum Floor Area Ratio

650 The maximum **floor area ratio** is 5.0.

Density

- 651 (1)** The minimum **density** for **parcels** designated M-H2 District is 150 **units** per hectare. 13P2008
- (2)** There is no maximum **density** for **parcels** designated M-H2 District, unless established as referenced in subsection (3).
- (3)** The maximum **density** for **parcels** designated M-H2 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

Setback Area

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

Building Setbacks

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

51P2008

Landscaping

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

Building Height

655 (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is 50.0 metres.

- (s) **Residential Care;**
- (t) **Restaurant: Food Service Only – Small;**
- (u) **Restaurant: Licensed – Small;**
- (v) **Retail Store;**
- (w) **Sign – Class B;**
- (x) **Sign – Class C;**
- (y) **Sign – Class D;**
- (z) **Sign – Class E;**
- (aa) **Specialty Food Store;**
- (bb) **Take Out Food Service;**
- (cc) **Temporary Residential Sales Centre;**
- (dd) **Utility Building;** and
- (ee) **Video Store.**

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

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

13P2008

- (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 district**, or
 - (d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

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.

- (v) **Sign – Class E;**
- (w) **Specialty Food Store;**
- (x) **Temporary Residential Sales Centre;**
- (y) **Utility Building;** and
- (z) **Video Store.**

Rules

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

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

Density

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

Setback Area

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

Building Setbacks

- 674 (1)** Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2)** The minimum **building setback** from a **property line** shared with a **street** for a **street oriented multi-residential building** is zero metres.

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

Landscaping

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

Building Height

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

- (r) **Retail Store;**
- (s) **Sign – Class B;**
- (t) **Sign – Class C;**
- (u) **Sign – Class D;**
- (v) **Sign – Class E;**
- (w) **Specialty Food Store;**
- (x) **Take Out Food Service;**
- (y) **Temporary Residential Sales Centre;**
- (z) **Utility Building;** and
- (aa) **Video Store.**

Rules

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

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

Floor Area Ratio

682 The maximum **floor area ratio** is 3.0.

Density

- 683** (1) The minimum **density** for **parcels** designated M-X2 District is 60 **units** per hectare. 13P2008
- (2) There is no maximum **density** for **parcels** designated M-X2 District, unless established as referenced in subsection (3).
- (3) The maximum **density** for **parcels** designated M-X2 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
 - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

Setback Areas

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

Building Setbacks

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

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Landscaping

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

Building Height

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

Division 2: Commercial – Neighbourhood 1 (C-N1) District

Purpose

- 701 (1)** The Commercial – Neighbourhood 1 District is intended to be characterized by:
- (a) small scale commercial developments;
 - (b) **buildings** that are close to each other, the **street** and the public sidewalk;
 - (c) storefront commercial **buildings** oriented towards the **street**;
 - (d) **lanes** for motor vehicle access to parking areas and **buildings**;
 - (e) **buildings** that are in keeping with the scale of nearby residential areas;
 - (f) **development** that has limited **use** sizes and types; and
 - (g) opportunities for residential **uses** to occur on the upper floors of **buildings** that contain commercial **uses**.
- (2)** Areas of land greater than 1.2 hectares should not be designated Commercial – Neighbourhood 1 District.

Permitted Uses

- 702 (1)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 1 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 1 District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Beauty and Body Service**;

- (c) **Convenience Food Store;**
- (d) **Counselling Service;**
- (e) **Financial Institution;**
- (f) **Fitness Centre;**
- (g) **Health Services Laboratory – with Clients;**
- (h) **Home Occupation – Class 1;**
- (i) **Household Appliance and Furniture Repair Service;**
- (j) **Instructional Facility – Inside;**
- (k) **Library;**
- (l) **Medical Clinic;**
- (m) **Office;**
- (n) **Personal Apparel Service;**
- (o) **Pet Care Service;**
- (p) **Photographic Studio;**
- (q) **Print Centre;**
- (r) **Protective and Emergency Service;**
- (s) **Restaurant: Food Service Only – Small;**
- (t) **Retail Store;**
- (u) **Specialty Food Store;**
- (v) **Take Out Food Service; and**
- (w) *deleted*
- (x) **Video Store.**

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Discretionary Uses

- 703 (1)** **Uses** listed in subsection 702(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Neighbourhood 1 District.

Division 3: Commercial – Neighbourhood 2 (C-N2) District

Purpose

- 721 (1)** The Commercial – Neighbourhood 2 District is intended to be characterized by:
- (a) small scale commercial developments;
 - (b) motor vehicle access to commercial uses;
 - (c) pedestrian connection from the public sidewalk to buildings;
 - (d) development that has limited **use** sizes and types;
 - (e) limited automotive uses;
 - (f) setbacks and landscaping that buffer **residential districts** from commercial developments;
 - (g) buildings that are in keeping with the scale of nearby residential areas; and
 - (h) opportunities for residential **uses** to occur on the upper floors of **buildings** that contain commercial **uses**.
- (2)** Areas of land greater than 1.2 hectares should not be designated Commercial – Neighbourhood 2 District.

Permitted Uses

- 722 (1)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 2 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 2 District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Beauty and Body Service**;

- (c) **Catering Service – Minor;**
- (d) **Convenience Food Store;**
- (e) **Counselling Service;**
- (f) **Financial Institution;**
- (g) **Fitness Centre;**
- (h) **Health Services Laboratory – With Clients;**
- (i) **Home Occupation – Class 1;**
- (j) **Household Appliance and Furniture Repair Service;**
- (k) **Information and Service Provider;**
- (l) **Instructional Facility – Inside;**
- (m) **Library;**
- (n) **Medical Clinic;**
- (o) **Office;**
- (p) **Personal Apparel Service;**
- (q) **Pet Care Service;**
- (r) **Photographic Studio;**
- (s) **Print Centre;**
- (t) **Protective and Emergency Service;**
- (u) **Restaurant: Food Service Only – Small;**
- (v) **Retail Store;**
- (w) **Specialty Food Store;**
- (x) **Take Out Food Service;**
- (y) *deleted*
- (z) **Veterinary Clinic; and**
- (aa) **Video Store.**

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- (cc) *deleted*
- (dd) **Vehicle Rental – Minor;**
- (ee) **Veterinary Clinic;** and
- (ff) **Video Store.**

Discretionary Uses

- 740 (1)** *Uses* listed in subsection 739(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 1 District.
- (2)** *Uses* listed in subsection 739(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Community 1 District:
- (a) **Addiction Treatment;**
 - (b) **Amusement Arcade;**
 - (c) **Artist’s Studio;**
 - (d) **Auto Service – Minor;**
 - (e) **Billiard Parlor;**
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Child Care Service;**
 - (h) **Computer Games Facility;**
 - (i) **Custodial Care;**
 - (j) **Drinking Establishment – Small;**
 - (k) **Drinking Establishment – Medium;**
 - (l) **Drive Through;**
 - (m) **Dwelling Unit;**
 - (n) **Gas Bar;**
 - (o) **Home Occupation – Class 2;**

- (p) **Indoor Recreation Facility;**
- (q) **Liquor Store;**
- (r) **Live Work Unit;**
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- (u) **Place of Worship – Small;**
- (v) **Power Generation Facility – Small;**
- (w) **Residential Care;**
- (x) **Restaurant: Licensed – Medium;**
- (y) **Restaurant: Licensed – Small;**
- (z) **Seasonal Sales Area;**
- (aa) **Service Organization;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- (dd) **Sign – Class F;**
- (ee) **Social Organization;**
- (ff) **Special Function Tent – Commercial;**
- (gg) **Utility Building; and**
- (hh) **Vehicle Sales – Minor.**

Rules

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

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

- (w) **Power Generation Facility – Small;**
- (x) **Print Centre;**
- (y) **Protective and Emergency Service;**
- (z) **Restaurant: Food Service Only – Medium;**
- (aa) **Restaurant: Food Service Only – Small;**
- (bb) **Retail Store;**
- (cc) **Service Organization;**
- (dd) **Specialty Food Store;**
- (ee) **Supermarket;**
- (ff) **Take Out Food Service;**
- (gg) *deleted*
- (hh) **Vehicle Rental – Minor;**
- (ii) **Vehicle Sales – Minor;**
- (jj) **Veterinary Clinic;** and
- (kk) **Video Store.**

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Discretionary Uses

- 759 (1)** **Uses** listed in subsection 758(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 2 District.
- (2)** **Uses** listed in subsection 758(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Community 2 District:
- (a) **Artist’s Studio;**
 - (b) **Auto Service – Major;**
 - (c) **Auto Service – Minor;**
 - (d) **Billiard Parlour;**

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- (e) **Car Wash – Multi Vehicle;**
- (f) **Car Wash – Single Vehicle;**
- (g) **Child Care Service;**
- (h) **Cinema;**
- (h.1) **Conference and Event Facility;**
- (i) **Dinner Theatre;**
- (j) **Drinking Establishment – Small;**
- (k) **Drinking Establishment – Medium;**
- (l) **Drive Through;**
- (m) **Dwelling Unit;**
- (n) **Funeral Home;**
- (o) **Gas Bar;**
- (p) **Home Occupation – Class 2;**
- (q) **Hotel;**
- (r) **Indoor Recreation Facility;**
- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- (u) **Outdoor Café;**
- (v) **Parking Lot – Grade;**
- (w) **Parking Lot – Structure;**
- (x) **Performing Arts Centre;**
- (y) **Place of Worship – Small;**
- (z) **Post-secondary Learning Institution;**
- (aa) **Power Generation Facility – Medium;**
- (bb) **Radio and Television Studio;**
- (cc) **Restaurant: Food Service Only – Large;**
- (dd) **Restaurant: Licensed – Large;**

- (z) **Specialty Food Store;**
- (aa) **Take Out Food Service;**
- (bb) *deleted*
- (cc) **Veterinary Clinic;** and
- (dd) **Video Store.**

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Discretionary Uses

- 778 (1)** **Uses** listed in subsection 777(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 1 District.
- (2)** **Uses** listed in subsection 777(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Corridor 1 District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Artist’s Studio;**
 - (d) **Billiard Parlour;**
 - (e) **Child Care Service;**
 - (f) **Cinema;**
 - (g) **Computer Games Facility;**
 - (g.1) **Conference and Event 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;**

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- (o) **Instructional Facility – Inside;**
- (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 – Sign C;**
- (dd) **Sign – Class E;**
- (ee) **Sign – Class F;**
- (ff) **Social Organization;**
- (gg) **Special Function Tent – Commercial;**
- (hh) **Supermarket; and**
- (ii) **Utility Building.**

Rules

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

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

- (cc) **Specialty Food Store;**
- (dd) **Take Out Food Service;**
- (ee) *deleted*
- (ff) **Veterinary Clinic;** and
- (gg) **Video Store.**

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Discretionary Uses

- 798 (1)** **Uses** listed in subsection 797(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 2 District.
- (2)** **Uses** listed in subsection 797(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Corridor 2 District:
- (a) **Addiction Treatment;**
 - (b) **Amusement Arcade;**
 - (c) **Artist’s Studio;**
 - (d) **Auto Service – Major;**
 - (e) **Auto Service – Minor;**
 - (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) **Custodial Care;**
 - (m) **Dinner Theatre;**
 - (n) **Drinking Establishment – Medium;**

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- (o) **Drinking Establishment – Small;**
- (p) **Drive Through;**
- (q) **Dwelling Unit;**
- (r) **Funeral Home;**
- (s) **Gas Bar;**
- (t) **Health Services Laboratory – without Clients;**
- (u) **Home Occupation – Class 2;**
- (v) **Hotel;**
- (w) **Indoor Recreation Facility;**
- (x) **Instructional Facility – Inside;**
- (y) **Liquor Store;**
- (z) **Live Work Unit;**
- (aa) **Outdoor Café;**
- (bb) **Parking Lot – Grade;**
- (cc) **Parking Lot – Structure;**
- (dd) **Pawn Shop;**
- (ee) **Performing Arts Centre;**
- (ff) **Place of Worship – Small;**
- (gg) **Post-secondary Learning Institution;**
- (hh) **Power Generation Facility – Medium;**
- (ii) **Residential Care;**
- (jj) **Restaurant: Licensed – Medium;**
- (kk) **Seasonal Sales Area;**
- (ll) **Sign – Class C;**
- (mm) **Sign – Class E;**
- (nn) **Sign – Class F;**

- (cc) **Restaurant: Licensed – Small;**
- (dd) **Retail Store;**
- (ee) **Service Organization;**
- (ff) **Specialty Food Store;**
- (gg) **Supermarket;**
- (hh) **Take Out Food Service;**
- (ii) *deleted*
- (jj) **Vehicle Rental – Minor;**
- (kk) **Vehicle Sales – Minor;**
- (ll) **Veterinary Clinic;** and
- (mm) **Video Store.**

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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;**

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- (i) **Child Care Service;**
- (j) **Cinema;**
- (k) **Computer Games Facility;**
- (k.1) **Conference and Event Facility;**
- (l) **Dinner Theatre;**
- (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;**

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- (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) **Power Generation Facility – Medium;**
- (ff) **Post-secondary Learning Institution;**
- (gg) **Printing, Publishing and Distributing;**
- (hh) **Recreational Vehicle Sales;**

- (cc) **Photographic Studio;**
- (dd) **Power Generation Facility – Small;**
- (ee) **Print Centre;**
- (ff) **Protective and Emergency Service;**
- (gg) **Restaurant: Food Service Only – Large;**
- (hh) **Restaurant: Food Service Only – Medium;**
- (ii) **Restaurant: Food Service Only – Small;**
- (jj) **Restaurant: Licensed – Medium;**
- (kk) **Restaurant: Licensed – Small;**
- (ll) **Retail Store;**
- (mm) **Service Organization;**
- (nn) **Specialty Food Store;**
- (oo) **Supermarket;**
- (pp) **Take Out Food Service;**
- (qq) *deleted*
- (rr) **Vehicle Rental – Minor;**
- (ss) **Vehicle Sales – Minor;**
- (tt) **Veterinary Clinic; and**
- (uu) **Video Store.**

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Discretionary Uses

- 863 (1)** **Uses** listed in subsection 862(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Commercial – Regional 2 District.
- (2)** **Uses** listed in subsection 862(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Regional 2 District:

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- (a) **Auto Service – Major;**
- (b) **Auto Service – Minor;**
- (c) **Beverage Container Drop-Off Depot;**
- (d) **Car Wash – Multi Vehicle;**
- (e) **Car Wash – Single Vehicle;**
- (f) **Child Care Service;**
- (f.1) **Conference and Event Facility;**
- (g) **Drinking Establishment – Large;**
- (h) **Drinking Establishment – Medium;**
- (i) **Drinking Establishment – Small;**
- (j) **Drive Through;**
- (k) **Dwelling Unit;**
- (l) **Gaming Establishment – Bingo;**
- (m) **Gas Bar;**
- (n) **Home Occupation – Class 2;**
- (o) **Hotel;**
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- (r) **Night Club;**
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- (u) **Parking Lot – Structure;**
- (v) **Place of Worship – Medium;**
- (w) **Place of Worship – Small;**
- (x) **Post-secondary Learning Institution;**
- (y) **Power Generation Facility – Medium;**
- (z) **Radio and Television Studio;**

Division 12: Commercial – Regional 3 f##h# (C-R3 f##h#) District

Purpose

- 880 (1)** The Commercial – Regional 3 District is intended to be characterized by:
- (a) comprehensively planned and designed subdivision and **development** with multiple **buildings** on multiple **parcels**;
 - (b) orderly phased subdivision and **development** of large tracts of land over time;
 - (c) opportunities for a variety of **building** sizes and **use areas**;
 - (d) **parcels** that are created and designed to support efficient access to the **uses** intended for those and nearby **parcels**;
 - (e) **buildings, uses**, vehicle access and pedestrian features on a site that link with each other and **adjacent parcels**;
 - (f) pedestrian access from public transit, to and between **buildings** and pedestrian amenities;
 - (g) flexibility regarding a **building's** density, established through individual **floor area ratios** for individual **parcels**; and
 - (h) varying **building height** established through maximum **building heights** for individual **parcels**.
- (2)** Areas of land less than 6.0 hectares should not be designated Commercial – Regional 3 District.

Permitted Uses

- 881 (1)** The following **uses** are **permitted uses** in the Commercial – Regional 3 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Commercial Regional – 3 District if they are located within existing approved **buildings**:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Amusement Arcade;**
- (d) **Beauty and Body Service;**
- (e) **Catering Service – Minor;**
- (f) **Computer Games Facility;**
- (g) **Convenience Food Store;**
- (h) **Counselling Service;**
- (i) **Dinner Theatre;**
- (j) **Financial Institution;**
- (k) **Fitness Centre;**
- (l) **Funeral Home;**
- (m) **Health Services Laboratory – with Clients;**
- (n) **Household Appliance and Furniture Repair Service;**
- (o) **Indoor Recreation Facility;**
- (p) **Information and Service Provider;**
- (q) **Instructional Facility – Inside;**
- (r) **Library;**
- (s) **Medical Clinic;**
- (t) **Museum;**
- (u) **Office;**
- (v) **Pawn Shop;**
- (w) **Performing Arts Centre;**
- (x) **Personal Apparel Service;**
- (y) **Pet Care Service;**
- (z) **Photographic Studio;**

- (aa) **Power Generation Facility – Small;**
- (bb) **Print Centre;**
- (cc) **Protective and Emergency Service;**
- (dd) **Radio and Television Studio;**
- (ee) **Restaurant: Food Service Only – Medium;**
- (ff) **Restaurant: Food Service Only – Small;**
- (gg) **Restaurant: Licensed – Medium;**
- (hh) **Restaurant: Licensed – Small;**
- (ii) **Retail Store;**
- (jj) **Service Organization;**
- (kk) **Specialty Food Store;**
- (ll) **Supermarket;**
- (mm) **Take Out Food Service;**
- (nn) *deleted*
- (oo) **Vehicle Rental – Minor;**
- (pp) **Vehicle Sales – Minor;**
- (qq) **Veterinary Clinic;** and
- (rr) **Video Store.**

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Discretionary Uses

- 882 (1)** *Uses* listed in subsection 881(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Regional 3 District.
- (2)** *Uses* listed in subsection 881(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Regional 3 District:
- (a) **Auto Service – Major;**

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- (b) **Auto Service – Minor;**
- (c) **Beverage Container Drop-Off Depot;**
- (d) **Billiard Parlour;**
- (e) **Car Wash – Multi-Vehicle;**
- (f) **Car Wash – Single Vehicle;**
- (g) **Child Care Service;**
- (h) **Cinema;**
- (h.1) **Conference and Event Facility;”**
- (i) **Drinking Establishment – Large;**
- (j) **Drinking Establishment – Medium;**
- (k) **Drinking Establishment – Small;**
- (l) **Drive Through;**
- (m) **Gaming Establishment – Bingo;**
- (n) **Gas Bar;**
- (o) **Hotel;**
- (p) **Liquor Store;**
- (q) **Night Club;**
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Place of Worship – Medium;**
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Power Generation Facility – Medium;**
- (y) **Restaurant: Food Service Only – Large;**
- (z) **Restaurant: Licensed – Large;**
- (aa) **Seasonal Sales Area;**

- (rr) **Sign – Class C;**
- (ss) **Sign – Class D;**
- (tt) **Specialty Food Store;**
- (uu) **Storage Yard;**
- (vv) **Utilities;**
- (ww) **Utility Building;**
- (xx) **Vehicle Storage – Large;**
- (yy) **Vehicle Storage – Passenger;**
- (zz) **Vehicle Storage – Recreational; and**
- (aaa) **Warehouse – Storage Only.**

Discretionary Uses

- 908 (1)** **Uses** listed in section 907 are **discretionary uses** if they are located on a **parcel** of land 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) **Animal Feed Processor – Class 1;**
 - (b) **Animal Feed Processor – Class 2;**
 - (c) **Auto Wrecker;**
 - (d) **Brewery and Distillery – Class 2;**
 - (e) **Bulk Fuel Sales Depot;**
 - (f) **Child Care Service;**
 - (g) **Convenience Food Store;**
 - (h) **Custodial Quarters;**
 - (i) **Drive Through;**
 - (j) **Gas Bar;**
 - (k) **Kennel;**
 - (l) **Large Vehicle Sales;**

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- (m) **Office;**
- (n) **Outdoor Café;**
- (o) **Pet Care Service;**
- (p) **Restaurant: Food Service Only – Small;**
- (q) **Restaurant: Licensed – Small;**
- (r) **Sign – Class E;**
- (s) **Sign – Class F;**
- (s.1) **Special Function Tent – Commercial;**
- (t) **Take Out Food Service;**
- (u) **Vehicle Sales – Minor; and**
- (v) **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.

- (h) **Health Services Laboratory – with Clients;**
- (i) **Hotel;**
- (j) **Indoor Recreation Facility;**
- (k) **Manufacturer – Class 1;**
- (l) **Medical Clinic;**
- (m) **Motion Picture Production Facility;**
- (n) **Outdoor Café;**
- (o) **Parking Lot – Grade;**
- (p) **Parking Lot – Structure;**
- (q) **Personal Apparel Service;**
- (r) **Post-secondary Learning Institution;**
- (s) **Power Generation Facility – Medium;**
- (t) **Printing, Publishing and Distributing;**
- (u) **Restaurant: Food Service Only – Small;**
- (v) **Restaurant: Licensed – Small;**
- (w) **Retail Store;**
- (x) **Self Storage Facility;**
- (y) **Sign – Class C;**
- (z) **Sign – Class E;**
- (aa) **Sign – Class F;**
- (aa.1) **Special Function Tent – Commercial;**
- (bb) **Specialty Food Store;**
- (cc) **Take Out Food Service;**
- (dd) **Utility Building; and**
- (ee) **Vehicle Rental – Minor.**

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Rules

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

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

Floor Area Ratio

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

Building Height

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

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

Use Area

- 928** (1) Unless otherwise referenced in subsection (2), there is no **use area** requirement for **uses** in the Industrial – Business District.
- (2) The maximum **use area** for the following **uses** and any **use** combined with them must not exceed 465.0 square metres:
- (a) **Beauty and Body Service;**
 - (b) **Household Appliance and Furniture Repair Service;**
 - (c) **Personal Apparel Service;**
 - (d) **Photographic Studio;** and
 - (e) **Retail Store.**

Front Setback Area

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

Rear Setback Area

- 930** (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **commercial district**, the **rear setback area** must have a minimum depth of 1.2 metres;

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- (k) **Manufacturer – Class 1;**
- (l) **Medical Clinic;**
- (m) **Outdoor Café;**
- (n) **Power Generation Facility – Medium;**
- (o) **Restaurant: Licensed – Small;**
- (p) **Retail Store;**
- (q) **Self Storage Facility;**
- (r) **Sign – Class C;**
- (s) **Sign – Class E;**
- (t) **Sign – Class F;**
- (t.1) **Special Function Tent – Commercial;**
- (u) **Specialty Food Store;**
- (v) **Take Out Food Service;**
- (w) **Utility Building;** and
- (x) **Warehouse – Storage Only.**

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Rules

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

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

Floor Area Ratio

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

Building Height

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

Activities and Objects Prohibited

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

Use Area

- 944** (1) Unless otherwise referenced in subsection (2), the maximum *use area* is 300.0 square metres.
- (2) The following *uses* do not have a *use area* requirement:
- (a) **Convenience Food Store;**
 - (b) **Industrial Design and Testing – Inside;**
 - (c) **Industrial Repair and Service – Inside;**
 - (d) **Manufacturer – Class 1;**
 - (e) **Self Storage Facility;**
 - (f) **Specialty Food Store;** and
 - (g) **Warehouse – Storage Only.**

Supplies and Products

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

Front Setback Area

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

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:
- (a) **Animal Feed Processor – Class 1;**
 - (b) **Auto Service – Major;**
 - (c) **Auto Service – Minor;**
 - (d) **Car Wash – Multi-Vehicle;**
 - (e) **Car Wash – Single Vehicle;**
 - (f) **Child Care Service;**
 - (g) **Convenience Food Store;**
 - (h) **Custodial Quarters;**
 - (i) **Drinking Establishment – Small;**
 - (j) **Drive Through;**
 - (k) **Gas Bar;**
 - (l) **Large Vehicle Sales;**
 - (m) **Large Vehicle Service;**
 - (n) **Large Vehicle Wash;**
 - (o) **Liquor Store;**
 - (p) **Outdoor Café;**
 - (q) **Power Generation Facility – Medium;**
 - (r) **Recreational Vehicle Sales;**
 - (s) **Restaurant: Licensed – Small;**
 - (t) **Self Storage Facility;**
 - (u) **Sign – Class C;**
 - (v) **Sign – Class E;**

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- (w) **Sign – Class F;**
- (w.1) **Special Function Tent – Commercial;**
- (x) **Utility Building;**
- (y) **Vehicle Rental – Major;** and
- (z) **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

957 All portions of a **parcel** designated Industrial – Commercial must be located within 200.0 metres from the right-of-way of the nearest **major street** or **expressway**.

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.
- (2) The maximum **use area** for the following **uses** and any **use** combined with them must not exceed 465.0 square metres:
- (a) **Beauty and Body Service;**
 - (b) **Household Appliance and Furniture Repair Service;**
 - (c) **Personal Apparel Service;**
 - (d) **Photographic Studio;** and
 - (e) **Retail Store.**

- (kk) **Sign – Class A;**
- (ll) **Sign – Class B;**
- (mm) **Sign – Class D;**
- (nn) **Storage Yard;**
- (oo) **Utilities;**
- (pp) **Utility Building;**
- (qq) **Vehicle Storage – Large;**
- (rr) **Vehicle Storage – Passenger;**
- (ss) **Vehicle Storage – Recreational; and**
- (tt) **Warehouse – Storage Only.**

Discretionary Uses

969 The following *uses* are *discretionary uses* in the Industrial – Redevelopment District:

- (a) **Animal Feed Processor – Class 1;**
- (b) **Auto Wrecker;**
- (c) **Bulk Fuel Sales Depot;**
- (d) **Child Care Service;**
- (e) **Custodial Quarters;**
- (f) **Drive Through;**
- (g) **Kennel;**
- (h) **Large Vehicle Sales;**
- (i) **Outdoor Café;**
- (j) **Pet Care Service;**
- (k) **Recreational Vehicle Sales;**
- (l) **Restaurant: Food Service Only – Small;**
- (m) **Restaurant: Licensed – Small;**
- (n) **Self Storage Facility;**

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- (o) **Sign – Class C;**
- (p) **Sign – Class E;**
- (q) **Sign – Class F;**
- (q.1) **Special Function Tent – Commercial;**
- (r) **Take Out Food Service;** and
- (s) **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.

Building Design

- 974**
- (1) Loading docks that are part of a **building** must be **screened** from view of an **adjacent expressway** or **major street**.
 - (2) Where a **use** has activities carried on outside of a **building**, those activities must be **screened** from view of an **adjacent expressway** or **major street**.
 - (3) The minimum **building setback** from a **property line** shared with the Headworks Canal operated by the Western Irrigation District is 15.0 metres.

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

Purpose

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

Permitted Uses

- 1042** The following **uses** are **permitted uses** in the Special Purpose – Recreation District:
- (a) **Natural Area**;
 - (b) **Park**;
 - (c) **Park Maintenance Facility – Small**;
 - (d) **Power Generation Facility – Small**;
 - (e) **Sign – Class A**;
 - (f) **Special Function Tent – Recreational**; and
 - (g) **Utilities**.

Discretionary Uses

- 1043 (1)** The following **uses** are **discretionary uses** in the Special Purpose – Recreation District:
- (a) **Community Entrance Feature**;
 - (b) **Community Recreation Facility**;
 - (c) **Food Kiosk**;
 - (d) **Indoor Recreation Facility**;
 - (e) **Library**;
 - (f) **Museum**;

- (g) **Outdoor Café;**
- (h) **Outdoor Recreation Area;**
- (i) **Park Maintenance Facility – Large;**
- (j) **Performing Arts Centre;**
- (k) **Power Generation Facility – Medium;**
- (l) **Protective and Emergency Service;**
- (m) **Service Organization;**
- (n) **Sign – Class B;**
- (o) **Sign – Class C;**
- (p) **Sign – Class D;**
- (q) **Sign – Class E;**
- 71P2008 (q.1) **Sign – Class F; and**
- (r) **Spectator Sports Facility.**
- (2) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur within a **building** used for an **Indoor Recreation Facility, Library, Museum, Performing Arts Centre or Spectator Sports Facility**:
- (a) **Accessory Liquor Service;**
- 67P2008 (a.1) **Beauty and Body Service;**
- (b) **Child Care Service;**
- 67P2008 (b.1) **Conference and Event Facility;**
- (c) **Medical Clinic;**
- (d) **Proshop;**
- (e) **Restaurant: Food Service Only – Medium;**
- (f) **Restaurant: Food Service Only – Small;**
- (g) **Restaurant: Licensed – Medium; and**
- (h) **Restaurant: Licensed – Small.**
- 67P2008 (3) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur on a **parcel** used for a **Park**:
- (a) **Proshop;**
- (b) **Restaurant: Food Service Only – Small; and**
- (c) **Restaurant: Licensed – Small.**
- 67P2008 (4) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur in a **building** approved as a **Community Recreation Facility**:
- (a) **Child Care Service.**

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

Purpose

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

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

Permitted Uses

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

- (a) **Natural Area;**
- (b) **Park;**
- (c) **Power Generation Facility – Small;**
- (d) **Protective and Emergency Service;**
- (e) **Sign – Class A;**
- (f) **Sign – Class B;**
- (g) **Special Function Tent – Recreational; and**
- (h) **Utilities.**

Discretionary Uses

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

- (a) **Addiction Treatment;**
- (b) **Cemetery;**
- (c) **Child Care Service;**
- (d) **Columbarium;**
- (d.1) **Conference and Event Facility;**
- (e) **Crematorium;**
- (f) **Custodial Care;**

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- (g) **Food Kiosk;**
- (h) **Hospital;**
- (i) **Instructional Facility – Inside;**
- (j) **Library;**
- (k) **Museum;**
- (l) **Performing Arts Centre;**
- (m) **Place of Worship – Large;**
- (n) **Place of Worship – Medium;**
- (o) **Place of Worship – Small;**
- (p) **Post-secondary Learning Institution;**
- (q) **Power Generation Facility – Medium;**
- (r) **Residential Care;**
- (s) **School – Private;**
- (t) **Service Organization;**
- (u) **Sign – Class C;**
- (v) **Sign – Class D;**
- (w) **Sign – Class E;**
- (x) *deleted*
- (y) **Social Organization;**
- (z) *deleted*
- (aa) **Spectator Sports Facility;** and
- (bb) **Utility Building.**

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(2) The following **uses** are additional **discretionary uses** if they are located in existing **buildings** containing **Dwelling Units** at the time of the effective date of this Bylaw:

- (a) **Multi-Residential Development.**

**LAND USE
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PART 11**

PART 10: DOWNTOWN

Purpose, General Rules and Districts

Refer to the separate document containing Part 10.

PART 11: CENTRE CITY DISTRICTS

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Division 1: General Rules for Centre City Multi-Residential High Rise Land Use Districts

Projections Into Setback Areas

- 1099** (1) Unless otherwise referenced in this section, **buildings** must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this section.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) Wheelchair ramps may project without any limits into a **setback area**.
- (5) Eaves and window wells may project a maximum of 0.6 metres into any **setback area**.
- (6) **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.
- (7) **Signs** may be located in any **setback area**, and where so located must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

- 1100** (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by a **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application, where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - (d) the types, species, sizes and numbers of plant material and the types of **hard surface landscaped areas**;
 - (e) details of the irrigation system; and

- (f) for **landscaped areas** with the Enhanced Landscaping Option, the following additional information must be provided:
 - (i) Latin and common names for all plant materials;
 - (ii) a plan that shows both the planting material size at time of planting and at time of maturity;
 - (iii) elevation plans for all **landscaped areas** showing plant material maturity; and
 - (iv) a report submitted by the applicant indicating how the landscape plan achieves the following:
 - (A) variation of planting materials, hard surface materials and decorative structures;
 - (B) provision of year-round visual interest;
 - (C) emphasis of entranceways and pedestrian pathways;
 - (D) location of planting materials and activity areas according to sunlight exposure and microclimate conditions;
 - (E) separation between public and private spaces; and
 - (F) provision of spaces for different purposes, including activity, seating, screening and buffering;
 - (g) for **landscaped areas** with the Low Water Landscaping Option details of the **low water irrigation system**, including extent of water delivery; and
 - (h) for **landscaped areas** with a **building** below, the following additional information must be provided:
 - (i) the location of underlying slabs and abutting walls;
 - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
 - (iii) depths of the growing medium for each planting area;
 - (iv) the mature height and spread of all trees and shrubs; and
 - (v) the means of irrigating the planting areas.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.

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

Specific Rules for Landscaped Areas

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

Planting Requirements

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

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

Landscaped Area Reductions – Multi-Residential Development

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

Enhanced Landscaping Option

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

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

Low Water Landscaping Option

1105 For the Low Water Landscaping Option, the required *landscaped area* may be reduced by 3.0 per cent of the area of the *parcel* where:

- (a) a **low water irrigation system** is provided;
- (b) the delivery of the irrigated water is confined to trees and shrubs;
- (c) trees and shrubs with similar water requirements are grouped together;
- (d) a maximum of 30.0 per cent of the required **landscaped area** is planted with sod and the remainder is covered with plantings, mulch or hard surfaces;
- (e) a minimum of 30.0 per cent of required trees are selected from the list in Table 5: Low Water Trees; and
- (f) a minimum of 30.0 per cent of required shrubs are selected from the list in Table 6: Low Water Shrubs.

Table 5: Low Water Trees

Low Water Deciduous Trees	
Botanical Name	Common Name
Acer ginnala and negundo	Amur Maple
Fraxinus pensylvanica	Green Ash
Prunus padus commutate	Mayday
Prunus pennsylvanica	Pin Cherry
Prunus virginiana var. melanocarpa	Chokecherry
Pyrus ussuriensis	Ussurian pear
Quercus macrocarpa	Bur oak

Low Water Coniferous Trees	
Botanical Name	Common Name
Picea Pungens	Blue Spruce
Pinus aristata	Bristlecone Pine
Pinus banksiana	Jack pine
Pinus contorta var. latifolia	Lodgepole pine
Pinus flexilis	Limber Pine
Pinus ponderosa	Ponderosa pine upright

Table 6: Low Water Shrubs

Low Water Shrubs	
Botanical Name	Common Name
Amelanchier alnifolia	Saskatoon berry
Arctostaphylos uva-ursi	Bearberry
Cotoneaster spp.	Cotoneaster (various)
Crataegus spp.	Hawthorn
Elaeagnus commutate	Wolf willow
Hippophae rhamnoides	Sea buckthorn
Juniperus spp.	Juniper (various)
Lonicera spp.	Honeysuckle
Pinus mugo	Mugo pine
Potentilla fruticosa	Cinquefoil
Prinsepia sinensis	Cherry prinsepia
Prunus fruticosa	European dwarf cherry
Prunus tenella	Russian almond
Prunus tomentosa	Nanking cherry
Prunus triloba	Double flowering plum
Prunus x cistena	Cistina cherry
Rhus trilobata	Skunk bush

Table 6: Low Water Shrubs

Low Water Shrubs	
Botanical Name	Common Name
Ribes alpinum	Alpine currant
Ribes aureum	Golden currant
Ribes oxycanthoides	Wild gooseberry
Sambucus racemosa	European red elder
Shepherdia argentea	Silver buffaloberry
Sorbaria sorbifolia	Ural false spirea
Spiraea trilobata	Three lobed spirea
Symphoricarpo occidentalis	Western snowberry
Syringa spp.	Lilac
Viburnum lantana	Wayfaring tree
Viburnum lentango	Nannyberry

Amenity Space

- 1106 (1)** A *patio* may be located in a *setback area* between a multi-residential *building* and a *property line* shared with a *street*.
- (2)** *Amenity space* may be provided as *common amenity space*, *private amenity space* or a combination of both.
- (3)** The required minimum *amenity space* is 5.0 square metres per *unit*.
- (4)** When the *private amenity space* provided is 5.0 square metres or less per *unit*, that specific area will be included to satisfy the *amenity space* requirement.
- (5)** When the *private amenity space* exceeds 5.0 square metres per *unit*, only 5.0 square metres per *unit* must be included to satisfy the *amenity space* requirement.
- (6)** Where a *patio* is located within 4.0 metres of a *lane* or another *parcel*, it must be *screened*.
- (7)** *Private amenity space* must:
- be in the form of a *balcony*, *deck* or *patio*; and
 - have no minimum dimensions of less than 2.0 metres.

- (8) **Common amenity space:**
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres;
 - (d) must not be located in a required **setback area**; and
 - (e) may be located at or above **grade**.
- (9) A maximum of 50.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (10) **Common amenity space – outdoors:**
- (a) must provide a **balcony, deck** or **patio** and at least one of the following as permanent features:
 - (i) a barbeque; or
 - (ii) seating; and
 - (b) must be used in the calculation of the required **landscaped area** when located below 25.0 metres above **grade**.

Motor Vehicle Parking Stall Requirements

- 1107 (1) Where a **building** contains three or more **units** with shared entrance facilities in a **Multi-Residential Development**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.75 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls** per **unit**; and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.
- (2) Where a **building** contains three or more **units** with no shared entrance facilities in a **Multi-Residential Development**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 1.0 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.15 **visitor parking stalls** per **unit**; and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.
- (3) Where a **building** is a **Single Detached Dwelling**, a **Semi-detached Dwelling** or a **Duplex Dwelling** in a **Multi-Residential Development**, the minimum **motor vehicle parking stall** requirement:

- (a) for each **Dwelling Unit** or **Live Work Unit** is 1.0 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.15 **visitor parking stalls** per **unit**; and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.
- (4) The minimum **motor vehicle parking stall** requirement for an **Office**, when located on floors above the ground floor is:
- (a) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
 - (b) the cumulative number of stalls referenced in subsection (a) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls.
- (5) The minimum **motor vehicle parking stall** requirement for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small** is 1.7 stalls per 10.0 square metres of **public area**.
- (6) The minimum **motor vehicle parking stall** requirement for a **Retail Store** is:
- (a) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
 - (b) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
 - (c) where **Retail Store** uses are located on or below the ground floor, the cumulative number of stalls referenced in (b) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum of 3.0 stalls.
- (7) The minimum **motor vehicle parking stall** requirement for all other **uses** is the requirement referenced in Part 4.

Bicycle Parking Stall Requirement

- 1108 (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** where the total number of **units** equals or exceeds 20; and
 - (b) all other uses is the minimum requirement referenced in Part 4.
- (2) The minimum number of **bicycle parking stalls – class 2** for:

- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) 2.0 stalls for **developments** of 20 **units** or less; and
 - (ii) 0.1 stalls per **unit** for **developments** of more than 20 **units**; and
- (b) all other **uses** is 5.0 per cent of the minimum number of **motor vehicle parking stalls**.

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) 74.0 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**.
- (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 surfaced with asphalt, concrete, or similar hard surface.

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.

Garbage

- 1115** Garbage containers and waste material must be stored inside the **main residential building**.

Recycling Facilities

- 1116** Recycling facilities must be provided for every **Multi-Residential Development**.

Mechanical Screening

- 1117** Mechanical systems or equipment that are located outside of a **building** must be **screened**.

Visibility Setback

- 1118** Within a **corner visibility triangle, buildings, fences**, finished **grade** of a **parcel** and vegetation must not be located between 0.75 metres and 4.60 metres above the lowest elevation of the **street**.

Retaining Walls

- 1119 (1)** A **retaining wall** must not exceed 1.0 metres in height measured from lowest **grade** at any point next to the **retaining wall**.
- (2)** A minimum horizontal separation of 1.0 metres must be maintained between **retaining walls** on a **parcel**.

Fences

- 1120** The height of a **fence** above **grade** at any point along a **fence** line must not exceed:
- (a)** 1.2 metres for that portion of the **fence** extending beyond the foremost portion of all **buildings** on the **parcel**;

- (b) 2.0 metres for that portion of the **fence** that does not extend beyond the foremost portion of all **buildings** on the **parcel**; and
- (c) 2.5 metres to the highest point of a gateway provided that the gateway does not exceed more than 2.5 metres in length.

Parcel Access

1121 All **developments** must comply with the Controlled Streets Bylaw.

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

Purpose

1122 The Centre City Multi-Residential High Rise District:

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

Permitted Uses

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

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

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

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

Discretionary Uses

- 1124 (1)** The following *uses* are **discretionary uses** in the Centre City Multi-Residential High Rise District:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Community Entrance Feature;**
 - (d) **Custodial Care;**
 - (e) **Home Occupation - Class 2;**
 - (f) **Live Work Unit;**
 - (g) **Multi-Residential Development;**
 - (h) **Place of Worship – Medium;**
 - (i) **Place of Worship – Small;**
 - (j) **Power Generation Facility – Small;**
 - (k) **Residential Care;**
 - (l) **Sign – Class B;**
 - (m) **Sign – Class D;**
 - (n) **Temporary Residential Sales Centre; and**
 - (o) **Utility Building.**
- (2)** The following *uses* are additional **discretionary uses** if they are located in **buildings** used or previously used as a **School Authority – School** in the Centre City Multi-Residential High Rise District:
- (a) **Library;**
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major; and**
 - (e) **Service Organization.**
- (3)** The following *uses* are additional **discretionary uses** on a **parcel** in the Centre City Multi-Residential High Rise District that has a **building** used or previously used as a **School Authority - School**:
- (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**
 - (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Facility;**
 - (e) **Park Maintenance Facility – Large; and**
 - (f) **Park Maintenance Facility – Small.**

Rules

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

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

Floor Area Ratio

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

Setback Area

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

Building Setbacks

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

Floor Plate Restrictions

- 1129** Each floor of a **building** located partially or wholly above 25.0 metres above **grade** has a maximum:
- (a) **floor plate area** of 650.0 square metres; and
 - (b) horizontal dimension of 37.0 metres.

Building Height

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

Landscaping

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

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

Purpose

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

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

Permitted Uses

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

- (a) **Accessory Residential Building;**
 - (b) **Home occupation – Class 1;**
 - (c) **Park;**
 - (d) **Protective and Emergency Service;**
 - (e) **Sign – Class A;**
 - (f) **Sign – Class B; and**
 - (g) **Utilities.**
- (2)** The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise Support Commercial District if they are within existing approved buildings:
- (a) **Artist’s Studio;**
 - (b) **Beauty and Body Service;**
 - (c) **Convenience Food Store;**

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

Discretionary Uses

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

- (e) **Community Recreational 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) **Special Function Tent - Recreational;**
 - (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;**

- (d) **Outdoor Recreation Facility;**
- (e) **Park Maintenance Facility - Large;** and
- (f) **Park Maintenance Facility – Small.**

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
 - (d) 16 Avenue SW.
- (2) The **building setback** from a **property line** shared with all other **streets** is a minimum of 3.0 metres and a maximum of 6.0 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** or another **parcel** is zero metres.

Floor Plate Restrictions

- 1139** Each floor of a **building** located partially or wholly above 25.0 metres above **grade** has a maximum:
- (a) **floor plate area** of 650.0 square metres; and
 - (b) horizontal dimension of 37.0 metres.

Building Height

1140 There is no maximum *building height*.

Landscaping

1141 A minimum of 30 per cent of the area of the *parcel* must be a *landscaped area*.

Use Area

- 1142** (1) Unless otherwise referenced in subsection (3) and (4), the maximum *use area* for *uses* on the ground floor of *buildings* in the Centre City Multi-Residential High Rise Support Commercial District is 300.0 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 Multi-Residential High Rise Support Commercial District.
- (3) The total of all *use areas* for **Medical Clinic** and **Counselling Service** within a *building* must not exceed 600.0 square metres.
- (4) The following *uses* do not have a ground floor *use area* restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Hotel;**
 - (e) **Place of Worship – Medium;**
 - (f) **Place of Worship – Small;**
 - (g) **Protective and Emergency Service;**
 - (h) **Residential Care;** and
 - (i) **Utility Building.**

Location of Uses Within Buildings

- 1143** (1) **Counselling Service, Instructional Facility – Inside, Medical Clinic, Office, and Service Organization uses** must not be located on the ground floor of *buildings*.
- (2) “Commercial Uses” and **Live Work Units**:
- (a) must be located on the first 2 floors only, with the exception of **Hotel uses**;
 - (b) may be located on the same floor as **Addiction Treatment, Custodial Care, Dwelling Units, Hotel and Residential Care**;

- (c) must not share an internal hallway with **Addiction Treatment, Custodial Care, Dwelling Units, Hotel and Residential Care**;
 - (d) must have a separate exterior entrance from that of the **Dwelling Units**; and
 - (e) must not be located above any **Dwelling Unit**.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed *permitted* and *discretionary uses* in section 1133 and 1134, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Home Occupation - Class 1, Home Occupation - Class 2, Multi-Residential Development, Hotel, Live Work Unit, Place of Worship – Small, Place of Worship – Medium, Protective and Emergency Service, Residential Care and Utility Building uses**.
- (4) A minimum of 80 per cent of the *gross floor area* of *buildings* in the Centre City Multi-Residential High Rise Support Commercial District must contain **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Hotel, Live Work Units, Place of Worship – Small, Place of Worship – Medium, Protective and Emergency Service, Residential Care or Utility Building uses**.
- (5) **Outdoor Café uses** must:
- (a) only be located between a *street* and the *use* to which it is subordinate; and
 - (b) not be located on the same block face where **Dwelling Units** or **Live Work Units** are located at *grade*.

Hotel Uses

1144 Hotel uses must:

- (a) consist of guest rooms and the ancillary reception functions and restaurant *uses* only;
- (b) not provide convention, banquet and meeting room facilities;
- (c) provide only the reception and other ancillary functions and restaurant *uses* on the ground floor; and
- (d) locate guest rooms above the ground floor.

Use of Parking Areas

- 1145 (1)** Only those *uses* listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share an area of a parking structure with residential *uses*.
- (2)** All *uses* may share an entrance to areas of a parking structure.

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

Projections into Setback Areas

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

General Landscaped Area Rules

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

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

Planting Requirements

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

Low Water Irrigation System

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

Additional Landscaping Requirements

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

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

Residential Amenity Space

- 1151 (1) A **patio** may be located in a **setback area** between a **multi-residential building** and a **property line** shared with a **street**.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (3) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (4) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.
- (5) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per **unit** must be included to satisfy the **amenity space** requirement.
- (6) Where a **patio** is located within 4.0 metres of a **lane** or another **parcel**, it must be **screened**.
- (7) **Private amenity space** must:
 - (a) be in the form of a **balcony**, **deck** or **patio**; and
 - (b) have no minimum dimensions of less than 2.0 metres.

- (8) **Common amenity space:**
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres;
 - (d) must not be located in a required **setback area**; and
 - (e) may be located at or above **grade**.
- (9) A maximum of 50.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (10) **Common amenity space – outdoors:**
- (a) must provide a **balcony, deck** or **patio** and at least one of the following as permanent features:
 - (i) a barbeque; or
 - (ii) seating; and
 - (b) must be used in the calculation of the required **landscaped area** when located below 25 metres above **grade**.

Visibility Setback

1152 **Buildings**, finished **grade** of a **parcel** and vegetation within a **corner visibility triangle** must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the **street**.

Mechanical Screening

1153 Mechanical systems or equipment that are located outside of a **building** must be **screened**.

Garbage

1154 Garbage containers and waste material must be stored inside a **building** that contains another approved **use**.

Recycling Facilities

1155 Recycling facilities must be provided for every building containing **Dwelling Units** or **Office uses**.

Screening

1156 When a **parcel** shares a **property line** with a **lane**, or a **parcel** designated as a **residential district**, a **fence** with a maximum height of 2.0 metres must be provided for **screening** along the **property line**.

Motor Vehicle Parking Stall Requirements

- 1157 (1)** For **developments** containing **Dwelling Units** or **Live Work Units**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.75 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls** per **unit**; and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.
- (2)** For **development** on **parcels** 0.4 hectares or less, the minimum **motor vehicle parking stall** requirement:
- (a) for a **Beauty and Body Service, Information and Service Provider, Personal Apparel Service, Pet Care Service, Photographic Studio, and Print Centre** is:
 - (i) 2.0 stalls per 100.0 square metres of **gross usable floor area** when those **uses** are located in an existing approved **building** prior to the effective date of this Bylaw; or
 - (ii) 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.
 - (b) 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) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
 - (c) 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**;
 - (d) for a **Retail Store** is:
 - (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 Store** uses are located on or below the ground floor, the cumulative number of stalls referenced in (ii) must be 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 all other **uses** is the requirement referenced in Part 4.
- (3) For **development** on **parcels** greater than 0.4 hectares, the minimum **motor vehicle parking stall** requirement:
- (a) 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) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (b) 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**;
- (c) for a **Retail Store** is:
- (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 Store** uses are located on or below the ground floor, the cumulative number of stalls referenced in (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
- (d) for all other **uses** is 3.5 stalls per 100.0 square metres of **gross usable floor area**.

Exclusive Use of Motor Vehicle Parking Stalls

1158 **Motor vehicle parking stalls** required for **uses** in accordance with the District requirement referenced in section 1157(2)(d) must not be signed or in any way identified as being other than for the use of all users of the **parcel**.

Required Bicycle Parking Stalls

- 1159** (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** where the total number of **units** equals or exceeds 20; and
 - (b) all other **uses** is the minimum requirement referenced in Part 4.
- (2) The minimum number of **bicycle parking stalls – class 2** for:
 - (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) 2.0 stalls for **developments** of 20 **units** or less; and
 - (ii) 0.1 stalls per **unit** for **developments** of more than 20 **units**; and
 - (b) all other **uses** is 5.0 per cent of the minimum number of **motor vehicle parking stalls**.

Exclusive Use of Bicycle Parking Stalls

1160 **Bicycle parking stalls – class 1** provided for **Dwelling Units** and **Live Work Units** are for the exclusive use of residents.

Parcel Access

1161 All **developments** must comply with the access requirements of the *Controlled Streets Bylaw*.

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

Purpose

1162 The Centre City Mixed Use District:

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

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Permitted Uses

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

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

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

- (a) **Accessory Food Service**;
- (b) **Beauty and Body Service**;
- (c) **Catering Service – Minor**;
- (d) **Convenience Food Store**;
- (e) **Counseling Service**;
- (f) **Fitness Centre**;
- (g) **Health Services Laboratory – With Clients**;
- (h) **Home Occupation – Class 1**;
- (i) **Household Appliance and Furniture Repair Service**;

- (j) **Information and Service Provider;**
- (k) **Library;**
- (l) **Medical clinic;**
- (m) **Office;**
- (n) **Personal Apparel Service;**
- (o) **Pet Care Service;**
- (p) **Photographic Studio;**
- (q) **Power Generation – Small;**
- (r) **Print Centre;**
- (s) **Protective and Emergency Service;**
- (t) **Radio and Television Studio;**
- (u) **Restaurant: Food Service Only – Small;**
- (v) **Retail Store;**
- (w) **Service Organization;**
- (x) **Specialty Food Store;**
- (y) **Take Out Food Service;**
- (z) **Temporary Residential Sales Centre; and**
- (aa) **Video Store.**

Discretionary Uses

- 1164 (1)** *Uses* listed in subsection 1163(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City Mixed Use District.
- (2)** *Uses* listed in subsection 1163(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one **use** listed in this District that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Centre City Mixed Use District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Artist’s Studio;**
 - (d) **Billiard Parlour;**
 - (e) **Child Care Service;**
 - (f) **Cinema;**

- (g) **Computer Games Facility;**
- (h) **Contractors Shop – Class 1;**
- (i) **Custodial Care;**
- (j) **Dinner Theatre;**
- (k) **Drinking Establishment – Medium**
- (l) **Drinking Establishment - Small;**
- (m) **Dwelling Unit;**
- (n) **Financial Institution;**
- (o) **Health Services Laboratory – Without Clients;**
- (p) **Home Occupation – Class 2;**
- (q) **Hotel;**
- (r) **Indoor Recreation Facility;**
- (s) **Industrial Design and Testing - Inside;**
- (t) **Industrial Repair and Service - Inside;**
- (u) **Instructional Facility – Inside;**
- (v) **Liquor Store;**
- (w) **Live Work Unit;**
- (x) **Manufacturer – Class 1;**
- (y) **Multi-Residential Development**
- (z) **Night Club;**
- (aa) **Outdoor Café;**
- (bb) **Parking Lot – Grade (Temporary);**
- (cc) **Parking Lot – Structure;**
- (dd) **Pawn Shop;**
- (ee) **Performing Arts Centre;**
- (ff) **Place of Worship – Small;**
- (gg) **Place of Worship – Medium;**
- (hh) **Post-secondary Learning Institution;**
- (ii) **Residential Care;**
- (jj) **Restaurant: Food Service Only – Medium;**
- (kk) **Restaurant: Licensed – Small;**
- (ll) **Restaurant: Licensed – Medium;**

- (mm) **Seasonal Sales Area;**
- (nn) **Sign – Class C;**
- (oo) **Sign – Class E;**
- (pp) **Sign – Class F;**
- (qq) **Social Organization;**
- (rr) **Special Function Tent – Commercial;**
- (ss) **Supermarket;**
- (tt) **Utility Building;**
- (uu) **Veterinary Clinic;** and
- (vv) **Warehouse – Storage Only.**

Rules

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

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

Floor Area Ratio

1166 (1) For **developments** located west of Macleod Trail SE the maximum **floor area ratio** is:

- (a) 3.0 for **parcels** within the following areas:
 - (i) between 12 and 13 Avenue and west of 1 Street SE; and
 - (ii) between 15 and 17 Avenue and west of 1 Street SE;
 - (b) for all other **parcels**:
 - (i) 5.0; or
 - (ii) 5.0, plus the combined **gross floor area** of **Dwelling Units** and **Hotel** suites, up to a maximum **floor area ratio** of 8.0.
- (2)** For **developments** located east of Macleod Trail SE the maximum **floor area ratio** is 5.0, for all **parcels**.
- (3)** The maximum **floor area ratio** referenced in (1) and (2) may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Building Height

1167 There is no maximum *building height*.

Building Orientation

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

Front Setback Area

- 1169** (1) The *front setback area* must have a minimum depth of 1.5 metres and a maximum depth of 3.0 metres for *parcels* located on the following *streets*:
- (a) 4 Street SW;
 - (b) 8 Street SW;
 - (c) 11 Street SW;
 - (d) 11 Avenue (west of Olympic Way SE); and
 - (e) 12 Avenue (west of Macleod Trail SE).
- (2) The *front setback area* must have a minimum depth of 1.5 metres and a maximum depth of 6.0 metres for *parcels* located on the following *streets*:
- (a) 1 Street SE;
 - (b) 14 Street SW;
 - (c) 10 Avenue; and
 - (d) Macleod Trail SE.
- (3) The *front setback area* must have a maximum depth of 3.0 metres and no minimum depth requirement for *parcels* located on the following *streets*:
- (a) 1 Street SE;
 - (b) 17 Avenue; and
 - (c) Olympic Way SE.
- (4) The *front setback area* must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres for *parcels* located on the following *streets*:
- (a) 2 Street SW;
 - (b) 3 Street SE;
 - (c) 5 Street SE;
 - (d) 5 Street SW;
 - (e) 6 Street SE;

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

Rear Setback Area

- 1170 (1)** Where the *parcel* shares a **rear property line** with a *parcel* designated as:
- (a) a **commercial district**, there is no requirement for a **rear setback area**; and
 - (b) a **residential district** or a **special purpose district** the **rear setback area** must have a minimum depth of 3.0 metres.
- (2)** Where the *parcel* shares a **rear property line** with:
- (a) an **LRT corridor**, or rail corridor, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (b) a **lane** that separates the *parcel* from a *parcel* designated as a **residential district** or a **special purpose district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (c) a **lane**, in all other cases, there is no requirement for a **rear setback area**; and
 - (d) a **street**, the **front setback area** requirement referenced in section 1169 applies.

Side Setback Area

- 1171 (1)** Where the *parcel* shares a **side property line** with a *parcel* designated as:
- (a) a **commercial district**, there is no requirement for a **side setback area**; and

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

Floor Plate Restrictions

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

Landscaping

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

Landscaping In Setback Areas

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

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

Location of Uses within Buildings

- 1175 (1) The following **uses** must not be located on the ground floor of **buildings**:
- (a) **Catering Service – Minor**;
 - (b) **Community Recreational Facility**;
 - (c) **Counseling Service**;
 - (d) **Health Services Laboratory – with Clients**;
 - (e) **Health Services Laboratory – without Clients**;
 - (f) **Indoor Recreational Facility**;

- (g) **Instructional Facility – Inside;**
 - (h) **Medical Clinic;**
 - (i) **Place of Worship – Small;**
 - (j) **Radio and Television Studio;** and
 - (k) **Service Organization;**
- (2) Only those **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share a hallway with residential **uses**.
- (3) All **uses** must be contained completely within a **building**, with the exception of **Outdoor Café uses**.
- (4) Outdoor speaker systems for **Outdoor Café uses** are prohibited.
- (5) Only those **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share an area of a parking structure with residential **uses**.
- (6) All **uses** may share an entrance to areas of a parking structure.
- (7) The following **uses**, when not combined with other **uses** in a comprehensive **development**, may be allowed only in existing **buildings** approved prior to the effective date of this Bylaw:
- (a) **Manufacturer – Class 1;** and
 - (b) **Warehouse – Storage Only.**

Use Area

- 1176 (1) Unless otherwise referenced in subsection (3), (4) or (5), the maximum **use area** for **uses** on the ground floor of **buildings** in the Centre City Mixed Use District is 1200.0 square metres.
- (2) Unless otherwise referenced in subsection (3), (4) or (5), there is no maximum **use area** requirement for **uses** located on upper floors in the Centre City Mixed Use District.
- (3) The maximum **use area** of:
- (a) **Night Club** is 300.0 square metres of **public area**; and
 - (b) **Supermarket**, or a **Supermarket** combined with any other **use**, is 5200.0 square metres.
- (4) The following **uses** do not have a **use area** restriction when provided in existing **buildings** approved prior to the effective date of this Bylaw:
- (a) **Manufacturer – Class 1;** and
 - (b) **Warehouse – Storage Only.**

- (5) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Hotel;**
 - (e) **Place of Worship – Medium;**
 - (f) **Place of Worship – Small;**
 - (g) **Protective and Emergency Service;**
 - (h) **Residential Care;** and
 - (i) **Utility Building.**

Motor Vehicle Parking Stall Requirements

1177 For the area bounded by the CPR tracks, the Elbow River, 12 Avenue and 14 Street SW, the **motor vehicle parking stall** requirement is:

- (a) no requirement for **Cinema, Dinner Theatre, Drinking Establishment – Small, Drinking Establishment – Medium, Night Club, Performing Arts Centre, Restaurant: Food Service Only – Small, Restaurant: Food Service Only-Medium, Restaurant: Licensed – Small and Restaurant: Licensed – Medium;**
- (b) a minimum of 1.0 stall per 90.0 square metres of **gross usable floor area** for, **Beauty and Body Service, Information and Service Provider, Liquor Store, Office, Personal Apparel Service, Pet Care Service, Photographic Studio, Print Centre, Retail Stores and Take Out Food Service;**
- (c) a maximum of 1.5 stalls per **Dwelling Unit;** and
- (d) for all uses other than **Dwelling Units:**
 - (i) a minimum of 75 percent and a maximum of 100 percent of the required parking stalls shall be provided on site unless limiting transportation and engineering constraints are demonstrated to the satisfaction of the Approving Authority;
 - (ii) a cash-in-lieu payment shall be provided for the difference between the total number of required parking stalls and the number of parking stalls provided within the development. Such payment shall be based on the cost of constructing the required number and type of parking stalls in accordance with Council's policy and calculated at a rate per parking stall established by Council at the time payment is made.

Supplies and Products

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

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

Purpose

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

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

Permitted Uses

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

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

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

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

- (g) **Fitness Centre;**
- (h) **Health Services Laboratory – with Clients;**
- (i) **Home Occupation – Class 1;**
- (j) **Household Appliance and Furniture Repair Service;**
- (k) **Information and Service Provider;**
- (l) **Library;**
- (m) **Medical Clinic;**
- (n) **Museum;**
- (o) **Office;**
- (p) **Personal Apparel Service;**
- (q) **Pet Care Service;**
- (r) **Photographic Studio;**
- (s) **Power Generation Facility – Small;**
- (t) **Print Centre;**
- (u) **Protective and Emergency Service;**
- (v) **Radio and Television Studio;**
- (w) **Restaurant: Food Service Only – Small;**
- (x) **Retail Store;**
- (y) **Service Organization;**
- (z) **Specialty Food Store;**
- (aa) **Take Out Food Service;**
- (bb) **Temporary Residential Sales Centre;**
- (cc) **Veterinary Clinic; and**
- (dd) **Video Store.**

Discretionary Uses

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

- (a) **Accessory Liquor Service;**
- (b) **Addiction Treatment;**
- (c) **Artist's Studio;**
- (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 – Inside;**
- (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;**
- (ff) **Social Organization;**

- (gg) **Special Function Tent – Commercial;**
- (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

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

- (a) **Catering Service - Minor;**
 - (b) **Child Care Service;**
 - (c) **Counselling Service;**
 - (d) **Dwelling Unit;**
 - (e) **Health Services Laboratory- with Clients;**
 - (f) **Instructional Facility – Inside;**
 - (g) **Live Work Unit;**
 - (h) **Medical Clinic;**
 - (i) **Office;**
 - (j) **Place of Worship – Small;**
 - (k) **Post-secondary Learning Institution;**
 - (l) **Residential Care;**
 - (m) **Social Organization;** and
 - (n) **Veterinary Clinic.**
- (2)** “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Custodial Care, Dwelling Units and Residential Care;** and
 - (b) must not share an internal hallway with **Addiction Treatment, 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**.

- (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 **soft surfaced landscaped area**;
 - (b) may have a sidewalk along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres where irrigation is provided by a **low water irrigation system**.
- (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**;
 - (b) may have a sidewalk along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres where irrigation is provided by a **low water irrigation system**.

Division 7: Rules Governing Centre City Bonus Overlays

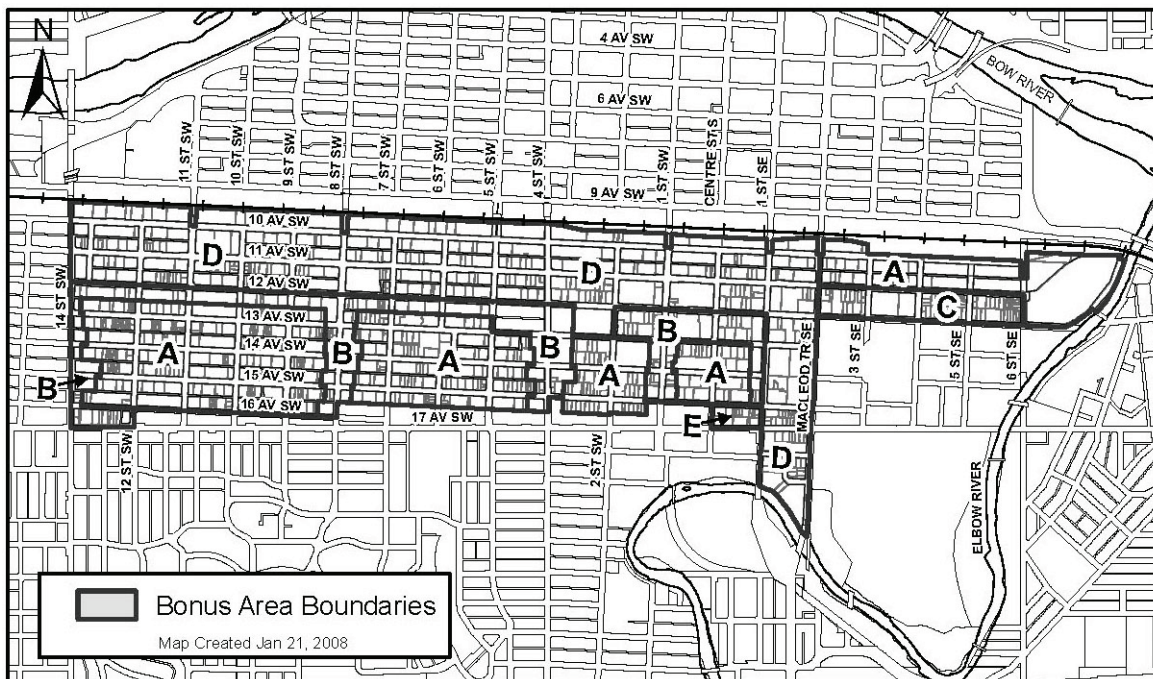
General

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

Bonus Area Boundaries

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

Map 9:
Bonus Area Boundaries



Bonus Area A

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

Bonus Area B

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

Bonus Area C

- 1199** The maximum **floor area ratio** with bonuses for Bonus Area C is:
- (a) 8.0; or
 - (b) 8.0, plus the total **gross floor area** of **units**, up to a maximum **floor area ratio** of 9.0.

Bonus Area D

- 1200** The maximum **floor area ratio** with bonuses for Bonus Area D is:
- (a) 8.0; or
 - (b) 8.0, plus the **gross floor area** of **units** and the **gross floor area** of **Hotel** guest rooms, up to a maximum **floor area ratio** of 12.0.

Bonus Area E

- 1201** The maximum **floor area ratio** with bonuses for Bonus Area E is 4.0.

Heritage Density Transfer Increase

- 1202** The maximum **floor area ratio** with bonuses for Bonus Area A, B, C, D, or E may be increased by an additional 10 per cent when:
- (a) the additional 10 per cent **floor area ratio** is gained through a heritage density transfer from a site other than the **development** site, as defined for the purposes of this Division in section 1212; and
 - (b) the additional floor area gained is equal to or less than the amount being transferred from the heritage site.

Bonus Earning Items

- 1203** Any of the following items, or combination thereof, may be used to earn a density bonus:
- (a) provision of indoor community amenity space within the **development**, as defined for the purposes of this Division in section 1213;

- (b) provision of publicly accessible private open space within the site, as defined for the purposes of this Division in section 1214;
- (c) provision of affordable housing units within the **development**, as defined for the purposes of this Division in section 1215;
- (d) Municipal Historic Resource designation by bylaw, registered covenant or equivalent agreement pursuant to the provisions set out in the Alberta Historical Resources Act, and restoration, on the **development** site;
- (e) incorporation of sustainable **building** features into the **development**, as outlined in section 1208;
- (f) contribution to the Beltline Community Investment Reserve Fund, as established by **Council**;
- (g) heritage density transfer from a site other than the **development** site designated by bylaw as a Municipal Historic Resource; or
- (h) density transfer from a **parcel** of land transferred to the **City** for park purposes.

Sustainable Building Feature Limitation

1204 After December 31, 2011, bonus earning item 1203(e), sustainable building features, shall cease to be a bonus earning item.

Density Transfer Limitation

- 1205 (1)** There is no provision for density transfer from one **parcel** to another other than those bonus earning items listed in subsection 1203(g) and (h).
- (2)** Bonus earning items listed in subsection 1203(g) and (h), heritage density transfer and park dedication transfer, may be from source sites located outside the bonus area boundaries set out in section 1196 and shall be located within the community in accordance with the purpose statements of the CC-MH, CC-MHX, CC-X and CC-COR districts as specified in section 1122(e), 1132 (e), 1162(e) and 1179(f).

Bonus Floor Area Calculation (Method 1)

1206 For the bonus earning items listed in subsection 1203(a), (b) and (d), the allowable bonus floor area in square metres is equal to the total construction or restoration cost of the bonus earning item, divided by the average land value per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost/(average land value X 0.75).

Bonus Floor Area Calculation (Method 2)

1207 For the bonus earning item listed in subsection 1203(c) the allowable bonus floor area in square metres is equal to the total construction cost of the affordable housing units, divided by the average land value per square metre of buildable floor area multiplied by 0.75, plus the **gross floor area** of the affordable housing units such that:

Allowable bonus floor area = (total construction cost/(average land value X 0.75)) + gross floor area of affordable housing units.

Bonus Floor Area Calculation (Method 3)

1208 For the bonus earning item listed in subsection 1203(e), the allowable bonus floor area in square metres is equal to a maximum **floor area ratio** of 1.0, where a **floor area ratio** of 1.0 is equal to 10 points, with points earned and pro-rated as follows:

- (a) 1 point for every 15 per cent of total roof area, that is not eligible to be counted towards minimum **landscaped area** requirements, installed with a vegetated green roof, up to a maximum of 5 points;
- (b) 4 points for housing diversity where a minimum of 10 per cent of all **Dwelling Units** are comprised of either multi-storey units at **grade** or 3 bedroom units above **grade**;
- (c) 4 points for a mixed use **building** where one **use** is residential and the sum of all non-residential **uses** occupy at least 25 per cent of the **gross floor area** of the **building** and in determining such, a **Live Work Unit** is considered a non-residential **use** for the purposes of this calculation;
- (d) 1 point for use of a renewable energy source that accounts for a minimum of 5 per cent of total annual energy use;
- (e) 1 point for use of a renewable energy source that accounts for a minimum of 10 per cent of total annual energy use;
- (f) 1 point for the reuse of a minimum of 75 per cent of an existing **building** shell or structure or both;
- (g) 1 point for eliminating the use of potable water for irrigation of landscaping; and
- (h) 1 point for a reduced **development** footprint to preserve or enhance existing natural or cultural site features that would not already be gained under a **building setback** or **landscaped area** requirement.

Bonus Floor Area Calculation (Method 4)

- 1209** For the bonus earning item listed in subsection 1203(f), the allowable bonus floor area in square metres is equal to the contribution, divided by the average land value per square metre of buildable floor area, such that:

Allowable bonus floor area = contribution/average land value.

Bonus Floor Area Calculation (Method 5)

- 1210** For the bonus earning item listed in subsection 1203(g), the heritage density transfer floor area in square metres is equal to the unconstructed **gross floor area** of a **parcel**, plus any floor area earned through restoration costs under the bonus earning item listed in subsection 1203(d) and as calculated in section 1206, as a result of designation of a **parcel** by bylaw as a Municipal Historic Resource. Unconstructed **gross floor area** is equal to the maximum allowable **floor area ratio** for that **parcel** and district, including applicable bonuses, multiplied by the **parcel** size and, subtracting the **gross floor area** of the Municipal Historic Resource, such that:

Transferable bonus floor area = maximum allowable **gross floor area** – Municipal Historic Resource **gross floor area**.

Bonus Floor Area Calculation (Method 6)

- 1211** For the bonus earning item listed in subsection 1203(h), the transferable bonus floor area in square metres is equal to the maximum **floor area ratio** of the district, not including bonus provisions, multiplied by 2.5, such that:

Transferable bonus floor area = base density X 2.5.

Heritage Density Transfer

- 1212** For the purposes of this Division, heritage density transfer is defined as the transfer of floor area from a **parcel** designated by bylaw as a Municipal Historic Resource pursuant to the provisions set out in the Alberta Historical Resources Act (the source parcel) and transferred to a **parcel** other than the **development parcel** (the receiving parcel).

Indoor Community Amenity Space

- 1213** For the purposes of this Division, indoor community amenity space is defined as floor area provided for community purposes, including, but not limited to, offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares and other social services, within the **development**, in perpetuity to the **City**, and in a form acceptable to the Approving Authority.

Publicly Accessible Private Open Space

1214 For the purposes of this Division, publicly accessible private open space is defined as outdoor open space located on the **development parcel** that is made available to the public through a registered public access easement agreement acceptable to the Approving Authority, and is in a location, form, configuration and constructed in a manner acceptable to the Approving Authority.

Affordable Housing Units

1215 For the purposes of this Division, affordable housing units are defined as non-market housing units provided within the **development** owned and operated by the **City** or a bona fide non-market housing provider recognized by **Council**.

Average Land Value

1216 For the purposes of this Division, average land value per square metre of buildable floor area for the area, or areas, is the value so approved by **Council** and as amended from time to time.

SCHEDULE A

Groups of Uses

AGRICULTURE AND ANIMAL GROUP

Extensive Agriculture
Kennel
Tree Farm
Veterinary Clinic

AUTOMOTIVE SERVICE GROUP

Auto Body and Paint Shop
Auto Service – Major
Auto Service – Minor
Bulk Fuel Sales Depot
Car Wash – Multi-Vehicle
Car Wash – Single Vehicle
Gas Bar
Large Vehicle Service
Large Vehicle Wash
Recreational Vehicle Service

CARE AND HEALTH GROUP

Addiction Treatment
Child Care Service
Custodial Care
Health Services Laboratory – With Clients
Hospital
Medical Clinic
Residential Care

CULTURE AND LEISURE GROUP

Amusement Arcade
Billiard Parlour
Cinema
Community Recreation Facility
Computer Games Facility
Conference and Event Facility
Fitness Centre
Gaming Establishment – Bingo
Indoor Recreation Facility
Library
Motion Picture Filming Location
Museum
Outdoor Recreation Area
Performing Arts Centre
Place of Worship – Large
Place of Worship – Medium
Place of Worship – Small
Radio and Television Studio
Social Organization
Spectator Sports Facility

DIRECT CONTROL USES

Adult Mini-Theatre
Campground
Emergency Shelter
Fertilizer Plant
Firing Range
Gaming Establishment – Casino
Hide Processing Plant
Intensive Agriculture
Inter-City Bus Terminal
Jail
Motorized Recreation
Natural Resource Extraction
Pits and Quarries
Power Generation Facility – Large
Race Track
Refinery
Salvage Processing – Heat and Chemicals
Saw Mill
Slaughter House
Stock Yard
Tire Recycling
Zoo

DISASSEMBLY GROUP

Auto Wrecker
Recycling Plant

EATING AND DRINKING GROUP

Catering Service – Major
Catering Service – Minor
Dinner Theatre
Drinking Establishment – Large
Drinking Establishment – Medium
Drinking Establishment – Small
Food Kiosk
Night Club
Restaurant: Food Service Only – Large
Restaurant: Food Service Only – Medium
Restaurant: Food Service Only – Small
Restaurant: Licensed – Large
Restaurant: Licensed – Medium
Restaurant: Licensed – Small
Take Out Food Service

INDUSTRIAL SUPPORT GROUP

Beverage Container Drop-Off Depot
Dry-cleaning and Fabric Care Plant
Health Services Laboratory – Without Clients
Household Appliance and Furniture Repair Service
Industrial Design and Testing – Inside
Industrial Design and Testing – Outside
Industrial Repair and Service – Inside
Industrial Repair and Service – Outside

INFRASTRUCTURE GROUP

Airport
Cemetery
Crematorium
Military Base
Municipal Works Depot
Natural Area
Park
Parking Lot – Grade
Parking Lot – Grade (temporary)
Parking Lot – Structure
Park Maintenance Facility – Large
Park Maintenance Facility – Small
Power Generation Facility – Medium
Power Generation Facility – Small
Protective and Emergency Service
Rail Line
Sewage Treatment Plant
Transit Line and Station
Utilities
Utility Building
Waste Disposal and Treatment Facility
Water Treatment Plant

OFFICE GROUP

Counselling Service
Office
Service Organization

PERSONAL SERVICE GROUP

Beauty and Body Service
Funeral Home
Information and Service Provider
Personal Apparel Service
Pet Care Service
Photographic Studio
Print Centre

PRODUCTION GROUP

Animal Feed Processor – Class 1
Animal Feed Processor – Class 2
Artist's Studio
Asphalt, Aggregate and Concrete Plant
Brewery and Distillery – Class 1
Brewery and Distillery – Class 2
Contractor's Shop – Class 1
Contractor's Shop – Class 2
Food and Beverage Processor – Class 1
Food and Beverage Processor – Class 2
Manufacturer – Class 1
Manufacturer – Class 2
Manufacturer – Class 3
Metal Fabricator
Motion Picture Production Facility
Printing, Publishing and Distributing
Specialty Food Store

RESIDENTIAL GROUP

Assisted Living
 Contextual Single Detached Dwelling
 Cottage Building
 Duplex Dwelling
 Dwelling Unit
 Hotel
 Live Work Unit
 Manufactured Home
 Manufactured Home Park
 Minor Residential Addition
 Multi-Residential Development
 Multi-Residential Development – Minor
 Rowhouse
 Secondary Suite
 Single Detached Dwelling
 Semi-detached Dwelling
 Temporary Shelter
 Townhouse

SALES GROUP

Auction Market – Other Goods
 Auction Market – Vehicles and Equipment
 Convenience Food Store
 Financial Institution
 Large Vehicle Sales
 Liquor Store
 Market
 Pawn Shop
 Recreation Vehicle Sales
 Restored Building Products Sales Yard
 Retail Garden Centre
 Retail Store
 Supermarket
 Temporary Residential Sales Centre
 Vehicle Rental – Major
 Vehicle Rental – Minor
 Vehicle Sales – Major
 Vehicle Sales – Minor
 Video Store

SIGNS GROUP

Community Entrance Feature

Sign – Class A

Address Sign
 Art Sign
 Banner Sign
 Construction Sign
 Directional Sign
 Election Sign
 Flag Sign
 Government Sign
 Property Management Sign
 Real Estate Sign
 Show Home Sign
 Special Event Sign
 Temporary Sign
 Window Identification Sign
 Any type of sign located in a building and not intended to be viewed from outside

Sign – Class B

Fascia Identification Sign

Sign – Class C

Freestanding Identification Sign

Sign – Class D

Canopy Identification Sign
 Projecting Identification Sign

Sign – Class E

Electronic Message Sign
 Flashing and Animated Sign
 Inflatable Sign
 Message Sign
 Painted Wall Identification Sign
 Roof Sign
 Rotating Sign
 Strings of Pennants
 Temporary Sign Marker
 Any type of sign that employs stereo optic, video, motion picture, laser or other projection device
 Any type of sign that does not fit within any of the sign types listed in Classes A, B, C, D or F

Sign – Class F

Third Party Advertising Sign

STORAGE GROUP

Distribution Centre
 Equipment Yard
 Freight Yard
 Self Storage Facility
 Storage Yard
 Vehicle Storage – Large
 Vehicle Storage – Passenger
 Vehicle Storage – Recreational
 Warehouse – Storage Only

SUBORDINATE USE GROUP

Accessory Food Service
 Accessory Liquor Service
 Accessory Residential Building
 Bed and Breakfast
 Columbarium
 Custodial Quarters
 Drive Through
 Home Occupation – Class 1
 Home Occupation – Class 2
 Outdoor Café
 Proshop
 Seasonal Sales Area
 Special Function Tent – Commercial
 Special Function Tent – Recreational

TEACHING AND LEARNING GROUP

Instructional Facility – Inside
 Instructional Facility – Outside
 Post-secondary Learning Institution
 School – Private
 School Authority – School
 School Authority Purpose – Major
 School Authority Purpose – Minor

SCHEDULE B
Minimum and Specified Penalties

General Offences			
Section	Offence	Minimum Penalty First Offence	Specified Penalty First Offence
23	Fail to obtain DP	\$1500	\$3000
	Fail to comply with DP / DP conditions	\$1500	\$3000
47(1)	Occupy or commence use prior to DCP	\$1500	\$3000
47(5)	Fail to allow inspection / hinder Inspector	\$1500	\$3000
47(8)	Fail to retain DCP on premises	\$200	\$400
Lighting Offences			
63	Fail to shield	\$100	\$200
65	Exceed mounting height	\$100	\$200
66	Fail to recess on canopy	\$100	\$200
Sign Offences			
70	Fail to comply with comprehensive Sign Approval	\$500	\$1000
72(1)	Display 3 rd Party Advertising	\$500	\$1000
72(6)	Sign too close to curb	\$100	\$500
72(8)	Sign in visibility triangle	\$100	\$500
72(9)	Sign in road ROW setback	\$100	\$300
72(11)	Sign not on private property	\$100	\$300
72(12)	Unauthorized projection	\$100	\$200
72(13)	Damage landscaping	\$100	\$500
76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86	Fail to comply with Rules Regarding Specific Class A Signs	\$100	\$200
87	Fail to comply with Rules for Temporary Signs	\$100	\$200
89	Fail to comply with Rules for Fascia Identification Signs	\$200	\$400
91, 92, 93, 94, 95, 96	Fail to comply with Rules for Freestanding Identification Signs	\$200	\$400
97, 98	Fail to comply with Rules for Canopy Identification Signs/ Signs under canopy	\$200	\$400
99, 100	Fail to comply with Rules for Projecting Identification Signs	\$200	\$400

Section	Offence	Minimum Penalty First Offence	Specified Penalty First Offence
102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114	Fail to comply with Rules for Class E & Class F Signs	\$500	\$1000
Parking Stall, Bicycle Parking Stall and Loading Stall Offences			
117	Fail to identify stalls through signage	\$500	\$1000
119	Stalls used for Unauthorized Purpose	\$500	\$1000
122	Fail to comply with Parking Stall Standards	\$500	\$1000
123	Fail to comply with Loading Stall Standards	\$500	\$1000
125	Fail to comply with Bicycle Stall Standards	\$500	\$1000
Use Rules Offences			
Part 4	Fail to comply with Rules relating to Uses	\$200	\$400
Low Density Residential Offences			
342(1)	Retaining Wall Exceed Height	\$500	\$1000
342(2)	Retaining Wall not meet Separation Requirement	\$500	\$1000
343	Fail to comply with Fence Rules	\$200	\$400
344	Have prohibited/restricted object	\$200	\$400
345, 346	Fail to comply with Accessory Building Rules	\$200	\$400
348	Fail to comply with Corner Visibility Rules	\$200	\$400
359	Fail to comply with Personal Sales Rules	\$200	\$400
Commercial Offences			
696	Fail to screen mechanical	\$200	\$1000
697	Fail to enclose garbage	\$200	\$1000