

# THE CITY OF CALGARY

## LAND USE BYLAW 1P2007

### OFFICE CONSOLIDATION

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

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

**NOTE:**

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

## **PUBLISHING INFORMATION**

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

**AUTHOR:** LAND USE BYLAW SUSTAINMENT TEAM,  
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**GO TO:** The Calgary Land Use Bylaw, 1P2007

- (c) **Special Function – Class 1;** and 4P2012
- (d) **Utilities.**
- (2) The following **uses** are deemed to be **discretionary uses** on all areas designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, unless the contrary is stated in the Bylaw designating the areas as Direct Control:
- (a) **Community Entrance Feature;**
- (a.1) **Home Based Child Care – Class 2** where the listed **uses** include **Single Detached Dwelling;** 41P2009
- (b) **Home Occupation – Class 2,** where the listed **uses** include a **Dwelling Unit;**
- (c) **Sign – Class C, Sign – Class D and Sign – Class E;** 35P2011
- (d) **Special Function – Class 2** where restaurant, drinking establishment or night club **uses** are allowed; and 4P2012
- (e) **Utility Building.**
- (3) The following **uses** must only be listed as a **use** on a **parcel** that has been designated Direct Control:
- (a) **Adult Mini-Theatre;**
- (b) **Campground;**
- (c) **Emergency Shelter;**
- (d) **Fertilizer Plant;**
- (e) **Firing Range;**
- (f) **Gaming Establishment – Casino;**
- (g) **Hide Processing Plant;**
- (h) **Intensive Agriculture;**
- (i) **Inter-City Bus Terminal;**
- (j) **Jail;**
- (k) **Motorized Recreation;**
- (l) **Natural Resource Extraction;**
- (m) **Pits and Quarries;**
- (n) **Power Generation Facility – Large;**

- 5P2013
- (o) **Race Track;**
  - (p) **Refinery;**
  - (q) **Salvage Processing – Heat and Chemicals;**
  - (r) **Sawmill;**
  - (r.1) **Sewage Treatment Plant** when not operated by, or on behalf of, the **City**;
  - (s) **Slaughter House;**
  - (t) **Stock Yards;**
  - (u) **Tire Recycling;**
  - 32P2009 (u.1) **Waste Disposal and Treatment Facility** when not operated by, or on behalf of, the **City**; and
  - (v) **Zoo.**
- (4) The **uses** listed in subsection (3) may be either **permitted** or **discretionary** in accordance with the **use** lists of the Direct Control Bylaw.
- (5) Where an activity is proposed and it does not fall within any of the definitions of **uses** or any combination of **uses** defined in Part 4, the **General Manager** must recommend to **Council** that the activity be considered only through a Direct Control Bylaw or that this Bylaw be amended to include such **use**.

#### Reference to Other Bylaws in Direct Control Bylaws

- 15P2014
- 22 (1)** Where a **parcel** is designated with a Direct Control District:
- (a) pursuant to this Bylaw, a reference to a section of Part 10 of this Bylaw within the Direct Control Bylaw is deemed to be a reference to the section on June 8, 2014, unless the Direct Control District referred to Part 10 of this Bylaw as of the effective date of the Direct Control District Bylaw;
  - (b) pursuant to this Bylaw, a reference to a section of any Part other than Part 10 of this Bylaw within the Direct Control Bylaw is deemed to be a reference to the section as amended from time to time, unless a contrary intent is stated in the Direct Control Bylaw; and
  - (c) pursuant to a previous land use bylaw and such designation is continued pursuant to this Bylaw, the Direct Control Bylaw, as approved by **Council** at the time such designation was made, will continue to apply, unless a contrary intent is set out in the Bylaw designating the **parcel** Direct Control.

## 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:

51P2008, 26P2010, 9P2012,  
33P2013, 15P2014

Table 1: Road Rights-of-Way

ON (Numbered Streets)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
1 STREET E.	RIVERFRONT AVENUE	3 AVENUE S.	20.177	24.385	2.134 Each
1 STREET E.	4 AVENUE S.	9 AVENUE S.	20.117	30.481	5.182 Each
1 STREET E.	10 AVENUE S.	ELBOW RIVER	20.117	30.481	5.182 Each
1 STREET W.	RIVERFRONT AVENUE	9 AVENUE S.	20.117	24.385	2.134 Each
1 STREET W.	10 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
2 STREET W.	RIVERFRONT AVENUE	9 AVENUE S.	20.117	24.385	2.134 Each
3 STREET W.	2 AVENUE S.	7 AVENUE S.	20.117	24.385	2.134 Each
4 STREET W.	4 AVENUE S.	7 AVENUE S.	20.117	24.385	2.134 Each
4 STREET W.	40 AVENUE N.	16 AVENUE N.	20.117	24.385	2.134 Each
4 STREET E.	2 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134 Each
4 STREET E.	7 AVENUE S.	9 AVENUE S.	20.117	24.385	2.134 Each
5 STREET W.	3 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134 Each
6 STREET W.	1 AVENUE S.	8 AVENUE S.	20.117	24.385	2.134 Each
7 STREET W.	1 AVENUE S.	9 AVENUE S.	20.117	24.385	2.134 Each
8 STREET W.	2 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
9 STREET W.	7 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
10 STREET W.	4 AVENUE S.	9 AVENUE S.	20.117	24.385	2.134 Each
10 STREET W.	24 AVENUE N.	GLADSTONE ROAD	20.117	30.481	5.182 Each
11 STREET E.	12 STREET E. SUBWAY	C.P.R. RIGHT-OF-WAY	20.117	24.385	2.134 Each
11 STREET W.	11 AVENUE S.	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 N.	17 AVENUE S.	22.251	24.385	2.134 WEST
29 STREET W.	32 STREET W.	MEMORIAL DRIVE	20.117	24.385	2.134 Each
29 STREET W.	BOW TRAIL	35 AVENUE S.	20.117	24.385	2.134 Each
33 STREET W.	8 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
36 STREET E.	AIRPORT TRAIL N.	64 AVENUE N.	20.117	36.577	8.230 Each
36 STREET E.	8 AVENUE S.	26 AVENUE S.	20.117	30.481	5.182 Each
37 STREET W.	BOW TRAIL	17 AVENUE S.	25.299	30.481	5.182 WEST
37 STREET W.	28 AVENUE S.	33 AVENUE S.	25.299	30.481	5.182 WEST
37 STREET W.	44 AVENUE S.	45 AVENUE S.	25.299	30.481	5.182 EAST
44 STREET E.	17 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134 Each
45 STREET W.	BOW TRAIL	15 AVENUE S.	22.251	24.385	2.134 EAST
45 STREET W.	17 AVENUE S.	26 AVENUE S.	22.251	24.385	2.134 EAST
45 STREET W.	33 AVENUE S.	35 AVENUE S.	22.251	24.385	2.134 WEST
52 STREET E.	14 AVENUE S.	16 AVENUE S.	25.299	30.481	5.182 WEST
52 STREET E.	50 AVENUE S.	54 AVENUE S.	20.117	45.000	4.942 EAST
52 STREET E.	50 AVENUE S.	52 AVENUE S.	20.117	45.000	19.941 WEST
52 STREET E.	114 AVENUE S.	126 AVENUE S.	20.117	45.000	24.883 EAST
52 STREET E.	126 AVENUE S.	130 AVENUE S.	20.117	50.000	29.883 EAST
53 STREET W.	VARSITY ESTATES DRIVE (N. LEG)	53 AVENUE N.	20.117	24.385	2.134 EAST
83 STREET W.	BOWNESS ROAD	33 AVENUE N.	20.117	30.481	5.182 Each
85 STREET W.	BOWNESS ROAD	48 AVENUE N.	20.117	30.481	5.182 Each

51P2008, 26P2010  
 19P2010, 9P2012, 33P2013, Table 1: Road Rights-of-Way – continued  
 15P2014

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
1 AVENUE S.	6 STREET W.	7 STREET W.	20.117	24.385	2.134 Each
2 AVENUE S.	3 STREET W.	CENTRE STREET	20.117	24.385	2.134 Each
2 AVENUE S.	8 STREET W.	6 STREET W.	20.117	24.385	2.134 Each
2 AVENUE S.	CENTRE STREET	1 STREET E.	20.117	24.385	2.134 SOUTH
3 AVENUE S.	8 STREET W.	1 STREET E.	20.117	24.385	2.134 Each
4 AVENUE S.	10 STREET W.	1 STREET E.	20.117	24.385	2.134 Each
5 AVENUE S.	11 STREET W.	2 STREET W.	20.117	24.385	2.134 Each
5 AVENUE S.	CENTRE STREET	1 STREET E.	20.117	30.481	5.182 Each
6 AVENUE S.	11 STREET W.	4 STREET E.	20.117	24.385	2.134 Each
7 AVENUE S.	10 STREET W.	3 STREET W.	20.117	24.385	2.134 Each
8 AVENUE S.	11 STREET W.	MACLEOD TRAIL	20.117	24.385	2.134 Each
9 AVENUE S.	14 STREET W.	5 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	14 STREET W.	20.117	22.385	1.134 Each
11 AVENUE S.	17 STREET W.	6 STREET E.	20.117	24.385	2.134 Each
11 AVENUE S.	17 STREET W.	18 STREET W.	24.384	26.518	2.134 NORTH
12 AVENUE S.	19 STREET W.	6 STREET E.	20.117	24.385	2.134 Each
16 AVENUE N.	13 STREET W.	4 STREET E.	20.117	40.539	5.182 NORTH
17 AVENUE S.	37 STREET W.	17 STREET W.	20.117	30.481	5.182 Each
17 AVENUE S.	27 STREET E.	50 STREET E.	20.117	34.747	7.315 Each
17 AVENUE S.	C.N.R. RIGHT-OF-WAY	WEST EDGE OF T.U.C.	20.117	36.577	8.230 Each
26 AVENUE S.	24A STREET W.	37 STREET W.	20.117	24.385	2.134 Each
26 AVENUE S.	4 STREET W.	5 STREET W.	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 SOUTH
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	1.500 Each
BURNSLAND ROAD	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
CENTRE STREET S.	RIVERFRONT AVENUE	4 AVENUE S.	20.117	24.385	2.134 Each
CENTRE STREET S.	4 AVENUE S.	6 AVENUE S.	20.117	30.481	5.182 Each
CENTRE STREET S.	6 AVENUE S.	LANE S. OF 7 AVENUE S.	20.117	24.385	2.134 Each
EDMONTON TRAIL	38 AVENUE N.	16 AVENUE N.	20.117	24.385	2.134 Each
EDMONTON TRAIL	16 AVENUE N.	5 AVENUE N.	20.117	30.481	5.182 Each
MACDONALD AVE.	ELBOW RIVER	8 STREET E.	20.117	24.385	2.134 Each
MACLEOD TRAIL	7 AVENUE S.	9 AVENUE S.	20.117	30.481	5.182 Each
MACLEOD TRAIL	10 AVENUE S.	17 AVENUE S.	20.117	30.481	5.182 Each
OGDEN ROAD	24 STREET E.	80 AVENUE S.	24.384	30.480	3.048 Each
OGDEN ROAD	26 AVENUE S.	17 STREET E.	20.117	30.481	5.182 Each
OGDEN ROAD	MILLICAN ROAD	69 AVENUE S.	20.117	30.480	10.363 WEST
OLYMPIC WAY	11 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 EAST
RICHMOND ROAD	29 STREET W.	37 STREET W.	22.860	24.384	0.762 Each
RICHMOND ROAD	41 STREET W.	45 STREET W.	25.298	30.480	5.182 NORTH
RIVERFRONT AVENUE	2 STREET W.	3 STREET E.	20.117	24.385	2.134 Each
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:
- (a) the required **building setback** in the applicable land use district; plus
  - (b) the Required Setbacks referenced in Table 1.
- (3) When considering an application for a **development permit** for a **discretionary use**, the **Development Authority** may require that a **building** must not be constructed within a future corner cut-off at an intersection.
- (4) Portions of a **parcel** within the Required Setbacks referenced in Table 1 may be used by an applicant for the purposes of calculating **landscaped area**, **floor area ratio** and **units** per hectare.



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

### Rules Governing All Signs

35P2011

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

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

33P2013, 15P2014

### Rules Governing All Signs in the Stephen Avenue Mall Heritage Area

- 73.1 (1) In addition to the rules contained in this Division, **signs** located in the **Stephen Avenue Mall heritage area** must not obscure or adversely impact historical architectural details of a **building's** facade.
- (2) Unless otherwise referenced in section 93(5), **signs** located within the **Stephen Avenue Mall heritage area** may utilize only the following means of illumination:

- (a) incandescent lighting;
  - (b) fluorescent lighting not visible to pedestrians at **grade**;
  - (c) neon lighting when used only for text or imagery in a **sign area**; and
  - (d) LED lighting.
- (3) All back-lit **signs** must have opaque backgrounds with illumination only visible through the text.
- (4) With the exception of **signs** referenced in sections 90 (3) and 99 (5), the text of a **sign** located in the **Stephen Avenue Mall heritage area** must not occupy more than 60.0 per cent of the total **sign area**.

### Rules Governing Signs containing Digital Displays

35P2011, 4P2013

- 74 (1) **Copy** shown on a **digital display** must be static and remain in place for a minimum of six (6.0) seconds before switching to the next **copy**.
- (2) The maximum transition time between each digital **copy** must not exceed 0.25 seconds.
- (3) *deleted* 4P2013
- (4) **Copy** must not be shown on the **digital display** using full motion video or otherwise give the appearance of animation or movement, and the transition between each digital **copy** must not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects. 4P2013
- (5) **Copy** must not be shown in a manner that requires the **copy** to be viewed or read over a series of sequential **copy** messages on a single **digital display**, or sequenced on multiple **digital displays**. 4P2013
- (5.1) All **signs** containing a **digital display** must be equipped with an ambient light sensor. 4P2013
- (5.2) A **sign** containing a **digital display** must not increase the light levels adjacent to the **digital display** by more than 3.0 LUX above the ambient light level. 4P2013
- (6) The **sign owner** must ensure that while the **sign** is in operation, the light output for the **digital display** must be set in accordance with the following maximum luminance levels when measured from the **sign** face at its maximum brightness: 4P2013
- (a) from sunrise to sunset, 7500 Nits in all districts; and
  - (b) from sunset to sunrise:
    - (i) 500 Nits in the **industrial districts**;

- (ii) 350 Nits in the C-COR 1, C-COR2, C-COR3, C-R1, C-R2, C-R3, S-CRI and S-FUD Districts; and
- (iii) 300 Nits in all other districts not referenced in subsections (i) and (ii).

4P2013 (7) *deleted*

4P2013 (8) If any component on the **sign** fails or malfunctions in any way or fails to operate as indicated on the approved **development permit** plans, the **sign owner** must ensure that the **sign** is turned off until all components are fixed and operating as required.

4P2013 (9) The **sign owner** must provide the **Development Authority** with a name and telephone contact information of a person(s) having access to the technology controls for the **sign**, who can be contacted 24 hours a day in the event that the **sign** malfunctions.

4P2013 (10) *deleted*

#### 35P2011 Maintenance of Signs

75 (1) A **sign owner** must ensure that its signs do not become unsafe or unsightly.

(2) Where a **sign** has been defaced, damaged or destroyed the **sign owner** must:

- (a) immediately repair the **sign** to its original condition;
- (b) replace it with a new **sign** that complies with any applicable **development permit** or the rules of this Bylaw where a **development permit** is not required; or
- (c) remove the **sign**.

(3) Where a **sign** is no longer related to a business, event, product or commodity located on the same **parcel** as the **sign**, the **sign** must be removed by the **sign owner** or the owner of the **parcel** on which the **sign** is located.

#### 35P2011 Parcels in Related Function

76 Where abutting **parcels** have the appearance and function of a single site by virtue of having cross-access easements, shared parking, connecting internal roadways, or common access points, a **sign** that relates to a **use** on any of the **parcels** will not be considered a **Third Party Advertising Sign** simply because it is located on another **parcel**.

#### 35P2011 Rules Governing Class A Signs

77 A **Sign – Class A** does not require a **development permit** when “**Sign – Class A**” is a listed **use** in the District and the **sign** meets all applicable rules.

**Rules for Signs under Canopies**

35P2011

**100** **Signs** hanging or attached under canopies and other **building** projections:

- (a) must have a minimum clearance of 2.4 metres from **grade**;
- (b) may be a maximum of 0.30 metres in height;
- (c) may have a maximum **sign area** of 1.0 square metres; and
- (d) must be a minimum of 4.5 metres from each other.

**Rules for Projecting Signs**

35P2011

**101** (1) The maximum number of **Projecting Signs** a business may have on a **primary building wall** is one.

(1.1) In the **Stephen Avenue Mall heritage area**, a **Projecting Sign** must be limited to a maximum of one for every 7.5 metre section of **building** facade parallel to Stephen Avenue Mall;

33P2013

(2) The edge of a **Projecting Sign** closest to the wall of the **building** to which it is attached must be within 0.30 metres of that wall.

(3) Unless otherwise referenced in subsection (4), the maximum height of a **Projecting Sign** is 6.0 metres from **grade** when measured to the top of the **sign**.

(4) Where a **Projecting Sign** relates to a **Hotel, Retail and Consumer Service** or a **Parking Lot – Structure** with a height of 18.5 metres or greater, the maximum height of the **Projecting Sign** is 21.5 metres above **grade** so long as:

- (a) the **sign** does not project more than 2.0 metres from the **building**; and
- (b) the **sign area** is 18.5 square metres or less.

(5) The minimum clearance between the bottom of a **Projecting Sign** and **grade** is 2.4 metres.

**Size Restrictions for Projecting Signs**

**102** (1) In the C-N1, C-N2, C-C1, CC-MH, CC-MHX, M-H1, M-H2, M-H3, M-X1 and M-X2 Districts, the maximum **sign area** for a **Projecting Sign** is 2.3 square metres.

35P2011

(2) In the C-COR3 District, the maximum **sign area** for a **Projecting Sign** is 9.3 square metres.

(3) In all other **commercial** and **industrial districts** and the CR20-C20/R20 District, the maximum **sign area** for a **Projecting Sign** is 4.5 square metres.

33P2013

(4) In all other Districts not referenced in subsections (1) through (3), the maximum **sign area** for a **Projecting Sign** is 1.0 square metres.

15P2014

- (5) In the **Stephen Avenue Mall heritage area**, a **Projecting Sign**:
- (a) must not have a dimension greater than 0.91 metres by 1.22 metres except where the only other **sign** on the facade of the **building** is a **Window Sign**; and
  - (b) when located above the designated signable area referenced in section 92(2) and (5) must not have a:
    - (i) **sign area** greater than 1.1 square metres;
    - (ii) vertical dimension greater than 1.2 metres; and
    - (iii) horizontal dimension that is parallel to the **building** facade greater than 0.20 metres.

### Rules Governing Class E Signs

**103** Every **Sign – Class E** requires a **development permit**.

35P2011, 4P2013

### Digital Message Sign

- 104** (1) Unless otherwise referenced in subsection (2), a **Digital Message Sign** may only be approved in a **commercial district, industrial district**, S-R or CC-ER District.
- (2) A **Digital Message Sign** advertising events, activities or services offered, may only be approved in the **low-density residential districts, multi-residential districts**, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts, when they are associated with one of the following **uses**:
- (a) **Community Recreation Facility**;
  - (b) **Indoor Recreation Facility**;
  - (c) **Library**;
  - (d) **Museum**;
  - (e) **Outdoor Recreation Area**;
  - (f) **Park**;
  - (g) **Place of Worship – Large**;
  - (h) **Place of Worship – Medium**;
  - (i) **Place of Worship – Small**;
  - (j) **School – Private**;
  - (k) **School Authority – School**;
  - (l) **School Authority Purpose – Major**; and
  - (m) **School Authority Purpose – Minor**.

- (3) A **Digital Message Sign** must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the **sign** containing the **digital display** to the closest point of another **sign** containing the **digital display** when the **signs** are facing the same oncoming traffic.

33P2013, 15P2014

- (3.1) *deleted*

- (4) Subsection (3) does not apply to a **Digital Message Sign** with **copy** that only displays the date, time, temperature, motor vehicle fuel price or a **Drive Through** menu board.

- (5) A **Digital Message Sign** must not be located on a **parcel adjacent** to Deerfoot Trail when the **copy** on the **sign** is visible from Deerfoot Trail.

- (5.1) A **Digital Message Sign** must not be located within the **Stephen Avenue Mall heritage area**.

33P2013, 15P2014

- (6) A **Digital Message Sign**:

- (a) where located in a **commercial district, industrial district, S-R or CC-ER District** has a maximum **sign area**:
- (i) of 5.0 square metres when attached to a **building**;
  - (ii) not exceeding the lesser of 2.5 square metres or 30.0 per cent of the window area, where used as a **Window Sign**; and
  - (iii) of 50 per cent of the **sign area** of a **Freestanding Sign**; and
- (b) where located in a **low-density residential district, multi-residential district, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts**, has a maximum **sign area** of 1.0 square metres.

- (7) Where the **digital display** of a **Digital Message Sign** is visible from and located within 125.0 metres of a **building** containing a **Dwelling Unit**, the **sign** must not operate, or must only display a black screen when located in:

- (a) a **commercial district, industrial district, S-R or CC-ER District**, between 11 p.m. and 6 a.m.; or
- (b) one of the districts and associated with one of the **uses** listed in subsection (2), between 10 p.m. and 7 a.m.

- (8) A **Digital Message Sign**, or any digital **copy** on a **Digital Message Sign** must not be located on or attached to a roof of a **building**.

- (9) The **Development Authority** must not approve any **sign** containing a **digital display** with a **sign area** greater than 2.0 square metres if the **sign** is located less than 30.0 metres from an intersection or railway crossing.

- (10) The electrical power supply to a **Digital Message Sign** must be provided underground.
- (11) A **Digital Message Sign** may display *copy* that acknowledges sponsors of activities or programs when the *sign* is associated with one of the following *uses*:
- (a) **Community Recreation Facility;**
  - (b) **Indoor Recreation Facility;**
  - (c) **Library;**
  - (d) **Museum;**
  - (e) **Outdoor Recreation Area;**
  - (f) **Park;**
  - (g) **Place of Worship – Large;**
  - (h) **Place of Worship – Medium;**
  - (i) **Place of Worship – Small;**
  - (j) **School – Private;**
  - (k) **School Authority – School;**
  - (l) **School Authority Purpose – Major; and**
  - (m) **School Authority Purpose – Minor.**
- (12) A *development permit* for a **Digital Message Sign** may only be issued for a period not exceeding three (3) years, except where *copy* only displays the date, time, temperature, motor vehicle fuel price, or **Drive Through** menu board.
- (13) Prior to a *development permit* expiring for a **Digital Message Sign**, and upon receipt of a new **development permit** application for the same **Digital Message Sign**, the **Development Authority**:
- (a) must ensure the location of the **Digital Message Sign** does not interfere with information signs in road rights-of-way;
  - (b) must, when a *sign* is located in a district referenced in subsection (1), apply the rules referenced in subsection (7); and
  - (c) may approve the *development permit* for a **Digital Message Sign** that was approved prior to March 1, 2013, and is adjacent to Deerfoot Trail.

35P2011

**Inflatable Sign**

**105 (1)** An **Inflatable Sign** is not allowed in those locations referenced in subsections 89(1) or 89(2).

33P2013

**(1.1)** An **Inflatable Sign** must not be located within the **Stephen Avenue Mall heritage area**.



## Street Walls

- 1321 (1)** Where the **building height** within 6.0 metres of a **property line** shared with a **street** is greater than 36.0 metres, the **building** must provide two of the following features, not including **signs**, to distinguish the base of the **building** from the rest of the **building**:
- (a) **building** massing;
  - (b) façade articulation;
  - (c) textures;
  - (d) building materials; or
  - (e) a minimum horizontal separation of 3.0 metres from the façade of the podium which is shared with the **street** and portions of the **building** located above the podium.
- (2)** The **building** features in subsection (1) must have:
- (a) a minimum height of 9.0 metres from **grade**; and
  - (b) a maximum height of 24.0 metres from **grade**.

## Stephen Avenue Mall – Building Orientation

- 1322** Except for entranceways and vestibules, the maximum **building setback** from 8 Avenue SW between 4 Street SW and MacLeod Trail SE is 0.0 metres.

## Stephen Avenue Mall – Building Design

- 1323** **Buildings** within the **Stephen Avenue Mall heritage area** must:
- (a) retain the heritage character of existing **buildings**; and
  - (b) respect the existing heritage character of the area in new **buildings** or additions to existing **buildings** through the use of compatible materials and architectural features.

## Landscaping

- 1324** Except for motor vehicle access, **motor vehicle parking stalls**, **loading stall** and garbage facilities, exterior horizontal surfaces of a **building** must be **landscaped areas** where:
- (a) the **building** contains **Assisted Living**, **Dwelling Units** or **Live Work Units** located above the horizontal surface; and
  - (b) the horizontal surface is less than or equal to 36.0 metres above **grade** and greater than 5.6 square metres in area.

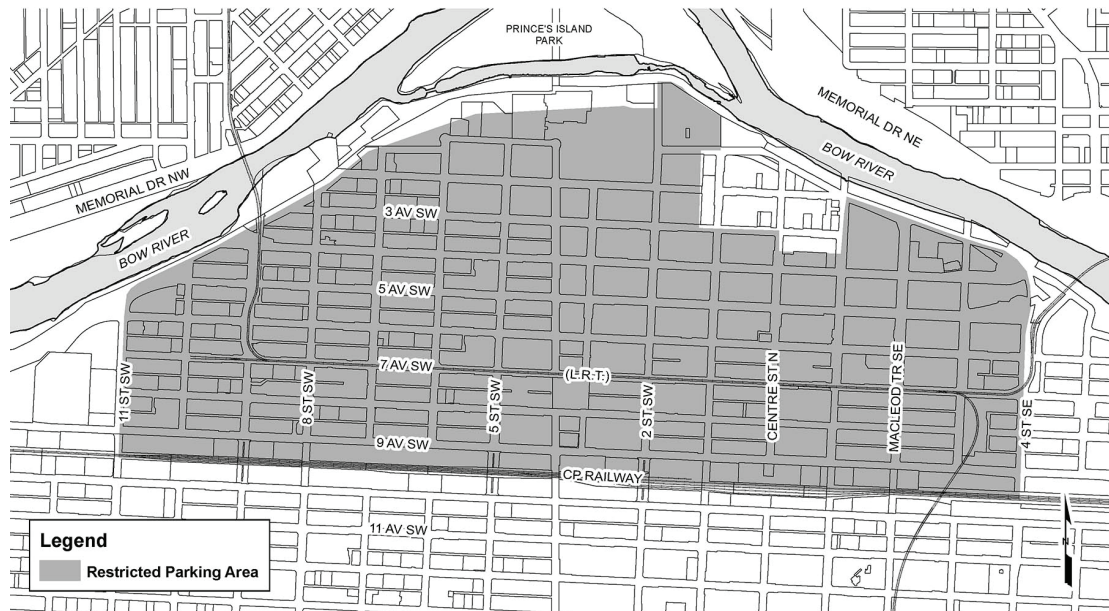
### Motor Vehicle Parking Stalls

- 1325 (1)** The minimum number of **motor vehicle parking stalls** established in this section must not be exceeded except where additional stalls are being provided in accordance with sections 1327 and 1328.
- (2)** For **Assisted Living, Custodial Care, and Residential Care** the minimum number of required **motor vehicle parking stalls** is the requirement referenced in Part 4.
- (3)** For **Dwelling Units** or **Live Work Units**:
- (a)** the minimum **motor vehicle parking stall** requirement is 0.5 stalls per **unit**;
  - (b)** the maximum number of **motor vehicle parking stalls** that may be provided is:
    - (i)** 1.0 stalls per **unit** where the **unit's gross floor area** is less than or equal to 125.0 square metres; and
    - (ii)** 2.0 stalls per **unit** where the **unit's gross floor area** is greater than 125.0 square metres; and
  - (c)** the **visitor parking stall** requirement is 0.1 stalls per **unit**.
- (4)** For a **Hotel**, the minimum number of required **motor vehicle parking stalls** is 1.0 per 3.0 guest rooms.
- (5)** The following **uses** require a parking study to determine the required minimum number of **motor vehicle parking stalls, bicycle parking stalls – class 1** and **bicycle parking stalls – class 2**:
- (a)** **Conference and Event Facility**;
  - (b)** **Indoor Recreation Facility**;
  - (c)** **Library**;
  - (d)** **Museum**;
  - (e)** **Performing Arts Centre**;
  - (f)** **Post-secondary Learning Institution**.
- (6)** Except for **Office, uses** located on the ground floor or second floor of a **building** do not require **motor vehicle parking stalls**.
- (7)** For all other **uses**, the minimum number of required **motor vehicle parking stalls** is 0.7 per 100.0 square metres of **gross usable floor area**.

15P2014

**Restricted Parking Area**

- 1326 (1)** Unless otherwise referenced in 1325(3) or subsection (2) the maximum number of **motor vehicle parking stalls** for **developments** located within the Restricted Parking Area, as illustrated on Map 13, is:
- (a) the minimum number of **motor vehicle parking stalls** required in section 1325 where:
    - (i) the **building** has a **floor area ratio** less than or equal to 3.0 when located on a **parcel** equal to or less than 1812.0 square metres;
    - (ii) the stalls are required for **Assisted Living, Custodial Care, Residential Care, Dwelling Units, Hotel** guest rooms or **Live Work Units**, including **visitor parking stalls**; or
    - (iii) a **development** has been approved for a cumulative 9300.0 square metres or greater of **gross usable floor area** for **uses** contained in the Sales Group of Schedule A to this Bylaw; and
  - (b) in all other cases 50.0 per cent of the required **motor vehicle parking stalls** referenced in section 1325.
- (2)** The maximum number of **motor vehicle parking stalls** for sites upon which an existing stand-alone parking structure exists, and which existed on October 10, 1984, is the greater of:
- (a) the number of **motor vehicle parking stalls** provided on October 10, 1984, or
  - (b) the number of **motor vehicle parking stalls** in subsection (1).
- (3)** A cash-in-lieu payment for the difference between the total number of **motor vehicle parking stalls** required in section 1325 and the number of **motor vehicle parking stalls** allowed for in this section must be provided.
- (4)** Payments made under subsection (3) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** at the time the payment is made.
- (5)** **Motor vehicle parking stalls** provided in accordance with sections 1327 and 1328 are not subject to the Restricted Parking Area rules.

**Map 13: Restricted Parking Area Boundaries****Short Stay Parking Stalls**

**1327 (1)** The number of **motor vehicle parking stalls** required in sections 1325 or 1326 may be increased to provide **parking area – short stay** stalls under one of the following options when the **parcel** is located in a Short Stay Parking Area identified in Map 14:

- (a) up to a total of 10.0 additional **motor vehicle parking stalls** where such stalls are:
  - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
  - (ii) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
  - (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; or
- (b) more than 10.0 additional **motor vehicle parking stalls**, to a maximum of 25.0 per cent of the number of stalls required in section 1325 or 125.0 stalls, whichever is less, where such stalls are:
  - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
  - (ii) identified through appropriate signage, as **parking area - short stay** stalls;
  - (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; and

8.16.4	<p><b>Requirements:</b></p> <p>A density transfer for the adaptive reuse includes:</p> <ul style="list-style-type: none"> <li>(a) a transfer agreement that is registered on the Certificate of Title of the <b>parcel(s)</b> from which the density has been transferred;</li> <li>(b) a land use redesignation of the <b>parcel</b> from which the density has been transferred to a Direct Control District in which the allowable maximum <b>floor area ratio</b> remaining after the transfer is regulated;</li> <li>(c) a land use redesignation of the <b>receiving parcel</b> to a Direct Control District in which the allowable maximum <b>floor area ratio</b> achieved through the transfer is regulated;</li> <li>(d) a maximum of 1.0 <b>floor area ratio</b> of the receiving <b>parcel</b>, calculated in square metres that has been achieved through density transfer for the adaptive reuse of <b>buildings</b>;</li> <li>(e) transfers only to receiving <b>parcels</b> designated with the CR20-C20/R20 district; and</li> <li>(f) transfers only from source <b>buildings</b> that have redeveloped in accordance with the requirements of item 8.17.</li> </ul>
8.17	<p><b>ADAPTIVE REUSE</b></p> <p>Adaptive reuse is the retention and reuse of an existing <b>building</b> or significant portions of the <b>building's</b> structure on the <b>parcel</b>.</p>
8.17.1	<p><b>The maximum incentive floor area ratio for this item is 2.0.</b></p>
8.17.2	<p><b>Incentive calculation:</b></p> <p>Where a <b>development</b> provides the requirements of 8.17.4 the Incentive Ratio is 1:2.0.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = <b>gross floor area</b> of the retained <b>building</b> (square metres) multiplied by 2.0.</p>
8.17.3	<p><b>Minimum Floor Area Ratio Requirement:</b></p> <ul style="list-style-type: none"> <li>(a) for a <b>development</b> containing a <b>Hotel</b> in either the <b>development permit</b> where the <b>development permit</b> is not phased or the first phase of the <b>development permit</b>, where the <b>development permit</b> is phased, the minimum <b>floor area ratio</b> that must be achieved prior to use of this item is: 7.0; and</li> <li>(b) in all other cases the minimum <b>floor area ratio</b> that must be achieved prior to use of this item is: 8.0.</li> </ul>

8.17.4	<p><b>Requirements:</b></p> <p>Adaptive reuse includes the following:</p> <ul style="list-style-type: none"> <li>(a) the redevelopment of an existing <b>building</b>;</li> <li>(b) the retention of 75.0 per cent of the <b>gross floor area</b> of the <b>building</b>; and</li> <li>(c) proper removal of recyclable materials prior to demolition.</li> </ul>
8.18	<p><b>DESIGN FOR UNIVERSAL ACCESSIBILITY</b></p> <p>Design for universal accessibility is the design of a <b>unit</b> to meet enhanced accessibility standards that exceed any minimum standards as established in this Bylaw.</p>
8.18.1	<p><b>The maximum incentive floor area ratio for this item is 1.0</b></p>
8.18.2	<p><b>Incentive calculation:</b></p> <p>Where a <b>development</b> provides a <b>unit</b> designed for enhanced accessibility the Incentive Ratio is 1:1.5.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = <b>gross floor area</b> of <b>units</b> designed in accordance with enhanced accessibility standards (square metres) multiplied by 1.5.</p>
8.18.3	<p><b>Minimum Floor Area Ratio Requirement:</b></p> <ul style="list-style-type: none"> <li>(a) for a <b>development</b> containing a <b>Hotel</b> in either the <b>development permit</b> where the <b>development permit</b> is not phased or the first phase of the <b>development permit</b>, where the <b>development permit</b> is phased, the minimum <b>floor area ratio</b> that must be achieved prior to use of this item is: 7.0; and</li> <li>(b) in all other cases the minimum <b>floor area ratio</b> that must be achieved prior to use of this item is: 8.0.</li> </ul>
8.18.4	<p><b>Requirements:</b></p> <p>A design for universal accessibility includes the following:</p> <ul style="list-style-type: none"> <li>(a) a smooth, unobstructed floor space of a minimum dimension of 1800.00 millimetres length and 1800.00 millimetres width in each kitchen, bathroom and hallway to enable the turning of a wheelchair or mobility device;</li> <li>(b) hallways with a width greater than 1.0 metres and no changes in floor level;</li> <li>(c) a bedroom, kitchen and a bathroom on the same floor as the entrance to the <b>unit</b>;</li> <li>(d) a step-free entrance to the <b>unit</b>; and</li> <li>(e) an accessible <b>motor vehicle parking stall</b>, with a minimum width of 4.0 metres, associated with each <b>unit</b> designed in accordance with these requirements.</li> </ul>