

# THE CITY OF CALGARY LAND USE BYLAW 1P2007

## OFFICE CONSOLIDATION

### BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

11P2008	June 1, 2008	24P2011	June 27, 2011	4P2017	January 23, 2017
13P2008	June 1, 2008	27P2011	July 1, 2011	5P2017	February 13, 2017
15P2008	June 1, 2008	30P2011	July 25, 2011	13P2017	March 27, 2017
47P2008	June 1, 2008	31P2011	September 12, 2011	20P2017	May 1, 2017
48P2008	June 1, 2008	33P2011	September 19, 2011	29P2017	June 26, 2017
49P2008	June 1, 2008	35P2011	December 5, 2011	30P2017	June 26, 2017
50P2008	June 1, 2008	36P2011	December 5, 2011	37P2017	August 2, 2017
53P2008	June 1, 2008	4P2012	January 10, 2012	49P2017	September 12, 2017
54P2008	May 12, 2008	2P2012	February 6, 2012	50P2017	September 25, 2017
57P2008	June 9, 2008	9P2012	April 23, 2012	56P2017	September 25, 2017
67P2008	October 1, 2008	12P2012	May 7, 2012	24P2018	March 13, 2018
68P2008	October 6, 2008	30P2012	November 5, 2012		January 29, 2019
71P2008	December 22, 2008	32P2012	December 3, 2012	13P2018	April 2, 2018
51P2008	January 4, 2009	4P2013	March 1, 2013	16P2018	April 2, 2018
75P2008	January 4, 2009	5P2013	March 25, 2013	18P2018	April 2, 2018
1P2009	January 26, 2009	38P2013	September 2, 2013	17P2018	April 10, 2018
10P2009	April 21, 2009	44P2013	December 2, 2013	25P2018	April 24, 2018
17P2009	June 1, 2009	7P2014	April 14, 2014	39P2018	June 11, 2018
28P2009	July 13, 2009	33P2013	June 9, 2014	40P2018	June 25, 2018
31P2009	September 14, 2009	13P2014	June 9, 2014	26P2018	July 30, 2018
41P2009	October 13, 2009	15P2014	June 9, 2014	51P2018	August 6, 2018
32P2009	December 14, 2009	11P2014	June 19, 2014	52P2018	August 7, 2018
46P2009	December 14, 2009	24P2014	October 27, 2014	67P2018	September 25, 2018
38P2009	December 15, 2009	37P2014	December 22, 2014	61P2018	October 9, 2018
3P2010	March 1, 2010	5P2015	March 9, 2015	62P2018	October 9, 2018
11P2010	April 19, 2010	13P2015	May 13, 2015	83P2018	December 10, 2018
14P2010	May 17, 2010	26P2015	September 1, 2015	10P2019	January 29, 2019
26P2010	May 17, 2010	40P2015	November 9, 2015	32P2019	April 29, 2019
12P2010	June 7, 2010	43P2015	November 9, 2015	33P2019	April 29, 2019
19P2010	June 7, 2010	45P2015	December 8, 2015	35P2019	April 29, 2019
23P2010	June 7, 2010	15P2016	April 22, 2016	42P2019	June 10, 2019
32P2010	July 26, 2010	22P2016	May 2, 2016	46P2019	July 1, 2019
34P2010	August 19, 2010	23P2016	May 24, 2016	76P2019	November 18, 2019
39P2010	November 22, 2010	27P2016	June 13, 2016	77P2019	November 18, 2019
7P2011	January 10, 2011	29P2016	June 13, 2016	32P2020	July 27, 2020
13P2011	February 7, 2011	28P2016	June 14, 2016	48P2020	November 3, 2020
21P2011	June 20, 2011	43P2016	November 21, 2016	6P2021	January 18, 2021

## BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

27P2021	June 21, 2021 July 5, 2021
28P2021	December 21, 2021
46P2021	July 28, 2021
20P2022	March 29, 2022
44P2022	July 26, 2022
34P2022	August 15, 2022
66P2022	December 20, 2022
56P2022	January 2, 2023

### 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.

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- (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) designed to support the bicycle frame and both wheels; and
  - (d) that is anchored to a hard surface or fixed structure.
- (18) “**bicycle parking stall – class 1**” means a **bicycle parking stall** in a secured or controlled area.
- (19) “**bicycle parking stall – class 2**” means a **bicycle parking stall** in an unsecured or uncontrolled area.
- (19.1) “**blade**” means an element of a Wind Energy Conversion System rotor that extracts kinetic energy from the wind. 33P2013
- (19.2) “**BRT station**” means a station used for embarking and disembarking bus rapid transit passengers. 56P2022
- (20) “**building**” includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.
- (21) *deleted* 3P2010
- (22) “**building coverage**” means the area of a **parcel** which is covered by a **building** excluding:
- (a) portions of the **building** located entirely below **grade**;
  - (b) portions of the **building** greater than 2.4 metres above **grade** and with a depth less than 1.0 metres, measured from the wall directly below;
  - (c) portions of eaves, roofs, pergolas and other similar elements with a depth less than 1.0 metres, measured from the wall directly below;
  - (d) **patios**, and any covered or enclosed area located below; and
  - (e) **decks, landings**, uncovered stairs, and any external areas located below.

5P2013

- (23) “**building depth**” means the distance from the **front property line** to the farthest portion of a **main residential building** excluding **decks**, eaves, **landings** and **patios**, determined by:
- (a) establishing a line connecting the midpoint of the **front property line** and the midpoint of the **rear property line**; then
  - (b) extending a line from the portion of the **main residential building** farthest from the **front 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
  - (c) measuring the distance from the point where the two lines intersect to the midpoint of the **front property line**.

13P2008  
3P2010, 27P2011  
3P2010, 56P2022

- (24) “**building height**” means the height of a **building**, excluding **ancillary structures**, determined by measuring from **grade**, except where otherwise referenced in a land use district or general rules applicable to a land use district.

3P2010

- (25) *deleted*

- (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.



- (69) “**grade**” means the elevation of the finished ground surface, not including any artificial embankment, the elevation of an entrance to underground parking, stairways or window wells.
- (70) “**gross floor area**” means the sum of the areas of all above **grade** floors of a **building** measured to the glassline, or where there is no glassline, to the outside surface of the exterior walls, or where **buildings** are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical equipment areas and all open areas inside a **building** that do not contain a floor including atriums, elevator shafts, stairwells and similar areas.
- (71) “**gross usable floor area**” means, for the purpose of calculating **motor vehicle parking stalls, bicycle parking stalls and loading stalls**, the total horizontal area of every enclosed floor and mezzanine used exclusively by a single **use area** in a **building**, and is measured from the exterior face of the exterior wall and the centreline of an interior partition wall that separates at least two **uses**, but does not include:
- (a) elevator shafts;
  - (b) stairwells;
  - (c) crawl spaces;
  - (d) mechanical or electrical rooms;
  - (e) indoor garbage or recycling storage;
  - (f) areas used for parking and loading;
  - (g) areas below **grade** used for storage and not accessible to the public; and
  - (h) common corridors and halls available to more than one **use**.
- (72) “**gross vehicle weight**” means the value specified by the vehicle manufacturer as the maximum loaded weight of a vehicle. 41P2009
- (73) “**hard surfaced landscaped area**” means an area with a surface consisting of materials that:
- (a) are not living or derived from living organisms; or
  - (b) were once living but are now formed into a structure;
  - (c) may include, but are not limited to, brick, concrete, stone and wood; and
  - (d) must not include asphalt.
- (73.1) “**hazardous waste**” means waste that has one or more specific properties considered to be hazardous under the *Alberta Waste Control Regulation*. 44P2022
- (74) “**industrial district**” means any one or more of the land use districts described in Part 8.

- 9P2012
- (74.1) “**irregular parcel**” means a **parcel** that is inconsistent in shape with other **parcels** in the neighbourhood, where the **property line** opposite to and farthest from the **front property line**:
- (a) cannot be identified; or
  - (b) results in a **parcel** that has less than two **side property lines**.
- (75) “**kitchen**” means facilities used or designed to be used for the cooking or preparation of food.
- 32P2009
- (75.1) “**laboratory**” means a facility where scientific research, experiments and measurement are performed for the purposes of providing information or as part of **research and development**.
- (76) “**landing**” means an uncovered platform extending horizontally from a **building**, abutting an entry door and providing direct access to **grade** or stairs.
- (77) “**landscaped area**” means that portion of a **parcel** that is required to be a **hard surfaced landscaped area** or **soft surfaced landscaped area**.
- (78) “**lane**” means a roadway that is primarily intended to give access to the rear of **buildings** and **parcels**.
- (79) “**laned parcel**” means a **parcel** which is bounded at least in part by a **lane**.
- (80) “**laneless parcel**” means a **parcel** which is not bounded wholly or partially by a **lane**.
- 5P2013
- (81) “**large vehicle**” means a vehicle, other than a **recreational vehicle**:
- (a) with a **gross vehicle weight** stated by the manufacturer, vehicle signage, or vehicle registration, to be in excess of 4536 kilograms;
  - (b) with one or more of the following characteristics:
    - (i) tandem axles;
    - (ii) a passenger capacity in excess of 15 persons; or
    - (iii) dual wheels where the vehicle includes a flat deck or other form of utility deck; or
  - (c) that can be generally described as a:
    - (i) bus;
    - (ii) cube van;
    - (iii) dump truck;
    - (iv) flatbed truck; or
    - (v) tractor, trailer, or tractor trailer combination.

- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (83.1) “**local food sales**” means the temporary sale of locally grown and made food that does not include permanent structures. 33P2019
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
  - (b) a flow sensor for leak detection; and
  - (c) a master valve to secure the system if a leak is detected.
- (86) “**LRT corridor**” means a **street, parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include a **Backyard Suite**. 12P2010, 24P2014
- (90) “**major street**” means a **street** identified as a Street in the Transportation Bylaw. 9P2012
- (90.1) *deleted* 7P2014, 25P2018
- (90.2) “**mixed use district**” means any one or more of the land use districts described in Part 14. 20P2017
- (90.3) “**mobility storage locker**” means a secure **building**, or portion of a **building**, that: 56P2022
- (a) has a door with a minimum width of 0.9 metres that has direct access to **grade**;
  - (b) has a minimum length of 2.8 metres;
  - (c) has a minimum width of 1.2 metres; and
  - (d) has a minimum height of 1.8 metres.
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.

- 51P2008
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
  - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.
- (96) “**non-conforming use**” means a lawful specific use:
- (a) being made of land or a **building** or intended to be made of a **building** lawfully under construction, at the date a land use bylaw affecting the land or **building** becomes effective; and
  - (b) that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw.
- 9P2012
- (96.1) “**Officer**” means a Bylaw Enforcement Officer or a Peace Officer.
- (97) “**open balcony**” means a **balcony** that is unenclosed on three sides, other than by a railing, balustrade or **privacy wall**.
- (98) “**overland flow area**” means those lands abutting the **floodway** or the **flood fringe**, the boundaries of which are indicated on the Floodway/ Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.
- 32P2009
- (99) “**parcel**” means:
- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
  - (b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N, R-2, R-G and R-Gm districts, includes a **bare land unit** created under a condominium plan;
- 24P2014, 15P2016,  
4P2017
- (100) “**parcel coverage**” means the cumulative **building coverage** of all **buildings** on a **parcel** excluding, **Accessory Residential Buildings** which in aggregate are less than 10.0 square metres.
- 47P2008, 5P2013
- (101) “**parcel depth**” means the length of a line joining the mid-points of the **front property line** and the **rear property line**.

- (108) “**porch**” means an unenclosed, covered structure forming an entry to a **building**. 35P2011
- (108.1) “**primary building wall**” means any exterior **building wall** that forms part of a façade that contains a **public entrance** and faces, or is oriented to, a **street** or a parking area on the same **parcel** as illustrated in Sign Illustration 2, with the exception that corner sites facing public streets can have two **primary building walls** not withstanding one façade may not contain a **public entrance**. 35P2011
- (108.2) “**primary transit service**” means bus service provided on the primary transit network identified in the Calgary Transportation Plan. 56P2022
- (109) “**privacy wall**” means a structure that: 13P2008,67P2008
- (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.
- (115.1) “**public space**” means any publicly accessible amenity space, park, sidewalk or walkway. 27P2021
- (116) “**rear property line**” means the **property line** opposite to and farthest from the **front property line**, or in the case of an **irregular parcel**, the **rear property line** is established by drawing a line the maximum distance from the **front property line** that: 9P2012
- (a) is wholly within the **parcel**;
  - (b) is not less than 3.0 metres long; and

- (c) runs parallel to the **front property line**, or, if the **front property line** is a curved line, runs parallel to the straight line between the two end points of the curve of the **front property line**.
- (117) “**rear setback area**” means an area of a **parcel** defined by the **rear property line**, the **side property lines** that intersect with the **rear property line**, and a line parallel to the **rear property line** measured at the minimum depth of the **setback area** required by the District.
- 33P2013 (117.1) “**receiving parcel**” means the **parcel**, comprising the area of the Municipal Historic Resource, that will receive the transfer of **motor vehicle parking stalls** from a **transferring parcel**.
- (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.
- 44P2022 (119.1) “**recyclable**” means a substance or mixture of substances that can be reclaimed using established industry practices to create new materials or objects.
- 32P2009, 44P2022 (119.2) “**research and development**” means the process of creating or improving products and services by way of information obtained through experimental qualitative and quantitative testing for industries such as, but not limited to, pharmaceuticals, bio-technology, computer software, medical instrumentation, aerospace and electronics manufacturers.
- 56P2022 (120) “**residential district**” means any of the land use districts in the **low density residential districts** and the **multi-residential districts** and the H-GO District.
- (121) “**retaining wall**” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials.
- 38P2013, 24P2014, 15P2016 (121.1) *deleted*
- 24P2014 (121.2) “**rotor’s arc**” means the largest circumferential path travelled by a **blade**.

- (135) “**street-oriented multi-residential building**” means a **Multi-Residential Development** where all of the **buildings** in the **development** include the following characteristics: 7P2011, 9P2012, 5P2013
- (a) the facade of the **main residential building** on the floor closest to **grade** facing a **street** is comprised of **units** or **commercial multi-residential uses**, and may only include the following additional elements:
    - (i) emergency exits and **public entrances**; and
    - (ii) one (1) vehicle access point, only where located on a **laneless parcel**;
  - (b) **units** and **commercial multi-residential uses** located at **grade** with an exterior wall facing a **street** that provide the following:
    - (i) an individual exterior access within 4.5 metres of a **property line** shared with a **street**; and
    - (ii) sidewalks that provide direct exterior access to the **unit** or **commercial multi-residential use**;
  - (c) a public sidewalk located along the entire length of each **property line** shared with a **street**; and
  - (d) the facade of **commercial multi-residential uses** located on the floor closest to **grade**, and facing a **street**, provides windows with unobscured glass that:
    - (i) allows views of the indoor space or product display areas; and
    - (ii) occupies a minimum of 65.0 per cent of the facade between a height of 0.6 metres and 2.4 metres.
- (135.1) “**Subdivision Authority**” means a person or body appointed as a Subdivision Authority in accordance with the *Municipal Government Act*. 37P2017
- (135.2) “**suite**” means a **Backyard Suite** or **Secondary Suite**. 56P2022
- (136) “**targeted grazing**” means the temporary use of livestock for managing land to alter plant communities and lands for specific invasive plant species and landscape management goals, and may include: 37P2017
- (a) Temporary fencing;
  - (b) Herding dogs and working horses;
  - (c) Shepherds to manage livestock, herding dogs and working horses; and
  - (d) Temporary portable overnight accommodation for shepherds, herding dogs and working horses.

26P2010

**(136.1)** “*top of bank*” means the natural transition line or upper natural topographical break at the top of a valley, or at the top of a channel that contains a watercourse, between a slope where the *grade* exceeds 15.0 per cent and the adjacent upper level area where the *grade* is less than 15.0 per cent, and where area that is less than 15.0 per cent in slope is at least 15.0 metres wide.

38P2013

**(136.2)** “*total Wind Energy Conversion System height*” means:

- (a) the height measured from the highest vertical extension of a **Wind Energy Conversion System - Type 1** to its base at *grade* or to the height equivalent to its mount on a building; and
- (b) the height measured from the highest vertical extension of a **Wind Energy Conversion System - Type 2** to its base at *grade*.

33P2013

**(136.3)** “*transferring parcel*” means a *parcel*, comprising the area of the Municipal Historic Resource, that will transfer unused **motor vehicle parking stalls** to a receiving *parcel*.

**(137)** “*unit*” means a **Dwelling Unit** or a **Live Work Unit**.

**(138)** “*use*” means a *permitted* or *discretionary use*.

**(139)** “*use area*”:

- (a) means the entire floor area of a *building* that is separated from other portions of the *building* and is accessible by the same entrance or entrances and is occupied by a specific *use*;
- (b) for greater certainty, (a) must be interpreted to mean that whenever a person inside of a *building* must exit the *building* or enter a common internal corridor to access a different portion of the *building*, those two portions of the *building* are separate; and
- (c) the measurement of *use area* includes the floor area of:
  - (i) all mezzanines and **storeys** capable of being accessed by the same entrance without leaving the *building* or using a common internal corridor;
  - (ii) all mechanical rooms, offices and other spaces that support the use and can be accessed without leaving the *building* or using a common internal corridor; and
  - (iii) all spaces within a *building* capable of being accessed by the same entrance without leaving the *building* or using a common internal corridor regardless of whether the space is open to the public including washroom facilities, storage rooms, employee-only areas, and similar spaces.



- (d) does not apply to **Dwelling Units**.
- (140) “**visitor parking stall**” means a **motor vehicle parking stall** intended only for the use of visitors to **Dwelling Units** and **Live Work Units**.
- (141) “**walkout basement**” means a **basement** in a **building** which has a door that exits directly from the **basement** to the exterior at **grade** that is substantially at the same level as the **basement** floor.
- (142) “**waste**” means a solid or liquid material or product or combination of them that is disposed of or stored prior to transportation to the final disposal location. **Waste** that includes any amount of **recyclables** is considered **waste**. 44P2022
- (143) “**zero setback**” means a **building setback** where: 56P2022
- (a) the building **setback** is not greater than 0.1 metres from the **side property line** for any portion of a **building** that is recessed 0.6 metres or greater from the front façade or the rear façade of the **building** and is **setback** less than 1.2 metres from the **side property line**;
  - (b) the wall at the shared **side property line** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; and
  - (c) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.

## Methods

- 14 (1) Unless otherwise specified in this Bylaw, proper mathematical rounding to the nearest significant digit is required for any rule in this Bylaw where a mathematical calculation is performed.
- (2) For the purpose of calculating the following:
- (a) where **density** is calculated in **units** per hectare, it is always to be rounded down to the next lower whole number;
  - (b) trees in a **setback area** or a **landscaped area** are always rounded up to the next higher whole number; 47P2008
  - (c) shrubs in a **setback area** or a **landscaped area** are always rounded up to the next higher whole number; and 47P2008,44P2022
  - (d) *deleted* 44P2022
  - (e) where determining the **contextual building setback** and the number arrived at is less than zero metres, the **contextual building setback** is zero metres.

- (3) For the purpose of measuring the following:
- (a) the distance to a **BRT** station from a **development** is measured in a straight line from the closest edge of the station to the closest point of the **parcel**, or all the **parcels**, containing the subject **development**;
  - (b) the distance to a **LRT** platform from a **development** is measured in a straight line from the closest edge of the platform to the closest point of the **parcel**, or all the **parcels**, containing the subject **development**; and
  - (c) the distance to **primary transit service** from a **development** is measured in a straight line from the closest edge of public right-of-way containing the **primary transit service** to the closest point of the **parcel**, or all the **parcels**, containing the subject **development**.

- (c) **Semi-detached Dwelling** when listed as a **discretionary use**;
- (d) **Single Detached Dwelling** when listed as a **discretionary use** in the **Developed Area**; 22P2016
- (d.1) **Rowhouse Building** when listed as a **discretionary use** in the **Developed Area**; 22P2016, 56P2022
- (d.2) **Townhouse** when listed as a **discretionary use** in a **residential district** in the **Developed Area**; and 22P2016, 56P2022
- (e) any **discretionary use** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET Districts or CR20-C20/R20 District in the area indicated in Map 11 and in all **mixed use districts**; 51P2008, 26P2010, 9P2012, 33P2013, 20P2017
- (6) The **Development Authority** must not notice post any **development permit** applications not set out in subsections (2), (2.1), (3), (4) or (5).w 30P2011
- (7) The posted notices referenced in this section must conform to the standards approved by the **General Manager**. 17P2018

#### Exemption for Acquisition of Land by The City

50P2017

- 27.1 (1)** Except as otherwise referenced in subsection (2), where a portion of a **parcel** is, or has been, acquired on or after January 1, 2017 by the **City** for a municipal purpose, the **development** or **use** legally existing or approved on that **parcel** on the date that the land is, or was, acquired by the **City** is deemed to conform with the requirements of this Bylaw and to comply with the approved **development permit**.
- (2)** Subsection (1) does not deem a **non-conforming use** to conform with the uses listed in the governing land use district or restrictions in the definition of the **use**.



## Division 4: Lighting Rules

### Lighting Requirements

**62** The provisions of this Division apply to all *uses* except for:

- (a) *streets*;
- (b) temporary lighting for **Motion Picture Filming Locations** and construction sites; and
- (c) *signs*.

### Shielding

**63 (1)** All outdoor *light fixtures* must be aimed and shielded in a manner that does not direct illumination onto a *street* or adjacent residential *uses*.

**(2)** Unless otherwise referenced in subsection (3), all outdoor *light fixtures* must not emit light above the horizontal plane at the bottom of the *light fixture*.

**(3)** Outdoor *light fixtures* may emit light above the horizontal plane at the bottom of the *light fixture* only where the *light fixture*:

- (a) is used for *accent lighting*; or
- (b) has a luminaire wattage 150 watts or less and does not contain a:
  - (i) mercury vapour luminaire;
  - (ii) metal halide luminaire; or
  - (iii) high pressure sodium luminaire; or
- (c) has a luminaire wattage 75 watts or less and contains a:
  - (i) mercury vapour luminaire;
  - (ii) metal halide luminaire; or
  - (iii) high pressure sodium luminaire.

### Mounting of Fixtures

**64** All outdoor *light fixtures*, other than those referenced in section 63(3), must be mounted with a rigid mounting arm with no adjustment feature.

13P2008

### Height Limits

- 13P2008, 13P2017      **65      (1)**      Unless otherwise referenced in subsection (2), the maximum *mounting height* for an outdoor *light fixture* with a luminaire wattage greater than 100 watts is:
- 20P2017, 56P2022      (a)      7.5 metres in the C-N1, C-N2, C-C1, C-COR1, CC-ER, I-B and I-E Districts and in all *residential districts, mixed use districts* and *special purpose districts*; and
- (b)      12.0 metres in the CC-ET, CC-EIR, CC-EMU, CC-EPR, CC-ERR Districts and in all other *commercial* and *industrial districts*.
- 13P2008                    **(2)**      There is no maximum *mounting height* requirement for an outdoor *light fixture* with a luminaire wattage greater than 100 watts for an **Outdoor Recreation Area** and a **Spectator Sports Facility**, regardless in which District these *uses* are located.
- 13P2008                    **(3)**      Outdoor *light fixtures* mounted on poles, or any structure intended primarily for mounting lighting, must not exceed a *mounting height* of 40.0 per cent of the horizontal distance between the *light fixture* and the *property line*, except:
- 13P2008                    (a)      For outdoor *light fixtures* with a *mounting height* less than 5.0 metres with side shielding on the *property line* side of the outdoor *light fixture* so that the luminaire is not visible from the *property line*; and
- (b)      *accent lighting* mounted in or on a tree.
- 13P2008                    **(4)**      Outdoor *light fixtures* with a luminaire wattage greater than 100 watts, mounted onto *buildings*, must not have a *mounting height* higher than the *building* or higher than 40.0 per cent of the horizontal distance between the *light fixture* and the *property line*, whichever is the lesser, except for:
- 13P2008                    (a)      outdoor *light fixtures* mounted on *building* façades that are less than 7.5 metres from the *property line* may have a *mounting height* of 3.0 metres or less; and
- (b)      *accent lighting* for *building* façades.

### Canopy Lighting

- 13P2008      **66**      Outdoor *light fixtures* mounted on canopies must be recessed so that the luminaire does not project below the underside of the canopy.

**Size and Height Restrictions for Freestanding Signs**

35P2011

- 97** (1) In the C-N1, C-N2 and C-C1 Districts:
- (a) the maximum **sign area** of a **Freestanding Sign** is 9.5 square metres; and
  - (b) the maximum height of a **Freestanding Sign** is 6.0 metres.
- (2) In the C-COR3 District:
- (a) the maximum **sign area** of a **Freestanding Sign** is 18.5 square metres; and
  - (b) the maximum height of a **Freestanding Sign** is 12.2 metres.
- (3) In the CC-ET and CC-EIR Districts, and all other **commercial** and in all **industrial** and **mixed use districts**: 13P2017, 20P2017
- (a) the maximum **sign area** of a **Freestanding Sign** is 14.0 square metres; and
  - (b) the maximum height of a **Freestanding Sign** is 9.0 metres.
- (4) In the CC-EMU, CC-EPR, CC-ERR, CC-MH, CC-MHX, M-H1, M-H2, M-H3, M-X1 and M-X2 Districts where the **parcel** contains **commercial multi-residential uses**: 13P2017
- (a) the maximum **sign area** for a **Freestanding Sign** is 7.0 square metres; and
  - (b) the maximum height of a **Freestanding Sign** is 6.0 metres.
- (5) In the **low density residential districts**, the H-GO District and the M-CG, M-C1, M-C2, M-G, M-1 and M-2 Districts: 56P2022
- (a) the maximum **sign area** of a **Freestanding Sign** is 5.0 square metres; and
  - (b) the maximum height of a **Freestanding Sign** is 4.0 metres.
- (6) In the **special purpose districts**:
- (a) the maximum **sign area** of a **Freestanding Sign** is 7.0 square metres; and
  - (b) the maximum height of a **Freestanding Sign** is 6.0 metres.

**Rules Governing Class D Signs**

35P2011

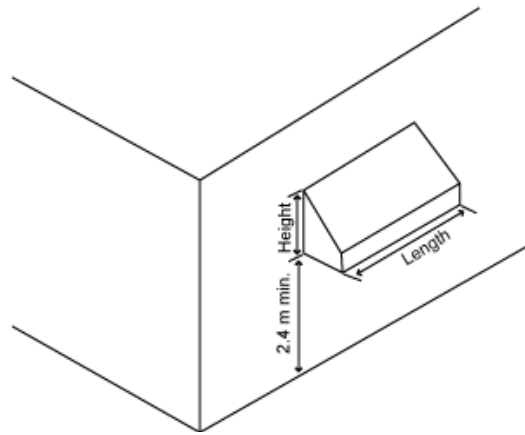
- 98** (1) A **development permit** is required to erect a new canopy, awning, marquee or projecting structure intended to display a **Sign – Class D** and must follow any applicable dimensional standards referenced in sections 99, 100, 101 and 102.
- (2) A **development permit** is not required for a change in **copy** for a **Sign – Class D** when the canopy, awning, marquee or projecting structure legally exists even if the applicable sign structure does not meet the dimensional standards referenced in sections 99, 100, 101 and 102.

35P2011

**Rules for Canopy Signs**

- 99** (1) The **copy area** on a **Canopy Sign** must not exceed 50.0 per cent of the total area of the canopy which will be measured by the vertical height of the canopy multiplied by the length of the canopy or awning.
- (2) The **Canopy Sign** must not extend beyond the structure on which it is displayed.
- (3) A structure used to display **Canopy Signs** must:
- have a minimum clearance of 2.4 metres from **grade**;
  - not extend any further than the line on which street light or power line poles are located;
  - not extend further than 2.4 metres from the wall of the **building** to which it is attached; and
  - not exceed 1.5 metres in height measured from the lowest point of the structure to the highest point of the structure.
- (4) The following diagram illustrates the rules in subsection (1) and (3)(a).

Sign Illustration 4:  
Rules for Canopy Signs  
Subsections 99(1) and (3)(a)



33P2013

- (5) In the **Stephen Avenue Mall heritage area**, a **Canopy Sign**:
- must have a horizontal slope of 45.0 degrees when measured relative to **grade** which is directed downward from the **building** facade;
  - has a maximum **copy area** not greater than 30.0 per cent of the total area of the canopy which will be measured by the vertical height of the canopy multiplied by the length of the canopy awning;
  - must not be located above the **sign area** referenced in section 92(2) and (3); and
  - may contain a valance with **copy** that is no greater than 80.0 per cent of the height of the valance.



**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-EIR, CC-EMU, CC-EPR, 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, 13P2017

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

(3) In all other *commercial districts*, in all *industrial* and *mixed use districts* and in the CC-ET and CR20-C20/R20 Districts the maximum *sign area* for a **Projecting Sign** is 4.5 square metres. 33P2013, 13P2017, 20P2017

(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

20P2017

**104 (1)** Unless otherwise referenced in subsection (2), a **Digital Message Sign** may only be approved in a **commercial district, industrial district, mixed use district**, S-R, CC-ER or CR20-C20/R20 District.

56P2022

**(2)** A **Digital Message Sign** advertising events, activities or services offered, may only be approved in the **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**.

56P2017

**(3)** A maximum of one **Digital Message Sign** may be located on a **parcel** with the exception that **corner parcels** may have one **Digital Message Sign** on the **street** side of each **street**.

- (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 4536 kilograms are serviced and repaired in a **building**; and 67P2008, 71P2008,  
44P2013, 29P2016
  - (ii) where no more than three motor vehicles are capable of being serviced or repaired at a time; 67P2008
  - (iii) **deleted** 67P2008
- (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; 67P2008,  
16P2018
- (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**, auto parts, equipment, scrap, and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:
- (i) **deleted** 16P2018
  - (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;
- 48P2020 (k) *deleted*
- (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**.
- 32P2009 **152** *deleted*
- 32P2010 **153** *deleted*
- 24P2014, 15P2016 **153.1 “Backyard Suite”**
- (a) means a **use** that:
- (i) contains two or more rooms used or designed to be used as a residence by one or more persons;
- (ii) contains a **kitchen**, living, sleeping and sanitary facilities;
- (iii) is located in a detached **building** located behind the front façade of the **main residential building**;
- (iv) may be attached to an **Accessory Residential Building**;
- (v) is considered part of and secondary to a **Dwelling Unit**;
- (vi) except as otherwise indicated in subsection (vii) and (viii), must be located on the same **parcel** as a **Contextual Single Detached Dwelling** or a **Single Detached Dwelling**;
- 4P2017, 62P2018, 56P2022 (vii) in the R-CG District or a **multi-residential district** must be located on the same **parcel** or **bare land unit** with a single **Dwelling Unit**; and
- (viii) in the R-G and R-Gm Districts must be located on the same **parcel** as a **Dwelling Unit** in a **Rowhouse Building, Semi-detached Dwelling** or a **Single Detached Dwelling**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls**; and

**224 “Library”**

- (a) means a *use*:
  - (i) where collections of materials are maintained primarily for the purpose of lending to the public;
  - (ii) that may provide lecture theatres, meeting rooms, study space and computers for users of the *use*; and
  - (iii) that may have rooms for the administrative functions of the *use*;
- (b) is a *use* within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) *deleted* 48P2020
- (d) does not require *bicycle parking stalls – class 1*; and
- (e) requires a minimum of 0.5 *bicycle parking stalls – class 2* per 100.0 square metres of *gross usable floor area*. 6P2021

**225 “Liquor Store”**

- (a) means a *use* where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) in the C-N1 and C-N2 Districts, must only be located on a *parcel* with a front *property line* on a *major street* or a primary collector *street*;
- (d) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other **Liquor Store**, when measured from the closest point of a **Liquor Store** to the closest point of another **Liquor Store**; 13P2015
- (e) in all *commercial, industrial and mixed use districts*, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0 metres of a *parcel* that contains a **School – Private** or a **School Authority – School**, when measured from the closest point of a **Liquor Store** to the closest point of a *parcel* that contains a **School Authority – School** or a **School – Private**; 13P2015, 20P2017
- (e.1) in all Centre City East Village Districts, **Liquor Stores** must not be located: 13P2017
  - (i) within 150.0 metres of a *parcel* that contains an **Emergency Shelter**, when measured from the closest point of a **Liquor Store** to the closest point of a *parcel* that contains an **Emergency Shelter**; and

- 25P2018
- (ii) on **parcels** north of 5 Avenue SE and west of 4 Street SE;
- (e.2) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:
- (i) abut a **Cannabis Store**;
- (ii) if not for one or more intervening **actual side setback areas**, abut a **Cannabis Store**; and
- (iii) when located on the same **parcel**, if not for a vacant space between **buildings**, not including an internal road, abut a **Cannabis Store**.
- 48P2020
- (f) *deleted*
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

## 226 “Live Work Unit”

- (a) means a **use**:
- (i) where a business is operated from a **Dwelling Unit**, by the resident of the **Dwelling Unit**, but does not include a **Home Occupation – Class 1** or **Home Occupation – Class 2**;
- 13P2008, 39P2010, 33P2013, 20P2017
- (ii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **commercial districts, mixed use districts**, CC-EMU, CC-ET, CC-EIR or CR20-C20/R20 District:
- (A) **Artist’s Studio**;
- (B) **Health Care Service**;
- (C) **Instructional Facility**;
- (D) **Office**; and
- (E) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided;
- 27P2021
- (iii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **multi-residential districts**, the H-GO District, or the CC-EPR District:
- (A) **Artist’s Studio**;
- 13P2008, 39P2010, 56P2022

**239 “Multi-Residential Development”**

67P2008

- (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) *deleted* 56P2022
  - (iv) where a minimum of 50.0 per cent of the **units** in a **development** with a minimum of three **units** and a maximum of nine **units** are provided in **buildings** containing two or more **units**; and 56P2022
  - (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 Building**, unless otherwise referenced in a District; 24P2014
- (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. 51P2008

**240 “Multi-Residential Development – Minor”**

- (a) means a *use*: 67P2008
- (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;

24P2014

- (c) provides for all **building** forms referenced in subsection (a), including **building** forms similar to **Townhouse** and **Rowhouse Building**, 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”

13P2008

13P2008

- (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;
  - (iii) that may store and service equipment, vehicles, LRT trains and other municipal vehicles;
  - (iv) that may store sand, gravel and other goods that are capable of being stacked or piled;
  - (v) that may have **buildings** to service the equipment, vehicles, and LRT trains;
  - (vi) that may have a **building** for training staff in the operation of the vehicles, equipment or LRT trains; and
  - (vii) that may have a **building** for administrative functions associated with the **use**;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must provide **screening** on the same **parcel** as the **use** where the **parcel** shares a **property line** with a **residential district** or **special purpose district** and where there are piles or stacks of loose materials stored on the **parcel**;
- (d) must provide **screening** equal to the height of the piles or stacks of materials stored on the **parcel**, as referenced in subsection (c).
- (e) must provide a berm with a 3:1 slope if the berm is used to satisfy the **screening** requirements referenced in subsections (3) and (4);



- (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”** 32P2009

- (a) means a **use**:
  - (i) where graphic and printed materials are printed or duplicated on a custom order basis for individuals or businesses;
  - (ii) that may include self-service photocopiers;
  - (iii) where film or digital images may be processed and finished;
  - (iv) that may include the binding of printed materials; and
  - (v) that may have the incidental sale of products relating to the services provided by the **use**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw; 39P2010
- (c) **deleted** 48P2020
- (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 on a large scale primarily for distribution from the **parcel**; 13P2008, 32P2009
  - (ii) that may include the binding of printed materials;
  - (iii) **deleted** 32P2009
  - (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**;

32P2010

- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) may have supplies and products located outside of a **building**, provided such items are **screened** from view of a **street**;

48P2020

- (d) **deleted**
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

39P2010

**269** **deleted****270 “Protective and Emergency Service”**

- (a) means a **use** where police, fire and publicly operated emergency medical services are provided;
- (b) is a **use** within the Infrastructure 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**.

1P2009,  
56P2022**270.1 “Public Transit System”**

- (a) means a **use** where public facilities are provided for the operation of a municipal public transit system including bus shelters, **BRT stations**, **LRT platforms**, **LRT stations**, pedestrian bridges, **City-owned** at **grade** motor vehicle and bicycle parking facilities provided solely for users of the system, and linear rail tracks and associated equipment;
- (b) is a use within the Infrastructure Group in Schedule A to this Bylaw;
- (c) is not required to meet the rules of any land use district;
- (d) does not require **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

- (ii) where the activities associated with the **use** occur either within a **building** or outside of a **building**;
- (b) is a **use** within the Teaching and Learning Group in Schedule A to this Bylaw;
- (c) *deleted*
- (d) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 1000.0 square metres of **gross usable floor area** where the area for the administrative function of the **use** is greater than 1000.0 square metres;
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 1000.0 square metres of **gross usable floor area** where the area for the administrative function of the **use** is greater than 1000.0 square metres.

48P2020

### 293 “School Authority Purpose – Minor”

- (a) means a **use**:
  - (i) where a school division or school district may:
    - (A) provide the administration of the school division or school district;
    - (B) provide training for teachers, school administrators or other employees;
    - (C) provide programs to the public to further parental and community involvement in the schools;
    - (D) provide a **Child Care Service** that is limited to preschool programs or before and after school care; and
    - (E) store surplus equipment and materials used by that school division or school district;
  - (ii) where the storage of surplus equipment and materials associated with the **use** occur entirely within a **building**;
  - (iii) where another approved **use** is located within the **building**;
  - (iv) where the **gross floor area** of the **use** is a maximum of 25.0 per cent of the **gross floor area** of the entire **building**;

48P2020

- (b) is a **use** within the Teaching and Learning Group in Schedule A to this Bylaw;
- (c) *deleted*
- (d) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 1000.0 square metres of **gross usable floor area** where the area for the administrative function of the **use** is greater than 1000.0 square metres or greater;
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 1000.0 square metres of **gross usable floor area** where the area for the administrative function of the **use** is greater than 1000.0 square metres.

**294 “Seasonal Sales Area”**

- (a) means a **use**:
  - (i) where goods are displayed and offered for sale;
  - (ii) where those goods are not fully contained within an enclosed **building**; and
  - (iii) that must always be approved with another **use**;
- (b) is a **use** within the Subordinate Use 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**.

12P2010, 24P2014,  
15P2016, 62P2018,  
76P2019, 4P2017,  
24P2014, 56P2022

**295 “Secondary Suite”**

- (a) means a **use** that:
  - (i) contains two or more rooms used or designed to be used as a residence by one or more persons;
  - (ii) contains a **kitchen**, living, sleeping and sanitary facilities;
  - (iii) is self-contained and located within a **Dwelling Unit**;
  - (iv) must not be located in a **Dwelling Unit** where another **Dwelling Unit** is located wholly or partially above or below the **Dwelling Unit** containing the **Secondary Suite**; and
  - (v) is considered part of and secondary to a **Dwelling Unit**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;

- (c) has a maximum floor area of 100.0 square metres, excluding any area covered by stairways and **landings**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

295.1 *deleted*

12P2010, 24P2014

295.2 *deleted*

12P2010, 24P2014

**296 “Self Storage Facility”**

- (a) means a **use**:
  - (i) where goods are stored in a **building**;
  - (ii) where the **building** is made up of separate compartments and each compartment has separate access;
  - (iii) that may be available to the general public for the storage of personal items;
  - (iv) that may include the administrative functions associated with the **use**; and
  - (v) that may incorporate **Custodial Quarters** for the custodian of the facility;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw; and
- (c) *deleted*
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

48P2020

**297 “Semi-detached Dwelling”**

24P2014

- (a) means a **use** where a **building** contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof;
- (b) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district;
- (c) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

15P2016

**298 “Service Organization”**

- (a) means a *use*:
- (i) where health or educational programs and services are offered to the public;
  - (ii) that includes **Health Care Service**, where the *use* is limited to the following activities:
    - (A) counselling;
  - (iii) that does not provide a food preparation *kitchen* or eating area for the public;
  - (iv) where there are rooms for the administrative functions of the *use*; and
  - (v) where there may be a meeting room or auditorium available for programs related to the *use*;
- (b) is a *use* within the Office Group in Schedule A to this Bylaw;
- (c) *deleted*
- (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*.

27P2021

48P2020

67P2008, 35P2011

**299 “Sign – Class A”**

- (a) means only the following *sign* types:
- (i) “**Address Sign**” which means a *sign* that identifies:
    - (A) the municipal address of a *building*;
    - (B) the name of a *building*;
    - (C) the name of a business or organization operating a *building*; or
    - (D) the name of any individuals occupying a *building*;
  - (ii) “**Art Sign**” which means a *sign* that is primarily an artistic rendering applied to or affixed to any exterior of a *building* and where less than 10.0 per cent of the area of the *sign* contains written *copy*;
  - (iii) “**Banner Sign**” which means a *sign* that is constructed of non-rigid material capable of being displayed without the use of a flag pole;
  - (iv) “**Construction Sign**” which means a *sign* that is displayed on a *parcel* undergoing construction, which identifies the party responsible for the management of

- a *parcel*, a person who is furnishing labour, services, materials or financing, or the future use of the *parcel*;
- (v) “**Directional Sign**” which means a *sign* that guides, warns or restrains people or motor vehicles and may be freestanding on a permanent structure or attached to a *building*;
  - (vi) “**Election Sign**” which means a *sign* that:
    - (A) indicates support for a candidate in a Federal, Provincial or local election;
    - (B) sets out a position or information relating to an issue in an election; or
    - (C) provides information respecting an election;
  - (vii) “**Flag Sign**” which means a *sign* that is made of fabric or flexible material attached to or designed to be flown from a permanently constructed flagpole or light standard;
  - (viii) “**Gas Bar Sign**” which means a *sign* that is accessory to a **Gas Bar**, and which may advertise services or products stored outside of a *building* such as, but not limited to, windshield wiper fluid, motor vehicle oils, firewood, ice, air and propane;
  - (ix) “**Pedestrian Sign**” which means a type of **Temporary Sign** with no external supporting structure that is intended to be placed near a sidewalk to attract attention from passing pedestrians;
  - (x) “**Real Estate Sign**” which means a *sign* that contains information regarding the management, sale, leasing or rental of a *parcel* or *building*;
  - (xi) “**Show Home Sign**” which means a *sign* that identifies a newly constructed residential *building* as a sample of the type of *building* a builder is providing, and where prospective purchasers may acquire information regarding the community and the purchase of homes from that builder;
  - (xii) “**Special Event Sign**” which means a *sign* that promotes a charitable, educational, community, civic, cultural, public health, recreational, religious or sporting event;
  - (xiii) “**Temporary Sign**” which means a *sign* that is not permanently affixed to a structure or is displayed on a structure that is designed to be moved from place to place or is easily movable;

- 33P2013 (xiv) “**Window Sign**” which means a **sign** that is attached to, painted on or displayed on the interior or exterior of a window of a **building** so that its content is visible to a viewer outside of the **building** and:
- 16P2018 (A) in the **Stephen Avenue Mall heritage area**, includes signs that are erected 1.8 metres or less behind a window;
- (B) in all other areas, includes signs that are erected 0.90 metres or less behind a window; and
- (C) does not include any type of product or window display that is intended to be visible to a viewer outside of the **building**, and
- (xv) any type of **sign** located in a **building** not intended to be viewed from outside; and
- (b) is a **use** within the Signs Group in Schedule A to this Bylaw.
- 35P2011 **300 “Sign – Class B”**
- (a) means only the following **sign** type:
- (i) “**Fascia Sign**” which means a **sign** that:
- (A) is attached to, marked or ascribed on and is parallel to an exterior wall of a **building**; and
- (B) does not project more than 0.40 metres from the wall of a **building**; and
- (b) is a **use** within the Signs Group in Schedule A to this Bylaw.
- 30P2011, 35P2011 **301 “Sign – Class C”**
- (a) means only the following **sign** type:
- (i) “**Freestanding Sign**” which means a **sign** that:
- (A) is displayed on a permanent, non-moveable structure other than a **building**;
- (B) may incorporate a **Message Sign**; and
- 4P2013 (C) may incorporate a **Digital Sign** that has an approved **development permit** for a **Sign – Class E**; and
- (b) is a **use** within the Signs Group in Schedule A to this Bylaw.



**Permitted use Rowhouse Building**

24P2014

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

15P2016

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

- 15P2016 (2) *deleted*
- 4P2017,56P2022 (3) Where not located on a corner *parcel*, the maximum **building depth** of a **Rowhouse Building** that is a **permitted use** in the R-CG District is the greater of:
- (a) 60.0 per cent of the *parcel depth*; or
  - (b) the **contextual building depth average**.
- 4P2017,56P2022 (4) *deleted*
- 4P2017 (5) To be a **permitted use** in the R-CG District a **Rowhouse Building** must not be located on a *parcel* that contains more than one **main residential building**.

### Visibility Setback

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

### Roof Equipment Projection

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

**Private Maintenance Easements**

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

**Secondary Suite**

12P2010, 24P2014

- 351 (1)** For a **Secondary Suite** the minimum **building setback** from a **property line**, must be equal to or greater than the minimum **building setback** from a **property line** for the **main residential building**.
- (2)** Except as otherwise stated in subsections (2.1) and (3), the maximum floor area of a **Secondary Suite**, excluding any area covered by stairways and **landings**, is 100.0 square metres: 23P2016
- (a)** in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-1, R-1s and R-1N Districts; or 24P2018
- (b)** when located on a **parcel** with a **parcel width** less than 13.0 metres
- (2.1)** There is no maximum floor area for a **Secondary Suite** wholly located in a **basement**. Internal landings and stairways providing access to the **basement** may be located above **grade**. 23P2016, 4P2017
- (3)** The maximum floor area of a **Secondary Suite** may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.
- (4)** Except in the R-CG District, a **Secondary Suite** must have a **private amenity space** that: 56P2022
- (a)** is located outdoors; and 16P2018
- (b)** has a minimum area of 7.5 square metres with no dimension less than 1.5 metres. 16P2018
- (c)** *deleted* 16P2018

**351.1 deleted**

12P2012, 24P2014

**Backyard Suite**

12P2012, 24P2014

- 352 (1)** For a **Backyard Suite**, the minimum **building setback** from a **rear property line** is:
- (a)** 1.5 metres for any portion of the **building** used as a **Backyard Suite**; and
- (b)** 0.6 metres for any portion of the **building** used as a **private garage**.
- (2)** Unless otherwise specified in the district, for a **Backyard Suite**, the minimum **building setback** from a **side property line** is 1.2 metres for any portion of the **building** used as a **Backyard Suite**.

- 10P2019 (3) Unless otherwise referenced in subsections (3.1) and (3.2), a minimum separation of 5.0 metres is required between the closest façade of the **main residential building** to the closest façade of a **Backyard Suite**.
- 10P2019 (3.1) The minimum façade separation in subsection (3) may be reduced to 1.5 metres where **amenity space** is provided at **grade** that:
- (a) is adjacent to the **main residential building** and the **Backyard Suite**; and
  - (b) has no dimension less than 5.0 metres.
- 10P2019 (3.2) (a) Where portions of a **Backyard Suite** meet the requirements of subsection (b) these portions may project:
- (i) into a **setback area** from a **property line** shared with a **street** or a **lane** to a minimum **building setback** of 0.6 metres from the shared **property line**; and
  - (ii) 0.6 metres into the minimum separation area required in subsection (3) or the **amenity space** required in subsection (3.1);
- (b) Projections described in subsection (a) must:
- (i) not exceed 40.0 per cent of the length of the façade on each **storey** for the total combined length of all projections;
  - (ii) each contain a window; and
  - (iii) each have a maximum length of 3.1 metres
- 10P2019 (4) Unless otherwise referenced in subsection (4.1), the maximum **building height** for a **Backyard Suite** is 7.5 metres.
- 10P2019 (4.1) The maximum **building height** for a **Backyard Suite** is:
- (a) 5.0 metres measured from **grade** at a **side property line** shared with a **parcel** designated with a **low density residential district**;
  - (b) 3.0 metres measured from **grade** at a **rear property line** shared with a **parcel** designated with a **low density residential district**; and
  - (c) increases at a 45 degree angle to a maximum of 7.5 metres at a proportional distance from the shared **property line**.
- 10P2019 (5) The maximum floor area of a **Backyard Suite**, excluding any area covered by stairways and internal landings not exceeding 2.5 square metres, is 75.0 square metres.

- (6) The maximum floor area of a **Backyard Suite** may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.
- (7) Except in the R-CG District, a **Backyard Suite** must have a *private amenity space* that: 56P2022
- (a) is located outdoors; and 16P2018
  - (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres. 16P2018
  - (c) *deleted* 16P2018
- (8) A **Backyard Suite** may include a *balcony* where the *balcony*: 10P2019
- (a) projects from a façade that faces a *property line* shared with a *lane* or a *street*; or
  - (b) includes a *privacy wall* that *screens* the *balcony* from a *property line* shared with a *parcel* designated with *low density residential district* where:
    - (i) the *balcony* is setback less than 4.0 metres from the shared *property line*; and
    - (ii) the *privacy wall* is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height.
- (9) A *balcony* attached to a **Backyard Suite** may project into a required *setback area* from a *property line* shared with a *street* or a *lane* to a minimum setback of 0.6 metres from the *property line*. 10P2019

**Secondary Suite – Outdoor Private Amenity Space**

12P2010, 24P2014

353 *deleted***Accessory Suite – Density**

12P2010, 24P2014

- 354 (1) Unless otherwise referenced in subsection (4), there must not be more than one **Backyard Suite** located on a parcel. 4P2017, 62P2018
- (1.1) There must not be more than one **Secondary Suite** contained within a **Dwelling Unit**. 62P2018
- (2) Unless otherwise referenced in subsection (4), a **Secondary Suite** and a **Backyard Suite** must not be located on the same *parcel*. 4P2017
- (3) A **Secondary Suite** or a **Backyard Suite** must not be separated from the main residential use on a *parcel* by the registration of a condominium or subdivision plan. 23P2016
- (4) In the R-CG District, one **Backyard Suite** or one **Secondary Suite** may be located on a *bare land unit* containing a **Dwelling Unit**. 4P2017

**Secondary Suite – Entry and Stairways**355 *deleted*

12P2010

**Secondary Suite – Building Height**

12P2010, 24P2014 **356** *deleted*

**Parcels Deemed Conforming**

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

**Dwellings Deemed Conforming**

- 5P2013 **358** (1) *Decks* greater than 1.5 metres in height, *landings*, *retaining walls* and window wells that are legally existing or approved prior to the effective date of this Bylaw are deemed to conform with the requirements of this Bylaw.
- 27P2011 (2) When a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** has been constructed in accordance with this Bylaw, and is located in a *Developed Area*, the maximum *building height*, minimum *building setback* from a *front property line* and maximum *building depth* determined at the time of the *development* are the requirements until further *development* occurs on the *parcel*.
- 53P2008 (3) The *building setback* from the *front property line* for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw if:
- (a) the **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw;
  - (b) the *building setback* from the *front property line* is:
    - (i) a minimum of 6.0 metres for the R-C1L or R-C1Ls districts; or
    - (ii) a minimum of 3.0 metres for any other *residential district*; and
  - (c) the *main residential building*:
    - (i) has not been added to after the effective date of this Bylaw; or
    - (ii) has been added to after the effective date of this Bylaw and the addition complies with the requirements specified in this Bylaw for a *building setback* from the *front property line*.
- 67P2008 (4) The *building height* for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw providing:
- 67P2008, 46P2008

**Division 11: Residential – Grade-Oriented Infill (R-CG) (R-CGex) District**17P2009, 4P2012,  
9P2012, 24P2014,  
62P2018**Purpose**

- 525 (1)** The Residential – Grade-Oriented Infill (R-CG) District: 62P2018
- (a) accommodates existing residential *development*;
  - (b) accommodates grade-oriented development in the form of **Rowhouse Buildings, Townhouses, Duplex Dwellings, Semi-detached Dwellings** and **Cottage Housing Clusters**; 56P2022
  - (c) accommodates **Secondary Suites** and **Backyard Suites** with new and existing residential *development*;
  - (d) provides flexible *parcel* dimensions and *building setbacks* that facilitate integration of a diversity of grade-oriented housing over time; and
  - (e) accommodates site and *building* design that is adaptable to the functional requirements of evolving household needs.
- (2)** The Residential – Grade-Oriented Infill (R-CGex) District has the same purpose as the Residential – Grade-Oriented Infill (R-CG) District except that it does not accommodate **Secondary Suites** or **Backyard Suites**. 62P2018

**Permitted Uses**

- 526 (1)** The following *uses* are *permitted uses* in the The Residential – Grade-Oriented Infill District:
- (a) **Accessory Residential Building**;
  - (b) **Contextual Semi-detached Dwelling**;
  - (c) **Home Based Child Care – Class 1**;
  - (d) **Home Occupation – Class 1**;
  - (e) **Park**;
  - (f) **Protective and Emergency Service**;
  - (g) **Secondary Suite**;
  - (h) **Sign – Class A**; and
  - (i) **Utilities**.
- (2)** A **Rowhouse Building** is a *permitted use* in the Residential – Grade-Oriented Infill District where a **Rowhouse Building** complies with all the rules in the district for that use and where a **Rowhouse Building** complies with the rules of section 347.3.

**Discretionary Uses**

- 527 (1)** A **Rowhouse Building** is a *discretionary use* in the Residential – Grade-Oriented Infill District where a **Rowhouse Building** does not comply with all the rules in the district for that *use* or where a **Rowhouse Building** does not comply with the rules of section 347.3.
- (2)** The following *uses* are *discretionary uses* in the Residential – Grade-Oriented Infill District:
- (a) **Addiction Treatment;**
  - (b) **Assisted Living;**
  - (c) **Backyard Suite;**
  - (d) **Bed and Breakfast;**
  - (e) **Community Entrance Feature;**
  - (f) **Cottage Housing Cluster;**
  - (g) **Custodial Care;**
  - (h) **Duplex Dwelling;**
  - (i) *deleted*
  - (j) **Home Occupation – Class 2;**
  - (k) **Place of Worship – Small;**
  - (l) **Power Generation Facility – Small;**
  - (m) **Residential Care;**
  - (n) **Semi-detached Dwelling;**
  - (o) **Sign – Class B;**
  - (p) **Sign – Class C;**
  - (q) **Sign – Class E;**
  - (r) **Single Detached Dwelling;**
  - (s) **Temporary Residential Sales Centre;**
  - (s.1) **Townhouse; and**
  - (t) **Utility Building.**

28P2021

56P2022

56P2022

**Permitted and Discretionary Uses for Parcels Designated R-CGex**

62P2018

- 527.1 (1)** *Parcels* designated R-CGex have the same *permitted uses* referenced in Section 526 with the exclusion of:

- (a) **Secondary Suite.**

62P2018

- (2)** *Parcels* designated R-CGex have the same *discretionary uses* referenced in Section 527 with the exclusion of:

- (a) **Backyard Suite.**



**Rules**

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

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

**Density**

**529** The maximum **density** for **parcels** designated R-CG District is 75 **units** per hectare.

**Number of Main Residential Buildings on a Parcel**

4P2017

**530** *deleted*

**Parcel Width**

15P2016

**531** The minimum **parcel width** is 7.5 metres for a **parcel** containing a **Duplex Dwelling**.

**Facade Width**

15P2016

**532** The minimum width of a **street** facing façade of a **unit** is 4.2 metres.

**At Grade Orientation of Units**

56P2022

**533** (1) All **units** must provide individual, separate, direct access to **grade**.

(2) **Units** with an exterior wall facing a **street** must provide:

- (a) an entrance that is visible from the **street**; and
- (b) sidewalks that provide direct exterior access to the **unit**.

**Parcel Coverage**

15P2016

**534** (1) *deleted*

62P2018

(2) Unless otherwise referenced in subsection (3), the maximum cumulative **building coverage** over all the **parcels** subject to a single **development permit** containing a **Contextual Semi-Detached Dwelling, Cottage Housing Cluster, Rowhouse Building, Semi-Detached Dwelling, Single Detached Dwelling** or **Townhouse** is:

62P2018, 56P2022

- (a) 45.0 per cent of the area of the **parcels** subject to the single **development permit** for a **development** with a **density** of less than 40 **units** per hectare;
- (b) 50.0 per cent of the area of the **parcels** subject to the single **development permit** for a **development** with a **density** of

- 40 **units** per hectare or greater and less than 50 **units** per hectare;
- (c) 55.0 per cent of the area of the **parcels** subject to the single **development permit** for a **development** with a **density** of 50 **units** per hectare or greater and less than 60 **units** per hectare; or
- (d) 60.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of 60 **units** per hectare or greater.
- (3) The maximum **parcel coverage** referenced in subsections (1) and (2), must be reduced by:
- (a) 21.0 square metres where one **motor vehicle parking stall** is required on a **parcel** that is not located in a **private garage**; and
- (b) 19.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage** where more than one **motor vehicle parking stall** is required on a **parcel**.
- (4) For all other **uses**, the maximum **parcel coverage** is 45.0 percent.

15P2016, 62P2019  
56P2022

#### **Building Depth and Separation**

- 535** (1) Unless otherwise referenced in subsections (2) and (3) the maximum **building depth** is 65.0 per cent of the **parcel depth** for a **building** containing a **unit**.
- (2) On a **laned parcel**, there is no maximum **building depth** for a **main residential building** wholly contained to the rear of 40.0 percent **parcel depth** where:
- (a) there is more than one **main residential building** on the **parcel**;
- (b) 50.0 per cent or more of the **units** on the **parcel** are contained in **main residential buildings** located within the first 60.0 per cent of the **parcel depth**; and
- (c) where the minimum separation distance of the **main residential buildings** on the front portion of the **parcel** and the **main residential buildings** contained on the rear portion of the **parcel** is 6.5 metres.
- (3) For a **main residential building** that is located on a **corner parcel** there is no maximum **building depth** where the minimum **building setback** from the **side property line** shared with another **parcel** is 3.0 metres for any portion of the **building** located between the **rear property line** and:
- (a) 50.0 per cent **parcel depth**; or
- (b) the **building depth** of the **main residential building** on the adjoining **parcel**;

whichever is closer to the **rear property line**.

**Building Setback Areas**

15P2016

**536** The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 535, 537, 538, 539, and 540.

56P2022

**Building Setback from Front Property Line**

**537** The minimum **building setback** from a **front property line** is 3.0 metres.

56P2022

61P2018,

15P2016,

62P2018

**Block Face Requirements**

15P2016

**538** (1) A minimum **building setback** of 1.2 metres is required from a **side property line** at least every 60.0 metres along the entire length of a block face. .

(2) Where subsection (1) applies, the **side setback area** must be clear of all air conditioning units, window wells and portions of a **building** measured from **grade** to a height of 2.4 metres.

15P2016,

62P2018

56P2022

**Building Setback from Side Property Line**

**539** (1) Subject to subsections (3) through (9), the minimum **building setback** from any **side property line** is 1.2 metres.

(2) Subject to subsections (3) through (7), 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) There is no requirement for a **building setback** from a **property line** upon which a party wall is located.

(4) The minimum **building setback** from a **side property line** may be reduced to a **zero setback** where:

(a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a 1.2 metre private maintenance easement..

(5) The minimum **building setback** from a **side property line** may be reduced to a **zero setback** where the **main residential building** on the adjoining **parcel** has a **zero setback**.

(6) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 0.6 metres.

(7) The **building setback** from a **side property line** of 3.0 metres required in subsection 2(b) may be reduced to zero metres where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** registers, against both titles, a 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) that provides unrestricted vehicle access to the rear of the **parcel**.
- (8) Unless otherwise referenced in subsection (9), on a **laned parcel** the minimum **building setback** from a **side property line** for a **private garage** attached to a **main residential building** is 0.6 metres.
- (9) On a **laned parcel**, the minimum **building setback** for a **private garage** attached to a **main residential building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres where the wall of the portion of the **building** that contains the **private garage** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**.

15P2016,  
62P2018  
56P2022

#### Building Setback from Rear Property Line

- 540** (1) Unless otherwise referenced in subsection (2) the minimum **building setback** from a **rear property line** is 7.5 metres.
- (2) On a **laned** or **corner parcel**, the minimum **building setback** from a **rear property line** is 1.2 metres.

62P2018

#### Fences

- 540.1** The height of a **fence** above **grade** at any point along a **fence** line must not exceed 1.2 metres for any portion of a **fence** extending between the foremost front façade of the immediately adjacent **main residential building** and the **front property line**.

15P2016,  
62P2018,56P2022

#### Building Height

- 541** (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is 11.0 metres measured from **grade**.
- (2) Where a **building setback** is required from a **property line** shared with another **parcel** designated with a **low density residential district**, the M-CG or H-GO District the maximum **building height**:
- (a) is the greater of:
    - (i) the highest geodetic elevation of a **main residential building** on the adjoining **parcel**; or
    - (ii) 7.0 metres from **grade**;  
measured at the shared **property line**; and
  - (b) increases at a 45 degree angle to a maximum of 11.0 metres measured from **grade**.
- (3) On a **corner parcel**, the maximum area of a horizontal cross section through a **building** at 9.5 metres above average **grade** must not be greater than 75.0 per cent of the maximum area of a horizontal cross section through the **building** between average **grade** and 8.6 metres.

56P2022

(4) Where not located on a **corner parcel**, the maximum **building height** is 8.6 metres for any portion of a **main residential building** located between the **rear property line** and 60.0 per cent **parcel depth** or the **contextual building depth average**, whichever is greater. 56P2022

(5) *deleted* 56P2022

### Landscaping Requirements

15P2016, 62P2018,  
56P2022

- 542 (1) For **developments** of three **units** or more, **landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) For **developments** of two **units** or less the General Landscaping Rules of Section 346.1 apply.
- (3) 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**.
- (4) All **setback areas adjacent** to a **street**, except for those portions specifically required for motor vehicle access, must be a **landscaped area**.
- (5) **Amenity space** provided outdoors at **grade** must be included in the calculation of a **landscaped area**.
- (6) Any part of the **parcel** used for motor vehicle access, **motor vehicle parking stalls**, **loading stalls** and garbage or recycling facilities must not be included in the calculation of a **landscaped area**.
- (7) A minimum of 30.0 per cent of the **landscaped area** must be covered with **soft surfaced landscaping**.
- (8) All **soft surfaced landscaped area** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.
- (9) Mechanical systems or equipment that are located outside of a **building** must be **screened**.
- (10) 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.

### Landscape Plan Requirements

56P2022

542.1 For **developments** of three **units** or more, a landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to **buildings** or the site plan, and must show at least the following:

- (a) the existing and proposed site grading;
- (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**, **soft surfaced landscaped area** and **hard surfaced landscaped areas**;
- (d) **private amenity space** or **common amenity space**;
- (e) the types, species, sizes and numbers of plant material and the types of **hard surfaced landscaped areas**;
- (f) details of the irrigation system; and
- (g) for **landscaped areas** with a **building** or other structure 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.

56P2022

### Planting Requirements

- 542.2 (1)** Trees required by this section:
- (a) may be provided through the planting of new trees or the preservation of existing trees; and
  - (b) where approved by the **Development Authority**, may be provided on a boulevard **adjacent** to the **parcel**.
- (2)** A minimum of 1.0 tree and 3.0 shrubs must be provided for each 110.0 square meters of **parcel area**.
- (3)** Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (4)** The requirement for the provision of 1.0 tree is met where:
- (a) a deciduous tree has a minimum **calliper** of 60 millimetres; or
  - (b) a coniferous tree has a minimum height of 2.0 metres.
- (5)** The requirement for the provision of 2.0 trees is met where:
- (a) a deciduous tree has a minimum **calliper** of 85 millimetres; or
  - (b) a coniferous tree has a minimum height of 4.0 metres.
- (6)** The requirement for the provision of 3.0 trees is met where an existing deciduous tree with a **calliper** greater than 100 millimeters is preserved.
- (7)** For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:

- (a) 1.2 metres for trees;
  - (b) 0.6 metres for shrubs; and
  - (c) 0.3 metres for all other planting areas.
- (8) The soil depths referenced in (7) must cover an area equal to the mature spread of the planting material.
- (9) 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.

15P2016,  
62P2018,  
56P2022

### Amenity Space

- 543 (1) For **developments** of three **units** or more, each **unit** and **suite** must have **amenity space** that is located outdoors and is labelled on the required landscape plan.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.

### Balconies

- 544 (1) Where a **balcony** is located on the roof of the first or second **storey** of a **main residential building** and does not overhang any façade of the **storey** below, the **balcony** may have a maximum floor area that equals 50.0 per cent of the horizontal cross section of the **storey** below.
- (2) A **balcony** attached to a **Contextual Single Detached Dwelling**, **Contextual Semi-detached Dwelling**, or **Rowhouse Building** that is a **permitted use**:
- (a) may be located on a side façade of a **building**:
    - (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
    - (ii) where it is on the **street** side of a **corner parcel**;
  - (b) may be located on a rear façade of a **building** where:
    - (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
    - (ii) a privacy wall is provided where the **balcony** is facing a **side property line** shared with a **contextually adjacent building**; and
    - (iii) the privacy wall is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and

15P2016  
62P2018,  
56P2022

- (c) must not have a **balcony** on the rear façade with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**.

62P2018            **545**    *deleted*

**Motor Vehicle Parking Stall**

15P2016,62P2018,  
56P2022

**546**    The minimum number of **motor vehicle parking stalls** is calculated based on the sum of all **units** and **suites** at a rate of 0.5 stalls per **unit** or **suite**.

**Mobility Storage**

56P2022

**546.1**    The minimum number of **mobility storage lockers** is calculated based on the sum of all **units** and **suites** at a rate of 0.5 lockers per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage**.

**Bicycle Parking Stalls**

56P2022

**546.2**    The minimum number of **bicycle parking stalls – class 1** is calculated based on the sum of all **units** and **suites** at a rate of 1.0 stall per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage** or **mobility storage locker**.

**Waste, Recycling and Organics**

56P2022

**546.3**    For **developments** of three or more **units**, garbage, recycling, and organics must be stored in a **screened** location approved by the **Development Authority**.



## Division 12: Residential – Low Density Mixed Housing (R-G) (R-Gm) District

15P2016

### Purpose

- 547 (1)** The Residential – Low Density Mixed Housing District:
- (a) is intended to apply to low density neighbourhoods in master planned communities in suburban greenfield locations in the *Developing Area*;
  - (b) accommodates a wide range of low density residential *development* in the form of **Cottage Housing Clusters, Duplex Dwellings, Rowhouse Buildings, Semi-detached Dwellings** and **Single Detached Dwellings** to allow for the mixing of different housing forms and to encourage housing diversity and intensification of a neighbourhood over time;
  - (c) includes *carriage house lots* to facilitate alternative housing forms on *laned parcels*; and
  - (d) accommodates **Secondary Suites** and **Backyard Suites**.
- (2)** *Parcels* designated R-Gm:
- (a) accommodate low density attached dwelling *developments* in the form of **Rowhouse Buildings, Semi-detached Dwellings, Duplex Dwellings** and **Cottage Housing Clusters** in locations within master planned communities where attached residential forms are promoted;
  - (b) are not intended to accommodate **Single Detached Dwellings** except where subdivision results in remnant single lots, where *carriage house lots* are added or where **Single Detached Dwellings** are planned comprehensively with a majority of attached dwelling forms.

### Permitted Uses

**547.1** The following *uses* are *permitted uses* in the Residential –Low Density Mixed Housing District:

- (a) **Accessory Residential Building;**
- (b) **Backyard Suite;**
- (c) **Duplex Dwelling;**
- (d) **Home Based Child Care – Class 1;**
- (e) **Home Occupation – Class 1;**
- (f) **Park;**
- (g) **Protective and Emergency Service;**

- (h) **Rowhouse Building;**
- (i) **Secondary Suite;**
- (j) **Semi-detached Dwelling;**
- (k) **Sign – Class A;**
- (l) **Single Detached Dwelling; and**
- (m) **Utilities.**

### **Discretionary Uses**

**547.2** The following *uses* are *discretionary uses* in the Residential – Low Density Mixed Housing District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Bed and Breakfast;**
- (d) **Community Entrance Feature;**
- (e) **Cottage Housing Cluster;**
- (f) **Custodial Care;**
- (g) *deleted*
- (h) **Home Occupation – Class 2;**
- (i) **Place of Worship – Small;**
- (j) **Power Generation Facility – Small;**
- (k) **Residential Care;**
- (l) **Sign – Class B;**
- (m) **Sign – Class C;**
- (n) **Sign – Class E;**
- (o) **Temporary Residential Sales Centre; and**
- (p) **Utility Building.**

28P2021

### **Permitted and Discretionary Uses for Parcels Designated R-Gm**

**547.3 (1)** *Parcels* designated R-Gm have the same *permitted uses* referenced in section 547.1 with the exception of:

- (a) **Single Detached Dwelling.**
- (2)** *Parcels* designated R-Gm have the same *discretionary uses* referenced in section 547.2 with the additional *discretionary use* of:
- (a) **Single Detached Dwelling.**

## Rules

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

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

## Number of Main Residential Buildings on a Parcel

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

## Parcel Width

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

## Parcel Area

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

## Parcel Coverage

- 547.8** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **parcel coverage** is 60.0 per cent of the area of the **parcel**.
- (2) Unless otherwise referenced in subsection (3), the maximum **parcel coverage** for a **laned parcel** is 70.0 per cent of the area of the **parcel**.

- (3) The maximum **parcel coverage** referenced in subsections (1) and (2), must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.

### Building Setback Areas

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

### Building Setback from Front Property Line

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

### Building Setback from Side Property Line

46P2019

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

46P2019

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

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

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

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

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

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

- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a minimum 1.5 metre private maintenance easement that provides for:
  - (i) a 0.30 metre eave encroachment easement with the requirement that the eaves must not be closer than 0.90 metres to the eaves on a **building** on an **adjacent parcel**; and

- (ii) a 0.60 metre footing encroachment easement; and
  - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the parcel on which the **building** is located.
- (5.1) For a **parcel** containing a **Single Detached Dwelling** one **building setback** from a **side property line** may be reduced to 0.6 metres where:
- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, private maintenance easements with a minimum combined width of 1.5 metres;
  - (b) eaves are setback a minimum of 0.45 metres from any **property line**; and
  - (c) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.
- (6) For a **Backyard Suite, Rowhouse Building** or **Semi-detached Dwelling** there is no requirement for a **building setback** from the **property line** on which a party wall is located that separates two or more **Dwelling Units** or **Backyard Suites**.

16P2018

#### Building Setback from Rear Property Line

- 547.12 (1) Unless otherwise referenced in subsections (2), (3) or (4) the minimum **building setback** from a **rear property line** is 7.5 metres.
- (2) On a **laneless parcel** the minimum **building setback** from a **rear property line** is 5.0 metres where all the required **motor vehicle parking stalls** are provided in a **private garage**.
  - (3) The minimum **building setback** from a **rear property line** shared with a **carriage house lot** is 1.2 metres where all the required **motor vehicle parking stalls** are provided in a **private garage**.
  - (4) On a **laned parcel** the minimum **building setback** from a **rear property line** shared with a **lane** is 0.6 metres where all the required **motor vehicle parking stalls**:
    - (a) are provided in a **private garage**; and
    - (b) have direct, individual access to the **lane**.
  - (5) For a **development** subject to subsection (4) the provisions referenced in section 338 regarding projections into the **rear setback area** do not apply.
  - (6) For a **development** subject to subsection (4) eaves may project 0.3 metres into the **rear setback area**.

### **Building Height**

- 547.13 (1)** Unless otherwise referenced in subsection (2), the maximum **building height** is 12.0 metres.
- (2)** The maximum height of a **Backyard Suite** on a **laned parcel** is 10.0 metres.

### **Outdoor Private Amenity Space**

- 547.14 (1)** Unless otherwise referenced in subsection (2) or (3), for a **Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling** or a **Single Detached Dwelling**, each **unit** must have direct access to **private amenity space** that:
- (a)** is provided outdoors;
  - (b)** is not used for vehicle access or as a **motor vehicle parking stall**;
  - (c)** is not located in the **building setback** area between the front **property line** and a line parallel to the **front property line** measured at the closest **building setback** from the **front property line**;
  - (d)** has a minimum total area of 22.0 square metres; and
  - (e)** has no dimension of less than 3.0 metres.
- (2)** Unless otherwise referenced in subsection (3), for a **Duplex Dwelling, Rowhouse Building** or a **Semi-detached Dwelling** located on **parcel** designated R-Gm, each **unit** must have direct access to **private amenity space** that:
- (a)** is provided outdoors;
  - (b)** is not used for vehicle access or as a **motor vehicle parking stall**;
  - (c)** is not located in the **building setback** area between the **front property line** and a line parallel to the **front property line** measured at the closest **building setback** from the front **property line**;
  - (d)** has a minimum total area of 15.0 square metres; and
  - (e)** has no dimension of less than 2.0 metres.
- (3)** For a **Semi-detached Dwelling** or a **Single Detached Dwelling** located on **carriage house lot**, each **unit** must have direct access to **private amenity space** that:
- (a)** is provided outdoors;
  - (b)** is not used for vehicle access or as a **motor vehicle parking stall**;

- (c) has a minimum total area of 15.0 square metres; and
- (d) has no dimension of less than 2.0 metres.

### **Balconies**

**547.15** The rules of subsections 340(1) and 340(2) regarding *balcony size* do not apply to a *balcony* located entirely on the roof of the first or second *storey* of the *main residential building* or a *private garage* attached to the *main residential building*.

### **Driveways**

**547.16** In addition to the rules regarding driveways in section 341 the combined width of all driveways accessing a *street* must not be wider than the *parcel width* less 3.0 metres.





Table 4: Low Water Shrubs - continued

<b>Low Water Shrubs</b>	
Ribes alpinum	Alpine currant
Ribes aureum	Golden currant
Ribes oxycanthoides	Wild gooseberry
Sambucus racemosa (excluding var. pubens)	European red elder
Shepherdia argentea	Silver buffaloberry
Sorbaria sorbifolia	Ural false spirea
Spiraea trilobata	Three-lobed spirea
Symphoricarpos occidentalis	Western snowberry
Syringa spp.	Lilac
Viburnum lantana	Wayfaring tree
Viburnum lentago	Nannyberry

10P2009

### Amenity Space

- 557** (1) The provisions of this section do not apply to *parcels* designated Multi-Residential – At Grade Housing District.
- (2) A *patio* may be located in a *setback area* between a *street-oriented multi-residential building* and a *property line* shared with a *street*.
- (3) *Amenity space* may be provided as *common amenity space*, *private amenity space* or a combination of both.
- (4) The required minimum *amenity space* is 5.0 square metres per *unit*.
- (5) 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.
- (6) 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.
- (7) Where a *patio* is located within 4.0 metres of a *lane* or another *parcel*, it must be *screened*.

- (8) **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.
- (9) **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) when provided as part of a **Multi-Residential Development – Minor**, must be located at **grade**.
- (10) **Common amenity space – indoors** must not be provided as part of the required **amenity space** for a **Multi-Residential Development – Minor**.
- (11) **Common amenity space – indoors** may only be provided to satisfy the **amenity space** requirement as part of a **development** with 100 or more **units**.
- (12) A maximum of 10.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (13) **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**.

56P2022

### Motor Vehicle Parking Stall Requirements

- 558** The minimum **motor vehicle parking stall** requirement is calculated:
- (a) based on the sum for all **Dwelling Units** and **suites** where the rate is 0.625 stalls per **Dwelling Unit** or **suite**; and
  - (b) for each **Live Work Unit** is:
    - (i) 0.625 stalls per **unit** for resident parking; and
    - (ii) 0.5 **visitor parking stalls**.

**Bicycle Parking Stall Requirements in Multi-Residential Development**

56P2022

**559** The minimum number of **bicycle parking stalls** is calculated based on the sum for all **units** and **suites** where the rate is:

- (a) 1.0 **bicycle parking stall – class 1** per **unit**;
- (b) 1.0 **bicycle parking stall – class 1** per **suite**; and
- (c) 0.1 **bicycle parking stalls – class 2** per **unit** for **developments** of 20 **units** or more, with a minimum of 2.0 stalls.

**Reduction for Transit Supportive Multi-Residential Development**47P2008,  
56P2022

**560** The required number of **motor vehicle parking stalls** in section 558 is reduced by 25.0 per cent for a **development** on a **parcel** located within:

- (a) 600.0 metres of an existing or approved capital funded **LRT platform**;
- (b) 400.0 metres of an existing or approved capital funded **BRT station**; or
- (c) 200.0 metres of **primary transit service**.

**Parking Maximums Close to LRT Stations**

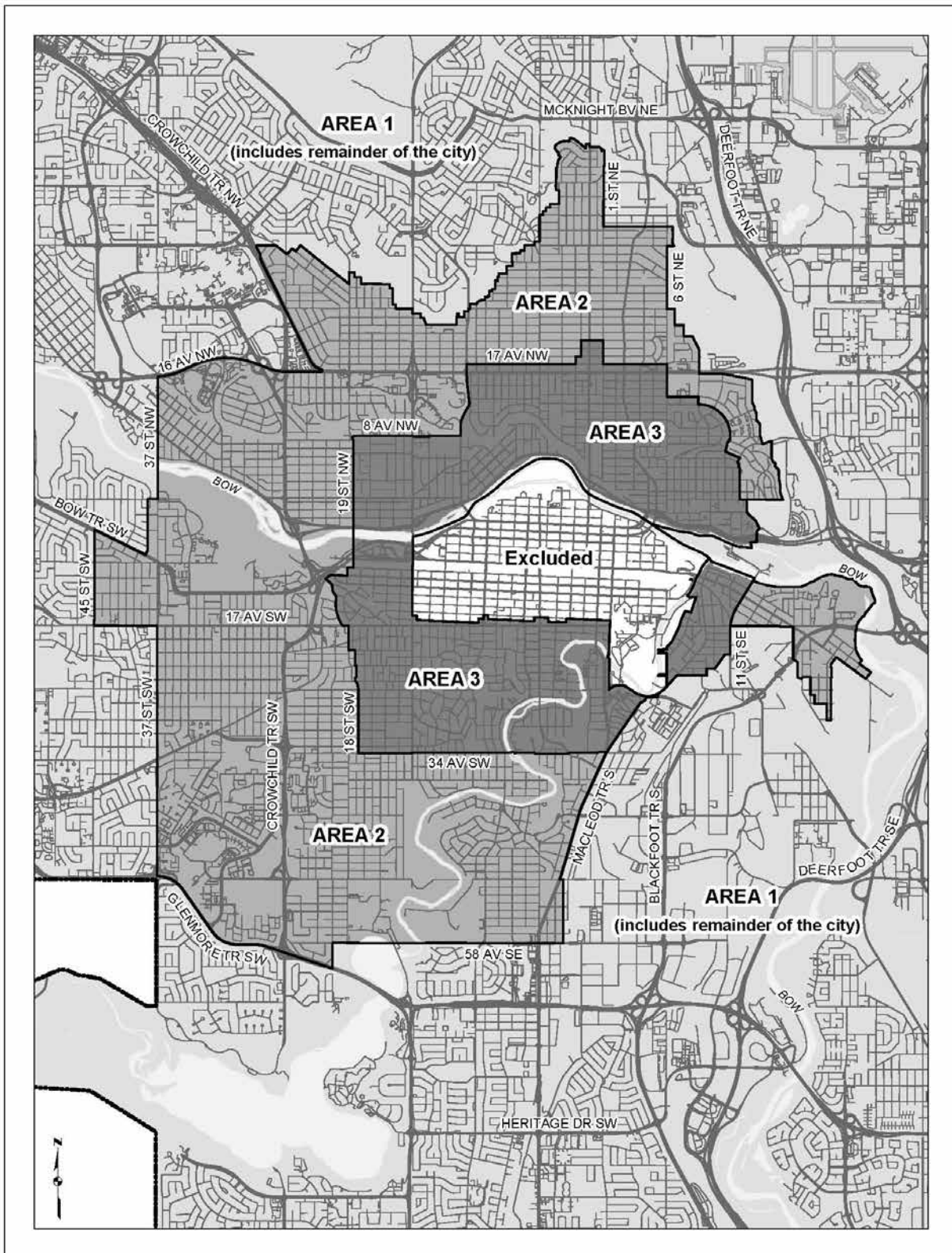
**561** Where a **building** contains three or more **units** with shared entrance facilities in a **Multi-Residential Development** and **Multi-Residential Development – Minor** located on a **parcel** within 600.0 metres of an existing or approved Capital funded **LRT Platform**, the maximum number of **motor vehicle parking stalls** is:

47P2008, 1P2009

- (a) 1.5 stalls per **Dwelling Unit** for resident parking in Area 1 of the “Parking Areas Map”, as illustrated on Map 7; and
- (b) 1.25 stalls per **Dwelling Unit** for resident parking in Area 2 of the “Parking Areas Map”, as illustrated on Map 7.

9P2012

Map 7:  
Parking Areas Map



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

562 *deleted*

48P2020

### Accessory Residential Buildings

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

- (a) may have an **amenity space** in the form of a **deck** or a **patio**; 13P2008
- (b) Unless specified in subsection (4) must not be located in a required **setback area**; and 41P2009
- (c) must not be located between any **building** and a public **street**. 41P2009

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

- (a) 75.0 square metres, when approved for storage, garbage containers and recycling facilities; and 27P2011
- (b) 100.0 square metres, when approved and used as a **private garage**.

(3) The maximum height for an **Accessory Residential Building**, when approved as a **private garage** is:

- (a) in the Multi-Residential – Contextual Grade-Oriented District:
  - (i) 4.6 metres, when measured from **grade** at any point **adjacent** to the **building**; and
  - (ii) 3.0 metres to any **eaveline**, when measured from the finished floor of the **building**; and
- (b) in all other **multi-residential districts**, 5.0 metres measured from **grade**.

41P2009

- (4) Where the *main residential building* is a **Multi-Residential Development**, an **Accessory Residential Building** used to accommodate garbage and waste material, a *private garage* or both, the **Accessory Residential Building** may be located in a *setback area* from another *parcel* provided that:
- (a) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an *adjacent parcel*; or
  - (b) the owner of the *adjacent parcel* grants a 1.5 metre private maintenance easement that must:
    - (i) be registered against the title of the *parcel* proposed for development and the title of the *adjacent parcel*; and
    - (ii) include a 0.60 metre footing encroachment easement.

#### Objects Prohibited or Restricted

34P2022

564 (1) *deleted*

34P2022

(2) *deleted*

34P2022

(3) *deleted*

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

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

- (a) be located in an *actual front setback area* or in an *actual side setback area of a corner parcel*;
- (b) be located higher than 3.0 metres from *grade*; and
- (c) be illuminated.

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

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

43P2016

(7) *deleted*

## Driveway Length and Parking Areas

- 565 (1)** A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
  - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (2)** A driveway connecting to a **street** must:
- (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
  - (b) be a minimum of 3.0 metres in width.
- (3)** A driveway connecting to a **lane** must:
- (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and
  - (b) be located between the **property line** shared with a **lane** and the vehicular entrance of the **private garage**.
- (4)** *deleted* 9P2012, 16P2018, 34P2022
- (5)** In the **Developed Area** a driveway accessing a **street** must not be constructed, altered or replaced except where: 56P2022
- (a) it is located on a **laneless parcel**;
  - (b) it is located on a **laned parcel** and 50.0 per cent or more **parcels** on the same block face have an existing driveway accessing a **street**; or
  - (c) there is a legally existing driveway that it is not being relocated or widened.

### Garbage

- 44P2022      **566**    (1)    Garbage containers and waste material must be stored, prior to collection, either:
- (a)    inside a **building**; or
  - (b)    in a garbage container enclosure approved by the **Development Authority**.
- 41P2009                 (2)    A garbage container enclosure:
- (a)    must not be located between a **building** and a public **street**; and
  - (b)    unless specified in subsection (3) must not be located in a **setback area**.
- 41P2009                 (3)    Where the **main residential building** is a **Multi-Residential Development** a garbage container enclosure may be located in a **setback area** from another **parcel** provided that:
- (a)    the wall of the enclosure is constructed of maintenance free materials; and
  - (b)    there is no overhang of eaves onto an **adjacent parcel** or **lane**.

### Recycling Facilities

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

### Mechanical Screening

- 27P2021      **568**    Mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.

### Visibility Setback

- 13P2008      **569**    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**

- 570** (1) A **retaining wall** must be less than 1.2 metres in height when measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest **grade** retained by the **retaining wall**. 16P2018
- (2) A minimum horizontal separation of 1.0 metres must be maintained between **retaining walls** on a **parcel**:
- (a) in the case of **Multi-Residential Development – Minor**; and
  - (b) for all other **developments**, within 3.0 metres of a **property line**.

**Fences**

- 571** 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 68P2008
  - (c) 2.5 metres to the highest point of a gateway, provided that the gateway does not exceed 2.5 metres in length.

**Solar Collectors**

- 571.1** (1) A **solar collector** may only be located on the wall or roof of a **building**.
- (2) A **solar collector** mounted on a roof with a pitch of less than 4:12:
- (a) may project a maximum of 2.0 metres from the surface of the roof; and
  - (b) must be located at least 1.0 metres from the edge of the roof.
- (3) A **solar collector** mounted on a roof with a pitch of 4:12 or greater:
- (a) may project a maximum of 1.3 metres from the surface of the roof; and
  - (b) must not extend beyond the outermost edge of the roof.
- (4) A **solar collector** that is mounted on a wall: 67P2008
- (a) must be located a minimum of 2.4 metres above **grade**; and
  - (b) may project a maximum of 0.6 metres from the surface of that wall.

43P2016

**Skateboard and Sports Ramps**

**571.2 (1)** All *skateboard and sports ramp* structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.

(2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).

16P2018

(3) The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.

(4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.

(5) There must only be one *skateboard and sports ramp* envelope per *parcel*.

(6) All *skateboard and sports ramps* structures must be located between the rear façade of the *main residential building* and the *rear property line*.

(7) The height of a *skateboard and sports ramp* at any point is measured from *grade*.

(8) All *skateboard and sports ramp* structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a *side property line*.

(9) All *skateboard and sports ramp* structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a *rear property line*.

(10) A *skateboard and sports ramp* must not be attached to a *deck*, another structure, *fence*, or *building* such as, but not limited to, a *main residential building*, **Backyard Suite** or **Accessory Residential Building**.

16P2018

(11) Notwithstanding sections 550, 551, and 557, *skateboard and sports ramps* may be included in the calculation of *landscaped area*, *hard surfaced landscaped area*, *soft surfaced landscaped area* or *common amenity space*.

**Gated Access**

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

**Single Detached, Semi-Detached, Duplex Dwellings and Backyard Suites**46P2009, 12P2010  
24P2014, 56P2022

**573** Any of the following uses must comply with the rules of the R-CG District that apply to such *development*:

- (a) **Accessory Residential Building** that is not combined with a **Multi-Residential Development**;
- (b) **Backyard Suite**;
- (c) **Duplex Dwelling**;
- (d) *deleted*
- (e) **Semi-detached Dwelling**; or
- (f) **Single Detached Dwelling**.

56P2022

**Parcel Access**

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

**Commercial Multi-Residential Uses**

**575** Where “*commercial multi-residential uses*” are referred to in this Part, they include only those *commercial multi-residential uses* that are specifically listed in the M-H1, M-H2, M-H3, M-X1 and M-X2 Districts.



- (5) The minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.

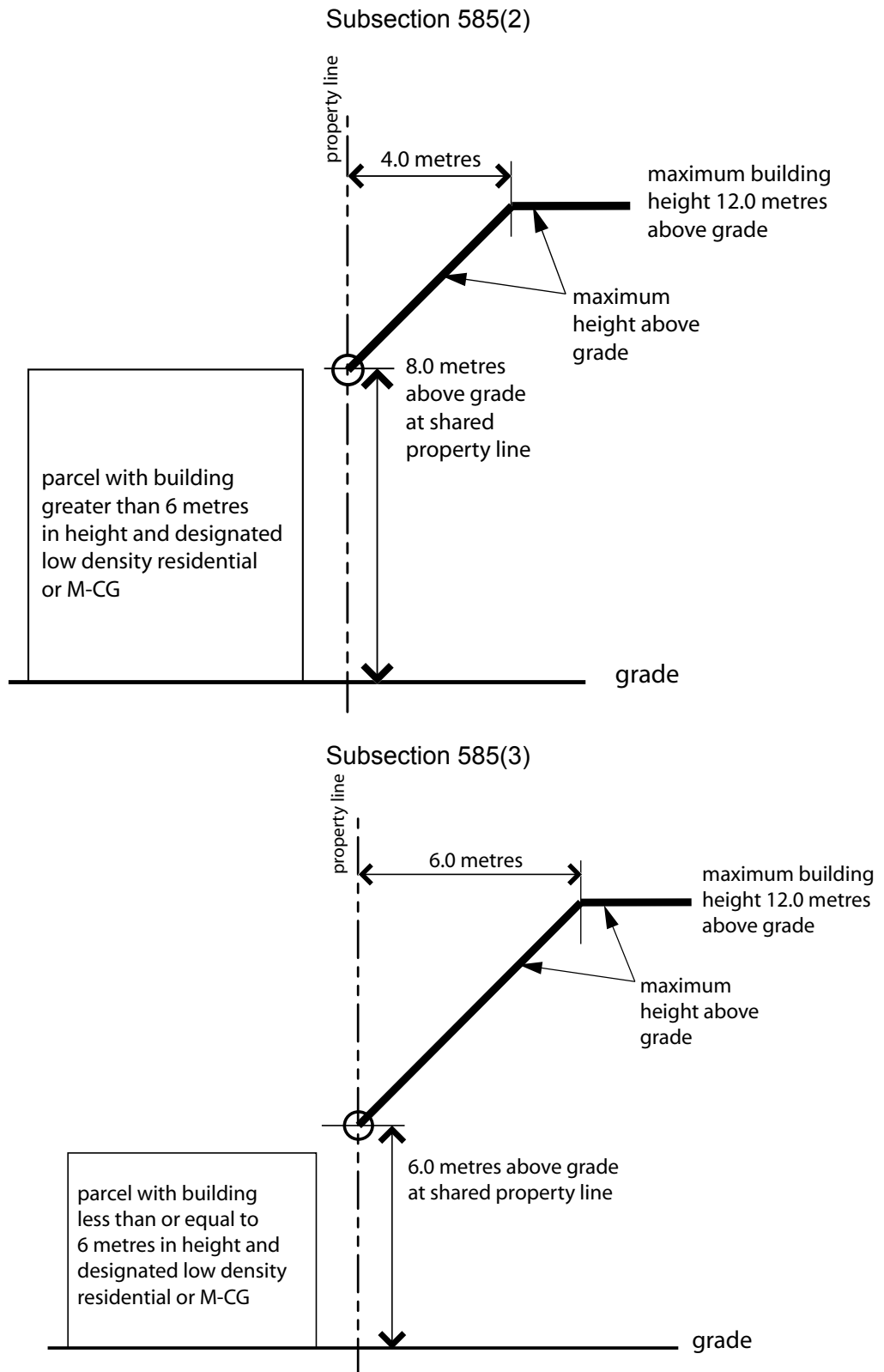
### Landscaping

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

### Building Height and Cross Section

- 585** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 12.0 metres.
- (2) The maximum **building height** on a **parcel** that shares a **property line** with another **parcel** that has no **buildings** or that has a **building** with a height greater than 6.0 metres above **grade** at that shared **property line**, and where the other **parcel** is designated with a **low density residential district**, the M-CG or H-GO District: 13P2008,56P2022
- (a) is 8.0 metres measured from **grade** at the shared **property line**; and
- (b) increases proportionately to a maximum of 12.0 metres measured from **grade** at a distance of 4.0 metres from the shared **property line**.
- (3) The maximum **building height** on a **parcel** that shares a **property line** with a **parcel** that has a **building** with a **height** that does not exceed 6.0 metres above **grade** at that shared **property line**, and where the other **parcel** is designated with a **low density residential district**, the M-CG or H-GO District: 13P2008,56P2022
- (a) is 6.0 metres measured from **grade** at the shared **property line**; and
- (b) increases proportionately to a maximum of 12.0 metres measured from **grade** at a distance of 6.0 metres from the shared **property line**.
- (4) The maximum area of a horizontal cross section through a **building** at 10.5 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 9.0 metres.
- (5) The following diagrams illustrate the rules of subsections (2), (3) and (4):

Illustration 3:  
Building Height and Cross Section in the Multi-Residential Contextual  
Grade Oriented (M-CG) District



## Landscaping

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

## Building Height and Cross Section

**594 (1)** Unless otherwise referenced in subsections (2) and (3), the maximum *building height* is 14.0 metres.

**(2)** Where the *parcel* shares a *property line* with a *parcel* designated with a *low density residential district*, the M-CG or H-GO District, the maximum *building height*:

56P2022

(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 the *parcel* shares a *property line* with a *street*, the maximum *building height* is:

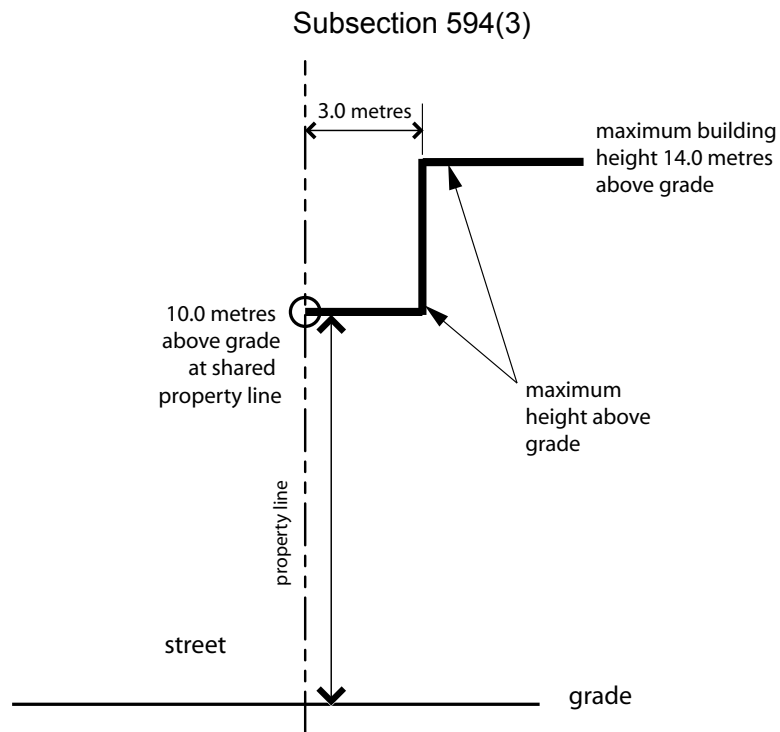
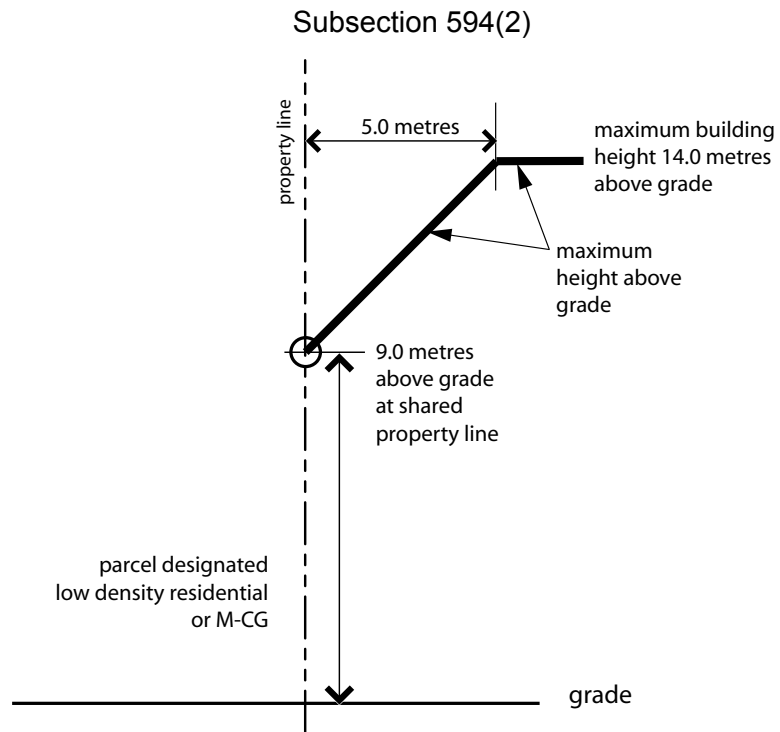
(a) 10.0 metres measured from *grade* within 3.0 metres of that shared *property line*; and

(b) 14.0 metres measured from *grade* at a distance greater than 3.0 metres from that shared *property line*.

**(4)** The maximum area of a horizontal cross section through a *building* at 12.0 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 10.0 metres.

**(5)** The following diagrams illustrate the rules of subsections (2), (3) and (4):

Illustration 4:  
Building Height and Cross Section in the Multi-Residential  
Contextual Low Profile (M-C1) District





- (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 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

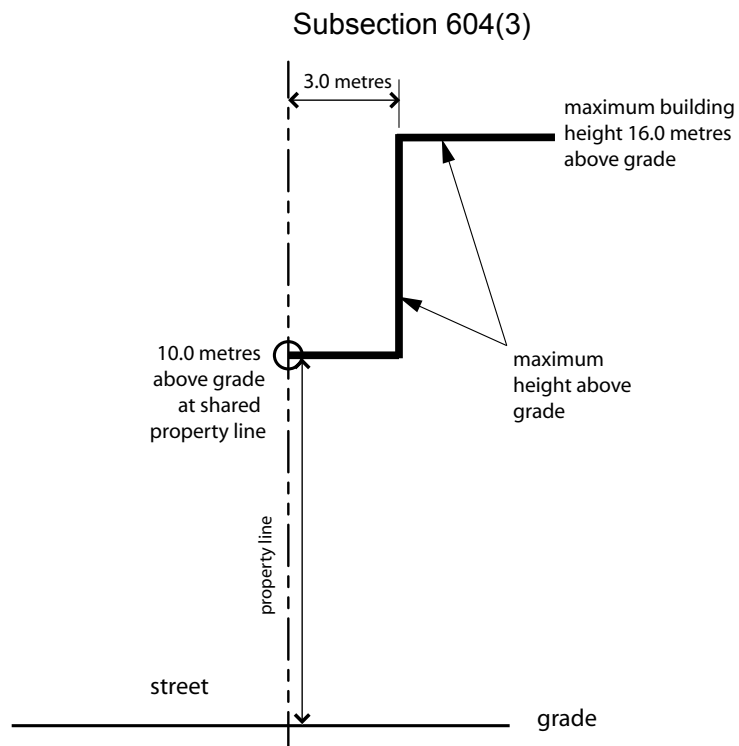
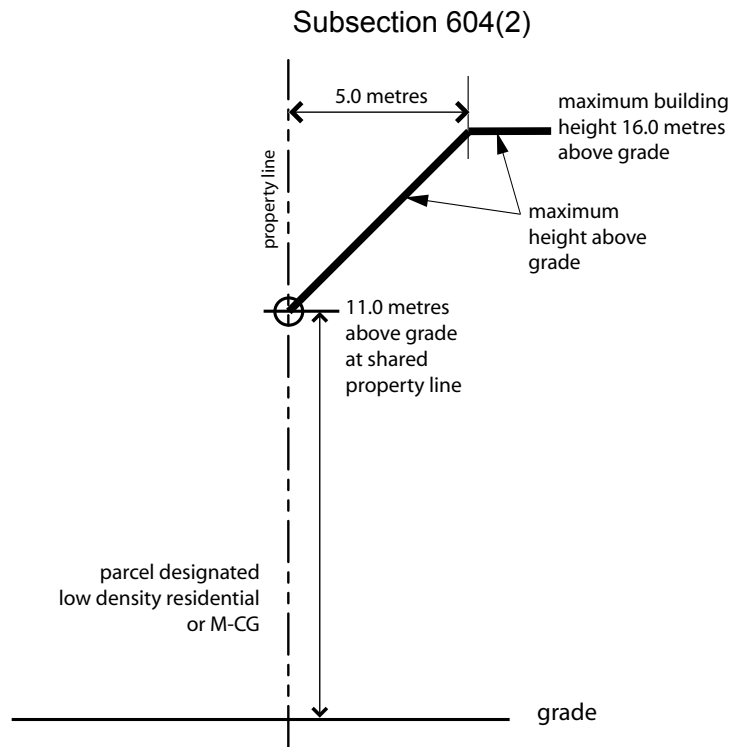
### Landscaping

- 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**, the M-CG or H-GO District, the maximum **building height**: 56P2022
- (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



- (3) 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* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 4.0 metres of that shared *property line*.
- (4) Where a *parcel* shares a *property line* with a *lane* or a *parcel* designated as a *low density residential district*, H-GO, M-CG, M-C1, M-G, M-1, or M-X1 District, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 6.0 metres of that shared *property line*. 56P2022
- (5) Where a *parcel* shares a *property line* with a *parcel* designated as a *commercial, industrial* or *special purpose district*, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 1.2 metres of that shared *property line*.

### Rules for Commercial Multi-Residential Uses

- 645 (1) *Commercial multi-residential uses* must:
- (a) be located on the floor closest to *grade* of a *main residential building*; 7P2011
  - (b) be contained completely within the *building* with the exception of **Outdoor Café uses**; 16P2018
  - (c) not be located above any **Dwelling Unit**;
  - (d) not share an internal hallway with **Dwelling Units**; and
  - (e) have a separate exterior entrance from that of the **Dwelling Units**.
- (2) *deleted* 7P2011
- (3) The maximum *use area* for each *commercial multi-residential use* is 325.0 square metres. 27P2021
- (3.1) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (4) Parking areas for *commercial multi-residential uses* must:
- (a) be separated from residential parking areas;
  - (b) provide pedestrian access to the *commercial multi-residential uses*; and
  - (c) be located a minimum distance of 5.0 metres from a *parcel* designated as a *low density residential district*, in the case of a surface parking area.

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- (x) **Sign – Class B;**
  - (y) **Sign – Class C;**
  - (z) **Sign – Class D;**
  - (aa) **Sign – Class E;**
  - (bb) **Specialty Food Store;**
  - (cc) **Take Out Food Service;**
  - (dd) **Temporary Residential Sales Centre;** 33P2019
  - (dd.1) **Urban Agriculture;** and 33P2019
  - (ee) **Utility Building.**
- (2) The following *uses* are additional **discretionary uses** in the Multi Residential – High Density Medium Rise District if they are located on a *parcel* in the *developed area* that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:** 24P2014
- (a) **Backyard Suite;** 24P2014
  - (a.1) **Duplex Dwelling;** 33P2011
  - (b) *deleted* 24P2014
  - (c) *deleted* 24P2014
  - (d) *deleted*
  - (e) **Semi-detached Dwelling;** and
  - (f) **Single Detached Dwelling.**

## 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. 7P2011

## Maximum Floor Area Ratio

- 650** (1) The maximum *floor area ratio* is 5.0.
- (2) The maximum *floor area ratio* for all *buildings on parcels* designated M-H2 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 5.0.

## Density

13P2008

- 651** (1) The minimum *density* for *parcels* designated M-H2 District is 150 *units* per hectare.

- (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) H-GO, 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.

56P2022

51P2008

### Landscaping

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

## Rules

**1056** In addition to the rules in this District, all *uses* in this District must comply with:

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

## Building Height

- 1057 (1)** The maximum *building height* on a *parcel* that shares a *property line* with another *parcel* that has no *buildings* or that has a *building* with a height greater than 6.0 metres above *grade* at that shared *property line*, and where the other *parcel* is designated with a *low density residential district*, H-GO, M-CG district or M-G district: 13P2008,56P2022
- (a) is 8.0 metres measured from *grade* at the shared *property line*;
  - (b) increases proportionately to 12.0 metres measured from *grade* at a distance of 4.0 metres from the shared *property line*; and
  - (c) is 12.0 metres measured from *grade* at a distance greater than 4.0 metres from the shared *property line*.
- (2)** Where a *parcel* shares a *property line* with a *parcel* containing a *building* less than or equal to 6.0 metres in height and designated as a *low density residential district*, H-GO, M-CG, or M-G District, the maximum *building height*: 56P2022
- (a) is 6.0 metres measured from *grade* at the shared *property line*;
  - (b) increases proportionately to 12.0 metres measured from *grade* at a distance of 6.0 metres from the shared *property line*; and
  - (c) is 12.0 metres measured from *grade* at a distance greater than 6.0 metres from the shared *property line*.
- (3)** Where a *parcel* shares a *property line* with a *parcel* designated as M-C1, M-1, or M-X1 District, the maximum *building height* is 14.0 metres.
- (4)** Where a *parcel* shares a *property line* with a *parcel* designated as M-C2, M-2, or M-X2 District, the maximum *building height* is 16.0 metres.

- (5) Where a *parcel* shares a *property line* with a *parcel* designated as a District, other than those referenced in subsections (1) through (4) inclusive, there is no limitation to ***building height***.
- (6) Where a *parcel* shares *property lines* with *parcels* that meet more than one of the requirements referenced in subsections (1) through (5) inclusive, the maximum ***building height*** must be the most restrictive height.

### Front Setback Area

**1058** The ***front setback area*** must have a minimum depth of 6.0 metres.

### Rear Setback Area

- 1059** (1) Where the *parcel* shares a ***rear property line*** with another *parcel*, the ***setback area*** from that *parcel* must have a minimum depth of 1.2 metres.
- (2) Where the *parcel* shares a ***rear property line*** with a *lane*, ***LRT corridor*** or ***street***, the ***setback area*** from that *lane*, ***LRT corridor*** or ***street*** must have a minimum depth of 3.0 metres.

### Side Setback Area

- 1060** (1) Where the *parcel* shares a ***side property line*** with another *parcel*, the ***setback area*** from that *parcel* must have a minimum depth of 1.2 metres.
- (2) Where the *parcel* shares a ***side property line*** with a *lane*, ***LRT corridor*** or ***street***, the ***setback area*** from that *lane*, ***LRT corridor*** or ***street*** must have a minimum depth of 3.0 metres.

### Landscaping In Setback Areas

- 1061** (1) The provisions of this section do not apply to **Assisted Living, Residential Care and Multi-Residential Development**.
- (2) All ***setback areas*** on a *parcel*, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the ***Development Authority***, must be a ***soft surfaced landscaped area***.
- (3) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor***, ***street*** or *parcel* designated as a ***residential district***, the ***setback area*** must provide a minimum of:
- (a) 1.0 trees and 2.0 shrubs for every 30.0 square metres; or
  - (b) 1.0 trees and 2.0 shrubs for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

24P2011



- (3) 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.
- (4) 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.
- (5) **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.
- (6) **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**; and
  - (c) must have a contiguous area of not less than 50.0 square metres, with no dimension less than 6.0 metres.
- (7) A minimum of 50.0 per cent of the required **amenity space** must be provided outdoors.
- (8) **Common amenity space – outdoors** must provide a **balcony, deck** or **patio** and at least one of the following as permanent features:
- (a) a barbeque; or
  - (b) seating.

### Motor Vehicle Parking Stall Requirements

**1350** The minimum number of **motor vehicle parking stalls**:

- (a) for each **Dwelling Unit** is:
  - (i) 0.75 stalls per **unit** for resident parking; and
  - (ii) 0.1 **visitor parking stalls**;
- (b) for each **Live Work Unit** is:
  - (i) 0.5 stalls per **unit** for resident parking; and
  - (ii) 0.5 **visitor parking stalls**; and 48P2020
- (c) *deleted* 48P2020
- (d) *deleted* 48P2020
- (e) *deleted* 48P2020
- (f) *deleted* 48P2020
- (g) for all other **uses** is the minimum requirement referenced in Part 4.

### Excess Motor Vehicle Parking Stalls

**1351** Where the number of *motor vehicle parking stalls* provided for *uses*, not including **Dwelling Units** or **Live Work Units**, is in excess of 6.0 stalls per 100.0 square metres of *gross usable floor area*, those excess stalls must be located in either underground or structured parking.

56P2022

### Reduction for Transit Supportive Development

**1352** The required number of *motor vehicle parking stalls* in section 1350 is reduced by 25.0 per cent for a *development* on a *parcel* located within:

- (a) 600.0 metres of an existing or approved capital funded **LRT platform**;
- (b) 400.0 metres of an existing or approved capital funded **BRT station**; or
- (c) 200.0 metres of *primary transit service*.

### Required Bicycle Parking Stalls

**1353 (1)** The minimum number of *bicycle parking stalls – class 1* for:

- (a) each **Dwelling Unit** and **Live Work Unit** is:
  - (i) no requirement where the number of *units* is less than 20; and
  - (ii) 0.5 stalls per *unit* when the total number of *units* equals or exceeds 20; and
- (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

**Building Height**

- 1371 (1)** Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is the number following the letter "h" when indicated on the Land Use District Maps.
- (2)** Where the **parcel** shares a **side property line** with a **parcel** designated as a **low density residential district**, H-GO, M-CG or M-G District the maximum **building height**: 56P2022
- (a) is 11.0 metres measured from **grade** at the shared **property line**;
  - (b) increases at a 45 degree angle to a depth of 5.0 metres from the shared **property line** or to the number following the letter "h" indicated on the Land Use District Maps, whichever results in the lower **building height**; and
  - (c) increases to the number following the letter "h" indicated on the Land Use District Maps measured from **grade** at a distance greater than 5.0 metres from the shared **property line**.
- (3)** Where the **parcel** shares a **rear property line** with a **parcel** designated as a **low density residential district**, H-GO, M-CG or M-G District the maximum **building height**: 56P2022
- (a) is 7.5 metres measured from **grade** at the shared **property line**;
  - (b) increases at a 45 degree angle to a depth of 15.0 metres from the shared **property line** or to the number following the letter "h" indicated on the Land Use District Maps measured from **grade**, whichever results in the lower **building height**; and
  - (c) increases to the number following the letter "h" indicated on the Land Use District Maps measured from **grade** at a distance greater than 15.0 metres from the shared **property line**.
- (4)** Where the **parcel** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **low density residential district**, H-GO, M-CG or M-G District the maximum **building height**: 56P2022
- (a) is 7.5 metres measured from **grade** at the **property line** that the **parcel** designated as a **low density residential district**, H-GO, M-CG or M-G District shares with the **lane**; 56P2022
  - (b) increases at a 45 degree angle to a depth of 11.0 metres from the **property line** shared with the **lane** or to the number following the letter "h" indicated on the Land Use District Maps, whichever results in the lower **building height** measured from **grade**; and

- (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from **grade** at a distance greater than 11.0 metres from the **property line** shared with the **lane**.

### Use Area

27P2021

- 1372 (1)** The maximum **use area** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres.
- (2)** The maximum **public area** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.

### Façade Width for Uses Facing a Street

27P2021

- 1373 (1)** Unless otherwise referenced in subsections (2) and (3), the length of the **building** façade that faces a **street** containing an individual **use** on the floor closest to **grade** is a maximum of 15.0 metres.

- (2)** For an individual **Drinking Establishment – Small, Restaurant: Food Service Only, Restaurant: Licensed, Retail and Consumer Service** or **Supermarket use** located on the floor closest to **grade**, the length of the **building** façade that faces a **street** may be increased to 30.0 metres where all of the other **uses** that share the same façade meet the requirements of subsection (1).

25P2018,  
27P2021,  
44P2022

- (3)** The length of the **building** façade that faces a **street** containing an individual **Health Care Service, Financial Institution, or Office use** on the floor closest to grade is a maximum of 9.0 metres.

### Setback Area

56P2022

- 1374 (1)** Where a **parcel** shares a **property line** with a **parcel** designated as a **low-density residential district**, H-GO, M-CG or M-G:
- (a) the **rear setback area** must have a minimum depth of 6.0 metres;
- (b) the **side setback area** must have a minimum depth of 3.0 metres;
- (c) in all other cases there is no requirement for a **setback area**.
- (2)** Where a **parcel** shares a **property line** :
- (a) with a **street** or **LRT corridor** there is no requirement for a **setback area**;
- (b) with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district** or **mixed use district**, the **setback area** must have a minimum depth of 7.5 metres measured from the **property line** that the **adjacent parcel**

- (b) The Rules Governing all Districts referenced in Part 3; and
- (c) The applicable Uses and Use Rules referenced in Part 4.

### Floor Area Ratio

- 1379** (1) Unless otherwise referenced in subsection (2), there is no maximum *floor area ratio*.
- (2) The maximum *floor area ratio* for *parcels* designated MU-2 is the number following the letter “f” indicated on the Land Use District Maps.

### Density

- 1380** (1) Unless otherwise referenced in subsection (2), there is no maximum *density*.
- (2) The maximum *density* for *parcels* designated MU-2 is the number following the letter “d” indicated on the Land Use District Maps, expressed in *units* per hectare.

### Building Height

- 1381** (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum *building height* is the number following the letter “h” when indicated on the Land Use District Maps.
- (2) Where the *parcel* shares a *side property line* with a *parcel* designated as a *low density residential district*, H-GO, M-CG or M-G District the maximum *building height*: 56P2022
- (a) is 11.0 metres measured from *grade* at the shared *property line*;
  - (b) increases at a 45 degree angle to a depth of 5.0 metres from the shared *property line* or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower *building height*; and
  - (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from *grade* at a distance greater than 5.0 metres from the shared *property line*.
- (3) Where the *parcel* shares a *rear property line* with a *parcel* designated as a *low density residential district*, H-GO, M-CG or M-G District the maximum *building height*: 56P2022
- (a) is 7.5 metres measured from *grade* at the shared *property line*;
  - (b) increases at a 45 degree angle to a depth of 15.0 metres from the shared *property line* or to the number following the letter

“h” indicated on the Land Use District Maps measured from **grade**, whichever results in the lower **building height**; and

- (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from **grade** at a distance greater than 15.0 metres from the shared **property line**.

56P2022 (4) Where the **parcel** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **low density residential district**, H-GO or M-CG District the maximum **building height**:

- 56P2022 (a) is 7.5 metres measured from **grade** at the **property line** that the **parcel** designated as a **low density residential district**, H-GO, M-CG or M-G District shares with the **lane**;
- (b) increases at a 45 degree angle to a depth of 11.0 metres from the **property line** shared with the **lane** or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower **building height** measured from **grade**; and
- (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from **grade** at a distance greater than 11.0 metres from the **property line** shared with the **lane**.

#### Use Area

- 27P2021 1382 (1) The maximum **use area** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres.
- (2) The maximum **public area** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.

#### Location of Uses Within Buildings

1383 The following **uses** must not be located on the ground floor of a **building** facing the commercial **street**:

- (a) **Addiction Treatment**;
- (b) **Assisted Living**;
- (c) **Catering Service – Minor**;
- 27P2021 (d) *deleted*
- (e) **Custodial Care**;
- (f) **Dwelling Unit**;
- 27P2021 (f.1) **Health Care Service**;
- (g) **Office**;

- (h) **Place of Worship – Medium;**
- (i) **Place of Worship – Small;** and
- (j) **Residential Care.**

#### **Façade Width for Uses Facing a Street**

- 1384 (1)** Unless otherwise referenced in subsections (2) and (3), the length of the **building** façade that faces a **street** containing an individual **use** on the floor closest to **grade** is a maximum of 15.0 metres.
- (2)** For an individual **Drinking Establishment – Medium, Drinking Establishment – Small, Restaurant: Food Service Only, Restaurant: Licensed, Retail and Consumer Service** or **Supermarket use** located on the floor closest to **grade**, the length of the **building** façade that faces a **street** may be increased to 30.0 metres where all of the other **uses** that share the same façade meet the requirements of subsection (1). 27P2021
- (3)** The length of the **building** façade that faces a **street** containing an individual **Health Care Service, Financial Institution, Office** or **Payday Loan use** on the floor closest to **grade** is a maximum of 9.0 metres. 25P2018,  
27P2021

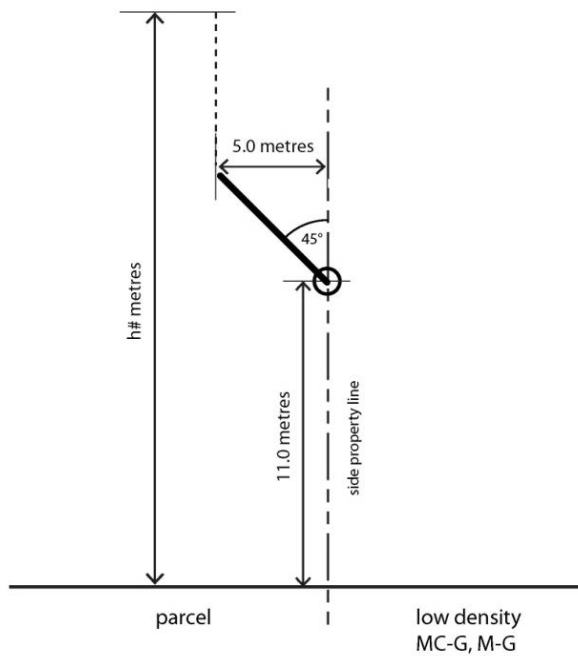
#### **Setback Area**

- 1385 (1)** Where a **parcel** shares a **property line** with a **parcel** designated as a **low-density residential district**, H-GO, M-CG or M-G: 56P2022
- (a) the **rear setback area** must have a minimum depth of 6.0 metres;
  - (b) the **side setback area** must have a minimum depth of 3.0 metres;
  - (c) in all other cases there is no requirement for a **setback area**.
- (2)** Where a **parcel** shares a **property line**:
- (a) with a **street** or **LRT corridor** there is no requirement for a **setback area**;
  - (b) with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district** or **mixed use district**, the **setback area** must have a minimum depth of 7.5 metres measured from the **property line** that the **adjacent parcel** designated as a **residential district** or **mixed use district** shares with the **lane**; and
  - (c) a **lane** in all other cases, there is no requirement for a **rear setback area**.

- (3) For the **storey** closest to **grade**, the maximum **building setback** from a **property line** shared with a **street** is 4.5 metres for 60 per cent of the length of the **building** façade that faces the **street**.

Illustration 11:  
Building Height in the Mixed Use – Active Frontage (MU-2) District

1381 (2) Building Height





## PART 15: HOUSING DISTRICTS

56P2022

### Division 1: Housing – Grade Oriented (H-GO) District

#### Purpose

**1386** The Housing – Grade Oriented (H-GO) District:

- (a) accommodates grade-oriented development in a range of housing forms where the ***Dwelling Units*** may be attached or stacked within a shared ***building*** or cluster of ***buildings*** in a form and at a scale that is consistent with ***low density residential districts***;
- (b) provides flexible ***parcel*** dimensions and ***building setbacks*** that allow a diversity of grade-oriented housing;
- (c) accommodates site and ***building*** design that is adaptable to evolving housing needs;
- (d) should only be designated on ***parcels*** located within:
  - (i) an area that supports the development form in an approved Local Area Plan as part of the Neighbourhood Connector or Neighbourhood Flex Urban Form Categories; or
  - (ii) the Centre City or Inner City areas identified on the Urban Structure Map of the Calgary Municipal Development Plan and also within one or more of the following:
    - (A) 200 metres of a Main Street or Activity Centre] identified on the Urban Structure Map of the Calgary Municipal Development Plan;
    - (B) 600 metres of an existing or capital-funded ***LRT platform***;
    - (C) 400 metres of an existing or capital-funded ***BRT station***; or
    - (D) 200 metres of ***primary transit service***.

#### Permitted Uses

**1387** The following uses are permitted uses in the Housing – Grade Oriented District:

- (a) **Accessory Residential Building;**
- (b) **Dwelling Unit;**

- (c) **Home Based Child Care – Class 1;**
- (d) **Home Occupation – Class 1;**
- (e) **Park;**
- (f) **Protective and Emergency Service;**
- (g) **Secondary Suite;**
- (h) **Sign – Class A; and**
- (i) **Utilities.**

### **Discretionary Uses**

**1388** The following uses are discretionary uses in the Housing – Grade Oriented District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Bed and Breakfast;**
- (d) **Community Entrance Feature;**
- (e) **Custodial Care;**
- (f) **Home Occupation – Class 2;**
- (g) **Live Work Unit;**
- (h) **Place of Worship – Small;**
- (i) **Power Generation Facility – Small;**
- (j) **Residential Care;**
- (k) **Sign – Class B;**
- (l) **Sign – Class C;**
- (m) **Sign – Class E;**
- (n) **Temporary Residential Sales Centre; and**
- (o) **Utility Building.**

### **Rules**

**1389** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the Rules Governing All Districts referenced in Part 3; and
- (b) the applicable Uses and Use Rules referenced in Part 4.

### **Floor Area Ratio**

**1390** The maximum **floor area ratio** is 1.5.

### At Grade Orientation of Units

- 1391 (1)** All **units** must provide individual, separate, direct access to **grade**.
- (2)** **Units** with an exterior wall facing a **street** must provide:
- (a) an entrance that is visible from the **street**; and
  - (b) sidewalks that provide direct exterior access to the **unit**.

### Parcel Coverage

- 1392 (1)** Unless otherwise referenced in subsection (2), the maximum cumulative **building coverage** over all the **parcels** subject to a single **development permit** containing one or more **Dwelling Units** is:
- (a) 45.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of less than 40 **units** per hectare;
  - (b) 50.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** 40 **units** per hectare or greater and less than 50 **units** per hectare;
  - (c) 55.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of 50 **units** per hectare or greater and less than 60 **units** per hectare; or
  - (d) 60.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of 60 **units** per hectare or greater.
- (2)** The maximum **parcel coverage** referenced in subsection (1), must be reduced by 21.0 square metres for each **motor vehicle parking stall** provided on a **parcel** that is not located in a **private garage**.
- (3)** In all other cases, the maximum **parcel coverage** is 45.0 per cent.

### Building Depth and Separation

- 1393 (1)** Unless otherwise referenced in subsections (2) and (3) the maximum **building depth** is 65.0 per cent of the **parcel depth** for a **building** containing a **unit**.
- (2)** On a **laned parcel**, there is no maximum **building depth** for a main **residential building** wholly contained to the rear of 40.0 per cent **parcel depth** where:
- (a) there is more than one **main residential building** on the **parcel**;
  - (b) 50.0 per cent or more of the **units** on the **parcel** are contained in **main residential buildings** located within the first 60.0 per cent of the **parcel depth**; and

- (c) where the minimum separation distance of the **main residential buildings** on the front portion of the **parcel** and the **main residential buildings** contained on the rear portion of the **parcel** is 6.5 metres.
- (3) For a main residential building that is located on a corner parcel there is no maximum building depth where the minimum building setback from the side property line shared with another parcel is 3.0 metres for any portion of the building located between the rear property line and:
- (a) 50.0 per cent **parcel depth**; or
- (b) the **building depth** of the **main residential building** on the adjoining **parcel**;
- whichever is closer to the **rear property line**.

### Building Setback Areas

**1394** The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 1393, 1395, 1396 and 1397.

### Building Setback from Front Property Line

**1395** The minimum **building setback** from a **front property line** is 3.0 metres.

### Building Setback from Side Property Line

- 1396** (1) Subject to subsections (2) through (5), the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) There is no requirement for a **building setback** from a **property line** upon which a party wall is located.
- (3) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 0.6 metres.
- (4) Unless otherwise referenced in subsection (5), on a **laned parcel** the minimum **building setback** from a **side property line** for a **private garage** attached to a **main residential building** is 0.6 metres.
- (5) On a **laned parcel**, the minimum **building setback** for a **private garage** attached to a **main residential building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres where the wall of the portion of the **building** that contains the **private garage** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**.

### Building Setback from Rear Property Line

- 1397** (1) Unless otherwise referenced in subsection (2) the minimum **building setback** from a **rear property line** is 5.0 metres.
- (2) On a **corner parcel** or a **laned parcel**, the minimum **building setback** from a **rear property line** is 1.2 metres.

### Projections Into Setback Areas

- 1398** (1) Unless otherwise referenced in subsections (2) through (9), a **building** or air conditioning units 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) **Patios** may project without any limits into a **setback area**.
- (5) Wheelchair ramps may project without any limits into a **setback area**.
- (6) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any **setback area**.
- (7) **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.
- (8) **Signs** may be located in any **setback area**, and where so located, must be in accordance with Part 3, Division 5.
- (9) Air conditioning equipment may project a maximum of 1.0 metre into any **setback area** that does not share a **property line** with a **street**.

### Building Height

- 1399** (1) Unless otherwise referenced in subsections (2), the maximum **building height** is 12.0 metres measured from **grade**.
- (2) Where a **building setback** is required from a **property line** shared with another **parcel** designated with a **low density residential district**, H-GO or the M-CG District, the maximum **building height**:
- (a) is the greater of:
- (i) the highest geodetic elevation of a **main residential building** on the adjoining **parcel**; or
- (ii) 8.0 metres from **grade**;
- measured at the shared **property line**; and
- (b) increases at a 45 degree angle to a maximum of 12.0 metres measured from **grade**.

### Solar Collectors

- 1400** (1) A **solar collector** may only be located on the wall or roof of a **building**.
- (2) A **solar collector** mounted on a roof with a pitch of less than 4:12:

- (a) may project a maximum of 2.0 metres from the surface of the roof; and
  - (b) must be located at least 1.0 metres from the edge of the roof.
- (3) A **solar collector** mounted on a roof with a pitch of 4:12 or greater:
- (a) may project a maximum of 1.3 metres from the surface of the roof; and
  - (b) must not extend beyond the outermost edge of the roof.
- (4) A **solar collector** that is mounted on a wall:
- (a) must be located a minimum of 2.4 metres above **grade**; and
  - (b) may project a maximum of 0.6 metres from the surface of that wall.

### Accessory Residential Buildings

- 1401 (1) An **Accessory Residential Building**:
- (a) may have an **amenity space** in the form of a **deck** or a **patio**;
  - (b) Unless specified in subsection (4) must not be located in a required **setback area**; and
  - (c) must not be located between any **building** and a public **street**.
- (2) Notwithstanding section 1399, the maximum height for an **Accessory Residential Building** is:
- (a) 4.6 metres, when measured from **grade** at any point **adjacent** to the **building**; and
  - (b) 3.0 metres to any eaveline, when measured from the finished floor of the **building**.
- (3) Notwithstanding section 1396, for an **Accessory Residential Building**, unless otherwise referenced in subsection (4), the minimum **building setback** from a side **property line** that is not shared with a **street** is 0.6 metres.:
- (4) Notwithstanding section 1398, an **Accessory Residential Building** may be located in a **setback area** from another **parcel** where:
- (a) the **Accessory Residential Building** is less than 10.0 square metres **gross floor area**; or
  - (b) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**.

## Landscaping Requirements

- 1402** (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) 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**.
- (3) All **setback areas** adjacent to a **street**, except for those portions specifically required for motor vehicle access, must be a **landscaped area**.
- (4) **Amenity space** provided outdoors at **grade** must be included in the calculation of a **landscaped area**.
- (5) Any part of the **parcel** used for motor vehicle access, **motor vehicle parking stalls, loading stalls** and garbage or recycling facilities must not be included in the calculation of a **landscaped area**.
- (6) A minimum of 30.0 per cent of the **landscaped area** must be covered with **soft surfaced landscaping**.
- (7) All **soft surfaced landscaped area** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.
- (8) Mechanical systems or equipment that are located outside of a **building** must be **screened**.
- (9) 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.

## Residential Amenity Space

- 1403** (1) A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to **buildings** or the site plan, and must show at least the following:
- (a) the existing and proposed site grading;
- (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, soft surfaced landscaped area** and **hard surfaced landscaped areas**;
- (d) **private amenity space** or **common amenity space**;
- (e) the types, species, sizes and numbers of plant material and the types of **hard surfaced landscaped areas**;
- (f) details of the irrigation system; and

- (g) for **landscaped areas** with a **building** or other structure 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.

### Planting Requirements

- 1404 (1)** Trees required by this section:
- (a) may be provided though the planting of new trees or the preservation of existing trees; and
  - (d) where approved by the **Development Authority**, may be provided on a boulevard **adjacent** to the **parcel**.
- (2)** A minimum of 1.0 tree and 3.0 shrubs must be provided for each 110.0 square meters of **parcel area**.
- (3)** Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (4)** The requirement for the provision of 1.0 tree is met where:
- (a) a deciduous tree has a minimum **calliper** of 60 millimetres; or
  - (b) a coniferous tree has a minimum height of 2.0 metres.
- (5)** The requirement for the provision of 2.0 trees is met where:
- (a) a deciduous tree has a minimum **calliper** of 85 millimetres; or
  - (b) a coniferous tree has a minimum height of 4.0 metres.
- (6)** The requirement for the provision of 3.0 trees is met where an existing deciduous tree with a **calliper** greater than 100 millimeters is preserved.
- (7)** For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
- (a) 1.2 metres for trees;
  - (b) 0.6 metres for shrubs; and
  - (c) 0.3 metres for all other planting areas.
- (8)** The soil depths referenced in (7) must cover an area equal to the mature spread of the planting material.



- (9) 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.

### Amenity Space

- 1405 (1) Each **unit** and **suite** must have **amenity space** that is located outdoors and is labelled on the required landscape plan.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.

### Retaining Walls

- 1406 (1) A **retaining wall** must be less than 1.2 metres in height when measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest **grade** retained by the **retaining wall**.
- (2) A minimum horizontal separation of 1.0 metre must be maintained between **retaining walls**.

### Fences

- 1407 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 2.5 metres in length.

### Visibility Setback

- 1408 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**.

### Decks and Patios

- 1409 (1) The height of a **deck** must not exceed 1.5 metres above **grade** at any point.
- (2) A **privacy wall** located on a **deck** or **patio**:
- (a) must not exceed 2.0 metres in height when measured from the surface of the **deck** or **patio**; and
  - (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.

- (3) The maximum height for an **Accessory Residential Building** is 5.0 metres measured from **grade**.

### Balconies

- 1410 (1) Unless otherwise referenced in subsection (2), an open **balcony** must not project more than 1.85 metres from the **building** façade to which it is attached.
- (2) Where a **balcony** is located on the roof of the first or second **storey** and does not overhang any façade of the **storey** below the maximum area is equal to 50.0 per cent of the horizontal cross section of the **storey** below.

### Motor Vehicle Parking Stalls

- 1411 The minimum number of **motor vehicle parking stalls** is calculated based on the sum of all **units** and **suites** at a rate of 0.5 stalls per **unit** or **suite**.

### Mobility Storage

- 1412 The minimum number of **mobility storage lockers** is calculated based on the sum of all **units** and **suites** at a rate of 0.5 lockers per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage**.

### Bicycle Parking Stalls

- 1413 The minimum number of **bicycle parking stalls – class 1** is calculated based on the sum of all **units** and **suites** at a rate of 1.0 stall per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage** or **mobility storage locker**.

### Driveway Length and Parking Areas

- 1414 (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) In the **Developed Area** a driveway accessing a **street** must not be constructed, altered or replaced except where:
- (a) it is located on a **laneless parcel**;
  - (b) it is located on a **laned parcel** and 50.0 per cent or more **parcels** on the same block face have an existing driveway accessing a **street**; or
  - (c) there is a legally existing driveway that it is not being relocated or widened.

### **Waste, Recycling and Organics**

- 1415** Garbage, recycling, and organics containers must be stored in a **screened** location shown on a site plan approved by the **Development Authority**.

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## 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  
Fleet Service  
Gas Bar  
Large Vehicle Service  
Large Vehicle Wash  
Recreational Vehicle Service

#### CARE AND HEALTH GROUP

Addiction Treatment  
Child Care Service  
Custodial Care  
Funeral Home  
Health Care Service  
Hospital  
Residential Care

#### CULTURE AND LEISURE GROUP

Amusement Arcade  
Billiard Parlour  
Cinema  
Community Recreation Facility  
Computer Games Facility  
Conference and Event Facility  
Cultural Support  
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

#### 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  
Restaurant: Licensed  
Take Out Food Service

#### GENERAL INDUSTRIAL GROUP

Asphalt, Aggregate and Concrete Plant  
Brewery, Winery and Distillery  
Cannabis Facility  
Dry-cleaning and Fabric Care Plant  
Food Production  
General Industrial – Heavy  
General Industrial – Light  
General Industrial – Medium  
Printing, Publishing and Distributing  
Specialized Industrial

#### INDUSTRIAL SUPPORT GROUP

Artist's Studio  
Beverage Container Quick Drop Facility  
Building Supply Centre  
Health Services Laboratory – Without Clients  
Motion Picture Production Facility  
Recyclable Material Drop-Off Depot  
Specialty Food Store

#### INFRASTRUCTURE GROUP

Airport  
Cemetery  
Crematorium  
Hazardous Waste Management Facility  
Landfill  
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  
Public Transit System  
Rail Line  
Sewage Treatment Plant  
Utilities  
Utilities - Linear  
Utility Building  
Waste Storage Site  
Water Treatment Plant  
Wind Energy Conversion System – Type 1  
Wind Energy Conversion System – Type 2

#### OFFICE GROUP

Office  
Service Organization

Schedule A has been amended by the following bylaws: 13P2008, 15P2008, 51P2008, 67P2008, 1P2009, 32P2009, 12P2010, 14P2010, 39P2010, 37P2010, 27P2011, 30P2011, 35P2011, 4P2013, 5P2013, 38P2013, 7P2014, 24P2014, 5P2015, 22P2016, 28P2016, 4P2017, 49P2017, 16P2018, 25P2018, 42P2019, 27P2021, 28P2021, 44P2022

**RESIDENTIAL GROUP**

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

**SALES GROUP**

Auction Market – Other Goods  
 Auction Market – Vehicles and  
 Equipment  
 Cannabis Store  
 Convenience Food Store  
 Financial Institution  
 Information and Service Provider  
 Large Vehicle and Equipment Sales  
 Liquor Store  
 Pawn Shop  
 Payday Loan  
 Pet Care Service  
 Print Centre  
 Recreational Vehicle Sales  
 Restored Building Products Sales Yard  
 Retail Garden Centre  
 Retail and Consumer Service  
 Supermarket  
 Temporary Residential Sales Centre  
 Vehicle Rental – Major  
 Vehicle Rental – Minor  
 Vehicle Sales – Major  
 Vehicle Sales – Minor

**SIGNS GROUP**

Community Entrance Feature

**Sign – Class A**

Address Sign  
 Art Sign  
 Banner Sign  
 Construction Sign  
 Directional Sign  
 Election Sign  
 Flag Sign  
 Gas Bar Sign  
 Pedestrian Sign  
 Real Estate Sign  
 Show Home Sign  
 Special Event Sign  
 Temporary Sign  
 Window Sign  
 Any type of sign located in a building not  
 intended to be viewed from outside

**Sign – Class B**

Fascia Sign

**Sign – Class C**

Freestanding Sign

**Sign – Class D**

Canopy Sign  
 Projecting Sign

**Sign – Class E**

Digital Message Sign  
 Flashing or Animated Sign  
 Inflatable Sign  
 Message Sign  
 Painted Wall Sign  
 Roof Sign  
 Rotating Sign  
 Temporary Sign Marker  
 Any type of sign that does not fit within any  
 of the sign types listed in Classes  
 A, B, C, D, F or G

**Sign – Class F**

Third Party Advertising Sign

**Sign – Class G**

Digital Third Party Advertising Sign

**STORAGE GROUP**

Distribution Centre  
 Freight Yard  
 Recyclable Construction Material  
 Collection Depot (temporary)  
 Salvage Yard  
 Self Storage Facility  
 Storage Yard  
 Vehicle Storage

**SUBORDINATE USE GROUP**

Accessory Food Service  
 Accessory Liquor Service  
 Accessory Residential Building  
 Bed and Breakfast  
 Columbarium  
 Custodial Quarters  
 Drive Through  
 Home Based Child Care - Class 1  
 Home Occupation – Class 1  
 Home Occupation – Class 2  
 Outdoor Café  
 Seasonal Sales Area  
 Special Function – Class 1  
 Special Function – Class 2

**TEACHING AND LEARNING GROUP**

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

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

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

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



<b>Commercial Offences</b>			
696	Fail to screen mechanical	\$200	\$1000
697	Fail to enclose garbage	\$200	\$1000
903, 1019	Fail to enclose garbage and materials	\$500	\$1000

Schedule B has been amended by the following bylaws: 30P2011, 35P2011, 16P2018, 46P2019, 44P2022, 34P2022

