# THE CITY OF CALGARY LAND USE BYLAW 1P2007

# OFFICE CONSOLIDATION

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

11P2008	June 1, 2008	32P2009	December 14, 2009
13P2008	June 1, 2008	46P2009	December 14, 2009
15P2008	June 1, 2008	38P2009	December 15, 2009
47P2008	June 1, 2008	3P2010	March 1, 2010
48P2008	June 1, 2008	11P2010	April 19, 2010
49P2008	June 1, 2008	14P2010	May 17, 2010
50P2008	June 1, 2008	26P2010	May 17, 2010
53P2008	June 1, 2008	12P2010	June 7, 2010
54P2008	May 12, 2008	19P2010	June 7, 2010
57P2008	June 9, 2008	23P2010	June 7, 2010
67P2008	October 1, 2008	32P2010	July 26, 2010
68P2008	October 6, 2008	34P2010	August 19, 2010
71P2008	December 22, 2008		
51P2008	January 4, 2009		
75P2008	January 4, 2009		
1P2009	January 26, 2009		
10P2009	April 21, 2009		
17P2009	June 1, 2009		
28P2009	July 13, 2009		
31P2009	September 14, 2009		
41P2009	October 13, 2009		

#### NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

- (a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and
- (b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,

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

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- (b) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;
- (d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;
- (e) requires a minimum of 2.85 *motor vehicle parking stalls* per 10.0 square metres of *public area*;
- (f) does not require *bicycle parking stalls class 1*; and
- (g) requires a minimum of 1.0 *bicycle parking stalls class 2* per 250.0 square metres of *public area*.

# 185 "Drive Through"

- (a) means a *use*:
  - (i) where services are provided to patrons who are in a motor vehicle; and
  - (ii) that will always be approved with another **use**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have outdoor speakers provided:
  - the speakers are not located within 23.0 metres of a property line of any parcel designated as a residential district; or
  - (ii) they are separated from a **residential district** by a **building**:
- (d) must screen any drive through aisles that are adjacent to a **residential district**:
- (e) must not have any drive through aisles in a **setback area**;
- (f) must fence any drive through aisles, where necessary, to prevent access to a *lane* or *street*;
- (g) must not have pedestrian access into the premises that crosses a drive through aisle;

- (h) must have 5.0 vehicle stacking spaces per order board or ordering window, for the purpose of queuing motor vehicles;
- (i) requires a minimum of 5.0 *motor vehicle parking stalls*; and
- (j) does not require *bicycle parking stalls class 1* or *class 2*.

#### 186 "Dry-cleaning and Fabric Care Plant"

- (a) means a **use**:
  - (i) where clothes, fabrics or rugs are cleaned;
  - (ii) where solvents are used in the process of laundering;
  - (iii) that has a **gross floor area** larger than 150.0 square metres;
  - (iv) where vehicles may pick up and deliver items associated with the **use**;
  - (iv.1) that may have an area for customers to drop-off and pick-up the clothes, fabrics or rugs;
  - (v) that may contain the administrative functions associated with the **use**; and
  - (vi) that does not involve the production or sale of goods as part of the **use**;
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) requires a minimum number of *motor vehicle parking stalls* that is the greater of:
  - (i) 1.0 *motor vehicle parking stalls* per 100.0 square metres of *gross usable floor area* for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
  - (ii) 1.0 *motor vehicle parking stalls* per three (3) employees based on the maximum number of employees at the *use* at any given time;
- (d) does not require *bicycle parking stalls class 1*; and
- (e) requires a minimum of 1.0 *bicycle parking stalls class 2* per 2000.0 square metres of *gross usable floor area*.

32P2009

170

# **Roof Equipment Projection**

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

68P2008

#### **Private Maintenance Easements**

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 - Setbacks

12P2010

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

# **Secondary Suite – Building Separation**

12P2010

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

# 12P2010, 34P2010 Secondary Suite – Floor Area

- The maximum floor area of a **Secondary Suite**, excluding any area covered by stairways, is 70.0 square metres:
  - (a) in the R-C1Ls, R-C1s, R-C1N, R-1s and R-1N Districts; or
  - (b) when located on a *parcel* with a *parcel width* less than 13.0 metres.
  - (2) The maximum floor area of a **Secondary Suite Detached Garage** or **Secondary Suite Detached Garden**, excluding any area covered by stairways, is 70.0 square metres.
  - (3) The maximum *floor area* in subsections (1) and (2) may be relaxed by the *Development Authority* to a maximum of 10.0 per cent.

#### 12P2010 Secondary Suite – Outdoor Private Amenity Space

- A Secondary Suite, Secondary Suite Detached Garage and Secondary Suite Detached Garden must have a *private amenity space* that:
  - (a) is located outdoors;
  - (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres; and
  - (c) is shown on a plan approved by the **Development Authority**.

#### 12P2010 Secondary Suite – Density

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

#### 12P2010 Secondary Suite – Entry and Stairways

355 deleted

#### Secondary Suite – Building Height

- **356** (1) The maximum *building height* is:
  - (a) 5.0 metres for a **Secondary Suite Detached Garden**; and
  - (b) 7.5 metres for a **Secondary Suite Detached Garage**.

(2) deleted

#### **Parcels Deemed Conforming**

Where the area of a *parcel* is less than the required minimum area for a *use* in a *low density residential district*, the minimum required area of that *parcel* for that *use* is the area of the *parcel* at the time of such district designation.

# **Dwellings Deemed Conforming**

- **Decks** greater than 1.5 metres in height, *landings* and window wells that are legally existing or approved prior to the effective date of this Bylaw are deemed to conform with the requirements of this Bylaw.
  - (2) When a 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.
  - (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*:

- 077 2000
- (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.
- (4) The *building height* for a **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw providing:
  - (a) the **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw; and
  - (b) all subsequent additions and alterations conformed to the rules of this Bylaw.
- (5) A relaxation or variance of one or more rules applicable to an **Accessory**Residential Building, Duplex Dwelling, Semi-detached Dwelling or Single

  Detached Dwelling granted by a *development permit* under a previous

  Land Use Bylaw is deemed to continue to be valid under this Bylaw.

#### **Personal Sales**

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

53P2008

67P2008

67P2008, 46P2009

# **Building Height**

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

# Division 4: Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District

#### **Purpose**

The Residential – Contextual Narrow Parcel One Dwelling District is intended to accommodate existing residential *development* and contextually sensitive redevelopment in the form of **Single Detached Dwellings** in the *Developed Area* on narrow or small *parcels*.

#### **Permitted Uses**

- The following **uses** are **permitted uses** in the Residential Contextual Narrow Parcel One Dwelling District:
  - (a) Accessory Residential Building;
  - (b) Contextual Single Detached Dwelling;
  - (b.1) Home Based Child Care Class 1;

17P2009

- (c) Home Occupation Class 1;
- (d) deleted

46P2009

- (e) Park;
- (f) Protective and Emergency Service;
- (g) Sign Class A;
- (h) Special Function Tent Recreational; and
- (i) Utilities.

#### **Discretionary Uses**

- The following **uses** are **discretionary uses** in the Residential Contextual Narrow Parcel One Dwelling District:
  - (a) Addiction Treatment:
  - (b) **Bed and Breakfast**;
  - (c) Community Entrance Feature;
  - (d) Custodial Care;
  - (d.1) Home Based Child Care Class 2;

- (e) Home Occupation Class 2;
- (f) Place of Worship Small;
- (g) Power Generation Facility Small;

(h) Residential Care;

34P2010

(h.1) Secondary Suite;

34P2010 34P2010

- (h.2) Secondary Suite Detached Garage;
- (h.3) **Secondary Suite Detached Garden**;
- (i) Sign Class B;
- (j) Sign Class C;
- (k) Sign Class E;
- (I) Single Detached Dwelling;
- (m) Temporary Residential Sales Centre; and
- (n) Utility Building.

#### Rules

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

13P2008

The maximum number of *main residential buildings* on a *parcel* is one.

#### **Parcel Width**

3P2010, 34P2010

- **409** (1) The minimum *parcel width* is:
  - (a) 7.5 metres for a *parcel* containing a **Single DetachedDwelling**;
  - (b) 9.0 metres for a *parcel* containing a **Secondary Suite**; and
  - (c) 13.0 metres for a *parcel* containing a **Secondary Suite – Detached Garage** or **Secondary Suite Detached Garden**.
  - (2) The maximum *parcel width* is 11.6 metres unless the *parcel* is:
    - (a) a corner parcel;
    - (b) a *parcel* on the bulb of a cul-de-sac; or
    - (c) a *parcel* with a *front property line* shared with a *street* at a point where the *street* has a significant change in direction.

Parcel Depth 34P2010

**410 (1)** Unless referenced in subsection (2), the minimum *parcel depth* is 22.0 metres.

(2) The minimum *parcel depth* for a *parcel* containing a **Secondary Suite – Detached Garage** or a **Secondary Suite – Detached Garden** is 30.0 metres.

Parcel Area 34P2010

- 411 (1) Unless referenced in subsection (2), the minimum area of a *parcel* is 233.0 square metres.
  - (2) The minimum area of a parcel containing a Secondary Suite Detached Garage or a Secondary Suite Detached Garden is 400.0 square metres.

#### **Parcel Coverage**

- 412 (1) Unless otherwise referenced in subsections (2) and (3), the maximum *parcel coverage* is 45.0 per cent of the area of a *parcel*.
  - (2) Unless otherwise referenced in subsection (3), the maximum *parcel coverage* is 50.0 per cent of the area of a *parcel* where:
    - (a) the area of a *parcel* is equal to or less than 300.0 square metres; and
    - (b) the *parcel width* is less than 10.0 metres.
  - (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.

**413** *deleted* 3P2010

# **Building Setback Areas**

The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 415, 416 and 417.

#### **Building Setback from Front Property Line**

415 (1) For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the minimum building setback from a front property line is the greater of:

3P2010

- (a) the **contextual front setback** less 1.5 metres; or
- (b) 3.0 metres.

(2) deleted 46P2009

(3) *deleted* 3P2010

46P2009

- (4) For an addition or exterior alteration to a **Single Detached Dwelling**, which was legally existing or approved prior to the effective date of this Bylaw, the minimum *building setback* from a *front property line* is the lesser of:
  - (a) the *contextual front setback* less 1.5 metres to a minimum of 3.0 metres; or
  - (b) the existing **building setback** less 1.5 metres to a minimum of 3.0 metres.
- (5) For all other **uses**, the minimum **building setback** from a **front property line** is 3.0 metres.

#### **Building Setback from Side Property Line**

- 416 (1) For a *laned parcel*, the minimum *building setback* from any *side property line* is 1.2 metres.
  - (2) For a *laneless parcel*, the minimum *building setback* from any *side property line* is:
    - (a) 1.2 metres; or
    - (b) 3.0 metres on one side of the *parcel* when no provision has been made for a *private garage* on the front or side of a *building*.
  - (3) For a *corner parcel*, the minimum *building setback* from a *side property line* shared with a *street* is 1.2 metres, provided there is no portion of a *building* except for a projection allowed in 337(3), located within 3.0 metres of:
    - (a) the back of the public sidewalk; or
    - (b) the curb where there is no public sidewalk.
  - (4) The *building setback* required by 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) that provides unrestricted vehicle access to the rear of the *parcel*.
  - (5) 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:

- 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.
- (6) deleted 3P2010

#### **Building Setback from Rear Property Line**

The minimum *building setback* from a *rear property line* is 7.5 metres.

#### **Building Height**

- 418 (1) For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the maximum *building height* is the greater of:
- 3P2010

- (a) 8.6 metres; or
- (b) the *contextual height* plus 1.5 metres, to a maximum of 10.0 metres.
- (2) *deleted* 3P2010
- (3) For all other **uses**, the maximum **building height** is 10.0 metres.
- **419** *deleted* 3P2010
- **420** *deleted* 3P2010
- **421** *deleted* 3P2010
- **422** *deleted* 3P2010

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

10P2009

The minimum number of *motor vehicle parking stalls* is 2.0 stalls for a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**, where either is located on a *parcel* with a *parcel width* less than 9.0 metres.

- (c) Indoor Recreation Facility;
- (d) Outdoor Recreation Area;
- (e) Park Maintenance Facility Large; and
- (f) Park Maintenance Facility Small.

#### Rules

- 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;
  - (c) the applicable Uses And Use Rules referenced in Part 4; and
  - (d) the applicable rules for the Special Purpose Community Service District for those *uses* referenced in sections 425(2) and 426(2) and (3).

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

13P2008

The maximum number of *main residential buildings* on a *parcel* is one.

#### **Parcel Width**

- 429 The minimum *parcel width* is:
  - (a) 7.5 metres for a *parcel* containing a Contextual Single Detached Dwelling or Single Detached Dwelling;
  - (a.1) 9.0 metres for a *parcel* containing a **Secondary Suite**;

34P2010

- (b) 13.0 metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 13.0 metres for a parcel containing a Secondary Suite Detached Garage or Secondary Suite Detached Garden; and

12P2010, 34P2010

(d) 13.0 metres for a parcel containing a Semi-detached
 Dwelling, and if a parcel containing a Semi-detached
 Dwelling is subsequently subdivided, a minimum parcel width of 6.0 metres must be provided for each Dwelling Unit.

#### **Parcel Depth**

**430 (1)** Unless otherwise referenced in subsection (2), the minimum *parcel depth* is 22.0 metres.

12P2010

(2) The minimum *parcel depth* for a *parcel* containing a **Secondary**Suite – Detached Garage or Secondary Suite – Detached Garden is 30.0 metres.

#### Parcel Area

- **431** The minimum area of a *parcel* is:
  - (a) 233.0 square metres for a *parcel* containing a **Contextual** Single Detached Dwelling or Single Detached Dwelling;
  - (b) 400.0 square metres for a *parcel* containing a **Duplex Dwelling**;

12P2010, 34P2010

- (c) 400.0 square metres for a *parcel* containing a **Secondary Suite Detached Garage** or **Secondary Suite Detached Garden**; and
- (d) 400.0 square metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum parcel area of 180.0 square metres must be provided for each Dwelling Unit.

#### **Parcel Coverage**

The maximum *parcel coverage* is 45.0 per cent of the area of a *parcel*, which must be reduced by 21.0 square metres for each required *motor vehicle parking stall* that is not provided in a *private garage*.

3P2010 **433** *deleted* 

#### **Building Setback Areas**

The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 435, 436 and 437.

# Division 7: Residential – Narrow Parcel One Dwelling (R-1N) District

# **Purpose**

The Residential – Narrow Parcel One Dwelling District is intended to accommodate residential *development* in the form of **Single Detached Dwellings** in the *Developing Area* on narrow or small *parcels*.

# **Permitted Uses**

- The following **uses** are **permitted uses** in the Residential Narrow Parcel One Dwelling District:
  - (a) Accessory Residential Building;
  - (a.1) Home Based Child Care Class 1;

17P2009

- (b) Home Occupation Class 1;
- (c) Park;
- (d) **Protective and Emergency Service**;
- (e) Sign Class A;
- (f) Single Detached Dwelling;
- (g) Special Function Tent Recreational; and
- (h) Utilities.

#### **Discretionary Uses**

- The following **uses** are **discretionary uses** in the Residential Narrow Parcel One Dwelling District:
  - (a) Addiction Treatment;
  - (b) **Bed and Breakfast**;
  - (c) Community Entrance Feature;
  - (d) Custodial Care:
  - (d.1) Home Based Child Care Class 2;

17P2009

- (e) Home Occupation Class 2;
- (f) Place of Worship Small;
- (g) Power Generation Facility Small;
- (h) Residential Care;
- (h.1) Secondary Suite;

34P2010

(h.2) Secondary Suite – Detached Garage;

34P2010

(h.3) Secondary Suite – Detached Garden;

34P2010

(i) Sign – Class B;

- (j) Sign Class C;
- (k) Sign Class E;
- (I) Temporary Residential Sales Centre; and
- (m) Utility Building.

#### Rules

- 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.

#### 13P2008 Number of Main Residential Buildings on a Parcel

The maximum number of *main residential buildings* on a *parcel* is one.

#### **Parcel Width**

464

3P2010, 34P2010

- (1) The minimum *parcel width* is:
  - 7.5 metres for a *parcel* containing a **Single Detached**Dwelling;
  - (b) 9.0 metres for a *parcel* containing a *Secondary Suite*; and
  - (c) 13.0 metres for a *parcel* containing a **Secondary Suite – Detached Garage** or **Secondary Suite Detached Garden**.
  - (2) The maximum *parcel width* is 11.6 metres unless the *parcel* is:
    - (a) a **corner parcel**;
    - (b) a *parcel* on the bulb of a cul-de-sac; or
    - (c) a *parcel* with a *front property line* shared with a *street* at a point where the *street* has a significant change in direction.

#### 34P2010 Parcel Depth

- 465 (1) Unless referenced in subsection (2), the minimum *parcel depth* is 22.0 metres.
  - (2) The minimum *parcel depth* for a *parcel* containing a **Secondary Suite Detached Garage** or a **Secondary Suite Detached Garden** is 30.0 metres.

#### 34P2010 Parcel Area

466 (1) Unless referenced in subsection (2), the minimum area of a *parcel* is 233.0 square metres.

(2) The minimum area of a parcel containing a Secondary Suite – Detached Garage or a Secondary Suite – Detached Garden is 400.0 square metres.

# **Parcel Coverage**

**467 (1)** Unless otherwise referenced in subsections (2), (3) and (4), the maximum *parcel coverage* is 50.0 per cent of the area of a *parcel*.

57P2008

- Unless otherwise referenced in subsections (3) and (4), the maximum *parcel coverage* is 60.0 per cent of the area of a *parcel* where:
  - (a) the area of a *parcel* is less than 265.0 square metres; and
  - (b) the *parcel width* is less than 8.7 metres.
- (3) Unless otherwise referenced in subsection (4), the maximum *parcel coverage* is 45.0 per cent of the area of a *parcel* where the *parcel* width is greater than 11.0 metres.
- (4) The maximum *parcel coverage* referenced in subsections (1), (2) and (3) 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**

The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 469, 470 and 471.

#### **Building Setback from Front Property Line**

- The minimum **building setback** from a **front property line** is:
  - (a) 2.0 metres for a *laned parcel*; and
  - (b) 3.0 metres for a *laneless parcel*.

# **Building Setback from Side Property Line**

- **470** (1) For a *laned parcel*, the minimum *building setback* from any *side property line* is 1.2 metres.
  - (2) For a *laneless parcel*, the minimum *building setback* from any *side property line* is:
    - (a) 1.2 metres; or
    - (b) 3.0 metres on one side of the *parcel*, when no provision has been made for a *private garage* on the front or side of a *building*.
  - (3) For a *corner parcel*, the minimum *building setback* from a *side property line* shared with a *street* is 1.2 metres, provided there is no portion of a *building*, except for a projection allowed in 337(3), located within 3.0 metres of:
    - (a) the back of the public sidewalk; or
    - (b) the curb where there is no public sidewalk.

- (4) 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) that provides unrestricted vehicle access to the rear of the parcel.
- (5) 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.

3P2010 (6)deleted

#### **Building Setback from Rear Property Line**

471 The minimum **building setback** from a **rear property line** is 7.5 metres.

#### **Building Height**

13P2008

3P2010

- 472 (1) Unless otherwise referenced in subsection (2), the maximum **building** height is 10.0 metres.
  - **(2)** The maximum **building height** is 11.0 metres where:
    - the area of the *parcel* is equal to or greater than 400.0 square (a) metres; and
    - the *parcel width* is equal to or greater than 10.0 metres. (b)

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

10P2009

473 The minimum number of *motor vehicle parking stalls* is 2.0 stalls for a Single Detached Dwelling located on a parcel with a parcel width less than 9.0 metres.

# Division 8: Residential – One / Two Dwelling (R-2) District

# **Purpose**

The Residential – One / Two Dwelling District is intended to accommodate residential *development* in the form of **Single Detached Dwellings**, **Semi-detached Dwellings** and **Duplex Dwellings** in the *Developing Area*.

#### **Permitted Uses**

- The following **uses** are **permitted uses** in the Residential One /Two Dwelling District:
  - (a) Accessory Residential Building;
  - (b) **Duplex Dwelling**;
  - (b.1) Home Based Child Care Class 1;

17P2009

- (c) Home Occupation Class 1;
- (d) **Park**;
- (e) Protective and Emergency Service;
- (e.1) Secondary Suite;

12P2010

- (f) Semi-detached Dwelling;
- (g) Sign Class A;
- (h) Single Detached Dwelling;
- (i) Special Function Tent Recreational; and
- (i) Utilities.

#### **Discretionary Uses**

- The following **uses** are **discretionary uses** in the Residential One / Two Dwelling District:
  - (a) Addiction Treatment;
  - (b) **Bed and Breakfast**;
  - (c) Community Entrance Feature;
  - (d) Custodial Care;
  - (d.1) Home Based Child Care Class 2;

- (e) Home Occupation Class 2;
- (f) Place of Worship Small;
- (g) Power Generation Facility Small;
- (h) Residential Care;

(i) deleted 12P2010 12P2010 (i.1)Secondary Suite - Detached Garage; (i.2)Secondary Suite – Detached Garden; 12P2010 (j) Sign - Class B; (k) Sign - Class C; Sign - Class E; (l) (m) Temporary Residential Sales Centre; and (n) Utility Building. Rules 477 In addition to the rules in this District, all **uses** in this District must comply with: the General Rules for Low Density Residential Land Use (a) Districts referenced in Part 5, Division 1; the Rules Governing All Districts referenced in Part 3; and (b) (c) the applicable Uses And Use Rules referenced in Part 4. 13P2008 Number of Main Residential Buildings on a Parcel 478 The maximum number of *main residential buildings* on a *parcel* is one. **Parcel Width** 479 The minimum *parcel width* is: 7.5 metres for a *parcel* containing a **Single Detached** (a) Dwelling; 34P2010 (a.1) 9.0 metres for a *parcel* containing a **Secondary Suite**; 13.0 metres for a *parcel* containing a **Duplex Dwelling**; (b) 12P2010, 34P2010 13.0 metres for a *parcel* containing a **Secondary Suite** – (c) **Detached Garage or Secondary Suite – Detached Garden**; and (d) 13.0 metres for a *parcel* containing a **Semi-detached** Dwelling, and if a parcel containing a Semi-detached

**Dwelling** is subsequently subdivided, a minimum *parcel width* of 6.0 metres must be provided for each **Dwelling Unit**.

# **Parcel Depth**

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

12P2010, 34P2010

#### **Parcel Area**

- **481** The minimum area of a *parcel* is:
  - (a) 330.0 square metres for a *parcel* containing a **Single Detached Dwelling**;
  - (b) 400.0 square metres for a *parcel* containing a **Duplex Dwelling**;
  - (c) 400.0 square metres for a *parcel* containing a **Secondary Suite Detached Garage** or **Secondary Suite Detached Garden**: and

12P2010, 34P2010

(d) 400.0 square metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each Dwelling Unit.

# **Parcel Coverage**

- 482 (1) Unless otherwise referenced in subsection (3), the maximum *parcel coverage* for a **Single Detached Dwelling** is 45.0 per cent of the area of a *parcel*.
  - (2) Unless otherwise referenced in subsection (3), the maximum *parcel coverage* for a **Semi-detached Dwelling** or **Duplex Dwelling** is 50.0 per cent of the area of a *parcel*.

13P2008

- (3) The maximum *parcel coverage* referenced in subsections (1) and
   (2) must be reduced by 21.0 square metres for each required *motor vehicle parking stall* that is not located in a *private garage*.
- (4) For all other *uses*, the maximum *parcel coverage* is 45.0 per cent.

## **Building Setback Areas**

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

# **Building Setback from Front Property Line**

- The minimum **building setback** from a **front property line** is:
  - (a) 2.0 metres for a *laned parcel*; and
  - (b) 3.0 metres for a *laneless parcel*.

# **Building Setback from Side Property Line**

- 485 (1) For a *laned parcel*, the minimum *building setback* from any *side property line* is 1.2 metres.
  - (2) For a *laneless parcel*, the minimum *building setback* from any *side property line* is:
    - (a) 1.2 metres; or
    - (b) 3.0 metres on one side of the *parcel*, when no provision is made for a *private garage* on the front or side of a *building*.
  - (3) For a *parcel* containing a **Semi-detached Dwelling**, there is no requirement for a *building setback* from the *property line* upon which the party wall is located.
  - (4) For a *corner parcel*, the minimum *building setback* from a *side property line* shared with a *street* is 1.2 metres, provided there is no portion of a *building*, except for a projection allowed in 337(3), located within 3.0 metres of:
    - (a) the back of the public sidewalk; or
    - (b) the curb where there is no public sidewalk.
  - (5) The *building setback* required in subsection 2(b) may be reduced where the owner of the *parcel* proposed for *development* and the owner of the *adjacent parcel* registers, against both titles, an exclusive private access easement:
    - (a) where the width of the easement, in combination with the reduced *building setback*, must be at least 3.0 metres; and
    - (b) provides unrestricted vehicle access to the rear of the *parcel*.
  - (6) One *building setback* from a *side property line* may be reduced to zero metres where:

## **Parcel Width**

# **494** The minimum *parcel width* is:

- (a) 10.0 metres for a *parcel* containing a **Single DetachedDwelling**;
- (b) 13.0 metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 13.0 metres for a *parcel* containing a **Secondary Suite – Detached Garage** or **Secondary Suite Detached Garden**;

12P2010, 34P2010

- (d) 13.0 metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum parcel width of 6.0 metres must be provided for each Dwelling Unit; and
- (e) 5.0 metres for an individual *parcel* containing a **Dwelling Unit** in a **Rowhouse** or **Townhouse**.

# **Parcel Depth**

- **495** (1) Unless otherwise referenced in subsection (2), the minimum *parcel depth* is 22.0 metres.
  - (2) The minimum *parcel depth* for a *parcel* containing a **Secondary**Suite Detached Garage or Secondary Suite Detached Garden is 30.0 metres.

12P2010, 34PP2010

# **Parcel Area**

## **496** The minimum *parcel* area is:

- (a) 330.0 square metres for a *parcel* containing a **Single Detached Dwelling**;
- (b) 400.0 square metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 400.0 square metres for a *parcel* containing a **Secondary**Suite Detached Garage or Secondary Suite Detached
  Garden:

12P2010, 34P2010

- (d) 400.0 square metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each Dwelling Unit: and
- (e) 160.0 square metres for a *parcel* containing an individual **Dwelling Unit** in a **Rowhouse** or **Townhouse**.

# **Parcel Coverage**

- **497 (1)** Unless otherwise referenced in subsection (2), the maximum *parcel coverage* is:
  - (a) 45.0 per cent of the area of the *parcel* for each **Single Detached Dwelling**;
  - (b) 50.0 per cent of the area of the *parcel* for eachSemi-detached Dwelling and Duplex Dwelling; and
  - (c) 60.0 per cent of the area of the *parcel* for each **Rowhouse** or **Townhouse**.
  - (2) The maximum *parcel* coverage referenced in subsection (1), 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**

The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 499, 500 and 501.

# **Building Setback from Front Property Line**

- 499 The minimum *building setback* from a *front property line* is:
  - (a) 2.0 metres for a *laned parcel*; and
  - (b) 3.0 metres for a *laneless parcel*.

## **Building Setback from Side Property Line**

- 500 (1) For a *laned parcel*, the minimum *building setback* from any *side property line* is 1.2 metres.
  - (2) For a *laneless parcel*, the minimum *building setback* from any *side property line* is:
    - (a) 1.2 metres; or
    - (b) 3.0 metres on one side of the *parcel*, when no provision is made for a *private garage* on the front or side of a *building*.
  - (3) For a *corner parcel*, the minimum *building setback* from a *side property line* shared with a *street* is 1.2 metres, provided there is no portion of a *building*, except for a projection allowed in 337(3), located within 3.0 metres of:
    - (a) the back of the public sidewalk; or
    - (b) the curb where there is no public sidewalk.

# Division 3: Multi-Residential – Contextual Low Profile (M-C1) (M-C1d#) District

# **Purpose**

586 The Multi-Residential – Contextual Low Profile District:

- (a) is intended to apply to the **Developed Area**;
- (b) has Multi-Residential Development that will typically have higher numbers of Dwelling Units and traffic generation than low density residential dwellings and M-CG District;
- (c) provides for Multi-Residential Development in a variety of forms;
- (d) has **Multi-Residential Development** of low height and medium **density**;
- (e) allows for varied **building height** and **front setback areas** in a manner that reflects the immediate context;
- is intended to be in close proximity or *adjacent* to low density residential development;
- (g) provides space for social interaction; and
- (h) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

# **Permitted Uses**

- The following **uses** are **permitted uses** in the Multi-Residential Contextual Low Profile District:
  - (a) Accessory Residential Building;
  - (a.1) Home Based Child Care Class 1:

- (b) Home Occupation Class 1:
- (c) Park;
- (d) **Protective and Emergency Service**;
- (e) Sign Class A;
- (f) Special Function Tent Recreational; and
- (g) Utilities.

- (2) The following **uses** are **permitted uses** on a **parcel** in the Multi-Residential Contextual Low Profile District that has a **building** used or previously used as a **School Authority School**:
  - (a) School Authority School; and
  - (b) School Authority Purpose Minor.

# **Discretionary Uses**

- 588 (1) The following *uses* are *discretionary uses* in the Multi-Residential Contextual Low Profile District:
  - (a) Addiction Treatment;
  - (b) Assisted Living;
  - (c) Bed and Breakfast:
  - (d) Child Care Service;
  - (e) Community Entrance Feature;
  - (f) Custodial Care;
  - (g) **Duplex Dwelling**;
  - (g.1) Home Based Child Care Class 2;
  - (h) **Home Occupation Class 2**;
  - (i) Live Work Unit;
  - (j) Multi-Residential Development;
  - (k) Place of Worship Medium;
  - (I) Place of Worship Small;
  - (m) **Power Generation Facility Small**;
  - (n) Residential Care;
  - (n.1) Secondary Suite;
  - (n.2) Secondary Suite Detached Garage;
  - (n.3) Secondary Suite Detached Garden;
  - (o) Semi-detached Dwelling;
  - (p) Sign Class B;
  - (q) Sign Class C;
  - (r) Sign Class D;
  - (s) Sign Class E;

17P2009

34P2010

34P2010

# Division 4: Multi-Residential – Contextual Medium Profile (M-C2) (M-C2d#) District

# **Purpose**

595 The Multi-Residential – Contextual Medium Profile District:

- (a) is intended to apply to the **Developed Area**:
- (b) has Multi-Residential Development that will typically have higher numbers of Dwelling Units and traffic generation than low density residential dwellings and the M-CG and M-C1 Districts;
- (c) provides for Multi-Residential Development in a variety of forms;
- (d) has **Multi-Residential Development** of medium height and medium **density**;
- (e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;
- (f) allows for varied **building height** and **front setback areas** in a manner that reflects the immediate context;
- (g) is in close proximity to, or **adjacent** to, low density residential development;
- (h) is typically located at community nodes or transit and transportation corridors and nodes;
- (i) provides outdoor space for social interaction; and
- (j) provides landscaping to complement the design of the **development** and to help screen and buffer elements of the **development** that may have impacts on residents or nearby **parcels**.

## **Permitted Uses**

- 596 (1) The following *uses* are *permitted uses* in the Multi-Residential Contextual Medium Profile District:
  - (a) Accessory Residential Building;
  - (a.1) Home Based Child Care Class 1;

- (b) **Home Occupation Class 1**;
- (c) Park;

(d) Protective and Emergency Service; (e) Sign - Class A; Special Function Tent - Recreational; and (f) Utilities. (g) 53P2008 **(2)** The following **uses** are **permitted uses** on a **parcel** that has a building used or previously used as a Community Recreation Facility or School Authority - School: **Community Recreation Facility:** (a) (b) School Authority - School; and (c) School Authority Purpose – Minor. **Discretionary Uses** 597 The following **uses** are **discretionary uses** in the Multi-Residential – (1) Contextual Medium Profile District: **Addiction Treatment:** (a) (b) Assisted Living: (c) **Bed and Breakfast: Child Care Service:** (d) **Community Entrance Feature:** (e) (f) **Custodial Care**: (g) **Duplex Dwelling**; Home Based Child Care - Class 2; 17P2009 (g.1)(h) Home Occupation – Class 2; (i) Live Work Unit; Multi-Residential Development; (j) Place of Worship - Medium; (k) Place of Worship - Small; (l) (m) Power Generation Facility - Small; (n) Residential Care: 34P2010 (n.1) Secondary Suite: Secondary Suite - Detached Garage; 34P2010 (n.2) 34P2010 Secondary Suite - Detached Garden; (n.3)

# Division 8: Multi-Residential – High Density Low Rise (M-H1) (M-H1d#) District

# **Purpose**

- The Multi-Residential High Density Low Rise District:
  - (a) is intended to provide for **Multi-Residential Development** in the **Developed Area** and the **Developing Area**;
  - (b) has Multi-Residential Development that will provide development with higher numbers of Dwelling Units and traffic generation;
  - (c) provides for **Multi-Residential Development** in a variety of forms;
  - (d) has tall **Multi-Residential Development** with high **density**;
  - (e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;
  - (f) is intended to be typically located at community nodes and transit and transportation corridors and nodes;
  - (g) requires that Multi-Residential Development achieves a minimum density;
  - (h) includes a limited range of support commercial multiresidential uses, restricted in size and location within the building;
  - (i) provides outdoor space for social interaction; and
  - (j) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

## **Permitted Uses**

- The following **uses** are **permitted uses** in the Multi-Residential High Density Low Rise District:
  - (a) Accessory Residential Building;
  - (a.1) Home Based Child Care Class 1;

(b) **Home Occupation – Class 1**:

- (c) Park;
- (d) Protective and Emergency Service;
- (e) Sign Class A
- (f) Special Function Tent Recreational; and
- (g) Utilities.

## 34P2010 Discretionary Uses

- 637 (1) The following **uses** are **discretionary uses** in the Multi-Residential High Density Low Rise District:
  - (a) Addiction Treatment;
  - (b) Assisted Living;
  - (c) Beauty and Body Service;
  - (d) Child Care Service;
  - (e) Community Entrance Feature;
  - (f) Convenience Food Store;
  - (g) Custodial Care;
  - (h) **Home Occupation Class 2**;
  - (i) Live Work Unit;
  - (j) Multi-Residential Development;
  - (k) Office;
  - (I) Personal Apparel Service;
  - (m) Place of Worship Medium;
  - (n) Place of Worship Small;
  - (o) Power Generation Facility Small;
  - (p) **Print Centre**;
  - (q) Residential Care;
  - (r) Retail Store;
  - (s) Sign Class B;
  - (t) Sign Class C;
  - (u) Sign Class D;
  - (v) Sign Class E;
  - (w) Specialty Food Store;
  - (x) Temporary Residential Sales Centre;
  - (y) Utility Building; and
  - (z) Video Store.

- (2) The following uses are additional discretionary uses in the Multi Residential – High Density Low Rise District if they are located on a parcel in the developed area that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:
  - (a) **Duplex Dwelling**;
  - (b) Secondary Suite;
  - (c) Secondary Suite Detached Garage;
  - (d) Secondary Suite Detached Garden;
  - (e) Semi-detached Dwelling; and
  - (f) Single Detached Dwelling.

## **Rules**

- In addition to the rules in this District, all **uses** in this District must comply with:
  - (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
  - (b) the Rules Governing all Districts referenced in Part 3; and
  - (c) the applicable Uses And Use Rules referenced in Part 4.

## Floor Area Ratio

639 The maximum *floor area ratio* is 4.0.

Density 13P2008

- 640 (
  - (1) The minimum *density* for *parcels* designated M-H1 District is 150 *units* per hectare.
  - (2) There is no maximum *density* for *parcels* designated M-H1 District, unless established as referenced in subsection (3).
  - The maximum *density* for *parcels* designated M-H1 District followed by the letter "d" and a number indicated on the Land Use District Maps:
    - (a) is the number expressed in *units* per hectare; and
    - (b) the number after the letter "d" must not be less than the minimum *density* referenced in subsection (1).

### **Setback Area**

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

## **Building Setbacks**

**642** (1) Unless otherwise referenced in subsection (2), the minimum *building setback* from a *property line* shared with a street is 6.0 metres.

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

## Landscaping

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

# **Building Height**

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

# Division 9: Multi-Residential – High Density Medium Rise (M-H2) (M-H2d#) District

# **Purpose**

The Multi-Residential – High Density Medium Rise District:

- is intended to provide for Multi-Residential Development on selected parcels in the Developed Area and the Developing Area;
- (b) has Multi-Residential Development that will provide intense development, with higher numbers of Dwelling Units and traffic generation;
- (c) provides for Multi-Residential Development in a variety of forms;
- (d) has taller **Multi-Residential Development** with higher **density**;
- (e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;
- (f) is located on strategic *parcels*, including landmark locations, transit and transportation corridors and nodes and employment concentrations:
- (g) requires that **Multi-Residential Development** achieves a minimum density;
- (h) includes a limited range of support commercial multiresidential uses, restricted in size and location within the building;
- (i) provides outdoor space for social interaction; and
- (j) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

## **Permitted Uses**

- The following **uses** are **permitted uses** in the Multi-Residential High Density Medium Rise District:
  - (a) Accessory Residential Building;
  - (a.1) Home Based Child Care Class 1;

(b) Home Occupation – Class 1;

- (c) Park;
- (d) Protective and Emergency Service;
- (e) Sign Class A
- (f) Special Function Tent Recreational; and
- (g) Utilities.

# 34P2010 Discretionary Uses

- 648 (1) The following *uses* are *discretionary uses* in the Multi-Residential High Density Medium Rise District:
  - (a) Addiction Treatment;
  - (b) Assisted Living;
  - (c) Beauty and Body Service;
  - (d) Child Care Service;
  - (e) Community Entrance Feature;
  - (f) Convenience Food Store;
  - (g) Custodial Care;
  - (h) **Drinking Establishment Small**;
  - (i) Home Occupation Class 2;
  - (j) Live Work Unit;
  - (k) Multi-Residential Development;
  - (I) Office;
  - (m) Personal Apparel Service;
  - (n) **Photographic Studio**;
  - (o) Place of Worship Medium;
  - (p) Place of Worship Small;
  - (q) **Power Generation Facility Small**;
  - (r) **Print Centre**;
  - (s) Residential Care;
  - (t) Restaurant: Food Service Only Small;
  - (u) Restaurant: Licensed Small;
  - (v) Retail Store;
  - (w) Sign Class B;
  - (x) Sign Class C;
  - (y) Sign Class D;

- (z) Sign Class E;
- (aa) Specialty Food Store;
- (bb) Take Out Food Service;
- (cc) Temporary Residential Sales Centre;
- (dd) **Utility Building**; and
- (ee) Video Store.
- (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:
  - (a) **Duplex Dwelling**;
  - (b) Secondary Suite;
  - (c) Secondary Suite Detached Garage;
  - (d) Secondary Suite Detached Garden;
  - (e) Semi-detached Dwelling; and
  - (f) Single Detached Dwelling.

## Rules

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

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

## **Maximum Floor Area Ratio**

650 The maximum *floor area ratio* is 5.0.

Density 13P2008

- **651 (1)** The minimum
  - (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

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

# **Building Setbacks**

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

## Landscaping

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

## **Building Height**

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

# Division 10: Multi-Residential – High Density High Rise (M-H3) (M-H3f#h#d#) District

# **Purpose**

657 The Multi-Residential – High Density High Rise District:

- is intended to provide for Multi-Residential Development on selected strategic parcels in the Developed Area and the Developing Area;
- (b) has Multi-Residential Development that will provide for the highest intensity development of all the multi-residential districts, with higher numbers of Dwelling Units and traffic generation;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) has the tallest Multi-Residential Development with the highest density;
- (e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;
- is located on strategic *parcels*, including landmark locations, transit and transportation corridors and nodes and employment concentrations;
- (g) requires that Multi-Residential Development achieves a minimum density;
- (h) provides the opportunity for a range of support commercial multi-residential uses, restricted in size with few restrictions on location within the building;
- (i) provides outdoor space for social interaction; and
- (j) provides landscaping to complement the design of the **development** and to help screen and buffer elements of the **development** that may have impacts on residents or nearby **parcels**.

# **Permitted Uses**

The following **uses** are **permitted uses** in the Multi-Residential High Density High Rise District:

- (a) Accessory Residential Building;
- (a.1) Home Based Child Care Class 1;

- (b) Home Occupation Class 1;
- (c) Park;
- (d) Protective and Emergency Service;
- (e) Sign Class A
- (f) Special Function Tent Recreational; and
- (g) Utilities.

# 34P2010 Discretionary Uses

- 659 (1) The following *uses* are *discretionary uses* in the Multi-Residential High Density High Rise District:
  - (a) Addiction Treatment;
  - (b) Assisted Living;
  - (c) Beauty and Body Service;
  - (d) Child Care Service;
  - (e) Community Entrance Feature;
  - (f) Convenience Food Store;
  - (g) Custodial Care;
  - (h) **Drinking Establishment Small**;
  - (i) Home Occupation Class 2;
  - (j) Live Work Unit;
  - (k) Multi-Residential Development;
  - (I) Office;
  - (m) **Personal Apparel Service**;
  - (n) **Photographic Studio**;
  - (o) Place of Worship Medium;
  - (p) Place of Worship Small;
  - (q) Power Generation Facility Small;
  - (r) **Print Centre**;
  - (s) Residential Care;
  - (t) Restaurant: Food Service Only Small;
  - (u) Restaurant: Licensed Small;
  - (v) Retail Store;
  - (w) Sign Class B;
  - (x) Sign Class C;

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

#### Rules

- In addition to the rules in this District, all **uses** in this District must comply with:
  - (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
  - (b) the Rules Governing All Districts referenced in Part 3; and
  - (c) the applicable Uses And Use Rules referenced in Part 4.

## Floor Area Ratio

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

Density 13P2008

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

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

## Setback Area

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

# **Building Setbacks**

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

## Landscaping

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

## **Building Height**

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

# Division 11: Multi-Residential – Low Profile Support Commercial (M-X1) (M-X1d#) District

# **Purpose**

The Multi-Residential – Low Profile Support Commercial District:

- is intended to provide for Multi-Residential Development with support commercial uses in the Developed Area and the Developing Area;
- (b) has Multi-Residential Developments that will typically provide higher numbers of Dwelling Units and traffic generation than low density residential dwellings, and the M-G and M-CG Districts;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) includes a limited range of support commercial multiresidential uses, restricted in size and location within the building;
- (e) has **Multi-Residential Development** of low height and medium **density**;
- (f) is in close proximity to *low density residential development*;
- (g) requires that Multi-Residential Development achieves a minimum density;
- (h) provides outdoor space for social interaction; and
- (i) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

## **Permitted Uses**

The following **uses** are **permitted uses** in the Multi-Residential – Low Profile Support Commercial District:

- (a) Accessory Residential Building;
- (a.1) Home Based Child Care Class 1;

- (b) **Home Occupation Class 1**;
- (c) Park;
- (d) **Protective and Emergency Service**;

- (e) Sign Class A;
- (f) Special Function Tent Recreational; and
- (g) Utilities.

# 34P2010 Discretionary Uses

- 670 (1) The following *uses* are *discretionary uses* in the Multi-Residential Low Profile Support Commercial District:
  - (a) Addiction Treatment;
  - (b) Assisted Living;
  - (c) **Beauty and Body Service**;
  - (d) Child Care Service;
  - (e) Community Entrance Feature;
  - (f) Convenience Food Store;
  - (g) Custodial Care;
  - (h) Home Occupation Class 2;
  - (i) Live Work Unit;
  - (j) Multi-Residential Development;
  - (k) Office;
  - (I) Personal Apparel Service;
  - (m) Place of Worship Medium;
  - (n) Place of Worship Small;
  - (o) Power Generation Facility Small;
  - (p) **Print Centre**;
  - (q) Residential Care;
  - (r) Retail Store:
  - (s) Sign Class B;
  - (t) Sign Class C;
  - (u) Sign Class D;
  - (v) Sign Class E;
  - (w) Specialty Food Store;
  - (x) Temporary Residential Sales Centre;
  - (y) **Utility Building**; and
  - (z) Video Store.

- (2) The following *uses* are additional *discretionary uses* in the Multi Residential Low Profile Support Commercial District if they are located on a *parcel* in the *developed area* that is used or was previously used as **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**:
  - (a) **Duplex Dwelling**;
  - (b) Secondary Suite;
  - (c) Secondary Suite Detached Garage;
  - (d) Secondary Suite Detached Garden;
  - (e) Semi-detached Dwelling; and
  - (f) Single Detached Dwelling.

#### Rules

- In addition to the rules in this District, all **uses** in this District must comply with:
  - the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
  - (b) the Rules Governing All Districts referenced in Part 3; and
  - (c) the applicable Uses And Use Rules referenced in Part 4.

## **Density**

672 (1) The minimum *density* for *parcels* designated M-X1 District is 50 *units* per hectare.

13P2008

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

## **Setback Area**

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

# **Building Setbacks**

**674 (1)** Unless otherwise referenced in subsection (2), the minimum *building setback* from a *property line* shared with a *street* is 3.0 metres.

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

Landscaping

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

# **Building Height**

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

# Division 12: Multi-Residential – Medium Profile Support Commercial (M-X2) (M-X2d#) District

# **Purpose**

- 678 The Multi-Residential Medium Profile Support Commercial District:
  - is intended to provide for Multi-Residential Development with support commercial uses on parcels in the Developed Area and the Developing Area;
  - (b) has Multi-Residential Development that will have higher numbers of Dwelling Units and traffic generation than low density residential dwellings and low profile multi-residential districts;
  - (c) provides for **Multi-Residential Development** in a variety of forms:
  - (d) includes a limited range of support commercial multiresidential uses, restricted in size and location within the building;
  - (e) has **Multi-Residential Development** of medium height and medium **density**;
  - (f) has **Multi-Residential Development** where intensity is measured by *floor area ratio* to provide flexibility in *building* form and **Dwelling Unit** size and number;
  - (g) is typically located at community nodes or transit and transportation corridors and nodes;
  - (h) is in close proximity or *adjacent* to, low density residential development;
  - (i) requires that **Multi-Residential Development** achieves a minimum **density**;
  - (j) provides outdoor space for social interaction; and
  - (k) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

## **Permitted Uses**

- 679 The following **uses** are **permitted uses** in the Multi-Residential – Medium Profile Support Commercial District:
  - **Accessory Residential Building**; (a)
  - Home Based Child Care Class 1; (a.1)
  - (b) Home Occupation - Class 1;
  - (c) Park:
  - **Protective and Emergency Service;** (d)
  - Sign Class A; (e)
  - Special Function Tent Recreational; and (f)
  - (g) Utilities.

#### **Discretionary Uses** 34P2010

- The following uses are discretionary uses in the Multi-Residential 680 (1) Medium Profile Support Commercial District:
  - (a) Addiction Treatment;
  - (b) Assisted Living;
  - Beauty and Body Service; (c)
  - (d) Child Care Service;
  - **Community Entrance Feature:** (e)
  - **Convenience Food Store:** (f)
  - (g) **Custodial Care**;
  - (h) **Home Occupation – Class 2**;
  - Live Work Unit; (i)
  - Multi-Residential Development; (i)
  - (k) Office;
  - (l) Personal Apparel Service;
  - (m) Place of Worship - Medium;
  - Place of Worship Small; (n)
  - (o) Power Generation Facility – Small;
  - **Print Centre:** (p)
  - Residential Care: (q)
  - (r) Retail Store;
  - Sign Class B; (s)
  - (t) Sign - Class C;

- (u) Sign Class D;
- (v) Sign Class E;
- (w) Specialty Food Store;
- (x) Take Out Food Service;
- (y) Temporary Residential Sales Centre;
- (z) **Utility Building**; and
- (aa) Video Store.
- (2) The following *uses* are additional *discretionary uses* in the Multi Residential Medium Profile Support Commercial District if they are located on a *parcel* in the *developed area* that is used or was previously used as **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**:
  - (a) **Duplex Dwelling**;
  - (b) Secondary Suite;
  - (c) Secondary Suite Detached Garage;
  - (d) Secondary Suite Detached Garden;
  - (e) Semi-detached Dwelling; and
  - (f) Single Detached Dwelling.

#### Rules

- In addition to the rules in this District, all **uses** in this District must comply with:
  - (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
  - (b) the Rules Governing All Districts referenced in Part 3; and
  - (c) the applicable Uses And Use Rules referenced in Part 4.

# Floor Area Ratio

The maximum *floor area ratio* is 3.0.

Density 13P2008

- **683 (1)** The minimum *density* for *parcels* designated M-X2 District is 60 *units* per hectare.
  - (2) There is no maximum *density* for *parcels* designated M-X2 District, unless established as referenced in subsection (3).
  - (3) The maximum *density* for *parcels* designated M-X2 District followed by the letter "d" and a number indicated on the Land Use District Maps:

- (a) is the number expressed in *units* per hectare; and
- (b) the number after the letter "d" must not be less than the minimum *density* referenced in subsection (1).

#### Setback Areas

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

# **Building Setbacks**

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

# Landscaping

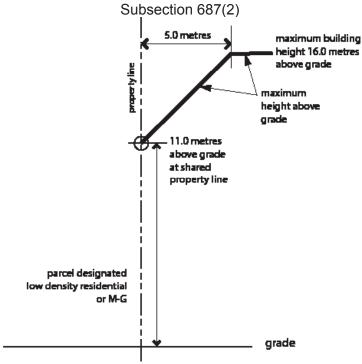
At least 80.0 per cent of the required *landscaped area* must be provided at *grade*.

# **Building Height**

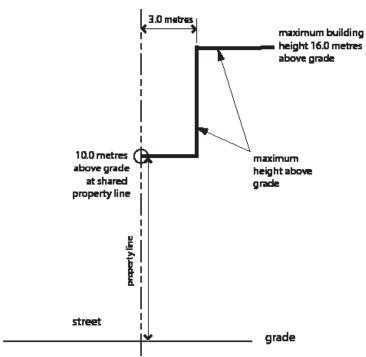
- **687 (1)** Unless otherwise referenced in subsections (2) and (3), the maximum *building height* is 16.0 metres.
  - (2) Where a *parcel* shares a *property line* with a *parcel* designated as a *low density residential district* or M-G District, the maximum *building height*:
    - (a) is 11.0 metres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

- (3) Where a *parcel* shares a *property line* with a *street*, the maximum *building height* is:
  - (a) 10.0 metres measured from *grade* within 3.0 metres of that shared *property line*; and
  - (b) 16.0 metres measured from *grade* at a distance greater than 3.0 metres from that shared *property line*.
- (4) The following diagrams illustrate the rules of subsections (2) and (3):

Illustration 9:
Building Height in Multi-Residential – Medium Profile Support Commercial (M-X2) District



# Subsection 687(3)



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

793 *Motor vehicle parking stalls* required for *uses* in accordance with the District requirement referenced in section 791(2)(f), must not be signed or in any way identified as being other than for the use of all users on the *parcel*.

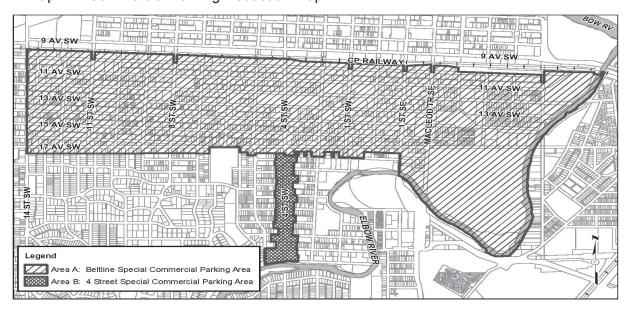
# **Required Bicycle Parking Stalls**

- 794 (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
      - (ii) 0.1 stalls per *unit* for *developments* of more than 20 *units*; and
    - (b) all other **uses** is 5.0 per cent of the minimum number of **motor vehicle parking stalls**.

## **Exclusive Use of Bicycle Parking Stalls**

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

Map 7.1: Commercial Parking Reduction Map



# Division 10: Special Purpose – Transportation and Utility Corridor (S-TUC) District

# **Purpose**

- **1092 (1)** The Special Purpose Transportation and Utility Corridor District is intended to:
  - (a) be applied to land located within the provincial transportation and utility corridor, where the primary purpose is to provide for provincial transportation facilities and linear utilities; and
  - (b) accommodate select types of temporary and removable uses where there is approved access and where the use is compatible with adjacent uses and transportation facilities and linear utilities.
  - (2) Only those lands within the Provincial Transportation and Utility Corridor should be designated Special Purpose Transportation and Utility Corridor District.

#### **Permitted Uses**

- 1093 (1) The following *uses* are *permitted uses* in the Special Purpose Transportation and Utility Corridor District:
  - (a) Extensive Agriculture;
  - (b) Home Occupation Class 1;
  - (c) Municipal Works Depot;
  - (d) Natural Area;
  - (e) **Park**;
  - (f) Park Maintenance Facility Small;
  - (g) deleted

- (h) Sign Class A;
- (i) Sign Class B;
- (j) Sign Class D;
- (k) Special Function Tent Recreational;
- (I) deleted 1P2009
- (m) Utilities.

(2) deleted 32P2010 32P2010 (3) deleted **Discretionary Uses** 1094 (1) The following **uses** are **discretionary uses** in the Special Purpose – Transportation and Utility Corridor District: (a) **Accessory Residential Building**; 32P2010 (b) Home Occupation - Class 2; (c) **Outdoor Recreation Area:** (d) Parking Lot – Grade; Power Generation Facility - Medium; (e) (f) Power Generation Facility - Small; Sign - Class C; (g) (h) **Utility Building**; (i) Vehicle Storage - Large; (j) Vehicle Storage - Passenger; and (k) Vehicle Storage – Recreational. (1.1)The following **uses** are **discretionary uses** in the Special Purpose 32P2010 - Transportation and Utility Corridor District when they occur on a parcel used for a Park or Outdoor Recreation Area: (a) Food Kiosk; and (b) Proshop. The following **uses** are additional **discretionary uses** if they are 32P2010 (2) located on the lands described in subsection (3): **Equipment Yard**; (a) Freight Yard; and (b)

Storage Yard

(c)

- (3) Those areas cross-hatched and illustrated as Area A and Area B on Map 8, and more particularly described as:
  - (a) Area A: the full width of the Transportation and Utility Corridor lands from the north intersection of the Transportation and Utility Corridor and Deerfoot Trail N.E. to the intersection with the Transportation and Utility Corridor and 44 Street N.E.; and
  - (b) Area B: the full width of the Transportation and Utility Corridor lands from the intersection with the Transportation and Utility Corridor and Peigan Trail S.E. to the intersection between the Transportation and Utility Corridor and 130 Avenue S.E.
- (4) Uses that are not listed in this District are discretionary uses if, at the time of the effective date of this Bylaw, they were:
  - (a) being carried on pursuant to a **development permit** issued by The City of Calgary, the Municipal District of Foothills, or the Municipal District of Rocky View; or
  - (b) being carried on in accordance with the applicable Land Use Bylaw in effect for the municipality where the use was located at the time the use commenced but were specifically exempted by that Land Use Bylaw from the requirement to obtain a **development permit**.
- (5) A use which meets the conditions of subsection (4) ceases to be a discretionary use if it is discontinued for six consecutive months or more.
- (6) The applicant for a **development permit** for a **use** pursuant to this section must show that the **use** complies with the conditions of subsection (4).

## Rules

- 1095 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.

# **Development Permit Restrictions**

- **1096** (1) A **development permit** for a **discretionary use** must have a time limitation of no more than five years.
  - (2) Applications for *uses* which require permanent structures, *buildings*, or activities, which do not allow the easy removal, or allow access for utility maintenance, or which impair the intended purpose of the *parcel* as a utility corridor, must not be approved.
  - (3) When a development permit expires, all activities associated with that development permit must cease, and all buildings and improvements associated with that use must be removed from the parcel without further order from the Development Authority.

# **Projections into Setback Areas**

The rules referenced in subsections 1013(1) through (4) inclusive, do not apply to this District.

## **Setback Areas**

Where the *parcel* shares a *property line* with a *street* or *parcel* designated as a *residential district* or Special Purpose – Future Urban Development District, the *setback area* from that *property line* must have a minimum depth of 6.0 metres.

# 32P2010 Specific Rules for Landscaped Areas

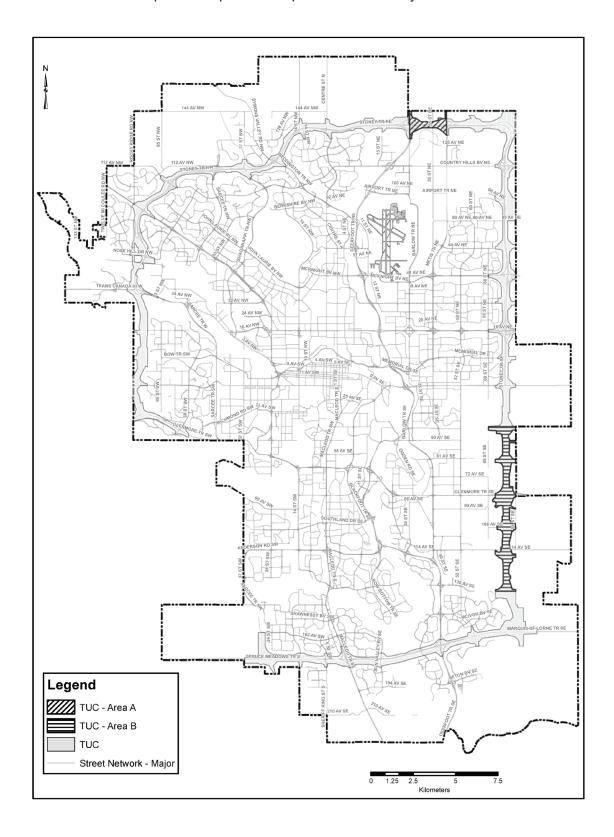
- **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority** when the **development** is within 50.0 metres of:
  - (a) a *major street* or *expressway*;
  - (b) a *parcel* designated as a *residential district*; or
  - (c) a parcel designated S-FUD.
  - (2) The *landscaped areas* shown on the landscape plan approved by the *Development Authority* must be maintained as long as the *development* exists.
  - (3) **Screening** must be provided for the following **uses**:
    - (a) **Equipment Yard**;
    - (b) Freight Yard;
    - (c) Storage Yard;
    - (d) Vehicle Storage Large;
    - (e) Vehicle Storage Passenger; and
    - (f) Vehicle Storage Recreational.

## 32P2010 Parcel Access

1098.2 A use must not have motor vehicle access from a residential street.

Map 8: Special Purpose Transportation and Utility Corridor Areas

53P2008, 32P2010



# **Recycling Facilities**

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

# **Mechanical Screening**

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

# **Visibility Setback**

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

# **Retaining Walls**

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

## **Fences**

- 1120 The height of a **fence** above **grade** at any point along a **fence** line must not exceed:
  - (a) 1.2 metres for that portion of the **fence** extending beyond the foremost portion of all **buildings** on the **parcel**;
  - (b) 2.0 metres for that portion of the **fence** that does not extend beyond the foremost portion of all **buildings** on the **parcel**; and
  - (c) 2.5 metres to the highest point of a gateway provided that the gateway does not exceed more than 2.5 metres in length.

# Single detached, Semi-Detached, Duplex Dwellings and Secondary Suites

- **1120.1** Any of the following **uses** must comply with the rules of the R-C2 District that apply to such **development**:
  - (a) Accessory Residential Building that is not combined with a Multi-Residential Development;
  - (b) **Duplex Dwelling**;
  - (c) Secondary Suite;
  - (d) Secondary Suite Detached Garage;
  - (e) Secondary Suite Detached Garden;
  - (f) Semi-detached Dwelling; or
  - (g) Single Detached Dwelling.

# **Parcel Access**

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

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

# **Purpose**

**1122** The Centre City Multi-Residential High Rise District:

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

# **Permitted Uses**

- 1123 (1) The following *uses* are *permitted uses* in the Centre City Multi-Residential High Rise District:
  - (a) Accessory Residential Building;
  - (a.1) Home Based Child Care Class 1;

17P2009

- (b) **Home Occupation Class 1**;
- (c) Park;
- (d) **Protective and Emergency Service**;
- (e) Sign Class A;
- (e.1) Special Function Tent Recreational; and

- (f) Utilities.
- (2) The following *uses* are *permitted uses* in the Centre City Multi-Residential High Rise District that has a **building** used or previously used as a **School Authority – School**:
  - (a) School Authority School; and
  - (b) School Authority Purpose Minor.

# **Discretionary Uses**

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

- (f) Park Maintenance Facility Small.
- (4) The following *uses* are additional *discretionary uses* in the Centre City Multi-Residential High Rise District if they are located on a *parcel* that is used or was previously used as **Duplex Dwelling**, **Semidetached Dwelling** or **Single Detached Dwelling**:
- 34P2010

- (a) **Duplex Dwelling**;
- (b) Secondary Suite;
- (c) Secondary Suite Detached Garage;
- (d) Secondary Suite Detached Garden;
- (e) Semi-detached Dwelling; and
- (f) Single Detached Dwelling.

## **Rules**

- 1125 In addition to the rules in this District, all **uses** in this District must comply with:
  - (a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;
  - (b) the Rules Governing All Districts referenced in Part 3; and
  - (c) the applicable Uses And Use Rules referenced in Part 4.

## Floor Area Ratio

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

# **Setback Area**

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

# **Building Setbacks**

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

## Floor Plate Restrictions

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

# **Building Height**

1130 There is no maximum *building height*.

# Landscaping

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

# **Parking**

38P2009

1131.1 The minimum number of required motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls - class 1 and bicycle parking stalls - class 2 is the requirement specified in the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1.

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

- (u) Temporary Residential Sales Centre; and
- (v) **Utility Building.**
- (4) The following **uses** are additional **discretionary uses** if they are located in buildings used or previously used as a School Authority - School in the Centre City Multi-Residential High Rise Support Commercial District:
  - (a) Library;
  - (b) Museum:
  - School Private; (c)
  - School Authority Purpose Major; and (d)
  - (e) Service Organization.
- (5) The following **uses** are additional **discretionary uses** on a **parcel** in the Centre City Multi-Residential High Rise Support Commercial District that has a **building** used or previously used as a School **Authority – School**:
  - **Community Recreation Facility**; (a)
  - (b) Food Kiosk:
  - **Indoor Recreation Facility**; (c)

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

34P2010

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

## Rules

- 1135 In addition to the rules in this District, all **uses** in this District must comply with:
  - (a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;
  - (b) the Rules Governing All Districts referenced in Part 3; and
  - (c) the applicable Uses And Use Rules referenced in Part 4.

# **Maximum Floor Area Ratio**

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

## Setback Area

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

## **Building Setbacks**

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

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

#### Floor Plate Restrictions

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

# **Building Height**

**1140** There is no maximum *building height*.

## Landscaping

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

## **Use Area**

- 1142 (1) Unless otherwise referenced in subsection (3) and (4), the maximum use area for uses on the ground floor of buildings in the Centre City Multi-Residential High Rise Support Commercial District is 300.0 square metres.
  - (2) Unless otherwise referenced in subsection (3), there is no maximum use area requirement for uses located on upper floors in the Centre City Multi-Residential High Rise Support Commercial District.
  - (3) The total of all *use areas* for **Medical Clinic** and **Counselling Service** within a *building* must not exceed 600.0 square metres.
  - (4) The following **uses** do not have a ground floor **use area** restriction:
    - (a) Addiction Treatment:
    - (b) Assisted Living;
    - (c) Custodial Care;
    - (d) Hotel;
    - (e) Place of Worship Medium;
    - (f) Place of Worship Small;
    - (g) Protective and Emergency Service;
    - (h) Residential Care; and
    - (i) Utility Building.

# **Location of Uses Within Buildings**

- 1143 (1) Counselling Service, Instructional Facility Inside, Medical Clinic, Office, and Service Organization uses must not be located on the ground floor of buildings.
  - (2) "Commercial Uses" and Live Work Units:
    - (a) must be located on the first 2 floors only, with the exception of **Hotel uses**;
    - (b) may be located on the same floor as Addiction Treatment, Custodial Care, Dwelling Units, Hotel and Residential Care;
    - (c) must not share an internal hallway with Addiction Treatment,
      Custodial Care, Dwelling Units, Hotel and Residential
      Care:
    - (d) must have a separate exterior entrance from that of the **Dwelling Units**; and
    - (e) must not be located above any **Dwelling Unit**.
  - (3) Where this section refers to "Commercial Uses", it refers to the listed permitted and discretionary uses in section 1133 and 1134, other than Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Home Occupation Class 1, Home Occupation Class 2, Multi-Residential Development, Hotel, Live Work Unit, Place of Worship Small, Place of Worship Medium, Protective and Emergency Service, Residential Care and Utility Building uses.
  - (4) A minimum of 80 per cent of the *gross floor area* of *buildings* in the Centre City Multi-Residential High Rise Support Commercial District must contain Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Hotel, Live Work Units, Place of Worship Small, Place of Worship Medium, Protective and Emergency Service, Residential Care or Utility Building uses.
  - (5) Outdoor Café uses must:
    - (a) only be located between a **street** and the **use** to which it is subordinate; and
    - (b) not be located on the same block face where **Dwelling Units** or **Live Work Units** are located at *grade*.

# **Hotel Uses**

## 1144 Hotel uses must:

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

# **Parking**

38P2009

1144.1 The minimum number of required *motor vehicle parking stalls*, *visitor* parking stalls, bicycle parking stalls – class 1 and bicycle parking stalls – class 2 is the required specified in the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1.

# **Use of Parking Areas**

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

## **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** Health Services Laboratory - With Clients Hospital Medical Clinic Residential Care

## **CULTURE AND LEISURE GROUP**

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

## **DIRECT CONTROL USES**

Adult Mini-Theatre

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

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

## **GENERAL INDUSTRIAL GROUP**

Asphalt, Aggregate and Concrete Plant Dry-cleaning and Fabric Care Plant General Industrial – Heavy General Industrial – Light General Industrial – Medium Printing, Publishing and Distributing Specialized Industrial

# **INDUSTRIAL SUPPORT GROUP**

Artist's Studio Beverage Container Drop-Off Depot Building Supply Centre Health Services Laboratory – Without Clients Household Appliance and Furniture Repair Motion Picture Production Facility Recyclable Construction Material Collection Depot (temporary) Specialty Food Store

#### **INFRASTRUCTURE GROUP**

Airport

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

## **OFFICE GROUP**

Counselling Service Office Service Organization

# PERSONAL SERVICE GROUP

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

Schedule A has been amended by the following bylaws: 13P2008, 15P2008, 51P2008, 67P2008, 1P2009, 32P2009, 12P2010. 14P2010

## **RESIDENTIAL GROUP**

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

# **SALES GROUP**

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

#### SIGNS GROUP

Community Entrance Feature

## Sign - Class A

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

#### Sign - Class B

Fascia Identification Sign

## Sign - Class C

Freestanding Identification Sign

## Sign - Class D

Canopy Identification Sign Projecting Identification Sign

# Sign - Class E

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

## Sign - Class F

Third Party Advertising Sign

## **STORAGE GROUP**

Distribution Centre **Equipment Yard** Freight Yard Recyclable Construction Material Collection Depot (temporary) Salvage Yard Self Storage Facility Storage Yard Vehicle Storage - Large Vehicle Storage – Passenger Vehicle Storage – Recreational

# 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 Based Child Care - Class 2 Home Occupation - Class 1 Home Occupation - Class 2 Outdoor Café Proshop Seasonal Sales Area Special Function Tent - Commercial Special Function Tent - Recreational

## **TEACHING AND LEARNING GROUP**

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