

THE CITY OF CALGARY LAND USE BYLAW 1P2007

OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

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

NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

PUBLISHING INFORMATION

TITLE: THE CALGARY LAND USE BYLAW 1P2007

AUTHOR: LAND USE BYLAW SUSTAINMENT TEAM,
DEVELOPMENT & BUILDING APPROVALS,
PLANNING IMPLEMENTATION

STATUS: APPROVED BY CITY COUNCIL
2007 JULY 23

PRINTING DATE: 2008 AUGUST

ADDITIONAL COPIES: THE CITY OF CALGARY
DEVELOPMENT & BUILDING APPROVALS
PLANNING IMPLEMENTATION
DOCUMENT SALES CENTRE #8135
P.O. BOX 2100, STN M
CALGARY, ALBERTA T2P 2M5

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Land Use Districts and Land Use District Maps

- 4 (1) The **City** is divided into land use districts, the boundaries of which are shown on the Land Use District Maps.
- (2) *deleted* 31P2009, 51P2008, 26P2010
33P2013
- (3) *deleted* 33P2013
- (4) *deleted* 33P2013
- (5) The Land Use District Maps, as may be amended by Bylaw from time to time, will be deposited with the City Clerk.
- (6) In this Bylaw, a land use district may be referred to by its full name or abbreviation as referenced in the title of each District.
- (7) Where this Bylaw refers to a rule or requirement relating to a **parcel** that is designated a particular land use district, it must be read to include a **parcel** that is designated Direct Control based on that land use district unless the Direct Control Bylaw indicates a contrary intent.

Interpreting the Land Use District Maps

- 5 (1) Despite the land use district shown on the Land Use District Maps, for the purpose of this Bylaw roads must only be used for:
- (a) the passage of motorized and non-motorized vehicles;
- (b) the passage of pedestrians;
- (c) the placement of public and private utilities authorized by the **City**; and
- (d) activities pursuant to the Calgary Traffic Bylaw and Street Bylaw. 22P2016
- (2) Concurrent with the closure of a road, **Council** must consider a corresponding land use redesignation.
- (3) Despite the land use district shown on the Land Use District Maps, water bodies under the jurisdiction of the Crown in right of the Province of Alberta or Canada are not regulated by this Bylaw.

Requirements of Other Legislation

25P2018

- 6 (1) Compliance with this Bylaw does not exempt any person from the requirements of any Federal, Provincial or Municipal legislation, approval process, licensing or permitting regime, or other Bylaw.
- (2) The *Gaming, Liquor And Cannabis Regulation* has established distances from certain **buildings** and land from which **Cannabis Stores** must be separated, and also authorized municipalities to expressly vary these distances. The distances in the regulation apply to **Cannabis Stores** unless otherwise expressly varied in this Bylaw. The following distances in the regulation are hereby expressly varied:

- (a) the distance from a **Cannabis Store** to a building containing a school or a boundary of a *parcel* of land on which the *building* is located, as described in sections 160.3(i) and 40(k) of this Bylaw; and
- (b) the distance from a **Cannabis Store** to a boundary of a *parcel* of land that is designated as school reserve or municipal and school reserve under the *Municipal Government Act*, as described in sections 160.3(h) and 36(2) of this Bylaw.

Referenced Legislation

- 7 (1) Where the following enactments and Bylaws are referred to in this Bylaw, the reference is to the enactment or Bylaw as may be amended from time to time, or to any enactment or Bylaw passed in substitution therefore.

33P2013

- (1.1) “+15 Policy” means the +15 Policy, October 1984.
- (2) “Building Permit Bylaw” means the *Calgary Building Permit Bylaw*, 64M94.
- (3) “Calgary International Airport Vicinity Protection Area Regulation” means the *Calgary International Airport Vicinity Protection Area Regulation*, A/R 318/79.
- (4) “Calgary International Airport Zoning Regulations” means the *Regulations Respecting Calgary International Airport*, pursuant to the RSC, *Aeronautics Act*, 1985, c.A-2.
- (5) “Calgary Traffic Bylaw” means *The Calgary Traffic Bylaw*, 26M96.
- (6) “Controlled Streets Bylaw” means *The Controlled Streets Bylaw*, 12M80.

56P2017

- (6.1) “*Highways Development and Protection Act*” means the *Highways Development and Protection Act*, S.A. 2004.

26P2010, 56P2017

- (6.2) “*Historical Resources Act*”, means the *Historical Resources Act*, R.S.A. 2000.
- (7) “Licence Bylaw” means *The Business Licence Bylaw*, 32M98.
- (8) “*Municipal Government Act*” means the *Municipal Government Act*, R.S.A. 2000, c.M-26.
- (9) “Municipal Planning Commission Bylaw” means *The Calgary Planning Commission Bylaw*, 28P95.

4P2012

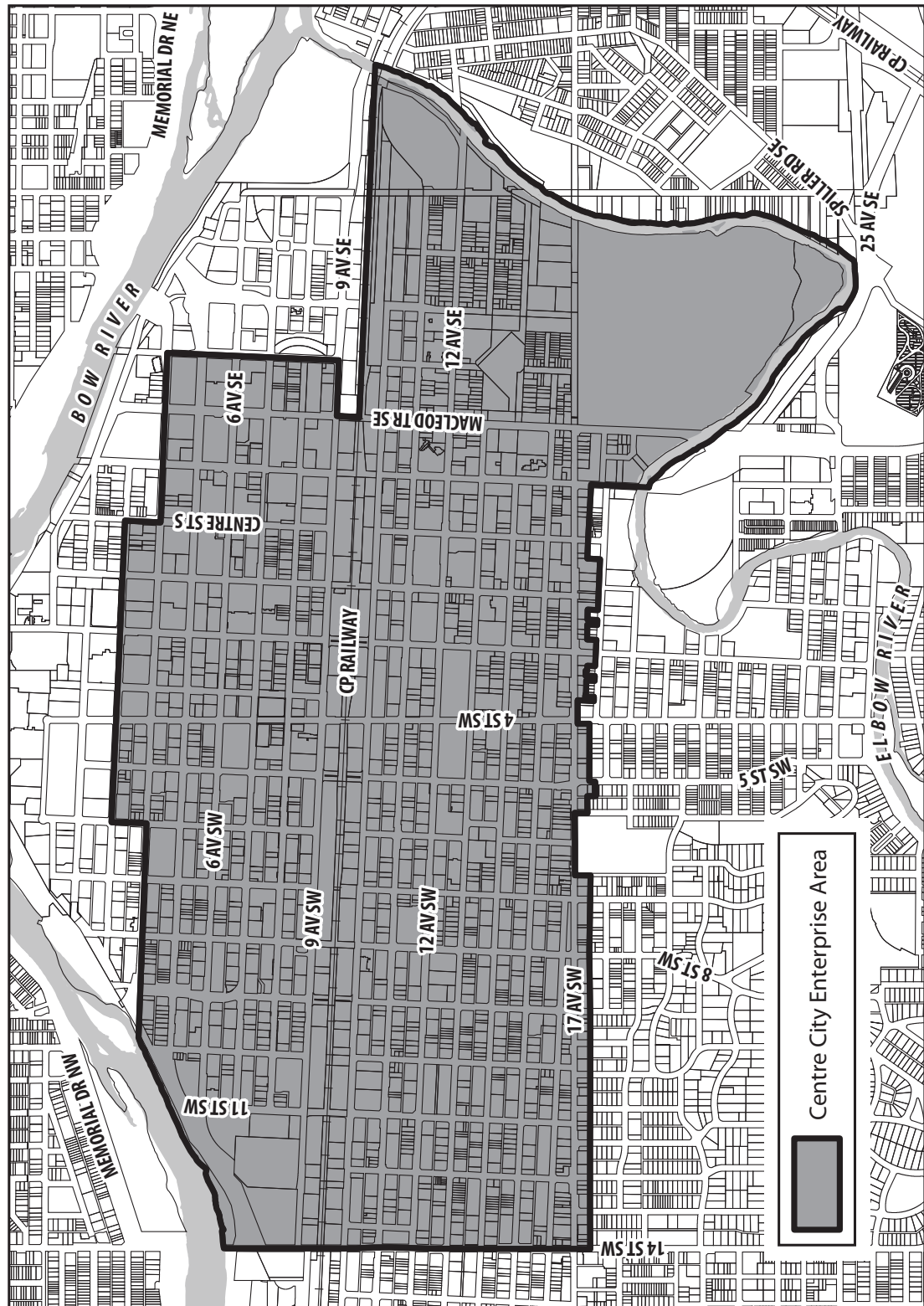
- (9.1) “Parks and Pathways Bylaw”, means the *Parks and Pathways Bylaw*, 20M2003.
- (10) “*Post-secondary Learning Act*” means the *Post-secondary Learning Act*, S.A. 2003, c.P-19.5.
- (11) “*Provincial Offences Procedure Act*” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.
- (12) “*Safety Codes Act*” means the *Safety Codes Act*, R.S.A. 2000, c.S-1.

- (76) “**landing**” means an uncovered platform extending horizontally from a **building**, abutting an entry door and providing direct access to **grade** or stairs.
- (77) “**landscaped area**” means that portion of a **parcel** that is required to be a **hard surfaced landscaped area** or **soft surfaced landscaped area**.
- (78) “**lane**” means a roadway that is primarily intended to give access to the rear of **buildings** and **parcels**.
- (79) “**laned parcel**” means a **parcel** which is bounded at least in part by a **lane**.
- (80) “**laneless parcel**” means a **parcel** which is not bounded wholly or partially by a **lane**.
- (81) “**large vehicle**” means a vehicle, other than a **recreational vehicle**:
- 5P2013
- (a) with a **gross vehicle weight** stated by the manufacturer, vehicle signage, or vehicle registration, to be in excess of 4536 kilograms;
 - (b) with one or more of the following characteristics:
 - (i) tandem axles;
 - (ii) a passenger capacity in excess of 15 persons; or
 - (iii) dual wheels where the vehicle includes a flat deck or other form of utility deck; or
 - (c) that can be generally described as a:
 - (i) bus;
 - (ii) cube van;
 - (iii) dump truck;
 - (iv) flatbed truck; or
 - (v) tractor, trailer, or tractor trailer combination.
- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
 - (b) a flow sensor for leak detection; and
 - (c) a master valve to secure the system if a leak is detected.

- (86) “**LRT corridor**” means a **street, parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- 12P2010, 24P2014 (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include a **Backyard Suite**.
- 9P2012 (90) “**major street**” means a **street** identified as a Street in the Transportation Bylaw.
- 7P2014, 25P2018 (90.1) *deleted*
- 20P2017 (90.2) “**mixed use district**” means any one or more of the land use districts described in Part 14.
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- 51P2008 (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
 - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.
- (96) “**non-conforming use**” means a lawful specific use:
- (a) being made of land or a **building** or intended to be made of a **building** lawfully under construction, at the date a land use bylaw affecting the land or **building** becomes effective; and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw.

- (3) Unless otherwise stated in subsections (4) and (5), exterior alterations for **buildings** not listed on the **City** inventory of potential heritage sites, do not require a **development permit** if:
- (a) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1; and
 - (b) it is a listed **use** in the district.
- (4) The following **uses** are not exempt under subsections (1), (2) and(3):
- (a) **Cannabis Counselling;** 25P2018
 - (a.2) **Custodial Care;** 25P2018
 - (b) **Liquor Store;**
 - (c) *deleted* 25P2018
 - (d) **Nightclub;**
 - (e) **Pawn Shop;** and
 - (f) **Payday Loan.**
- (5) The following **uses** are not exempt under subsections (1), (2) and (3) where they are located within 30 metres of a freight rail corridor **property line**:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Child Care Service;**
 - (d) **Dwelling Unit;**
 - (e) **Emergency Shelter;**
 - (f) **Home Based Child Care – Class 2;**
 - (g) **Hospital;**
 - (h) **Jail;**
 - (i) **Residential Care;**
 - (j) **School – Private;**
 - (k) **School Authority – School;** and
 - (l) **Temporary Shelter.**
- (6) **Parcels** designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, are subject to the **development permit** exemption clauses contained in this section unless specifically indicated otherwise in the Direct Control Bylaw.
- (7) Subsections (1), (2), (3), (4), (5) and (6) remain in effect until July 1, 2020.

Map 2.1 "Centre City Enterprise Area"



Development Permit Application Requirements

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

Notice Posting Requirement

46P2007, 30P2011

- 27 (1) At least 7 days prior to making a decision on an application for a **development permit** for those **uses** listed in subsections (2), (2.1), (3) (4) and (5), the **Development Authority** must ensure a notice is posted in a conspicuous place stating:
- (a) the proposed **use** of the **building** or **parcel**;
- (b) that an application respecting the proposed **development** will be considered by the **Development Authority**;
- (c) that any person who wishes to submit comments in respect to the proposed **development** on the **parcel** may deliver to the **Development Authority** a written statement of their comments regarding the **development**;
- (d) the date by which the comments must be delivered to the **Development Authority** to be considered by the **Development Authority**; and
- (e) that the submission must include:
- (i) their full name and address; and
- (ii) the reasons for their position.
- (2) The following **uses** must always be notice posted:
- (a) **Backyard Suite**;
- (a.1) **Cannabis Facility**;
- (a.2) **Cannabis Store**;
- (a.3) **Drinking Establishment – Large** in the CC-EIR or the CC-ET districts;
- (a.4) **Drinking Establishment – Medium** in the C-C1, C-COR1, C-COR2, CC-X, CC-COR, CC-EMU, CC-ET, or CC-EIR Districts and in all **mixed use districts**;
- (b) **Drinking Establishment – Small** in the M-H2, M-H3, C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-EMU, CC-ET, CC-EPR, or CC-EIR Districts and in all **mixed use districts**;

17P2018

17P2018

17P2018

17P2018

26P2010, 24P2014

51P2008, 24P2014,
25P201824P2014, 13P2017,
20P2017, 25P2018

25P2018

25P2018

51P2008, 13P2017,
20P2017

- 17P2009
 - (c) **Drive Through** in the C-N2, C-C1 or C-COR2 districts;
 - (c.1) **Home Based Child Care – Class 2;**
 - (d) **Home Occupation – Class 2;**
- 51P2008, 13P2017, 20P2017
 - (e) **Liquor Store** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ET, CC-EIR, CC-EMU, or CC-EPR Districts and in all *mixed use districts*;
 - (e.1) *deleted*
- 7P2014, 25P2018
 - (f) **Multi-Residential Development in the *Developed Area*;**
 - (f.1) **Night Club** in the CC-EIR District or CR20-C20/R20 District in the area indicated in Map 11;
- 51P2008, 33P2013, 13P2017, 20P2017
 - (g) **Outdoor Café** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, I-R, S-R, CC-X, CC-COR, CC-ET, CC-EIR, CC-EMU, CC-EPR, CC-ERR, or CC-ER Districts or; CR20-C20/R20 District in the area indicated in Map 11 and in all *mixed use districts*;
 - (g.1) **Pawn Shop;**
 - (g.2) **Payday Loan;**
- 43P2015
 - (h) **Place of Worship – Large;**
 - (h.1) **Recyclable Construction Material Collection Depot (temporary);**
- 43P2015
 - (i) *deleted*
 - (i.1) *deleted*
 - (i.2) **Secondary Suite** in the R-C1L, R-C1 and R-1 Districts;
- 14P2010
 - (j) **Social Organization** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, S-CI, CC-COR, CC-ET, CC-EMU, CC-EIR, CC-EPR, or CC-ERR Districts and in all *mixed use districts*;
- 14P2010
 - (k) **Waste Disposal and Treatment Facility.**
 - (l) **Wind Energy Conversion System - Type 1;** and
 - (m) **Wind Energy Conversion System - Type 2.**
- 12P2010, 14P2010, 24P2014
 - (2.1) The following *uses* must be notice posted when *adjacent* to a *parcel* containing a **Dwelling Unit**:
 - (a) **Digital Third Party Advertising Sign;** and
 - (b) **Digital Message Sign.**
- 12P2010, 9P2012, 24P2014
 - (3) The following *uses* must always be notice posted in a *residential district*:
 - (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Child Care Service;**
- 24P2018
 - (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Child Care Service;**
- 51P2008, 14P2010, 38P2013, 13P2017, 20P2017
 - (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Child Care Service;**
- 14P2010, 38P2013
 - (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Child Care Service;**
- 38P2013
 - (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Child Care Service;**
- 30P2011
 - (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Child Care Service;**
- 4P2013
 - (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Child Care Service;**

- (d) **Community Recreation Facility;**
- (e) **Custodial Care;**
- (f) **Indoor Recreation Facility;**
- (g) **Library;**
- (h) **Museum;**
- (i) **Place of Worship – Medium;**
- (j) **Place of Worship – Small;**
- (k) **Residential Care;** and
- (l) **Service Organization.**
- (4) The following **uses** must always be notice posted in a **special purpose district**:
- (a) **Addiction Treatment;**
- (b) **Child Care Service;**
- (c) **Custodial Care;**
- (d) **Place of Worship – Medium;**
- (e) **Place of Worship – Small;**
- (f) **Residential Care;** and
- (g) **Service Organization.**
- (5) The construction of a new **building** or an addition to a **building** for the following **uses** must be notice posted:
- (a) **Assisted Living** in the **Developed Area**;
- (b) **Duplex Dwelling** when listed as a **discretionary use**;
- (c) **Semi-detached Dwelling** when listed as a **discretionary use**;
- (d) **Single Detached Dwelling** when listed as a **discretionary use** in the **Developed Area**; 22P2016
- (d.1) **Rowhouse Building** when listed as a **discretionary use** in the **Developed Area**; and 22P2016
- (e) any **discretionary use** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET Districts or CR20-C20/R20 District in the area indicated in Map 11 and in all **mixed use districts**; 51P2008, 26P2010, 9P2012, 33P2013, 20P2017
- (6) The **Development Authority** must not notice post any **development permit** applications not set out in subsections (2), (2.1), (3), (4) or (5).w 30P2011
- (7) The posted notices referenced in this section must conform to the standards approved by the **General Manager**. 17P2018

50P2017

Exemption for Acquisition of Land by The City

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

Division 5: Discretionary Use Development Permit

Discretionary Use Development Permit Application

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

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

Discretionary Use That Does Not Comply

25P2018

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

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

(2) The provisions of 36(1) apply to any reduction in the required distance of 100 metres from a **Cannabis Store** to a boundary of a **parcel** of land that does not contain a school **building** and is designated as school reserve or municipal and school reserve under the *Municipal Government Act*, in accordance with 105(5) of the Gaming, Liquor And Cannabis Regulation.

Development Authority's Decision

- 37 (1) The **Development Authority** may approve, either permanently or for a limited period of time, a **development permit** application for a **discretionary use**, and may impose the conditions enumerated in section 38 of this Part.
- (2) The **Development Authority** may refuse a **development permit** application for a **discretionary use** even though it meets the requirements and rules of this Bylaw.

Conditions on Discretionary Use Development Permits

- 38 (1) The **Development Authority** may, as a condition of issuing a **development permit** for a **discretionary use**, impose conditions in respect of the following matters:
- (a) actions to be performed or carried out prior to the release of the **development permit**;
 - (b) the construction or maintenance of the proposed **development** in accordance with the approved plans;
 - (c) the appropriate performance of a **use**;
 - (d) an environmental site assessment;
 - (e) the time or times a **use** may be carried out;
 - (f) phasing of the **development**;
 - (g) limits imposed on the **development**;
 - (h) bonusing requirements;
 - (i) the construction of or payment for public utilities, other than telecommunications systems or works, and vehicular and pedestrian access that are necessary to serve the **development**; and
 - (j) the furtherance of sound planning principles.
- (2) The **Development Authority** may, as a condition of issuing a **development permit** for a **discretionary use**, require the applicant to enter into an agreement with the **City** to do any or all of the following:
- (a) to construct or pay for the construction of a public thoroughfare required to give access to the **development**;
 - (b) to construct or pay for the construction of:
 - (i) a pedestrian walkway system to serve the **development**; or
 - (ii) pedestrian walkways to connect the pedestrian walkway system serving the **development** with a pedestrian walkway system that serves or is proposed to serve an **adjacent development**; or

9P2012

Division 6: General Provisions Relating to Development Permits

Applications the Development Authority Must Refuse

- 40** The **Development Authority** must refuse a **development permit** application when the proposed **development**:
- (a) is for a **use** that is not listed as either a **permitted** or **discretionary use** in the governing land use district;
 - (b) is for a **use** containing a restriction in its definition that is not met by the proposed **use**;
 - (c) exceeds any of the following requirements where they are specified on a Land Use District Map except where a **development** exceeds the following requirements because a portion of the **parcel** was acquired by the **City** for a municipal purpose in accordance with section 27.1:
 - (i) maximum **floor area ratio**; and
 - (ii) maximum **units** per hectare;
 - (c.1) exceeds the maximum **building height** when specified on a Land Use District Map except where portions of the **building** exceed the maximum **building height** due to:
 - (i) **grade** variations within the **parcel**;
 - (ii) design elements of the **building** that extend above the **eaveline** where there is no usable floor area associated with the element;
 - (d) does not meet the minimum area requirement to accommodate **commercial multi-residential uses** in the M-X1 and M-X2 Districts unless the **parcel** is located in the **Developing Area** and was designated M-X1 or M-X2 prior to 2010 November 25;
 - (e) is for either a **Contextual Semi-detached Dwelling**, **Contextual Single Detached Dwelling** or a **Multi-Residential Development – Minor**, and does not comply with all of the requirements and rules of this Bylaw;
 - (f) is for any **sign** containing a **digital display** that would display **copy** shown on the **digital display** using full motion video, or otherwise gives the appearance of animation or movement;
 - (g) is not adequately serviced by infrastructure referenced in Section 129.1;
 - (h) is for a **Liquor Store** in any district, other than the C-R2, C-R3 and CR20-C20/R20 Districts, that requires more than a 10 per cent relaxation of a minimum separation distance specified in subsections 225(d) or 225(e), except where the **development permit** is for:

- 43P2015
- (i) the expansion or alteration of an existing approved **Liquor Store** or renewal of approval of a previously approved **development permit** for a **Liquor Store**; or
 - (ii) an existing approved **Liquor Store** that proposes to move to a new location not within a minimum separation distance specified in subsections 225(d) or 225(e), excluding the distance from the original location of the existing approved **Liquor Store**.
- 25P2018
- (i) is for a **Pawn Shop**:
 - (i) within 200 metres of another existing approved **Pawn Shop** where the **development permit** is for the expansion or alteration of an existing approved **Pawn Shop** or renewal of a previously approved **development permit** for a **Pawn Shop**;
 - (ii) in all other cases, where a **Pawn Shop** is located within 90 per cent of a minimum separation distance specified in subsection 254(c.1)
- 25P2018
- (j) is for **Payday Loan** located within 90 per cent of minimum separation distance specified in subsection 254.1(c); or
- 25P2018
- (k) is for a **Cannabis Store** located within 90 per cent of a minimum separation distance specified in subsection 160.3(i).

Applications That May Only Be Considered in a Direct Control District

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

31P2009

Administrative Cancellation of an Application

- 41.1 (1) In the case of an inactive or non-responsive application the **General Manager** may, in his or her sole and unfettered discretion, cancel a **development permit** application subsequent to acceptance, where he determines that the information provided is not adequate for the **Development Authority** to properly evaluate the application.
- (2) The **General Manager** must provide written notice of the cancellation of the **development permit** application including reasons for the decision to the applicant.
- (3) The fees associated with a **development permit** application cancelled by the **General Manager** may be refunded.

Term of a Development Permit

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

Suspension or Cancellation of a Development Permit

- 43** (1) The *Development Authority* may suspend or cancel a *development permit* following its approval or issuance if: 71P2008
- (a) the application contains a misrepresentation;
 - (b) facts have not been disclosed which should have been at the time of consideration of the application for the *development permit*;
 - (c) the *development permit* was issued in error;
 - (d) the requirements or conditions of the *development permit* have not been complied with; 43P2015
 - (e) the applicant requests, by way of written notice of the *Development Authority*, the cancellation of the *development permit*, provided that commencement of the *use, development* or construction has not occurred; or
 - (f) the *Development Authority* cancels a *development permit* for a *use* after it has commenced, to allow the same *use* in a new location that would otherwise not be allowed by a location distance rule when measured from the original location of approval.
- (2) If the *Development Authority* suspends or cancels a *development permit*, the *Development Authority* must provide written notice of the suspension or cancellation to the applicant.
- (3) Upon receipt of the written notice of suspension or cancellation, the applicant must cease all *development* and activities to which the *development permit* relates.

Commencement of Development

31P2009

- 44** (1) Where a *development permit* is for a change of *use*, a change of intensity of *use* or both, *development* must commence within one year of the date of approval of the *development permit*.
- (2) For the purpose of subsection (1), *development* commences when the applicant begins occupying the *parcel* and operating the *use* which was approved by the *development permit*.

- 31P2009 (3) Where a **development permit** is for construction, or for construction combined with a change of **use**, a change in intensity of **use** or both, **development** must commence within:
- 51P2008, 26P2010, 33P2013 (a) three years of the date of approval of the **development permit** on **parcels** designated M-H1, M-H2, M-H3, C-O, I-B, S-CI, S-CRI, CC-MH, CC-MHX, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET and CR20-C20/R20 Districts;
- (b) three years of the date of approval of the **development permit**, on **parcels** designated DC Direct Control, unless otherwise directed by **Council**; and
- (c) two years of the date of approval of the **development permit** on **parcels** designated as any other District.
- (4) For the purpose of subsection (3), **development** commences when the applicant has altered the **parcel** in furtherance of the construction.
- (5) Without restricting the generality of the foregoing:
- (a) excavation in anticipation of construction is an alteration of a **parcel**; and
- (b) fencing a site, posting signage, obtaining permits and minor interior demolition are not alterations of the **parcel**.
- 31P2009 (6) *deleted*
- (7) For the purpose of this section, the term “date of approval of the **development permit**” means:
- (a) the date upon which the **Development Authority** approves the **development permit** application;
- (b) in the case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a written decision approving the **development permit** application; or
- 41P2009 (c) In the case of an appeal or leave to appeal to the Court of Appeal, the date the judgement roll or decision of the court is filed with the Court of Appeal allowing the **development** to proceed pursuant to an approved **development permit**.
- 31P2009, 29P2017 (8) The **General Manager** may grant a request to extend the date before which **development** must commence as specified in this Land Use Bylaw or any previous bylaw governing land use within the **City** provided:
- (a) the **development permit** is not for a change of **use**, a change of intensity of **use** or both;
- (b) no more than two extensions are granted for any **development permit**;
- (c) the length of any extension is up to two years;

- (d) the request is made in writing on a form approved by the **General Manager** and must be submitted with the fee as prescribed by resolution of **Council**; and
 - (e) the request is granted prior to the **development permit** lapsing.
- (9) When **development** has not commenced in accordance with this section the **development permit** lapses.

31P2009

Commencement of Construction

- 45 The approval of a **development permit** application and the release of a **development permit** does not authorize construction to either commence or continue except in conjunction with all other required permits.

Reapplication for a Development Permit

- 46 Where a **development permit application** has been refused, the **Development Authority** must not accept an application for the same or similar **development** within six months of the date of decision except where the proposed **development** is for a **permitted use** that conforms to all of the applicable requirements and rules of this Bylaw.

5P2013

Development Completion Permit

- 47 (1) When a **development permit** is required, a **development completion permit** must be issued before the **development** can be occupied or a **use** commenced.
- (2) The **General Manager** must determine which **developments** and **uses** do not require a **Development Completion Permit**, which may be amended from time to time.
- (3) The **Development Authority** must advise an applicant for a **development permit** if the proposed **development** or **use** requires a **Development Completion Permit**.
- (4) An application for a **Development Completion Permit** must be made on a form approved by the **General Manager** and must be accompanied by two copies of a surveyor's certificate.
- (5) An applicant for a **Development Completion Permit** must ensure the **development** or **use** is available for inspection by a Development Inspector during the Inspector's normal work day to confirm the **development** is completed in accordance with the **development permit**, and, upon request by the Development Inspector, the applicant must attend the inspection, produce any documents the Development Inspector feels are necessary for the inspection, and must not hinder the inspection in any way.
- (6) Where a **Development Authority** is satisfied that the **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may issue a **Development Completion Permit** for the **development**.

- (7) Where a **Development Authority** is not satisfied that a **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may:
- (a) issue a **Development Completion Permit** upon receipt of a letter of credit or other security in an amount and form acceptable to the **Development Authority**, in order to ensure fulfilment of the outstanding requirements of the **development permit**; or
 - (b) refuse to issue a **Development Completion Permit**.
- (8) *deleted*

16P2018

Appeals of Decisions on Development Permits

- 48 (1) Appeals in respect of decisions on **development permit** applications are governed by the *Municipal Government Act*.
- (2) The Subdivision and Development Appeal Board Administration must ensure that notice of a hearing of an appeal to the Subdivision and Development Appeal Board is published in a local newspaper at least five days prior to the date of the hearing.
- (3) If the decision of the **Development Authority** to refuse a **development permit** is reversed by the Subdivision and Development Appeal Board, the **Development Authority** must endorse the **development permit** in accordance with the decision of the Subdivision and Development Appeal Board.
- (4) If the decision of the **Development Authority** to approve a **development permit** application is reversed by the Subdivision and Development Appeal Board, the **development permit** is null and void.
- (5) If a decision of the **Development Authority** to approve a **development permit** is upheld by the Subdivision and Development Appeal Board, the **Development Authority** must release the **development permit** upon completion of any outstanding prior to release conditions.
- (6) If any decision of the **Development Authority** is varied by the Subdivision and Development Appeal Board, the **Development Authority** must endorse a **development permit** reflecting the decision of the Subdivision and Development Appeal Board and act in accordance therewith.

PART 4: USES AND USE RULES

Division 1: General Provisions

Interpretation

32P2009

- 130 (1) Unless otherwise referenced in subsection (7), every definition relating to a **use** is the exclusive definition of that **use**.
- (2) Every **use** is classified as belonging to a group of **uses** as set out in Schedule A to this Bylaw, which is referenced only to compare and contrast related **uses**.
- (3) All subsections and clauses that precede the subsection indicating within which group of **uses** a **use** belongs in Schedule A are part of the definition of that **use** and must not be relaxed in accordance with section 40. All subsections and clauses that follow the **use** classification are rules and may be relaxed at the discretion of the **Development Authority**, in accordance with section 31 or 36, unless this Bylaw specifically provides that it is a rule that must not be relaxed.
- (4) Unless otherwise referenced in subsection (7), the **use** definitions must not be interpreted to include a **development** that clearly falls within another defined **use**.
- (5) Where a **development** is capable of being more than one **use**, the **use** under which the **development** more clearly fits must govern.
- (6) Every definition of a **use** must be read to allow for all things necessary or customary for the **use** and includes ancillary functions, such as, but not limited to, reception and administration areas, storage areas, toilet facilities, staff rooms, loading and unloading facilities and the storage of fleet vehicles.
- (7) Where this Part contains a definition or rules for a **use** that expressly includes another **use** or allows for another **use** to be combined with it, the other **use** must be read to be part of the defined **use**.
- (8) Where a **use** definition references examples to aid in the interpretation of the **use** they are not intended to be exclusive or restrictive unless otherwise stated in the **use** definition.

14P2010

Identification of Proposed Uses within a Development Permit Application

- 131 (1) When a proposed **development** is not a listed **use** within the applicable land use district the **development permit** application must be refused.
- (2) When a proposed **development** includes multiple **uses**, subject to any restrictions on **use** combinations contained within this Bylaw, the **Development Authority** must issue a single **development permit** listing each approved **use**.

67P2008

- 13P2008 (3) The **Development Authority** must consider a proposed **development** as a **discretionary use** in accordance with the requirements of Part 2, Division 5 if the **development permit** application is for:
- 71P2008 (a) multiple **uses** including at least one **discretionary use** that is not a **sign**; or
- (b) a **permitted use** which shares a **use area** with a **discretionary use**.

Commencement of Development for a Development Permit Authorizing Multiple Uses

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

Rules for All Uses

- 133** (1) In addition to all of the **setback area** rules required by this Bylaw, the **Development Authority** must ensure that all the setback requirements contained within the *Subdivision and Development Regulation* are satisfied.
- (2) Unless otherwise specified in a District, the minimum number of required **motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** is the requirement specified in each **use** definition in this Part.
- (3) A change of **use** must satisfy the minimum **motor vehicle parking stall** requirement in effect for that **use** as of the date of the change of **use**.
- 12P2012 (4) A change of **use** is not required to provide any **bicycle parking stalls** or **loading stalls** where it occurs in a **building** that was legally constructed or approved.
- (5) A **building** may be constructed using **modular construction** methods but a **Manufactured Home** does not qualify as **modular construction**.
- 25P2018 (6) The production, processing, storage or sale of cannabis can only occur where it has been approved through a **development permit** for a **use** where it is specifically allowed in the **use** definition or rules.

Uses Not Listed But Allowed in All Districts

- 134** (1) The following **uses** are **permitted uses** in all Districts, regardless of whether they are listed in the District:
- 1P2009 (a) **Motion Picture Filming Location**;
- (b) **Public Transit System**;
- 4P2012 (b.1) **Special Function – Class 1**; and
- 1P2009 (c) **Utilities – Linear**.

- (2) The following **uses** are **discretionary uses** in all Districts, regardless of whether they are listed in the District: 41P2009
- (a) Excavation, Stripping and Grading; 16P2018
 - (b) **Recyclable Construction Material Collection Depot (temporary)**; and 16P2018
 - (c) **Parking Lot – Structure for a Public Transit System.** 16P2018

Deemed Uses

32P2009

- 134.1 (1)** In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **General Industrial – Light use** when the **use** is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:
- (a) **Animal Feed Processor – Class 1;**
 - (b) **Brewery and Distillery – Class 1;**
 - (c) **Contractor’s Shop – Class 1;**
 - (d) **Food and Beverage Processor – Class 1;**
 - (e) **Health Services Laboratory – Without Clients;**
 - (f) **Household Appliance and Furniture Repair Service;**
 - (g) **Industrial Design and Testing – Inside;**
 - (h) **Industrial Repair and Service – Inside;**
 - (i) **Manufacturer – Class 1;**
 - (j) **Printing, Publishing and Distributing; and**
 - (k) **Warehouse – Storage Only.**
- (2) In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **General Industrial – Medium use** when the **use** is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:
- (a) **Animal Feed Processor – Class 2;**
 - (b) **Brewery & Distillery – Class 2;**
 - (c) **Contractor’s Shop – Class 2;**
 - (d) **Food and Beverage Processor – Class 2;**
 - (e) **Industrial Design and Testing – Outside;**
 - (f) **Industrial Repair and Service – Outside; and**
 - (g) **Manufacturer – Class 2.**
- (3) In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **Specialized Industrial use** when the **use** is located in, or the Direct Control District references, the I-B or S-URP Districts:

- (a) **Industrial Design and Testing – Inside;**
 - (b) **Industrial Repair and Service – Inside;**
 - (c) **Manufacturer – Class 1; and**
 - (d) **Health Services Laboratory – Without Clients.**
- (4) In any *development permit* or Direct Control District approved after the effective date of this Bylaw:
- (a) **Manufacturer – Class 3** is deemed to be the **General Industrial – Heavy use;**
 - (b) **Instructional Facility – Inside** and **Instructional Facility – Outside** are deemed to be the **Instructional Facility use;**
 - (c) **Large Vehicle Sales** is deemed to be the **Large Vehicle and Equipment Sales use;**
 - (d) **Auto Wrecker** is deemed to be the **Salvage Yard use;**
 - (e) **Recycling Plant** is deemed to be the **Salvage Yard use** when any part of the processes or functions related to the *use* are located outside of a *building*; and
 - (f) **Recycling Plant** is deemed to be the **General Industrial – Light use** when all of the processes and functions associated with the *use* are contained within a fully enclosed *building*.
- 39P2010 (5) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Retail and Consumer Service use**:
- (a) **Beauty and Body Service;**
 - (b) **Household Appliance and Furniture Repair Service;**
 - (c) **Personal Apparel Service;**
 - (d) **Photographic Studio;**
 - (e) **Proshop;**
 - (f) **Retail Store;** and
 - (g) **Video Store**
- 24P2014 (6) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Backyard Suite use**:
- (a) **Secondary Suite – Detached Garage;** and
 - (b) **Secondary Suite – Detached Garden.**
- 16P2018 (7) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, a **Beverage Container Drop-Off Depot** is deemed to be the **Recyclable Material Drop-Off Depot**.

(8) In any **development permit** or Direct Control District approved after the effective date of this Bylaw:

25P2018

- (a) **Medical Marihuana Counselling** is deemed to be the **Cannabis Counselling use**; and
- (b) **Medical Marihuana Production Facility** is deemed to be the **Cannabis Facility use**.

159 “Bulk Fuel Sales Depot”

- (a) means a *use*:
 - (i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and
 - (ii) where the vehicles receiving fuel have a **gross vehicle weight** greater than 4536 kilograms;
- (b) is a *use* within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

54P2008, 44P2013,
29P2016**160 “Campground”**

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

25P2018

160.1 “Cannabis Counselling”

- (a) means a **use**:
 - (i) where counselling on cannabis is provided by persons who are not medical professionals;
 - (ii) where consumption of cannabis must not occur;
 - (iii) where the sale of cannabis must not occur; and
 - (iv) that may include the ancillary retail sale or rental of merchandise;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) except in the C-R2 and C-R3 districts, must not be located within 300.0 metres of any other **Cannabis Counselling use**, when measured from the closest point of a **Cannabis Counselling use** to the closest point of another **Cannabis Counselling use**;
- (d) except in the C-R2 and C-R3 districts, must not be located within 150.0 metres of a **parcel** that contains a **School – Private** or a **School Authority – School**, when measured from the closest point of a **Cannabis Counselling use** to the closest point of a **parcel** that contains a **School – Private** or **School Authority – School**;
- (e) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**.
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250 square metres of **gross usable floor area**.

160.2 “Cannabis Facility”

25P2018

- (a) means a **use** where cannabis is grown, processed, packaged, tested, destroyed or stored;
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) where a licence for all activities associated with cannabis growing, processing, packaging, testing, destruction or storage is issued by Health Canada;
- (d) where an ancillary **building** or structure used for security purposes may be located on the **parcel** containing the **use**;
- (e) must include equipment designed and intended to remove odours from the air where it is discharged from the facility as part of a ventilation system;
- (f) must not be within 75.0 metres of a **residential district** measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (h) where the **development authority** may require, as a condition of a **development permit**, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes details on:
 - (i) the incineration of waste products and air borne emission, including smell;
 - (ii) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - (iii) the method and location of collection and disposal of liquid and waste material;
- (i) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (j) does not require **bicycle parking stalls – class 1**; and
- (k) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250 metres of **gross usable floor area**.

25P2018

160.3 “Cannabis Store”

- (a) means a **use**:
 - (i) where cannabis is sold for consumption off the premises;
 - (ii) where consumption of cannabis must not occur;
 - (iii) that may include the ancillary retail sale or rental of merchandise; and
 - (iv) where counselling on cannabis may be provided;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) where all cannabis that is offered for sale or sold must be from a federally approved and licenced facility;
- (d) that has been licensed by the Alberta Government;
- (e) in the C-N1 and C-N2 Districts, must only be located on a **parcel** with a **front property line** on a **major street** or a primary collector **street**;
- (f) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other **Cannabis Store**, when measured from the closest point of a **Cannabis Store** to the closest point of another **Cannabis Store**;
- (g) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:
 - (i) abut a **Liquor Store**;
 - (ii) if not for one or more intervening **actual side setback areas**, abut a **Liquor Store**; and
 - (iii) when located on the same **parcel**, if not for a vacant space between **buildings**, not including an internal road, abut a **Liquor Store**;
- (h) in all Districts, must not be located within 100 metres of a **parcel** that does not have a **School Authority – School** located on it and is designated as a municipal and school reserve or school reserve on the certificate of title;
- (i) in all **commercial, industrial** and **mixed use districts**, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located with 150.0 metres of a **parcel** that contains any of the following **uses**, when measured from the closest point of a **Cannabis Store** to the closest point of a **parcel** that contains any of them:
 - (i) **Emergency Shelter**;

- (ii) **School – Private**; and
- (iii) **School Authority – School**;
- (j) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**.
- (k) does not require **bicycle parking stalls – class 1**; and
- (l) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250 metres of **gross usable floor area**.

161 “Car Wash – Multi Vehicle”

- (a) means a **use**:
- 71P2008, 44P2013,
29P2016
- (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and
- 9P2012
- (ii) where more than one vehicle may be washed at one time;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 47P2008
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must provide at least five (5) vehicle stacking spaces for each wash bay entrance door;
- 9P2012
- (e) must provide a drying area in the form of one (1) **motor vehicle parking stall** for each vehicle that can be accommodated by a wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
- (i) within the **building**; or
- (ii) within a **screened** enclosure that must be:
- 16P2018
- (A) **deleted**
- (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
- (C) constructed of materials and to the standards required by the **Development Authority**;
- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1** or **class 2**.

162 “Car Wash – Single Vehicle”

- (a) means a **use**:
- 44P2013, 29P2016
- (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and
- 71P2008
- (ii) that contains one wash bay, and this wash bay is only capable of washing one motor vehicle at a time;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;

- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**; 47P2008
- (d) must provide at least two (2) vehicle stacking spaces for the wash bay entrance door;
- (e) must provide a drying area in the form of a motor vehicle **parking stall** for the wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
- (i) within the **building**; or
 - (ii) within a **screened** enclosure that must be:
 - (A) **deleted** 16P2018
 - (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
 - (C) constructed of materials and to the standards required by the **Development Authority**;
- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**.

163 “Catering Service – Major”

- (a) means a **use**:
- (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises; and
 - (ii) where cooking equipment, refrigeration equipment and delivery vehicles are located within or outside of a **building**;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and 54P2008
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

164 “Catering Service – Minor”

- (a) means a **use**:
- (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises;

- (ii) that is entirely within a **building**; and
- (iii) that may only have delivery vehicles that are necessary for the operation of the **use**;

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

54P2008

(c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and

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

17P2009

165 “Child Care Service”

(a) means a **use**:

(i) where temporary care and supervision is provided to seven or more children:

(A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and

(B) for periods of less than 24 consecutive hours;

(ii) that may provide programming for the social, creative, educational and physical development of children; and

16P2018

(iii) that includes day cares, pre-schools, kindergarten, out of school care and other programs where the primary purpose is the care of children;

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

54P2008

(c) must have **screening** for any outdoor play areas;

(d) requires a minimum of 1.0 **motor vehicle parking stalls** per two (2) employees at the **use** at any given time, or 1.0 stalls per 10 children, whichever is greater;

(e) requires a minimum of 1.0 **pick-up and drop-off stalls** per 10 children;

(f) does not require **bicycle parking stalls – class 1**; and

(g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

166 “Cinema”

(a) means a **use** where motion pictures are viewed by the public, but does not include an **Adult Mini-Theatre**;

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

- (c) must provide a sufficient area **adjacent** to outdoor entry doors for patrons to queue;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per four (4) fixed seats;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

167 “Columbarium”

- (a) means a **use**:
 - (i) where urns containing the ashes of cremated human remains are kept; 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 be approved only in conjunction with a **Cemetery, Crematorium, Funeral Home or Place of Worship – Large, Place of Worship – Medium, or Place of Worship - Small** where they are a listed **use** in a District and where those **uses** have been approved;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of non-**assembly areas**, and 1.0 stalls per four (4) persons capacity of the largest **assembly area**, which is calculated by one of the following methods:
 - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (iii) one (1) person per 0.5 linear metres of bench seating; or
 - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

67P2008

168 “Community Entrance Feature”

- (a) means a **use** where a landscape attraction, monument or **sign** is displayed on a **parcel** that states the name of, or in some way identifies, a residential community;

- (b) is a **use** within the Sign Group in Schedule A to this Bylaw;
- (c) requires the owner of the parcel, on which it is located, to enter into an agreement for the maintenance of the **parcel** and the removal of the **use** at the discretion of the **Development Authority**;
- (d) may have conditions placed on the **development permit** by the **Development Authority** relating to the location, size, design, **copy**, character, and number of **Community Entrance Features** allowed for a community;
- (e) must be constructed of maintenance-free materials, wherever possible; and
- (f) must not encroach upon utility rights-of-way or affect traffic safety.

169 “Community Recreation Facility”

- (a) means a **use**:
 - (i) operated by, or on behalf of, an organization whose membership is voluntary and generally serves the residents of a specific neighbourhood with the purpose of:
 - (A) providing programs, public facilities or services;
 - (B) providing non-profit sporting, educational, social, recreational or other activities; or
 - (C) where members of the facility and the public participate in recreation and leisure activities;
 - (ii) that has recreation space within a **building**; and
 - (iii) that may have outdoor sports fields and equipment on the same **parcel** as the **building**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**, and a minimum of 1.0 stalls per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
 - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;

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

170 “Computer Games Facility”

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

170.1 “Conference and Event Facility”

67P2008

- (a) means a **use**:
 - (i) that provides permanent facilities for meetings, seminars, conventions, weddings or other special events;
 - (ii) that may include banquet facilities including areas for food preparation; and
 - (iii) that does not include any **use** listed in the Eating and Drinking Group in Schedule A;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**, or a C-N1, C-N2, or C-COR1 District;

- (d) must not have a **public area** greater than 75.0 square metres where the **use** shares a **property line** with, or is only separated by an intervening **lane** from a **residential district**, or a C-N1, C-N2, or C-COR1 District;
- (e) requires a total of:
 - (i) 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**; and
 - (ii) 1.0 **motor vehicle parking stalls** per four (4) person capacity of the **assembly area** of the **building**, which is calculated by one of the following methods:
 - (A) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (B) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (C) one (1) person per 0.5 linear metres of bench seating; and
 - (D) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

27P2011, 24P2014

170.2 “Contextual Semi-detached Dwelling”

- (a) means a **use** where a **building** :
 - (i) contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof;
 - (ii) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district; and
 - (iii) meets all of the rules specified for the **use** in a district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;

- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

171 “Contextual Single Detached Dwelling”47P2008, 12P2010,
24P2014

- (a) means a **use** where a **building** contains one **Dwelling Unit** that:
 - (i) meets all of the rules specified for the **use** in a district; and
 - (ii) may contain a **Secondary Suite** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

9P2012

172 *deleted*

32P2009

173 *deleted*

32P2009

174 “Convenience Food Store”

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

13P2008

13P2008

9P2012, 5P2013

9P2012

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

13P2008, 24P2014

175 “Cottage Housing Cluster ”

- (a) means a **use**:
 - (i) that is a grouping of **cottage buildings** around an open space; and
 - (ii) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) that has a minimum of four **cottage buildings**;
- (d) that has a maximum of twelve **cottage buildings**;
- (e) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit** with a floor area equal to or greater than 45.0 square metres, not including areas covered by stairways;
- (f) requires a minimum of 0.15 **visitor parking stalls** per **Dwelling Unit**; and
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

176 “Counselling Service”

- (a) means a **use** where people receive treatment, advice or guidance for emotional, psychological or life management issues;
- (b) is a **use** within the Office Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

177 “Crematorium”

5P2013

- (a) means a **use**:
 - (i) where the deceased are incinerated and the ashes of the deceased are collected for interment; and
 - (ii) that may provide services such as the preparation of the deceased for burial, the organization and direction of funeral services, and the facilities for the purpose of viewing a body;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (d) does not require **bicycle parking stalls – class1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

5P2013

177.1 “Cultural Support”

33P2013

- (a) means a **use**:
 - (i) where support functions necessary for a cultural organization’s day-to-day operations are provided and which may include, but is not limited to, administrative support, meeting rooms, storage, set production and rehearsal space;
 - (ii) where the primary cultural objective of the organization, which is intended for public viewing or sale, is not located in the same **use area**; and
 - (iii) that must only be located in a publicly accessible space that has been approved by a **development permit** as a ‘Cultural Support Space’ in accordance with incentive item 8.11 of the Incentive Density Table contained in Part 13 Division 3 of this Bylaw.
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;

- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

24P2011

178 “Custodial Care”

- (a) means a **use**:
 - (i) where care, accommodation and on-site professional supervision is provided to one or more persons who have been required to reside full –time in the facility as part of a conditional or early release from a correctional institution or part of an open custody program; and
 - (ii) that has at least one staff person at the facility at all times;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) may have a maximum of 10 residents when located in a **low density residential district**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per two (2) resident staff and additional **motor vehicle parking stalls** may be required based on the projected level of visits by non-resident staff and visitors; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

179 “Custodial Quarters”

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

224 “Library”

- (a) means a **use**:
 - (i) where collections of materials are maintained primarily for the purpose of lending to the public;
 - (ii) that may provide lecture theatres, meeting rooms, study space and computers for users of the **use**; and
 - (iii) that may have rooms for the administrative functions of the **use**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** and 1.0 **motor vehicle parking stalls** per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
 - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (iii) one (1) person per 0.5 linear metres of bench seating; or
 - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of **bicycle parking stalls – class 2** based on 10.0 per cent of the minimum required **motor vehicle parking stalls**.

225 “Liquor Store”

- (a) means a **use** where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) in the C-N1 and C-N2 Districts, must only be located on a **parcel** with a front **property line** on a **major street** or a primary collector **street**;
- (d) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other **Liquor Store**, when measured from the closest point of a **Liquor Store** to the closest point of another **Liquor Store**;

13P2015

- 13P2015, 20P2017
- (e) in all **commercial, industrial** and **mixed use districts**, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0 metres of a **parcel** that contains a **School – Private** or a **School Authority – School**, when measured from the closest point of a **Liquor Store** to the closest point of a **parcel** that contains a **School Authority – School** or a **School – Private**;
- 13P2017
- (e.1) in all Centre City East Village Districts, **Liquor Stores** must not be located:
- (i) within 150.0 metres of a **parcel** that contains an **Emergency Shelter**, when measured from the closest point of a **Liquor Store** to the closest point of a **parcel** that contains an **Emergency Shelter**; and
- (ii) on **parcels** north of 5 Avenue SE and west of 4 Street SE;
- 25P2018
- (e.2) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:
- (i) abut a **Cannabis Store**;
- (ii) if not for one or more intervening **actual side setback areas**, abut a **Cannabis Store**; and
- (iii) when located on the same **parcel**, if not for a vacant space between **buildings**, not including an internal road, abut a **Cannabis Store**.
- (f) requires a minimum of 5.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

226 “Live Work Unit”

- (a) means a **use**:
- (i) where a business is operated from a **Dwelling Unit**, by the resident of the **Dwelling Unit**, but does not include a **Home Occupation – Class 1** or **Home Occupation – Class 2**;
- (ii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **commercial districts, mixed use districts**, CC-EMU, CC-ET, CC-EIR or CR20-C20/R20 District:
- (A) **Artist’s Studio**;
- 13P2008, 39P2010,
33P2013, 20P2017

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

- (v) that may include a limited seating area; and
- (vi) that does not include a **Retail and Consumer Service or Supermarket**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) may display merchandise related to the **use** outside of a **building**, provided the merchandise:
 - (i) is within 6.0 metres of a **public entrance** of the **use**; and
 - (ii) is not located in a **setback area**, a parking area or on a sidewalk if it impedes pedestrian movement;
- (d) requires 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires **bicycle parking stalls – class 2** based on 5.0 per cent of the minimum required **motor vehicle parking stalls**.

233 “Medical Clinic”

- (a) means a **use** where human health services that are preventative, diagnostic, therapeutic or rehabilitative are provided without overnight accommodation for patients;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) requires a minimum of 6.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

233.1 *deleted*

7P2014, 25P2018

28P2016, 25P2018 **233.2** *deleted*

32P2009 **234** *deleted*

46P2009 **235** *deleted*

236 “Motion Picture Filming Location”

- (a) means a **use**:
 - (i) where motion pictures are filmed, either within a **building** or outdoors; and
 - (ii) that must be approved on a temporary basis for a period of time not greater than one year;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) must not construct any permanent **buildings**, or make permanent exterior renovations or additions to an existing **building** or structure;
- (d) does not have a maximum **use area** in any District;
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1 or class 2**.

237 “Motion Picture Production Facility”

- (a) means a **use**:
- (i) where motion pictures are filmed and produced;
 - (ii) where part of the processes and functions associated with the **use** may be located outside of a **building**;
 - (iii) that may have the functions of packaging or shipping the products made as part of the **use**; and
 - (iv) that may have the administrative functions associated with the **use**;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
- (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

32P2009

238 “Motorized Recreation”

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

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

308 “Special Function – Class 1”

10P2009, 39P2010,
21P2011, 4P2012,

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

9P2012

10P2009, 21P2011,
4P2012, 5P2015**309 “Special Function – Class 2”**

49P2017

49P2017

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

32P2009

309.1 “Specialized Industrial”

- (a) means a **use:**
- (i) where any of the following activities occur:
 - (A) **research and development;**

- (B) the analysis or testing of materials or substances in a **laboratory**; or
- (C) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, products or equipment, provided live animals are not involved in any aspect of the operation;
- (ii) that may include any of the following **uses**:
 - (A) **Food Production**; and
 - (B) **Health Services Laboratory – Without Clients**;
- (iii) where all of the processes and functions associated with the **use** are contained within a fully enclosed **building**; and
- (iv) where no dust or vibration is seen or felt outside of the **building** containing the **use**;
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

49P2017

310 “Specialty Food Store”

32P2009

- (a) means a **use**:
 - (i) where food and non-alcoholic beverages for human consumption are made;
 - (ii) where live animals are not involved in the processing of the food;
 - (iii) where the food products associated with the **use** may be sold within the premises;

- (iv) with a maximum **gross floor area** of 465.0 square metres;
 - (v) that has the functions of packaging, bottling or shipping the products made as part of the **use**;
 - (vi) where the only mechanical systems that are not completely contained within the **building** are those systems and equipment required for air conditioning, heating or ventilation; and
 - (vii) that may include a limited seating area no greater than 25.0 square metres within the total **gross floor area** of the **use**;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
 - (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
 - (d) does not require **bicycle parking stalls – class 1**; and
 - (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

311 “Spectator Sports Facility”

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

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

Purpose

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

Permitted Uses

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

39P2010,
17P2009,
32P2009

- (c) **Counselling Service;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Health Services Laboratory – With Clients;**
- (g) **Home Based Child Care – Class 1;**
- (h) **Home Occupation – Class 1;**
- (i) **Instructional Facility;**
- (j) **Library;**
- (k) **Medical Clinic;**
- (l) **Office;**
- (m) **Pet Care Service;**
- (n) **Print Centre;**
- (o) **Protective and Emergency Service;**
- (p) **Restaurant: Food Service Only – Small;**
- (q) **Retail and Consumer Service;**
- (r) **Specialty Food Store; and**
- (s) **Take Out Food Service.**

Discretionary Uses

- 703 (1)** **Uses** listed in subsection 702(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Neighbourhood 1 District.
- (2)** **Uses** listed in subsection 702(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Neighbourhood 1 District:
- (a) **Addiction Treatment;**
 - (b) **Artist’s Studio;**
 - (b.1) **Assisted Living;**
 - (b.2) **Brewery, Winery and Distillery;**
 - (b.3) **Cannabis Counselling;**
 - (c) **Child Care Service;**

24P2011

22P2016

25P2018

(d)	Computer Games Facility;	
(e)	Custodial Care;	
(f)	Drinking Establishment – Small;	
(g)	Dwelling Unit;	
(g.1)	Food Production;	49P2017
(h)	Home Occupation – Class 2;	
(i)	Liquor Store;	
(j)	Live Work Unit;	
(j.1)	<i>deleted</i>	28P2016, 25P2018
(k)	Outdoor Café;	
(l)	Place of Worship – Small;	
(l.1)	Power Generation Facility – Small;	
(m)	Residential Care;	68P2008
(n)	Restaurant: Licensed – Small;	
(n.1)	Restaurant: Neighbourhood;	5P2015
(o)	Service Organization;	
(p)	Sign – Class C;	
(q)	Sign – Class E;	
(r)	<i>deleted</i>	4P2013
(s)	Social Organization;	
(t)	Special Function – Class 2; and	
(t.1)	<i>deleted</i>	4P2012
(u)	Utility Building.	10P2009, 4P2012

Rules

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

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

Parcel Area

705 The maximum area of a *parcel* is 1.2 hectares.

Floor Area Ratio

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

Building Height

707 The maximum *building height* is 10.0 metres.

Building Location and Orientation

- 708** (1) The *public entrance* to a *building* must face the *property line* shared with a commercial *street*.
- (2) The maximum *building setback* from a *property line* shared with a commercial *street* is 3.0 metres.
- (3) *Motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and a commercial *street*.

Building Façade

- 709** (1) The length of the *building* façade that faces the commercial *street* must be a minimum of 80.0 per cent of the length of the *property line* it faces.
- (2) In calculating the length of the *building* façade, the depth of any required *rear* or *side setback area* referenced in sections 714 and 715 will not be included as part of the length of the *property line*.

Vehicle Access

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

Discretionary Uses

- 723 (1)** *Uses* listed in subsection 722(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Neighbourhood 2 District.
- (2)** *Uses* listed in subsection 722(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Neighbourhood 2 District:
- (a) **Addiction Treatment;**
 - (b) **Artist’s Studio;**
 - (b.1) **Assisted Living;** 24P2011
 - (c) **Auto Service – Minor;**
 - (c.1) **Brewery, Winery and Distillery;** 22P2016
 - (d) **Car Wash – Single Vehicle;**
 - (d.1) **Cannabis Counselling;** 25P2018
 - (e) **Child Care Service;**
 - (f) **Computer Games Facility;**
 - (g) **Custodial Care;**
 - (h) **Drinking Establishment – Small;**
 - (i) **Drive Through;**
 - (j) **Dwelling Unit;**
 - (j.1) **Food Production;** 49P2017
 - (k) **Gas Bar;**
 - (l) **Home Occupation – Class 2;**
 - (m) **Liquor Store;**
 - (n) **Live Work Unit;**
 - (n.1) *deleted* 28P2016,
25P2018
 - (o) **Outdoor Café;**
 - (o.1) **Payday Loan;** 43P2015
 - (p) **Place of Worship – Small;**
 - (q) **Power Generation Facility – Small;**
 - (r) **Residential Care;**
 - (s) **Restaurant: Licensed – Small;**

- 5P2015 (s.1) **Restaurant: Neighbourhood;**
 (t) **Seasonal Sales Area;**
 (u) **Service Organization;**
 (v) **Sign – Class C;**
 (w) **Sign – Class E;**
- 4P2013 (x) *deleted*
 (y) **Social Organization;**
- 4P2012 (z) **Special Function – Class 2;**
- 10P2009, 4P2012 (z.1) *deleted*
 (aa) **Utility Building;** and
 (bb) **Vehicle Rental – Minor.**
- 22P2016 (4) The following **uses** are additional discretionary **uses** on a **parcel** that has an existing **building** used as a **Place of Worship – Large or Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**:
- (a) **Place of Worship – Large;** and
 (b) **Place of Worship – Medium.**

Rules

- 724** In addition to the rules in this District, all **uses** in this District must comply with:
- (a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Parcel Area

- 725** The maximum area of a **parcel** is 1.2 hectares.

Floor Area Ratio

- 726** The maximum **floor area ratio** for **buildings** is 1.0.

Building Height

- 727** The maximum **building height** is 10.0 metres.

Use Area

- 728 (1)** Unless otherwise referenced in subsections (2) and (3), the maximum **use area** in the Commercial – Neighbourhood 2 District is 300.0 square metres.

Discretionary Uses

- 740 (1)** **Uses** listed in subsection 739(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 1 District.
- (2)** **Uses** listed in subsection 739(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Community 1 District:
- (a) **Addiction Treatment;**
 - (b) **Amusement Arcade;**
 - (c) **Artist’s Studio;**
 - (c.1) **Assisted Living;** 24P2011
 - (d) **Auto Service – Minor;**
 - (d.1) *deleted* 37P2014, 16P2018
 - (d.2) **Beverage Container Quick Drop Facility;** 37P2014
 - (e) **Billiard Parlor;**
 - (e.1) **Brewery, Winery and Distillery;** 22P2016
 - (e.2) **Cannabis Counselling;** 25P2018
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Child Care Service;**
 - (h) **Computer Games Facility;**
 - (i) **Custodial Care;**
 - (j) **Drinking Establishment – Small;**
 - (k) **Drinking Establishment – Medium;**
 - (l) **Drive Through;**
 - (m) **Dwelling Unit;**
 - (m.1) **Food Production;** 49P2017
 - (n) **Gas Bar;**
 - (o) **Home Occupation – Class 2;**

- (p) **Indoor Recreation Facility;**
- (q) **Liquor Store;**
- (r) **Live Work Unit;**
- 5P2013, (r.1) **Market – Minor**
- 28P2016, 25P2018 (r.2) *deleted*
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- 43P2015 (t.1) **Payday Loan;**
- (u) **Place of Worship – Small;**
- (v) **Power Generation Facility – Small;**
- 16P2018 (v.1) **Recyclable Material Drop-Off Depot;**
- (w) **Residential Care;**
- (x) **Restaurant: Licensed – Medium;**
- (y) **Restaurant: Licensed – Small;**
- (z) **Seasonal Sales Area;**
- (aa) **Service Organization;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- 4P2013 (dd) *deleted*
- (ee) **Social Organization;**
- 4P2012 (ff) **Special Function – Class 2;**
- 10P2009, 4P2012 (ff.1) *deleted*
- (gg) **Utility Building;** and
- (hh) **Vehicle Sales – Minor.**

Rules

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

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

- (w) **Restaurant: Food Service Only – Medium;**
- (x) **Restaurant: Food Service Only – Small;**
- (x.1) **Restaurant: Neighbourhood;** 5P2015
- (y) **Retail and Consumer Service;**
- (z) **Service Organization;**
- (aa) **Specialty Food Store;**
- (bb) **Supermarket;**
- (cc) **Take Out Food Service;**
- (dd) **Vehicle Rental – Minor;**
- (ee) **Vehicle Sales – Minor; and**
- (ff) **Veterinary Clinic.**

Discretionary Uses

- 759 (1)** *Uses* listed in subsection 758(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 2 District.
- (2)** *Uses* listed in subsection 758(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Community 2 District:
- (a) **Artist’s Studio;**
 - (b) **Auto Service – Major;**
 - (c) **Auto Service – Minor;**
 - (c.1) **Beverage Container Quick Drop Facility;** 37P2014
 - (d) **Billiard Parlour;**
 - (d.1) **Brewery, Winery and Distillery;** 22P2016
 - (d.2) **Cannabis Counselling;** 25P2018
 - (e) **Car Wash – Multi Vehicle;**
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Child Care Service;**
 - (h) **Cinema;**
 - (h.1) **Conference and Event Facility;** 67P2008
 - (i) **Dinner Theatre;**

- (j) **Drinking Establishment – Small;**
- (k) **Drinking Establishment – Medium;**
- (l) **Drive Through;**
- (m) **Dwelling Unit;**
- 49P2017 (m.1) **Food Production;**
- (n) **Funeral Home;**
- (o) **Gas Bar;**
- (p) **Home Occupation – Class 2;**
- (q) **Hotel;**
- (r) **Indoor Recreation Facility;**
- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- 5P2013 (t.1) **Market – Minor;**
- 28P2016, 25P2018 (t.2) *deleted*
- (u) **Outdoor Café;**
- (v) **Parking Lot – Grade;**
- (w) **Parking Lot – Structure;**
- 43P2015 (w.1) **Payday Loan;**
- (x) **Performing Arts Centre;**
- (y) **Place of Worship – Small;**
- (z) **Post-secondary Learning Institution;**
- (aa) **Power Generation Facility – Medium;**
- (bb) **Radio and Television Studio;**
- (cc) **Restaurant: Food Service Only – Large;**
- (dd) **Restaurant: Licensed – Large;**
- (ee) **Restaurant: Licensed – Medium;**
- (ff) **Restaurant: Licensed – Small;**
- (gg) **Seasonal Sales Area;**
- (hh) **Sign – Class C;**
- (ii) **Sign – Class E;**
- (jj) **Social Organization;**

Discretionary Uses

- 778 (1)** *Uses* listed in subsection 777(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 1 District.
- (2)** *Uses* listed in subsection 777(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Corridor 1 District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Artist’s Studio;**
 - (c.1) **Assisted Living;** 24P2014
 - (d) **Billiard Parlour;**
 - (d.1) **Brewery, Winery and Distillery;** 22P2016
 - (d.2) **Cannabis Counselling;** 25P2018
 - (e) **Child Care Service;**
 - (f) **Cinema;**
 - (g) **Computer Games Facility;**
 - (g.1) **Conference and Event Facility;** 67P2008
 - (h) **Custodial Care;**
 - (i) **Drinking Establishment – Medium;**
 - (j) **Drinking Establishment – Small;**
 - (k) **Dwelling Unit;**
 - (k.1) **Food Production;** 49P2017
 - (l) **Home Occupation – Class 2;**
 - (m) **Hotel;**
 - (n) **Indoor Recreation Facility;**

- 32P2009 (o) **Instructional Facility;**
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- 5P2013 (q.1) **Market – Minor;**
- 28P2016, 25P2018 (q.2) *deleted*
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Pawn Shop;**
- 43P2015 (u.1) **Payday Loan;**
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Residential Care;**
- (y) **Restaurant: Food Service Only – Medium;**
- (z) **Restaurant: Licensed – Medium;**
- (aa) **Restaurant: Licensed – Small;**
- (bb) **Seasonal Sales Area;**
- 14P2010 (cc) **Sign – Class C;**
- (dd) **Sign – Class E;**
- (ee) **Sign – Class F;**
- (ff) **Social Organization;**
- 4P2012 (gg) **Special Function – Class 2;**
- 10P2009, 4P2012 (gg.1) *deleted*
- (hh) **Supermarket; and**
- (ii) **Utility Building.**

Rules

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

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

Discretionary Uses

- 798 (1)** *Uses* listed in subsection 797(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 2 District.
- (2)** *Uses* listed in subsection 797(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Corridor 2 District:
- (a) **Addiction Treatment;**
 - (b) **Amusement Arcade;**
 - (c) **Artist’s Studio;**
 - (c.1) **Assisted Living;** 24P2011
 - (d) **Auto Service – Major;**
 - (e) **Auto Service – Minor;**
 - (f) **Billiard Parlour;**
 - (f.1) **Brewery, Winery and Distillery;** 22P2016
 - (f.2) **Cannabis Counselling;** 25P2018
 - (g) **Car Wash – Multi-Vehicle;**
 - (h) **Car Wash – Single Vehicle;**
 - (i) **Child Care Service;**
 - (j) **Cinema;**
 - (k) **Computer Games Facility;**
 - (k.1) **Conference and Event Facility;** 67P2008
 - (l) **Custodial Care;**
 - (m) **Dinner Theatre;**
 - (n) **Drinking Establishment – Medium;**

- (o) **Drinking Establishment – Small;**
- (p) **Drive Through;**
- (q) **Dwelling Unit;**
- 49P2017 (q.1) **Food Production;**
- (r) **Funeral Home;**
- (s) **Gas Bar;**
- (t) **Health Services Laboratory – without Clients;**
- (u) **Home Occupation – Class 2;**
- (v) **Hotel;**
- (w) **Indoor Recreation Facility;**
- 32P2009 (x) **Instructional Facility;**
- (y) **Liquor Store;**
- (z) **Live Work Unit;**
- 5P2013 (z.1) **Market – Minor;**
- 28P2016, 25P2018 (z.2) *deleted*
- (aa) **Outdoor Café;**
- (bb) **Parking Lot – Grade;**
- (cc) **Parking Lot – Structure;**
- (dd) **Pawn Shop;**
- 43P2015 (dd.1) **Payday Loan;**
- (ee) **Performing Arts Centre;**
- (ff) **Place of Worship – Small;**
- (gg) **Post-secondary Learning Institution;**
- (hh) **Power Generation Facility – Medium;**
- (ii) **Residential Care;**
- (jj) **Restaurant: Licensed – Medium;**
- (kk) **Seasonal Sales Area;**
- (ll) **Sign – Class C;**
- (mm) **Sign – Class E;**
- (nn) **Sign – Class F;**

- (cc) **Supermarket;**
- (dd) **Take Out Food Service;**
- (ee) **Vehicle Rental – Minor;**
- (ff) **Vehicle Sales – Minor;** and
- (gg) **Veterinary Clinic.**

Discretionary Uses

815 (1) **Uses** listed in subsection 814(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 3 District.

(2) **Uses** listed in subsection 814(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.

(3) The following **uses** are **discretionary uses** in the Commercial – Corridor 3 District:

- (a) **Amusement Arcade;**
- (b) **Auto Body and Paint Shop;**
- (c) **Auto Service – Major;**
- (d) **Auto Service – Minor;**
- (e) *deleted* 37P2014
- (f) **Billiard Parlour;**
- (f.1) **Brewery, Winery and Distillery;** 22P2016
- (f.2) **Cannabis Counselling;** 25P2018
- (g) **Car Wash – Multi-Vehicle;**
- (h) **Car Wash – Single Vehicle;**
- (i) **Child Care Service;**
- (j) **Cinema;**
- (k) **Computer Games Facility;**
- (k.1) **Conference and Event Facility;** 67P2008
- (l) **Dinner Theatre;**

- (m) **Drinking Establishment – Large;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Drive Through;**
- 49P2017 (p.1) **Food Production;**
- (q) **Funeral Home;**
- (r) **Gaming Establishment – Bingo;**
- (s) **Gas Bar;**
- (t) **Hotel;**
- (u) **Indoor Recreation Facility;**
- 67P2008 (u.1) **Large Vehicle Sales;**
- (v) **Liquor Store;**
- (w) **Market;**
- 28P2016, 25P2018 (w.1) *deleted*
- (x) **Night Club;**
- (y) **Outdoor Café;**
- (z) **Parking Lot – Grade;**
- (aa) **Parking Lot – Structure;**
- (bb) **Pawn Shop;**
- 43P2015 (bb.1) **Payday Loan;**
- (cc) **Performing Arts Centre;**
- (dd) **Place of Worship – Small;**
- 9P2012 (ee) **Post-secondary Learning Institution;**
- 9P2012 (ff) **Power Generation Facility – Medium;**
- (gg) **Printing, Publishing and Distributing;**
- (hh) **Recreational Vehicle Sales;**
- (ii) **Restaurant: Food Service Only – Large;**
- (jj) **Restaurant: Licensed – Large;**
- (kk) **Seasonal Sales Area;**
- (ll) **Sign – Class C;**
- (mm) **Sign – Class E;**

Discretionary Uses

- 830 (1)** *Uses* listed in subsection 829(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Office District.
- (2)** *Uses* listed in subsection 829(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial *use* that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** *Uses* listed in subsection 829(3) are **discretionary uses** in the Commercial – Office District if:
- (a) they are proposed for a new **building** or new addition to a **building**;
 - (b) they are located in a **building** where less than 90.0 per cent of the **building's gross floor area** is used for *uses* listed in subsection 829(2)(a) through (f) inclusive; or
 - (c) they are located above the ground floor of the **building**.
- (4)** The following *uses* are **discretionary uses** in the Commercial – Office District:
- (a) **Cannabis Counselling;** 25P2018
 - (a.1) **Child Care Service;** 67P2008, 25P2018
 - (a.2) **Conference and Event Facility;** 25P2018
 - (b) **Drinking Establishment – Medium;**
 - (c) **Drinking Establishment – Small;**
 - (c.1) **Food Production;** 49P2017
 - (c.2) *deleted* 28P2016, 49P2017, 25P2018
 - (d) **Outdoor Café;**
 - (d.1) **Payday Loan;** 43P2015
 - (e) **Power Generation Facility – Medium;**
 - (f) **Restaurant: Food Service Only – Medium;**
 - (g) **Restaurant: Licensed – Medium;**
 - (g.1) **Restaurant: Neighbourhood;** 5P2015
 - (h) **Sign – Class C;**
 - (i) **Sign – Class E;**
 - (j) **Sign – Class F;**
 - (j.1) **Sign – Class G;** 30P2011
 - (k) **Special Function – Class 2;** 4P2012
 - (k.1) *deleted* 10P2009, 4P2012

- 38P2013 (l) **Utility Building;**
- 38P2013 (m) **Veterinary Clinic;** and
- 39P2010 (n) *deleted*
- 38P2013 (o) **Wind Energy Conversion System – Type 1.**

Rules

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

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

Floor Area Ratio

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

Building Height

833 The maximum **building height** for **parcels** designated Commercial – Office District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

834 (1) Unless otherwise referenced in subsection (2), there is no **use area** restriction for **uses** in the Commercial – Office District.

- 39P2010 (2) The maximum **use area** for a **Retail and Consumer Service**, or a **Retail and Consumer Service** combined with any other **use**, is 465.0 square metres.

Front Setback Area

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

Rear Setback Area

836 (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:

- (a) a **commercial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
- (b) an **industrial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
- (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and

- (dd) **Restaurant: Food Service Only – Large;**
- (ee) **Restaurant: Food Service Only – Medium;**
- (ff) **Restaurant: Food Service Only – Small;**
- (gg) **Restaurant: Licensed – Medium;**
- (hh) **Restaurant: Licensed – Small;**
- (hh.1) **Restaurant: Neighbourhood;**
- (ii) **Retail and Consumer Service;**
- (jj) **Service Organization;**
- (kk) **Specialty Food Store;**
- (ll) **Supermarket;**
- (mm) **Take Out Food Service;**
- (nn) **Vehicle Rental – Minor;**
- (oo) **Vehicle Sales – Minor; and**
- (pp) **Veterinary Clinic.**

5P2015

Discretionary Uses

- 863 (1)** *Uses* listed in subsection 862(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Commercial – Regional 2 District.
- (2)** *Uses* listed in subsection 862(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Regional 2 District:
- (a) **Auto Service – Major;**
 - (b) **Auto Service – Minor;**
 - (c) *deleted* 16P2018
 - (c.1) **Brewery, Winery and Distillery;** 22P2016
 - (c.2) **Cannabis Counselling;** 25P2018
 - (d) **Car Wash – Multi Vehicle;**
 - (e) **Car Wash – Single Vehicle;**
 - (f) **Child Care Service;**
 - (f.1) **Conference and Event Facility;** 67P2008
 - (g) **Drinking Establishment – Large;**

- 49P2017
- (h) **Drinking Establishment – Medium;**
 - (i) **Drinking Establishment – Small;**
 - (j) **Drive Through;**
 - (k) **Dwelling Unit;**
 - (k.1) **Food Production;**
 - (l) **Gaming Establishment – Bingo;**
 - (m) **Gas Bar;**
 - (n) **Home Occupation – Class 2;**
 - (o) **Hotel;**
 - (p) **Liquor Store;**
 - (q) **Live Work Unit;**
- 5P2013
28P2016, 25P2018
- (q.1) **Market – Minor;**
 - (q.2) *deleted*
 - (r) **Night Club;**
 - (s) **Outdoor Café;**
 - (t) **Parking Lot – Grade;**
 - (u) **Parking Lot – Structure;**
- 43P2015
- (u.1) **Payday Loan;**
 - (v) **Place of Worship – Medium;**
 - (w) **Place of Worship – Small;**
 - (x) **Post-secondary Learning Institution;**
 - (y) **Power Generation Facility – Medium;**
 - (z) **Radio and Television Studio;**
- 16P2018
- (z.1) **Recyclable Material Drop-Off Depot;**
 - (aa) **Restaurant: Licensed – Large;**
 - (bb) **Seasonal Sales Area;**
 - (cc) **Sign – Class C;**
 - (dd) **Sign – Class E;**
- 4P2012
10P2009, 4P2012
- (ee) **Special Function – Class 2;**
 - (ee.1) *deleted*
 - (ff) **Utility Building;**
 - (gg) **Vehicle Rental – Major; and**
 - (hh) **Vehicle Sales – Major.**

- (aa) **Restaurant: Food Service Only – Medium;**
- (bb) **Restaurant: Food Service Only – Small;**
- (cc) **Restaurant: Licensed – Medium;**
- (dd) **Restaurant: Licensed – Small;**
- (dd.1) **Restaurant: Neighbourhood;**
- (ee) **Retail and Consumer Service;**
- (ff) **Service Organization;**
- (gg) **Specialty Food Store;**
- (hh) **Supermarket;**
- (ii) **Take Out Food Service;**
- (jj) **Vehicle Rental – Minor;**
- (kk) **Vehicle Sales – Minor; and**
- (ll) **Veterinary Clinic.**

5P2015

Discretionary Uses

882 (1) *Uses* listed in subsection 881(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Regional 3 District.

(2) *Uses* listed in subsection 881(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.

(3) The following *uses* are **discretionary uses** in the Commercial – Regional 3 District:

- (a) **Auto Service – Major;**
- (b) **Auto Service – Minor;**
- (c) *deleted*
- (d) **Billiard Parlour;**
- (d.1) **Brewery, Winery and Distillery;**
- (d.2) **Cannabis Counselling;**
- (e) **Car Wash – Multi-Vehicle;**
- (f) **Car Wash – Single Vehicle;**
- (g) **Child Care Service;**
- (h) **Cinema;**
- (h.1) **Conference and Event Facility;**
- (i) **Drinking Establishment – Large;**

37P2014

22P2016

25P2018

67P2008

- 49P2017
- (j) **Drinking Establishment – Medium;**
 - (k) **Drinking Establishment – Small;**
 - (l) **Drive Through;**
 - (l.1) **Food Production;**
 - (m) **Gaming Establishment – Bingo;**
 - (n) **Gas Bar;**
 - (o) **Hotel;**
 - (p) **Liquor Store;**
- 5P2013
- 28P2016, 25P2018
- (p.1) **Market – Minor;**
 - (p.2) *deleted*
 - (q) **Night Club;**
 - (r) **Outdoor Café;**
 - (s) **Parking Lot – Grade;**
 - (t) **Parking Lot – Structure;**
- 43P2015
- (t.1) **Payday Loan;**
 - (u) **Place of Worship – Medium;**
 - (v) **Place of Worship – Small;**
 - (w) **Post-secondary Learning Institution;**
 - (x) **Power Generation Facility – Medium;**
 - (y) **Restaurant: Food Service Only – Large;**
 - (z) **Restaurant: Licensed – Large;**
 - (aa) **Seasonal Sales Area;**
 - (bb) **Sign – Class C;**
 - (cc) **Sign – Class E;**
 - (dd) **Social Organization;**
- 4P2012
- 10P2009, 4P2012
- (ee) **Special Function – Class 2;**
 - (ee.1) *deleted*
 - (ff) **Utility Building;**
- 38P2013
- 38P2013
- 38P2013
- 38P2013
- (gg) **Vehicle Rental – Major;**
 - (hh) **Vehicle Sales – Major;**
 - (ii) **Wind Energy Conversion System – Type 1; and**
 - (jj) **Wind Energy Conversion System – Type 2.**

Discretionary Uses

32P2009

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

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

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

- (a) **Auction Market – Other Goods;**
- (b) **Auction Market – Vehicles and Equipment;**
- (b.1) *deleted* 22P2016, 49P2017
- (c) **Building Supply Centre;**
- (d) **Bulk Fuel Sales Depot;**
- (d.1) **Cannabis Facility;** 25P2018
- (e) **Child Care Service;**
- (f) **Convenience Food Store;**
- (g) **Custodial Quarters;**
- (h) **Drive Through;**
- (i) **Equipment Yard;**
- (j) **Gas Bar;**
- (k) **Instructional Facility;**
- (l) **Kennel;**
- (m) **Large Vehicle and Equipment Sales;** 9P2012
- (m.1) *deleted* 7P2014, 25P2018
- (n) **Office;**
- (o) **Outdoor Café;**
- (p) **Pet Care Service;**
- (p.1) **Place of Worship – Large;** 36P2011
- (q) **Print Centre;**
- (r) **Restaurant: Food Service Only – Medium;**
- (s) **Restaurant: Food Service Only – Small;**
- (t) **Restaurant: Licensed – Medium;**

- 30P2011 (u) **Restaurant: Licensed – Small;**
- 4P2012 (v) **Restored Building Product Sales Yard;**
- 4P2012 (w) **Salvage Yard;**
- (x) **Self Storage Facility;**
- (y) **Storage Yard;**
- (z) **Sign – Class E;**
- 30P2011 (aa) **Sign – Class F;**
- 4P2012 (aa.1) **Sign – Class G;**
- 4P2012 (bb) **Special Function – Class 2;**
- (cc) *deleted*
- 38P2013 (dd) **Take Out Food Service;**
- 38P2013 (ee) **Vehicle Sales – Minor;**
- 38P2013 (ff) **Veterinary Clinic;**
- 38P2013 (gg) **Wind Energy Conversion System – Type 1; and**
- (hh) **Wind Energy Conversion System – Type 2.**

Rules

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

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

Building Size

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

Floor Area Ratio

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

Building Height

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

Building Setback

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

Division 3: Industrial – Business f#h# (I-B f#h#) District

Purpose

922 The Industrial – Business District is intended to be characterized by:

- (a) prestige, high quality, manufacturing, research and office **developments**; 32P2009
- (b) **parcels** in desirable locations that contribute to employment centres or locations that are visible from **expressways** and **major streets**;
- (c) activities contained within **buildings**;
- (d) a limited range of small **uses** that provide services to the office and industrial **uses** within the immediate area;
- (e) pedestrian pathway connections to and between **buildings** and to transit;
- (f) flexibility in **building** density established through **floor area ratios** for individual **parcels**; and
- (g) varying **building heights** established through maximum **building height** for individual **parcels**.

Permitted Uses

923 (1) The following **uses** are **permitted uses** in the Industrial – Business District:

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

(2) The following **uses** are **permitted uses** in the Industrial – Business District if they are located within existing approved **buildings**: 32P2009

- (a) **Catering Service – Minor**;
- (b) **Computer Games Facility**;
- (c) **Convenience Food Store**;
- (d) **Counselling Service**;

- 39P2010 (e) **Financial Institution;**
- (f) *deleted*
- (g) **Information and Service Provider;**
- (h) **Library;**
- (i) **Instructional Facility;**
- (j) **Office;**
- 39P21010 (k) *deleted*
- (l) **Power Generation Facility – Small;**
- (m) **Print Centre;**
- (n) **Protective and Emergency Service;**
- (o) **Radio and Television Studio; and**
- (p) **Specialized Industrial.**

Discretionary Uses

924 (1) **Uses** listed in subsection 923(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Industrial – Business District.

32P2009, 39P2010 (2) The following **uses** are **discretionary uses** in the Industrial – Business District:

- 25P2018 (a) **Cannabis Counselling;**
- 25P2018 (a.2) **Child Care Service;**
- (b) **Conference and Event Facility;**
- (c) **Drinking Establishment – Small;**
- (d) **Drive Through;**
- (e) **Fitness Centre;**
- (f) **Gas Bar;**
- (g) **Health Services Laboratory – With Clients;**
- (h) **Hotel;**
- (i) **Indoor Recreation Facility;**
- (j) **Medical Clinic;**
- 28P2016, 25P2018 (j.1) *deleted*
- (k) **Motion Picture Production Facility;**

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

Purpose

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

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

Permitted Uses

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

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

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

32P2009,
39P2010

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

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

Discretionary Uses

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

32P2009 **(2)** The following *uses* are **discretionary uses** in the Industrial – Edge District:

- 22P2016 (a) **Artist’s Studio;**
- 9P2012, 22P2016 (a.1) **Auto Service – Minor;**
- 9P2012, 37P2014, 22P2016 (a.2) **Beverage Container Quick Drop Facility;**
- 37P2014, 22P2016 (a.3) **Brewery, Winery and Distillery;**
- 22P2016, 25P2018 (a.4) **Cannabis Counselling;**
- 25P2018 (a.6) **Car Wash – Single Vehicle;**
- (b) **Child Care Service;**
- (c) **Custodial Quarters;**
- (d) **Drinking Establishment – Small;**
- (e) **Fitness Centre;**
- (f) **General Industrial – Light;**
- (g) **Health Services Laboratory – With Clients;**
- (h) **Indoor Recreation Facility;**
- (i) **Liquor Store;**
- (j) **Medical Clinic;**
- 28P2016, 25P2018 (j.1) *deleted*

Discretionary Uses

- 955 (1)** *Uses* listed in subsection 954(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Industrial – Commercial District.
- (2)** The following **uses** are **discretionary uses** in the Industrial – Commercial District: 32P2009
- (a) **Auction Market – Other Goods;**
 - (b) **Auction Market – Vehicles and Equipment;**
 - (c) **Auto Body and Paint Shop;**
 - (d) **Auto Service – Major;**
 - (e) **Auto Service – Minor;**
 - (e.1) **Brewery, Winery and Distillery;** 22P2016
 - (e.2) **Cannabis Counselling;** 25P2018
 - (f) **Car Wash – Multi-Vehicle;**
 - (g) **Car Wash – Single Vehicle;**
 - (h) **Child Care Service;**
 - (i) **Convenience Food Store;**
 - (j) **Custodial Quarters;**
 - (k) **Drinking Establishment – Small;**
 - (l) **Drive Through;**
 - (m) **Gas Bar;**
 - (n) **Large Vehicle and Equipment Sales;** 9P2012
 - (o) **Large Vehicle Service;**
 - (p) **Large Vehicle Wash;**
 - (q) **Liquor Store;**
 - (q.1) *deleted* 28P2016, 25P2018
 - (r) **Outdoor Café;**
 - (r.1) **Payday Loan;** 43P2015
 - (s) **Power Generation Facility – Medium;**
 - (t) **Recreational Vehicle Sales;**
 - (t.1) **Recreational Vehicle Service;** 9P2012
 - (u) **Restaurant: Licensed – Medium;**
 - (v) **Restaurant: Licensed – Small;**
 - (w) **Restored Building Product Sales Yard;**
 - (x) **Self Storage Facility;**

- (y) **Sign – Class C;**
- (z) **Sign – Class E;**
- (aa) **Sign – Class F;**
- 30P2011 (aa.1) **Sign – Class G;**
- 4P2012 (bb) **Special Function – Class 2;**
- 4P2012 (cc) *deleted*
- (dd) **Utility Building;**
- 38P2013 (ee) **Vehicle Rental – Major;**
- 38P2013 (ff) **Vehicle Sales – Major;** and
- 38P2013 (gg) **Wind Energy Conversion System – Type 1.**

Rules

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

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

Parcel Location

32P2013 **957** *deleted*

Floor Area Ratio

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

Building Height

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

Use Area

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

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

Purpose

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

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

Permitted Uses

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

- (a) **Accessory Residential Building;**
- (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) **Sign – Class B; and** 4P2012
- (f.1) *deleted* 10P2009,
4P2012
- (g) **Utilities.**

(2) The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise Support Commercial District if they are within existing approved buildings: 39P2010

- (a) **Artist’s Studio;**
- (b) **Convenience Food Store;**

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

Discretionary Uses

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

25P2018

- (e) **Community Recreation Facility;** 9P2012
 - (f) **Custodial Care;**
 - (g) **Drinking Establishment – Small;**
 - (h) **Dwelling Unit;**
 - (i) **Home Occupation - Class 2;**
 - (j) **Hotel;**
 - (k) **Live Work Unit;**
 - (k.1) *deleted* 28P2016, 25P2018
 - (l) **Multi-Residential Development;**
 - (m) **Outdoor Café;**
 - (n) **Place of Worship – Small;**
 - (o) **Place of Worship – Medium;**
 - (p) **Residential Care;**
 - (q) **Restaurant Food Service Only – Small;**
 - (r) **Restaurant Licensed - Small;**
 - (r.1) **Sign – Class C;** 5P2013
 - (s) **Sign – Class D;**
 - (s.1) **Sign – Class E;** 4P2013
 - (t) *deleted* 10P2009
 - (u) **Temporary Residential Sales Centre; and**
 - (v) **Utility Building.**
- (4) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as a **School Authority – School** in the Centre City Multi-Residential High Rise Support Commercial District:
- (a) **Library;**
 - (b) **Museum;**
 - (c) **School – Private;**
 - (d) **School Authority Purpose – Major; and**
 - (e) **Service Organization.**
- (5) The following **uses** are additional **discretionary uses** on a **parcel** in the Centre City Multi-Residential High Rise Support Commercial District that has a **building** used or previously used as a **School Authority – School**:

- 44P2013 (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.**
- 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:**
- 24P2014 (a) **Backyard Suite;**
- 24P2014 (a.1) **Duplex Dwelling;**
- (b) **Secondary Suite;**
- 24P2014 (c) *deleted*
- 24P2014 (d) *deleted*
- (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:

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

Purpose

1162 The Centre City Mixed Use District:

- (a) is intended to provide for a mix of commercial, residential and a limited range of light industrial **uses** on sites within the Centre City area; 75P2008
- (b) is intended for mixed **uses** that are sensitive to adjacent districts that allow residential **uses**;
- (c) provides intense **development** where intensity is measured by **floor area ratio**;
- (d) provides a **building** form that is street oriented at **grade**; and
- (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve commercial-residential mixed use, public benefit and amenities within the same community.

Permitted Uses

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

- (a) **Park**;
- (b) **Sign – Class A**;
- (c) **Sign – Class B**;
- (d) **Sign – Class D**; and 4P2012
- (d.1) *deleted* 10P2009,
4P2012
- (e) **Utilities**.

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

- (a) **Accessory Food Service**;
- (b) **Catering Service – Minor**;
- (c) **Convenience Food Store**;
- (d) **Counselling Service**;
- (e) **Fitness Centre**;
- (f) **Health Services Laboratory – With Clients**;
- (g) **Home Based Child Care – Class 1**;
- (h) **Home Occupation – Class 1**;
- (i) **Information and Service Provider**;

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

Discretionary Uses

1164 (1) *Uses* listed in subsection 1163(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City Mixed Use District.

(2) *Uses* listed in subsection 1163(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one **use** listed in this District that has been approved after the **parcel** was designated as a commercial land use district.

32P2009

(3) The following **uses** are **discretionary uses** in the Centre City Mixed Use District:

(a) **Accessory Liquor Service;**

(b) **Addiction Treatment;**

(c) **Artist's Studio;**

24P2011

(c.1) **Assisted Living;**

37P2014

(c.2) **Beverage Container Quick Drop Facility;**

(d) **Billiard Parlour;**

22P2016

(d.1) **Brewery, Winery and Distillery;**

25P2018

(d.2) **Cannabis Counselling;**

(e) **Child Care Service;**

(f) **Cinema;**

2P2012

(f.1) **Community Recreation Facility;**

(g) **Computer Games Facility;**

(h) **Custodial Care;**

- (i) **Dinner Theatre;**
- (j) **Drinking Establishment – Medium**
- (k) **Drinking Establishment – Small;**
- (l) **Dwelling Unit;**
- (m) **Financial Institution;**
- (m.1) **Food Kiosk;** 2P2012
- (n) **General Industrial – Light;**
- (o) **Home Occupation – Class 2;**
- (p) **Hotel;**
- (q) **Indoor Recreation Facility;**
- (r) **Instructional Facility;**
- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- (t.1) **Market – Minor** 5P2013
- (t.2) *deleted* 28P2016, 25P2018
- (u) **Multi-Residential Development;**
- (v) **Night Club;**
- (w) **Outdoor Café;**
- (x) **Parking Lot – Grade (Temporary);**
- (y) **Parking Lot – Structure;**
- (z) **Pawn Shop;**
- (z.1) **Payday Loan** 43P2015
- (aa) **Performing Arts Centre;**
- (bb) **Place of Worship – Small;**
- (cc) **Place of Worship – Medium;**
- (dd) **Post-secondary Learning Institution;**
- (ee) **Residential Care;**
- (ff) **Restaurant: Food Service Only – Medium;**
- (gg) **Restaurant: Licensed – Small;**
- (hh) **Restaurant: Licensed – Medium;**
- (hh.1) **School – Private;** 2P2012
- (hh.2) **School Authority – School;** 16P2018
- (ii) **Seasonal Sales Area;**

- 30P2011, 4P2013
- (jj) **Sign – Class C;**
 (kk) **Sign – Class E;**
 (ll) **Sign – Class F;**
 (ll.1) *deleted*
 (mm) **Social Organization;**
- 4P2012
- (nn) **Special Function – Class 2;**
 (oo) **Supermarket;**
 (pp) **Utility Building;** and
 (qq) **Veterinary Clinic.**
- 4P2013
- (4) An existing **Sign – Class G** is a **discretionary use** where:
 (a) it existed on the **parcel** prior to March 1, 2013; and
 (b) the previously approved **development permit** issued by the **City** has not expired.

Rules

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

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

2P2012

Floor Area Ratio

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

- (a) for **parcels** between 12 and 13 Avenue and West of 1 Street SE:
 (i) 3.0 for **uses** referenced in sections 1163 and 1164; or
 (ii) 5.0 for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**
- (b) for **parcels** between 15 and 17 Avenue and west of 1 Street SE is 3.0;
- (c) for all other **parcels**:
 (i) 5.0; or
 (ii) The maximum **floor area ratio** in subsection (i) may be increased by a **floor area ratio** of 3.0 when this additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**.

5P2013

- (a) **Accessory Liquor Service;**
- (b) **Addiction Treatment;**
- (c) **Artist's Studio;**
- (c.1) **Assisted Living;** 24P2011
- (d) **Billiard Parlour;**
- (d.1) **Brewery, Winery and Distillery;** 22P2016
- (d.2) **Cannabis Counselling;** 25P2018
- (e) **Child Care Service;**
- (f) **Cinema;**
- (g) **Computer Games Facility;**
- (h) **Custodial Care;11**
- (i) **Drinking Establishment – Medium;**
- (j) **Drinking Establishment – Small;**
- (k) **Dwelling Unit;**
- (k.1) **Food Production;** 49P2017
- (l) **Home Occupation – Class 2;**
- (m) **Hotel;**
- (n) **Indoor Recreation Facility;** 32P2009, 9P2012
- (o) **Instructional Facility;**
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- (q.1) **Market – Minor;** 5P2013
- (q.2) *deleted* 28P2016, 25P2018
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Pawn Shop;**
- (u.1) **Payday Loan;** 43P2015
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Residential Care;**
- (y) **Restaurant: Food Service Only – Medium;**
- (z) **Restaurant: Licensed – Medium;**

30P2011, 4P2013

4P2012

- (aa) **Restaurant: Licensed – Small;**
- (bb) **Seasonal Sales Area;**
- (cc) **Sign – Class C;**
- (dd) **Sign – Class E;**
- (ee) **Sign – Class F;**
- (ee.1) *deleted;*
- (ff) **Social Organization;**
- (gg) **Special Function – Class 2;**
- (hh) **Supermarket;** and
- (ii) **Utility Building.**

Rules

1182 In addition to the rules in this District, all **uses** in this District must comply with:

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

Floor Area Ratio

- 1183 (1)** For **developments** that do not contain **Dwelling Units**, the maximum **floor area ratio** is 3.0.
- (2)** For **developments** containing **Dwelling Units**, the maximum **floor area ratio** is:
- (a) 3.0; or
 - (b) 3.0, plus the **gross floor area** of **Dwelling Units** above the ground floor, up to a maximum **floor area ratio** of 5.0.
- (3)** The maximum **floor area ratio** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Building Height

1184 There is no maximum **building height**.

Building Orientation

- 1185 (1)** The main **public entrance** to a **building** must face the **property line** shared with a commercial **street**.
- (2)** Each at **grade use** facing a **street** must have an individual, direct access to the **use** from the **building** exterior and such access must face the **street**.

Division 2: Centre City East Village Transition District (CC-ET)

Purpose

1243 The Centre City East Village Transition District is intended to provide for:

- (a) an important transition between the higher **density** commercial and **Office uses** of the downtown core and the more residential character of East Village;
- (b) a mix of **uses** within the transition zone between Downtown and East Village;
- (c) **development** of higher **density** and larger **building** massing than the rest of the East Village Districts;
- (d) a greater variety of **Office**, discretionary commercial, institutional and residential **uses**; and
- (e) a **building** form that is **street** oriented at **grade**.

Permitted Uses

1244 (1) The following **uses** are **permitted uses** in the Centre City East Village Transition District:

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

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

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

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

Discretionary Uses

1245 (1) The following *uses* are **discretionary uses** in the Centre City East Village Transition District only if they were legally existing or approved prior to the effective date of this Bylaw:

- (a) **Parking Lot – Grade.**

(2) *Uses* listed in subsection 1244(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Transition District.

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

- (a) **Amusement Arcade;**
- (b) **Artist’s Studio;**
- (c) **Assisted Living;**
- (d) **Billiard Parlour;**
- (e) **Brewery, Winery and Distillery;**
- (e.1) **Cannabis Counselling;**
- (f) **Child Care Service;**
- (g) **Cinema;**
- (h) **Community Entrance Feature;**
- (i) **Community Recreation Facility;**
- (j) **Computer Games Facility;**
- (k) **Conference and Event Facility;**
- (l) **Counselling Service;**
- (m) **Drinking Establishment – Large;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**

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- (p) **Dwelling Unit;**
- (q) **Food Kiosk;**
- (q.1) **Food Production;** 49P2017
- (r) **General Industrial – Light;**
- (s) **Health Services Laboratory – With Clients;**
- (t) **Home Occupation – Class 2;**
- (u) **Hotel;**
- (v) **Indoor Recreation Facility;**
- (w) **Library;**
- (x) **Liquor Store;**
- (y) **Live Work Unit;**
- (z) **Market;**
- (aa) **Market – Minor;**
- (bb) **Medical Clinic;**
- (cc) *deleted* 25P2018
- (dd) **Office;**
- (ee) **Outdoor Café;**
- (ff) **Parking Lot – Grade (temporary);**
- (gg) **Parking Lot – Structure;**
- (hh) **Performing Arts Centre;**
- (ii) **Place of Worship – Small;**
- (jj) **Post-secondary Learning Institution;**
- (kk) **Residential Care;**
- (ll) **Restaurant: Food Service Only – Large;**
- (mm) **Restaurant: Food Service Only – Medium;**
- (nn) **Restaurant: Licensed – Large;**
- (oo) **Restaurant: Licensed – Medium;**
- (pp) **Restaurant: Licensed – Small;**
- (qq) **School – Private;**
- (rr) **School Authority – School;**
- (ss) **Seasonal Sales Area;**
- (tt) **Service Organization;**
- (uu) **Sign – Class B;**

- (vv) **Sign – Class C;**
- (ww) **Sign – Class D;**
- (xx) **Sign – Class E;**
- (yy) **Social Organization;**
- (zz) **Special Function – Class 2;**
- (aaa) **Supermarket;**
- (bbb) **Utility Building;** and
- (ccc) **Veterinary Clinic.**

Rules

1246 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City East Village Districts referenced in Part 12, 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

1247 (1) The maximum **floor area ratio** is 7.0.

(2) In this section, for the purpose of calculating **floor area ratio**:

- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service;**
 - (ii) **Community Recreation Facility;**
 - (iii) **Conference and Event Facility;**
 - (iv) **Indoor Recreation Facility;**
 - (v) **Library;**
 - (vi) **Museum;**
 - (vii) **Performing Arts Centre;**
 - (viii) **Place of Worship – Small;**
 - (ix) **Protective and Emergency Service;**
 - (x) **School – Private;**
 - (xi) **School Authority – School;**
 - (xii) **Service Organization;**

Division 3: Centre City East Village Integrated Residential District (CC-EIR)

Purpose

1253 The Centre City East Village Integrated Residential District is intended to provide for:

- (a) a mixed **use** area that integrates residential **uses** with a broad range of commercial, cultural and entertainment **uses**;
- (b) commercial **uses** located on the ground floor; and
- (c) a **building** form that is **street** oriented at **grade**.

Permitted Uses

1254 (1) The following **uses** are **permitted uses** in the Centre City East Village Integrated Residential District:

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

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

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Instructional Facility;**
- (h) **Museum;**
- (i) **Pet Care Service;**
- (j) **Power Generation Facility – Small;**
- (k) **Print Centre;**
- (l) **Radio and Television Studio;**

- (m) **Restaurant: Food Service Only – Small;**
- (n) **Retail and Consumer Service;**
- (o) **Specialty Food Store;** and
- (p) **Take Out Food Service.**

Discretionary Uses

1255 (1) The following *uses* are **discretionary uses** in the Centre City East Village Integrated Residential District only if they were legally existing or approved prior to the effective date of this Bylaw:

- (a) **Parking Lot – Grade.**

(2) *Uses* listed in subsection 1254(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Integrated Residential District.

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

- (a) **Amusement Arcade;**
- (b) **Artist’s Studio;**
- (c) **Assisted Living;**
- (d) **Billiard Parlour;**
- (e) **Brewery, Winery and Distillery;**
- (e.1) **Cannabis Counselling;**
- (f) **Child Care Service;**
- (g) **Cinema;**
- (h) **Community Entrance Feature;**
- (i) **Community Recreation Facility;**
- (j) **Conference and Event Facility;**
- (k) **Counselling Service;**
- (l) **Dinner Theatre;**
- (m) **Drinking Establishment – Large;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Dwelling Unit;**
- (q) **Food Kiosk;**
- (q.1) **Food Production;**
- (r) **Health Services Laboratory – With Clients;**

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- (s) **Home Occupation – Class 2;**
- (t) **Hotel;**
- (u) **Indoor Recreation Facility;**
- (v) **Library;**
- (w) **Liquor Store;**
- (x) **Live Work Unit;**
- (y) **Market – Minor;**
- (z) **Medical Clinic;**
- (aa) *deleted*
- (bb) **Night Club;**
- (cc) **Office;**
- (dd) **Outdoor Café;**
- (ee) **Parking Lot – Grade (Temporary);**
- (ff) **Parking Lot – Structure;**
- (gg) **Performing Arts Centre;**
- (hh) **Place of Worship – Small;**
- (ii) **Post-secondary Learning Institution;**
- (jj) **Residential Care;**
- (kk) **Restaurant: Food Service Only – Large;**
- (ll) **Restaurant: Food Service Only – Medium;**
- (mm) **Restaurant: Licensed – Large;**
- (nn) **Restaurant: Licensed – Medium;**
- (oo) **Restaurant: Licensed – Small;**
- (pp) **Restaurant: Neighbourhood;**
- (qq) **Seasonal Sales Area;**
- (rr) **Service Organization;**
- (ss) **School - Private;**
- (tt) **School Authority – School;**
- (uu) **Sign – Class B;**
- (vv) **Sign – Class C;**
- (ww) **Sign – Class D;**
- (xx) **Sign – Class E;**

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- (yy) **Social Organization;**
- (zz) **Special Function – Class 2;**
- (aaa) **Supermarket;** and
- (bbb) **Utility Building.**

Rules

1256 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City East Village Districts referenced in Part 12, 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

1257 (1) The maximum **floor area ratio** for development is 7.0.

(2) In this section, for the purpose of calculating **floor area ratio**:

- (a) the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service;**
 - (ii) **Community Recreation Facility;**
 - (iii) **Conference and Event Facility;**
 - (iv) **Indoor Recreation Facility;**
 - (v) **Library;**
 - (vi) **Museum;**
 - (vii) **Performing Arts Centre;**
 - (viii) **Place of Worship – Small;**
 - (ix) **Protective and Emergency Service;**
 - (x) **School – Private;**
 - (xi) **School Authority – School;**
 - (xii) **Service Organization;**
 - (xiii) **Social Organization;** and
 - (xiv) **Utilities;** and

Division 4: Centre City East Village Mixed Use District (CC-EMU)

Purpose

1259 The Centre City East Village Mixed Use District is intended to provide for:

- (a) a mixed-use area that integrates residential *uses* with a range of commercial *uses*, local services and amenities; and
- (b) a *building* form that is *street* oriented at *grade*.

Permitted Uses

1260 (1) The following *uses* are *permitted uses* in the Centre City East Village Mixed Use District:

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

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

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Instructional Facility;**
- (h) **Museum;**
- (i) **Pet Care Service;**
- (j) **Power Generation Facility – Small;**
- (k) **Print Centre;**
- (l) **Restaurant: Food Service Only – Small;**
- (m) **Retail and Consumer Service;**
- (n) **Specialty Food Store; and**

(o) **Take Out Food Service.**

Discretionary Uses

1261 (1) The following *uses* are **discretionary uses** in the Centre City East Village Mixed Use District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade.**

(2) *Uses* listed in subsection 1260(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Mixed Use District.

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

- (a) **Artist’s Studio;**
- (b) **Assisted Living;**
- (c) **Brewery, Winery and Distillery;**
- (c.1) **Cannabis Counselling;**
- (d) **Child Care Service;**
- (e) **Community Entrance Feature;**
- (f) **Community Recreation Facility;**
- (g) **Counselling Service;**
- (h) **Drinking Establishment – Medium;**
- (i) **Drinking Establishment – Small;**
- (j) **Dwelling Unit;**
- (j.1) **Food Production;**
- (k) **Home Occupation – Class 2;**
- (l) **Hotel;**
- (m) **Indoor Recreation Facility;**
- (n) **Liquor Store;**
- (o) **Live Work Unit;**
- (p) **Market – Minor;**
- (q) **Medical Clinic;**
- (r) *deleted*
- (s) **Office;**
- (t) **Outdoor Café;**
- (u) **Place of Worship – Small;**

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- (v) **Post-secondary Learning Institution;**
 - (w) **Residential Care;**
 - (x) **Restaurant: Food Service Only – Medium;**
 - (y) **Restaurant: Licensed – Medium;**
 - (z) **Restaurant: Licensed – Small;**
 - (aa) **Restaurant: Neighbourhood;**
 - (bb) **School – Private;**
 - (cc) **School Authority – School;**
 - (dd) **Seasonal Sales Area;**
 - (ee) **Service Organization;**
 - (ff) **Sign – Class B;**
 - (gg) **Sign – Class C;**
 - (hh) **Sign – Class D;**
 - (ii) **Sign – Class E;**
 - (jj) **Social Organization;**
 - (kk) **Special Function – Class 2;**
 - (ll) **Utility Building; and**
 - (mm) **Veterinary Clinic.**
- (4) The following **uses** are additional **discretionary uses** when located within **buildings** designated as a Municipal Historic Resource pursuant to the Historical Resources Act:
- (a) **Restaurant: Food Service Only – Large; and**
 - (b) **Restaurant: Licensed – Large.**

Rules

1262 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City East Village Districts referenced in Part 12, 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

1263 (1) The maximum **floor area ratio** for **development** is 6.65.

(2) In this section, for the purpose of calculating **floor area ratio**:

- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
- (i) **Child Care Service;**
 - (ii) **Community Entrance Feature;**
 - (iii) **Community Recreation Facility;**
 - (iv) **Indoor Recreation Facility;**
 - (v) **Museum;**
 - (vi) **Place of Worship – Small;**
 - (vii) **Post-secondary Learning Institution;**
 - (viii) **Protective and Emergency Service;**
 - (ix) **School – Private;**
 - (x) **School Authority – School;**
 - (xi) **Service Organization;**
 - (xii) **Social Organization;** and
 - (xiii) **Utilities;** and
- (b) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, must be excluded from the calculation of **floor area ratio** to a maximum of 3.0 **floor area ratio**.

Use Area

- 1264 (1)** Unless otherwise referenced in subsection (2), the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2)** The maximum **use area** for a **Medical Clinic** is 200.0 square metres where located on the ground floor of a **building**.

Division 5: Centre City East Village Primarily Residential District (CC-EPR)

Purpose

1265 The Centre City East Village Primarily Residential District is intended to provide for:

- (a) a mainly residential area with a limited range of support commercial **uses** and local amenities;
- (b) commercial **uses** that are developed as part of a comprehensive residential mixed **use development**; and
- (c) a **building** form that is **street** oriented at **grade**.

Permitted Uses

1266 (1) The following **uses** are **permitted uses** in the Centre City East Village Primarily Residential District:

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

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

- (a) **Accessory Food Service;**
- (b) **Convenience Food Store;**
- (c) **Financial Institution;**
- (d) **Fitness Centre;**
- (e) **Information and Service Provider;**
- (f) **Pet Care Service;**
- (g) **Power Generation Facility – Small;**
- (h) **Print Centre;**
- (i) **Restaurant: Food Service Only – Small;**
- (j) **Retail and Consumer Service;**

- (k) **Specialty Food Store**; and
- (l) **Take Out Food Service.**

Discretionary Uses

1267 (1) The following *uses* are **discretionary uses** in the Centre City East Village Primarily Residential District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade.**

(2) **Uses** listed in subsection 1266(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Primarily Residential District.

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

(a) **Accessory Liquor Service;**

(b) **Artist’s Studio;**

(c) **Assisted Living;**

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(c.1) **Cannabis Counselling;**

(d) **Child Care Service;**

(e) **Community Entrance Feature;**

(f) **Community Recreation Facility;**

(g) **Counselling Service;**

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

(i) **Dwelling Unit;**

(j) **Food Kiosk;**

49P2017

(j.1) **Food Production;**

(k) **Home Occupation – Class 2;**

(l) **Hotel;**

(m) **Indoor Recreation Facility;**

(n) **Instructional Facility;**

(o) **Liquor Store;**

(p) **Live Work Unit;**

(q) **Market – Minor;**

(r) **Medical Clinic;**

25P2018

(s) *deleted*

(t) **Office;**

- (d) **Health Services Laboratory – With Clients;**
- (e) **Medical Clinic;**
- (f) **Power Generation Facility – Small;**
- (g) **Radio and Television Studio;** and
- (h) **Service Organization.**

Discretionary Uses

1307 (1) *Uses* listed in subsections 1306 (2) and (3) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the CR20-C20/R20 District.

(2) *Uses* listed in subsection 1306 (3) are **discretionary uses** in the CR20-C20/R20 District if they are located on the second floor of an existing approved **building** that contains an existing or approved **+15 Skywalk System walkway**.

(3) The following *uses* are **discretionary uses** in the CR20-C20/R20 District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Amusement Arcade;**
- (d) **Auction Market – Other Goods;**
- (d.1) **Brewery, Winery and Distillery;** 22P2016
- (d.2) **Cannabis Counselling;** 25P2018
- (e) **Child Care Service;**
- (f) **Cinema;**
- (g) **Community Recreational Facility;**
- (h) **Conference and Event Facility;**
- (i) **Custodial Care;**
- (j) **Cultural Support;**
- (k) **Drinking Establishment – Medium;**
- (l) **Drinking Establishment – Small;**
- (m) **Dwelling Unit;**
- (m.1) **Food Production;** 49P2017
- (n) **Health Services Laboratory – Without Clients;**
- (o) **Home Occupation – Class 2;**
- (p) **Hotel;**
- (q) **Indoor Recreation Facility;**
- (r) **Instructional Facility;**
- (s) **Liquor Store;**

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- (t) **Live Work Unit;**
- (u) **Market;**
- (u.1) *deleted*
- (v) **Night Club;**
- (w) **Outdoor Café;**
- (x) **Outdoor Recreation Area;**
- (y) **Park Maintenance Facility – Small;**
- (z) **Parking Lot – Structure;**
- (aa) **Pawn Shop;**
- (aa.1) **Payday Loan;**
- (bb) **Performing Arts Centre;**
- (cc) **Place of Worship – Medium;**
- (dd) **Place of Worship – Small;**
- (ee) **Post-Secondary Learning Institution;**
- (ff) **Restaurant: Licensed – Large;**
- (gg) **Restaurant: Licensed – Medium;**
- (hh) **Residential Care;**
- (ii) **School – Private;**
- (jj) **School Authority – School;**
- (kk) **School Authority Purpose – Major;**
- (ll) **Sign – Class C;**
- (mm) **Sign – Class E;**
- (nn) **Sign – Class F;**
- (oo) **Social Organization;**
- (pp) **Special Function – Class 2;**
- (qq) **Utility *Building*;**
- (rr) **Vehicle Rental – Major;**
- (ss) **Vehicle Rental – Minor; and**
- (tt) **Vehicle Sales – Minor.**

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- (4) The following *uses* are additional **discretionary uses** in the CR20-C20/R20 District if they were legally existing prior to the *parcel* being designated CR20-C20/R20:

Division 2: Mixed Use - General (MU-1f#h#d#) District

Purpose

- 1365 (1)** The Mixed Use – General District is intended to:
- (a) be located along commercial **streets** where both residential **uses** and commercial **uses** are supported at **grade** facing the commercial **street**;
 - (b) accommodate a mix of residential and commercial **uses** in the same **building** or in multiple **buildings** throughout an area; and
 - (c) respond to local area context by establishing maximum **building height** for individual **parcels**.
- (2)** The Mixed Use – General District should only be located where a local area plan, or other policy, supports land use and **development** aligned with the purpose statements in subsection (1).

Permitted Uses

- 1366 (1)** The following **uses** are **permitted uses** in the Mixed Use – General District:
- (a) **Accessory Residential Building;**
 - (b) **Home Based Child Care – Class 1;**
 - (c) **Home Occupation – Class 1;**
 - (d) **Park;**
 - (e) **Sign – Class A;**
 - (f) **Sign – Class B;**
 - (g) **Sign – Class D;** and
 - (h) **Utilities.**
- (2)** The following **uses** are **permitted uses** in the Mixed Use – General District if they are located within an existing approved **building**:
- (a) **Accessory Food Service;**
 - (b) **Convenience Food Store;**
 - (c) **Fitness Centre;**
 - (d) **Information and Service Provider;**
 - (e) **Library;**
 - (f) **Pet Care Service;**
 - (g) **Power Generation Facility – Small;**

- (h) **Print Centre;**
 - (i) **Protective and Emergency Service;**
 - (j) **Radio and Television Studio;**
 - (k) **Restaurant: Food Service Only – Small;**
 - (l) **Restaurant: Neighbourhood;**
 - (m) **Retail and Consumer Service;**
 - (n) **Specialty Food Store; and**
 - (o) **Take Out Food Service.**
- (3) The following **uses** are **permitted uses** in the Mixed Use – General District if they are located within an existing approved **building** and are not located on the ground floor:
- (a) **Artist’s Studio;**
 - (b) **Catering Service – Minor;**
 - (c) **Counselling Service;**
 - (d) **Financial Institution;**
 - (e) **Health Services Laboratory – With Clients;**
 - (f) **Instructional Facility;**
 - (g) **Medical Clinic;**
 - (h) **Office;**
 - (i) **Service Organization; and**
 - (j) **Veterinary Clinic.**

Discretionary Uses

- 1367 (1) **Uses** listed in subsections 1366(2) and (3) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Mixed Use – General District.
- (2) **Uses** listed in subsection 1366(3) are **discretionary uses** in the Mixed Use – General District if they are located on the ground floor of an existing approved **building**.
- (3) The following **uses** are **discretionary uses** in the Mixed Use – General District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Assisted Living;**
 - (d) **Brewery, Winery and Distillery;**
 - (d.1) **Cannabis Counselling;**

- (e) **Child Care Service;**
- (f) **Community Recreation Facility;**
- (g) **Computer Games Facility;**
- (h) **Custodial Care;**
- (i) **Drinking Establishment – Small;**
- (j) **Dwelling Unit;**
- (j.1) **Food Production;** 49P2017
- (k) **Home Occupation – Class 2;**
- (l) **Hotel;**
- (m) **Indoor Recreation Facility;**
- (n) **Liquor Store;**
- (o) **Live Work Unit;**
- (p) **Market – Minor;**
- (q) *deleted* 25P2018
- (r) **Outdoor Café;**
- (s) **Parking Lot – Structure;**
- (t) **Place of Worship – Medium;**
- (u) **Place of Worship – Small;**
- (v) **Post-secondary Learning Institution;**
- (w) **Residential Care;**
- (x) **Restaurant: Food Service Only – Medium;**
- (y) **Restaurant: Licensed – Medium;**
- (z) **Restaurant: Licensed – Small;**
- (aa) **Seasonal Sales Area;**
- (bb) **Signs – Class C;**
- (cc) **Signs – Class E;**
- (dd) **Social Organization;**
- (ee) **Special Function – Class 2;**
- (ff) **Supermarket;**
- (gg) **Utility Building;**
- (hh) **Vehicle Rental – Minor; and**
- (ii) **Vehicle Sales – Minor.**

Rules

1368 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) The General Rules for Mixed Use Districts referenced in Part 14, 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

1369 (1) Unless otherwise referenced in subsection (2), there is no maximum **floor area ratio**.

- (2) The maximum **floor area ratio** for **parcels** designated MU-1 is the number following the letter “f” indicated on the Land Use District Maps.

Density

1370 (1) Unless otherwise referenced in subsection (2), there is no maximum **density**.

- (2) The maximum **density** for **parcels** designated MU-1 is the number following the letter “d” indicated on the Land Use District Maps, expressed in **units** per hectare.

Building Height

1371 (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is the number following the letter “h” when indicated on the Land Use District Maps.

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

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

Use Area

- 1372 The maximum **use area** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres.

Façade Width for Uses Facing a Street

- 25P2018
- 1373 (1)** Unless otherwise referenced in subsections (2) and (3), the length of the **building** façade that faces a **street** containing an individual **use** on the floor closest to **grade** is a maximum of 15.0 metres.
- (2)** For an individual **Drinking Establishment – Small, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Neighbourhood, Restaurant: Licensed – Medium, Restaurant: Licensed – Small, Retail and Consumer Service** or **Supermarket use** located on the floor closest to **grade**, the length of the **building** façade that faces a **street** may be increased to 30.0 metres where all of the other **uses** that share the same façade meet the requirements of subsection (1).
- (3)** The length of the **building** façade that faces a **street** containing an individual **Cannabis Counselling, Office** or **Payday Loan use** on the floor closest to **grade** is a maximum of 9.0 metres.

Setback Area

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

Division 3: Mixed Use – Active Frontage (MU-2f#h#d#) District

Purpose

- 1375 (1)** Mixed Use – Active Frontage is intended to:
- (a) be located along commercial **streets** where active commercial **uses** are required at **grade** to promote activity at the **street** level;
 - (b) promote **developments** with storefronts along a continuous block face on the commercial **street**;
 - (c) accommodate a mix of commercial and residential **uses** in the same **building**;
 - (d) respond to local area context by establishing maximum **building height** for individual **parcels**.
- (2)** The Mixed Use - Active Frontage District should only be located where a local area plan, or other policy, supports land use and **development** aligned with the purpose statements in subsections (1).

Permitted Uses

- 1376 (1)** The following **uses** are **permitted uses** in the Mixed Use – Active Frontage District:
- (a) **Accessory Residential Building**;
 - (b) **Home Based Child Care – Class 1**;
 - (c) **Home Occupation – Class 1**;
 - (d) **Park**;
 - (e) **Sign – Class A**;
 - (f) **Sign – Class B**;
 - (g) **Sign – Class D**; and
 - (h) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Mixed Use – Active Frontage District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Convenience Food Store**;
 - (c) **Fitness Centre**;
 - (d) **Information and Service Provider**;
 - (e) **Library**;

- (f) **Pet Care Service;**
 - (g) **Power Generation Facility – Small;**
 - (h) **Print Centre;**
 - (i) **Protective and Emergency Service;**
 - (j) **Radio and Television Studio;**
 - (k) **Restaurant: Food Service Only – Small;**
 - (l) **Restaurant: Neighbourhood;**
 - (m) **Retail and Consumer Service;**
 - (n) **Specialty Food Store;** and
 - (o) **Take Out Food Service.**
- (3) The following **uses** are **permitted uses** in the Mixed Use – Active Frontage if they are located within an existing approved **building** and are not located on the ground floor:
- (a) **Artist’s Studio;**
 - (b) **Catering Service – Minor;**
 - (c) **Counselling Service;**
 - (d) **Financial Institution;**
 - (e) **Health Services Laboratory – With Clients;**
 - (f) **Instructional Facility;**
 - (g) **Medical Clinic;**
 - (h) **Office;**
 - (i) **Service Organization;** and
 - (j) **Veterinary Clinic.**

Discretionary Uses

- 1377 (1) **Uses** listed in subsections 1376(2) and (3) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Mixed Use - Active Frontage District.
- (2) **Uses** listed in subsection 1376(3) are **discretionary uses** in the Mixed Use – Active Frontage District if they are located on the ground floor of an existing approved **building**.

- (3) The following *uses* are *discretionary uses* in the Mixed Use – Active Frontage District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Amusement Arcade;**
 - (d) **Assisted Living;**
 - (e) **Billiard Parlour;**
 - (f) **Brewery, Winery and Distillery;**
 - (f.1) **Cannabis Counselling;** 25P2018
 - (g) **Child Care Service;**
 - (h) **Cinema;**
 - (i) **Community Recreation Facility;**
 - (j) **Computer Games Facility;**
 - (k) **Conference and Event Facility;**
 - (l) **Custodial Care;**
 - (m) **Dinner Theatre;**
 - (n) **Drinking Establishment – Medium;**
 - (o) **Drinking Establishment – Small;**
 - (p) **Dwelling Unit;**
 - (p) **Dwelling Unit;**
 - (p.1) **Food Production;** 49P2017
 - (q) **Home Occupation – Class 2;**
 - (r) **Hotel;**
 - (s) **Indoor Recreation Facility;**
 - (t) **Liquor Store;**
 - (u) **Live Work Unit;**
 - (v) **Market – Minor;**
 - (w) *deleted* 25P2018
 - (x) **Museum;**
 - (y) **Outdoor Café;**
 - (z) **Parking Lot – Structure;**

- (aa) **Pawn Shop;**
- (bb) **Payday Loan;**
- (cc) **Performing Arts Centre;**
- (dd) **Place of Worship – Medium;**
- (ee) **Place of Worship – Small;**
- (ff) **Post-secondary Learning Institution;**
- (gg) **Residential Care;**
- (hh) **Restaurant: Food Service Only – Medium;**
- (ii) **Restaurant: Licensed – Medium;**
- (jj) **Restaurant: Licensed – Small;**
- (kk) **Seasonal Sales Area;**
- (ll) **Signs – Class C;**
- (mm) **Signs – Class E;**
- (nn) **Social Organization;**
- (oo) **Special Function – Class 2;**
- (pp) **Supermarket;**
- (qq) **Utility Building;**
- (rr) **Vehicle Rental – Minor; and**
- (ss) **Vehicle Sales – Minor.**

Rules

1378 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) The General Rules for Mixed Use Districts referenced in Part 14, 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

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

Façade Width for Uses Facing a Street

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

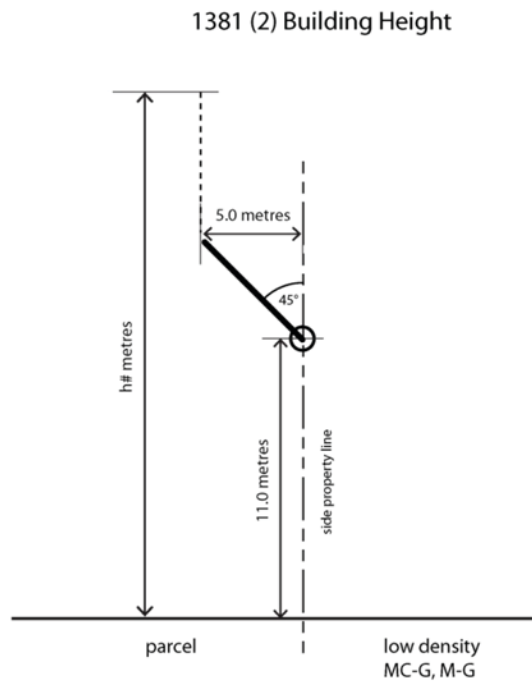
25P2018

Setback Area

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

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

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



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
Cannabis Counselling
Child Care Service
Custodial Care
Funeral Home
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
Cultural Support
Fitness Centre
Gaming Establishment – Bingo
Indoor Recreation Facility
Library
Motion Picture Filming Location
Museum
Outdoor Recreation Area
Performing Arts Centre
Place of Worship – Large
Place of Worship – Medium
Place of Worship – Small
Radio and Television Studio
Social Organization
Spectator Sports Facility

DIRECT CONTROL USES

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

EATING AND DRINKING GROUP

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

GENERAL INDUSTRIAL GROUP

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

INDUSTRIAL SUPPORT GROUP

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

INFRASTRUCTURE GROUP

Airport
Cemetery
Crematorium
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
Wind Energy Conversion System – Type 1
Wind Energy Conversion System – Type 2

OFFICE GROUP

Counselling Service
Office
Service Organization

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

RESIDENTIAL GROUP

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

SALES GROUP

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

SIGNS GROUP

Community Entrance Feature

Sign – Class A

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

Sign – Class B

Fascia Sign

Sign – Class C

Freestanding Sign

Sign – Class D

Canopy Sign
 Projecting Sign

Sign – Class E

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

Sign – Class F

Third Party Advertising Sign

Sign – Class G

Digital Third Party Advertising Sign

STORAGE GROUP

Distribution Centre
 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
 Seasonal Sales Area
 Special Function – Class 1
 Special Function – Class 2

TEACHING AND LEARNING GROUP

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