

CITY OF CALGARY

ZONING BY-LAW

No. 4916

with amendments up to and including
By-law No. 6490, May 25th, 1965.

OFFICE CONSOLIDATION

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NOTE

All persons making use of this consolidation are reminded that it has no legislative sanction; that the amendments have been embodied only for convenience of reference, and that the original By-Law should be consulted for all purposes of interpreting and applying the law.

BY-LAW NO. 4916

Being a By-law of the City of Calgary to Regulate and Control the Use of Land and the Use and Location of Buildings in the said City. (As amended by By-Laws Nos. 5107, 5121, 5152, 5179, 5227, 5254, 5304, 5429, 5448, 5486, 5563, 5571, 5577, 5588, 5613, 5622, 5626, 5629, 5640, 5677, 5679, 5686, 5688, 5707, 5738, 5783, 5786, 5806, 5815, 5867, 5873, 5886, 5919, 5978, 5979, 6001, 6004, 6012, 6035, 6043, 6044, 6047, 6052, 6058, 6092, 6105, 6112, 6138, 6141, 6159, 6160, 6177, 6196, 6226, 6237, 6252, 6253, 6256, 6275, 6277, 6287, 6295, 6318, 6348, 6374).

THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. This by-law may be cited as 'The Zoning By-law'.

Interpretation

2. (1) In this By-law, unless the context otherwise requires:

- (a) "accessory building" means
- (i) a building which is separate from the principal building on the site on which both are located and which the Planning Commission decides is normally subordinate and incident in use to that of the principal building, or
 - (ii) a building, the use of which the Planning Commission decides is normally incident and subordinate to the principal use of the site on which it is located;
- (b) "accessory use" means a use of a building or a site which the Planning Commission decides is normally incident and subordinate to the principal use of the building or the site;
- (c) "Act" means The Planning Act being chapter 43 of the Statutes of Alberta 1963 and amendments thereto;" (As amended by By-Law No. 6141, passed July 22, 1963.)
- (d) "apartment house" means a building consisting of not less than three dwelling units, all of which are located on the same site;
- (e) "Appeal Board" means the Board appointed by Council pursuant to the provisions of the Act to hear appeals, as provided in Part VIII of this By-law;
- (f) "arterial thoroughfare" means a public thoroughfare designated as an arterial thoroughfare on the Zoning Map;
- (fa) "auto body and paint shop" means premises where the bodies, but not other parts, of motor vehicles are repaired and where motor vehicle bodies and other metal machines, components or articles may be painted. (As amended by By-law No. 6044, passed February 18, 1963.)
- (g) "Building Inspector" means the Chief Building Inspector of the City, or a person authorized by him or by the City to act for the Chief Building Inspector for the act or for the purpose for which the authorization was made;
- (h) "business or commercial district" means a C-1, C-2, CM-1, CM-2, C-Hwy-1, or C-Hwy-2 District as set out and designated in Section 5;

- (ha) "Canopy" means a projection extending horizontally from the outside wall of a building but does not include a marquee as defined in the Sign By-law. (As amended by By-law No. 6001, passed Jan. 7, 1963.)
- (i) "certificate of compliance" means a certificate issued by the City Planner as provided in Part II of this By-law indicating that a proposed building or a proposed occupancy or use of a building will comply with the provisions of this by-law either as set out in the accompanying material or with the changes indicated in the certificate
- (j) "City" means the municipal corporation of The City of Calgary, and where the context requires, means the area comprised within the boundaries of the City
- (k) "City Engineer" means the City official who is in control of the City Engineering Department;
- (m) "City Treasurer" means the City official who is the chief accounting officer of the City;
- (n) "clinic" means an establishment in which medical, dental or other professional healing treatment is given to human beings;
- (o) "commercial school" means a place of instruction operated for profit, offering courses in commercial, business or clerical skills and practices and not a public school, a private school or a trade school as defined;
- (p) "conditional use" means a use of land or a building appearing in a use table in the column captioned "Conditional Uses" and includes a use found by the Appeal Board pursuant to the provisions of sections 8 and 9 to be similar to a conditional use.
- (q) "corner site" means a site at the intersection of two abutting streets
- (r) "correction home" means a federal, provincial, municipal, religious or charitable institution in which minors are detained when requiring special care because of delinquency, physical or mental deficiency, or other cause requiring special care or supervision
- (s) "Council" means the Council of the City elected pursuant to The City Act of the Province of Alberta
- (t) "directional sign" means a sign which indicates the distance and direction to a place of business or other premises indicated on the sign;

- (ta) "Director" or "Director of Planning" means the City official who is in charge of the City Planning Department; (As amended by By-law No. 6141, passed July 22, 1963.)
- (u) "dwelling group" means a group of two or more detached or semi-detached one-family or two-family dwellings, or apartment houses occupying the same site and commonly owned and having a yard or court in common, but does not include a motel;
- (v) "dwelling unit" means a set or suite of rooms used as a residence for one family or the housekeeping equivalent thereof whether or not the same contains cooking and bathroom or toilet facilities; (As amended by B/L 5121, passed Nov. 10, 1958.)
- (w) "entire frontage" means the combined frontages of the lots on one side of a street between
 - (i) two intersecting streets,
 - (ii) the end of a street if it is a dead end street and the first intersecting street, or
 - (iii) a waterway and the first intersecting street;
- (x) "erect" includes "place";
- (y) "Fire Chief" means the City official who is in control of the City Fire Department;
- (z) "front yard" means a yard which extends in width between the side boundaries of a site and in depth from the front boundary of the site to the principal building thereon;
- (aa) "Frozen food locker" means the room or compartment in a building which is used for the freezing of food or the storage of frozen goods;
- (ab) "general advertising sign" means a sign which refers to goods or services other than those produced, offered for sale or obtainable at the premises on which the sign is displayed;
- (ac) "grade" means the elevation established by the City Engineer of the crown of a street opposite where it abuts the boundary of a site; In the event that two grades are involved, the lower of the two shall be used as the grade for a site. (B/L 6451.)
- (ad) "home occupation" means an occupation carried on in a residence which the Planning Commission approves for the occupants of the residence;

(ada) "Hotel" means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms for members of the general transient public who are not permanent residents and which does not provide cooking or kitchen facilities by means of efficiency units or by means of any other type of cooking or kitchen units in more than ten percent (10%) of the rooms or suites intended for occupation by guests but the same building may contain commercial or other uses and may or may not offer such additional services as parking facilities for guests, restaurant or dining room accommodation, room service and public convention facilities; (As amended by By-law No. 6092, passed July 5, 1963.)

B/L. 6001.
Jan. 7/63.

(ae) "identification sign" means a sign which contains no advertising but is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution or the occupation of the person; and is placed on the premises which it identifies;

(af) "industrial district" means an M-1, M-2, M-3 or AM District as set out and designated in section 5;

(ag) "interior site" means a site which is bounded by only one street;

(ah) "key site" means an interior site lying immediately to the rear of a reversed corner site;

(ai) "lane" means a public thoroughfare not exceeding thirty feet in width, which provides a secondary means of access to a site or sites;

(aj) "large scale industry" means an industrial or manufacturing undertaking carried on in a building or series of adjoining or connected buildings having a total ground floor space of not less than 43,560 square feet, and erected on a site of not less than twenty acres in area;

(ak) "legal description" with reference to the description of a site in the City means the description, or the abbreviation of the description, of the site which is recorded in the Land Titles Office for the South Alberta Land Registration District;

(al) "loading space" means a space for parking a commercial vehicle while being loaded or unloaded;

(am) "local advertising sign" means a sign which refers only to goods or services produced, offered for sale or obtainable at the premises on which the sign is displayed;

- (an) "lodging house" means a building where sleeping or lodging accommodation is provided for remuneration, with or without meals, to more than four persons, exclusive of the occupant and his immediate family;
- (ao) "major thoroughfare" means a public thoroughfare designated as a major thoroughfare on the Zoning Map;
- (ap) "motel" means a building or a group of buildings on a site providing separate sleeping units complete with washing and sanitary facilities and with adjoining or conveniently located parking space, designed or operated for the purpose of providing temporary accommodation to transient motorists, but does not include a truck motel;
- (aq) "neighbourhood store" means a store which deals primarily in the necessities of life of an expendable nature required by the inhabitants of a residential district, but does not include a department store, a hardware or furniture store or a store catering primarily to the requirements of a commercial district;
- (ar) "non-conforming building" means a building lawfully constructed or lawfully under construction at the date of the first publication of the official notice of the proposal to pass this By-law, as required by the Act, and which does not or will not conform to the requirements of this By-law;
- (as) "non-conforming use" means
 - (i) the lawful specific use of land or a building, or; (As amended by By-law No. 6141, passed July 22, 1963.)
 - (ii) the lawful specific use intended to be made of a building lawfully under construction at the date of the first publication of the official notice of the proposal to pass this By-law as required by the Act, and which use does not conform to the requirements of this By-law;
- (ass) "nursing home" means an institution, home, private house or building with four or more beds where people are received, lodged, boarded or retained for care or treatment for which a charge is made; and includes a maternity home, a convalescent home, a home for the aged and a private boarding house furnishing professional or practical nursing care or treatment. (Added by By-law 5121, passed Nov. 10, 1958.)
- (at) "objector" means a person who has filed a statement of objection to the approval of a use of a building or a site in accordance with the terms of a notice posted on the building or site at the direction of the Planning Commission pursuant to the provisions of section 12 in Part II of this By-law;

- (ab) "one-family dwelling" means a building containing only one dwelling unit, and, except as otherwise allowed by this By-law, used for no other purpose;
- (av) "parking area" means a portion of land or of a building, or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles;
- (aw) "parking space" means a space set aside for and capable of being used for the parking of one motor vehicle;
- (aww) "parking structure" means a building or other structure designed for parking automobiles in tiers or floors above or partly above the surface of the ground and above each other, or below or partly below the surface of the ground. (Added by By-Law 5121, passed November 10, 1958.)
- (ax) "permitted use" means a use of land or a building appearing in a table in the column captioned "Permitted Uses" and includes a use found by the Appeal Board pursuant to the provisions of sections 8 and 9 to be similar to a permitted use;
- (ay) "Planning Commission" means the Municipal Planning Commission of The City of Calgary established under By-law No. 6140 or any substitution therefor; (As amended by By-law No. 6141, passed July 22, 1963.)
- (az) "principal building" means a building which in the opinion of the Planning Commission
 - (i) occupies the major or central portion of a site;
 - (ii) is the chief or main one among the buildings on the site; or
 - (iii) **constitutes** by reason of its use the primary purpose for which the site is used;
- (ba) "principal use" means the main purpose for which a building or site is used;
- (bb) "private garage" means an accessory building designed and used for the storage of motor vehicles and includes a carport;
- (bc) "private school" means a place of instruction which is not maintained at public expense, and which may or may not offer courses of study equivalent to those offered in a public school, but does not include a commercial or trade school, or private instruction when given as a home occupation;

- (bd) "proprietary elector" means an elector who is assessed, or a corporation that is assessed, in respect of land that is subject to assessment and taxation by the City;
- (be) "public or quasi-public building" means a building which is available to the public for the purposes of assembly, instruction, culture or enlightenment, or for a community activity, but does not include a school or a place of public entertainment for which an admission fee is customarily charged;
- (bf) "public garage" means a building where motor vehicles are repaired for the public and where motor vehicles may be stored or offered for sale but excludes an auto body and paint shop;
- (bg) "public school" means a place of instruction other than a commercial or technical school maintained at the public expense pursuant to The School Act of the Province of Alberta;
- (bh) "public thoroughfare" includes a lane but does not include a walk or path;
- (bi) "public utility" means a system, works, plant, equipment or service whether owned or operated by or for the City, or by a corporation under agreement with or a franchise from the City or under a federal or provincial statute, which furnishes services and facilities available to or for the use of all the inhabitants of the City, including but not limited to
 - (i) communication by way of telephone or telegraph,
 - (ii) public transportation by bus or trolley coach,
 - (iii) production, transmission, delivery or furnishing of water, gas or electricity to the public at large, and
 - (iv) collection and disposal of sewage, garbage and other waste;
- (bj) "public utility building" means the building in which the proprietor of a public utility
 - (i) maintains its office or offices, or
 - (ii) maintains or houses any equipment used in connection with the public utility;
- (bk) "rear yard" means the yard which extends in width between the side boundaries of a site and in depth from the rear boundary of the site to the principal building on the site;
- (bl) "residential building" means a building which is constructed as a dwelling for human beings;

- (bm) "residential district" means an RC, RR-1, R-1, R-2, R-3, R-4 and R-5 District as set out and designated in section 5;
- (bn) "reversed corner site" means a corner site the back of which abuts the side of the site immediately to its rear, with or without a lane intervening;
- (bo) "row dwelling" means one of three or more dwelling units which are constructed in a row and each of which
 - (i) has a separate rear & front entrance; and
 - (ii) is joined on one or both sides by a party wall to another dwelling unit or units in the same row; and
 - (iii) is located on a site for which a separate certificate of title can be issued.

B/L. 5613.

B/L. 5121.

- (boo) "rumpus room" means a room which is adequate for private recreation, entertainment or amusement but which may not comply with the requirements of this or other applicable legislation for, living, sleeping or eating rooms.
- (bp) "secretary" means the person appointed pursuant to Part VIII of this By-law as secretary of the Appeal Board;
- (bpa) "semi-detached one-family dwelling" means a one family dwelling which is joined by a party wall on one side only to another semi-detached one-family dwelling and which stands on a site or on land which is capable of being made a site as defined in this by-law and in conformity with the Subdivision and Transfer Regulations of the Province of Alberta; (As amended by B/L 5815, passed March 5, 1962.)
- (bq) "service station" means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils, and minor accessories for motor vehicles;
- (br) "side yard" means a yard which extends between one of the side boundaries of a site and the side of the principal building on the site which is nearest the said side boundary, and between the front yard and the rear yard on the same site, or, where there is no front yard or/rear yard, the front or rear boundary of the site;
- (bra) "Sign" means an object or thing intended for the purpose of advertising or calling attention to any person, matter, thing or event and includes a marquee as defined in "The Sign By-Law"; (As amended by By-law No. 6001, passed Jan. 7, 1963.)

B/L.
5640.

- (bs) "similar use" means a specific use of land or a building that is not expressly provided for by this by-law but which the Appeal Board has determined is similar in character and purpose to other uses of land and buildings permitted by this by-law in the zone in which such use is proposed; (As amended by By-law No. 6141, passed July 22, 1963.)
- (bt) "site" means a piece or parcel of land the boundaries of which are of record in the Land Titles Office of the South Alberta Land Registration District;
- (bu) "site area" means the total horizontal area of a site;
- (bv) "site depth" means the mean horizontal distance between the front and rear site boundaries;
- (bw) "site width" means the mean horizontal distance between the side boundaries of a site;
- (bx) "small holding" means a parcel of land not more than twenty and not less than three acres in area used wholly or principally for residential and agricultural or horticultural purposes;
- (bxx) "smoke house" means a building or room designed and used for the curing of meats by a smoking process; (By-law No. 5227.)
- (by) "special Development Area" means an area designated as such on the Zoning Map;
- (bya) "Storey, first," means the storey with its floor closest to grade and having its ceiling more than 6 feet above grade;
- (byb) "Storey, second," means the storey located immediately above the first storey.
- (bz) "street" means a public thoroughfare affording the principal means of access to abutting sites and includes the sidewalks and the land on each side of and contiguous to the prepared surface of the thoroughfare dedicated to, or set aside for use as, a public thoroughfare and owned by the City;
- (ca) "street line" means a lateral boundary of a street notwithstanding the actual width of the prepared surface of the street;
- (cb) "through site" means a site which abuts two streets which are parallel or nearly parallel in the vicinity of the site;
- (cc) "trade school" means a school other than a commercial or a public school in which is taught principally a manual, mechanical or technical trade;

- (cd) "Traffic Supervisor" means the City official who is in control of the City Traffic Department;
- (ce) "transitional site" means a site which is designated as a transitional site on the Zoning Map;
- (cf) "truck motel" means premises used for the temporary accommodation and feeding of drivers of long distance trucks and highway transportation vehicles, and providing parking spaces for such vehicles;
- (cg) "two-family dwelling" means a building containing only two separate and complete dwelling units and, except as otherwise allowed by this By-law used for no other purpose;
- (ch) "use table" means a table in the Schedule of this By-law which is entitled "USE TABLE" and which designates the permitted and conditional uses for a district;
- (ci) "valet shop" means a shop where clothes are brushed and pressed and minor repairs to clothing are made;
- (cj) "yard" means the portion of a site, which pursuant to the provisions of Part IV, is required to be maintained at the front, a side or the rear of the principal building on the site;
- (ck) "Zoning Map" means the bound series of sectional maps marked CALGARY ZONING MAP, identified as such by the signatures of the Mayor and City Clerk in a prominent place on the cover or flyleaf thereof, and each separate sectional map impressed with the corporate seal of the City, which bound series of maps with the alterations therein and additions thereto subsequently made in the manner provided is a part of this By-law.

(2) The Schedule attached to this by-law is part hereof, and this By-law is to be interpreted with reference to the Schedule, and the definitions in this section apply to the Schedule.

(3) Wherever in this by-law reference is made to the exercise of a power by the Planning Commission or by the Director of Planning in a manner which is inconsistent with the Act, then the reference shall be deemed to be a reference to Council and to the exercise of a power of Council under the Act.

(4) Pursuant to section 122 of the Act, Council may by resolution authorize either the Commission or the Director to act on its behalf in respect of any of the matters referred to in section 123 of the Act. (As amended by By-law No. 6141, passed July 22, 1963.)

PART I
GENERAL

Purpose and Application of By-Law

3. The purpose of this By-law is to facilitate the orderly, economic and convenient development of the City and for that purpose among other things,
- (a) to divide the City into districts, and
 - (b) to prescribe and regulate for each district the purpose for which buildings and land in the district may be used.
4. (1) Subject to subsection (3) this By-law applies to all buildings and land within the City
- (2) Notwithstanding Subsection (1), a non-conforming building need not be removed and a non-conforming use need not be discontinued
- (3) This By-law does not apply to:
- (a) the use of a building or a part thereof as a temporary polling station for a federal, provincial or municipal election or referendum.
 - (b) the construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement.
 - (ba) the use by the City of land of which the City is the legal or equitable owner for a purpose directed or approved by a two-thirds majority vote of Council in connection with any public utility carried on by the City. (As amended by By-law No. 5448, passed March 19, 1962.)
 - (c) parking areas provided by the Calgary Transit System at the terminals or elsewhere along its transit routes for the use of its patrons.
 - (d) a temporary building the sole purpose of which is incident to the erection or alteration of a building for which a permit has been granted under the Building By-law, or
 - (e) the following type of notices and signs
 - (i) official notices, signs, placards or bulletins required to be displayed pursuant to the provisions of federal, provincial or municipal legislation or displayed by or on behalf of the City or on behalf of a department, a commission, board, committee or official of the City authorized for such purpose;

- (ii) notices or signs for the guidance, warning or restraint of persons in respect of the premises on which they are displayed; and
- (iii) a sign or notice offering a site on which it is placed or a building or part of a building thereon for rent or for sale;
- (iv) directional signs, posters and banners allowed by the City Commissioners to be erected on streets and lanes;
- (v) advertising signs displayed on bus shelters and seats located on streets pursuant to an agreement with the City;
- (vi) a sign which is inside a building is not an advertising sign in a dwelling in a residential district and visible from outside the dwelling;
- (vii) municipal or street numbers displayed on premises to which they refer;
- (viii) the name of a building when sculptured out of or in the fabric of the wall of the building or set out in letters displayed against the wall of the building;
- (ix) a sign which is attached flat to the wall of a one-family dwelling, a two-family dwelling, a row dwelling, or an apartment house and which states no more than:
 - (a) the name and address of the building, and
 - (b) the names and occupations of the persons occupying the building, where the total area of the signs excluding municipal or street numbers and the name of the building excepted by subparagraph (viii), displayed on the building does not exceed, in the case of a one-family dwelling or a row dwelling, 216 square inches and, in the case of a two-family dwelling or an apartment house, 432 square inches. (As amended by By-law No. 6001, passed Jan 7/63.)
- (x) a sign which is attached flat to the wall of a building which is not a one-family dwelling, a two-family dwelling, a row dwelling or apartment house or a building accessory to such a dwelling or apartment house and which states no more than:
 - (a) the name and address of the building,
 - (b) the name of the institution, person or firm occupying the building, and
 - (c) the activities carried on in the building, where the total area of the signs, excluding municipal or street numbers and the name of the building excepted by subparagraph (viii) displayed on the building does not exceed 15 square feet.

- (xi) signs not otherwise herein excepted which are erected by the City, the Provincial Government or the Government of Canada. (As amended by By-law No. 6001, passed Jan. 7, 1963.)

5. (1) To facilitate the accomplishment of the purpose of this By-law, the City is divided into districts having the following designations:

A	Agricultural and Parkway Districts
AR	Agricultural (Future Residential) Districts
RC	Country Residential Districts
RR-1	Restricted One-Family Residential Districts
R-1	One-Family Residential Districts
R-2	Two-Family Residential Districts
R-3	General Residential Districts
R-4	General Residential Districts
R-5	General Residential Districts
C-1	Local Commercial Districts
CR-6	Central Residential Districts (B/L. 6047.)
CS-1	Commercial and Service District (B/L. 4916.)
C-2	General Commercial Districts
CM-1	Central Business Districts
CM-2	Central Business Districts
C-Hwy-1	Highway Motel Districts
C-Hwy-2	Highway Commercial and Industrial Districts
M-1	Restricted Light Industrial Districts
M-2	General Light Industrial Districts
M-3	Heavy Industrial Districts
AM	Agricultural (Future Industrial) Districts
DC	Direct Control Districts (B/L. 5786.)

(2) Throughout this By-law a district is referred to by the letter or letters and the number, if any, set in front of the name of the district in subsection (1).

(3) The boundaries of the districts listed in subsection (1), with the exception of the Direct Control District, are those delineated on the Zoning Map. (As amended by By-law No. 5786, passed December 20, 1963.)

(3a) The boundaries of the district entitled CS-1 shall be the following:

Blocks 2, 3, 4 and 5 inclusive as shown on Plans 3150P and 5611 FO being bounded by 10th and 14th Streets N.W. and 16th and 17th Avenues N.W. (By-law No. 6483.)

(4) The Direct Control District comprises all parcels or areas of land within the boundaries of The City of Calgary which do not appear on the Zoning Map as being in any other district because of inadvertent omission or by reason of an order annexing such lands to the City after the enactment of the Zoning By-law or for any other cause. (As amended by By-law No. 5786, passed December 20, 1961.)

(5) Council by By-law may designate any site in an R-5 or in a CM-1 or in a CM-2 District as an CR-6 Central Residential District if the site

- (a) has an area of not less than fifteen thousand (15,000) square feet and a width of not less than one hundred fifty (150) feet, and
- (b) lies within the area bounded on the north by the Bow River, on the east by the Elbow River, on the south by 12 Avenue South and on the west by 14 Street West. (As amended by By-law No. 6047, passed February 18, 1963.)

(6) A site designated as an CR-6 Central Residential District is subject to the provisions of section 52d of the Zoning By-law. (As amended by By-law No. 6047, passed February 18, 1963.)

(7) The lands comprising those portions of the City shown hatched on the plan attached as Schedule A hereto and classified as CM-1, CM-2 and M-1 Districts constitute the Central Area Zone and are subject to section 52f of the Zoning By-law. (As amended by By-law No. 6092, passed July 5, 1963.)

5a.(1) Council by by-law may designate a site in an R-3 District as an R-3X site or a site in an R-4 District as an R-4X Site.

(2) When a by-law to establish an R-3X or an R-4X site is proposed, then in addition to the publication required by subsection (2) of section 83 of The Town and Rural Planning Act the City Planner shall cause to be posted on the proposed R-3X or R-4X site for a period of not less than seven days a notice giving the time and place of the Public Hearing required under the Act and such notice shall first be posted at least fourteen (14) days before the said public hearing.

(3) Both the newspaper notice and the notice posted on the proposed R-3X or R-4X site shall state briefly the effect of the change in designation which will permit the erection of buildings to the height stated in the by-law or to a maximum of 150 feet. (As amended by By-law No. 5978, passed February 18, 1963.)

6. (1) If there is any uncertainty or dispute about the exact location of the boundary of any district as shown on the Zoning Map, the location shall be determined by the application of the following rules:

- Rule 1. Where a district boundary is shown as following a street or lane, it shall be deemed to follow the center line thereof.
- Rule 2. Where a district boundary is shown as approximately following the boundary of a site, the site boundary shall be deemed to be the boundary of the district for the portion of the district boundary which approximates the site boundary.
- Rule 3. Where a district boundary is not shown as following a street or lane and does not coincide with the boundary of a site its location shall be determined.

- (a) where dimensions are set out on the Zoning Map by the dimensions so set out, or
- (b) where no dimensions are set out on the Zoning Map with respect to such boundary by measurement of, and use of the scale shown on, the Zoning Map.

(2) Where the application of the above rules does not determine the exact location of the boundary of a district the Planning Commission either on its own motion or upon written application being made to it on the form required by the Planning Commission by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this By-law and with the degree of detail as to measurements and directions as the circumstances may require.

(3) After the Planning Commission has fixed a district boundary pursuant to the provisions of subsection (2), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this By-law.

(4) The Planning Commission shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

PART II

USES OF BUILDINGS AND LAND

Types of Uses

7. (1) Subject to the other provisions of this By-law a person

- (a) may use a building or land for a permitted use for the district in which the building or land is situated;
- (b) after having made application to and upon receiving the approval of the Planning Commission, subject to the conditions which the Planning Commission may impose
 - (i) may use a building or land for a conditional use for the district in which the building or land is situated;
 - (ii) may use a building or land for an accessory use.

(2) Where upon an appeal being made from the Planning Commission the Appeal Board reverses or varies a decision of the Planning Commission subsection (1) shall apply to the subject matter of the appeal as though the words "Appeal Board" were substituted for the words "Planning Commission".

(3) A person shall not use a building or land for a purpose not permitted, required or otherwise allowed by this By-law.

(4) Notwithstanding a right contained in this By-law to use a building or land and notwithstanding the obtaining of any approval, consent or certificate granted under this By-law, a person is responsible for and is not excused from ascertaining and complying with

- (a) the further requirements of this By-law,
- (b) the requirements of any Dominion, Provincial or other Municipal Legislation, and
- (c) the conditions of any easement, covenant, building scheme or agreement affecting the building or land. (As amended by By-law No. 5707, passed January 8, 1962.)

(5) Where the proposed use of a building or land does not comply with any Dominion, Provincial, or other Municipal Legislation or with the conditions of any easement, covenant, building scheme or agreement affecting the land or building, the Planning Commission the Appeal Board or a City official may refuse to grant a certificate, consent or approval under this By-law for that use.

(6) Neither the Planning Commission the Appeal Board nor a City Official is required to examine the title to any land or to make any enquiry to discover whether or not the use of a building or land is affected by any Dominion, Provincial or other municipal legislation or with the conditions of any easement, covenant, building scheme or agreement. (As amended By B/L 5707, passed Jan. 8/62.)

(7) A permitted or conditional use is subject to any condition, qualification or exception referring to it and appearing in the use table as well as in the case of a conditional use to the conditions placed on the use by the Planning Commission.

8. Referring to Similar Uses deleted by By-Law No. 6141.

9. Referring to Similar Uses deleted by By-Law No. 6141.

UTILITIES REQUIRED

10. (1) Notwithstanding any right contained in this By-law, the Planning Commission may require a person who proposes to erect a building to make provision to its satisfaction for the supply to such building of electric power, water, sewerage, street and other facilities or any of them.

11. (2) Where the Planning Commission requires in respect of a proposed building the provision of any of the facilities referred to in subsection (1) a person shall not begin the excavation for the foundation nor commence the erection of the building until he has made provision for such facilities to the reasonable satisfaction of the Planning Commission.

Application to Planning Commission for Certain Uses

11. (1) Where this part requires that the prior approval of a use or a decision concerning the appropriateness of an accessory use be obtained from the Planning Commission no person shall use a building or land for such purpose until he has applied for and received the required approval or decision from the Planning Commission.

(2) When making an application pursuant to the requirements of subsection (1), the applicant shall apply to the Planning Commission on a form prescribed or approved by the Planning Commission setting out

- (a) his full name and address, which shall be his address for service of any notice to be given to him in respect of the application;
- (b) the municipal address of the building or site, the legal description of the site and the proposed use thereof;
- (c) the approval or decision that he requires; and
- (d) such other information as he deems to be relevant to the application.

Posting Notices of Proposed Uses

12. (1) Where an application has been made to it for the approval of a conditional use the Planning Commission may require, and if the applicable use table sets out that posting is mandatory for the use the Planning Commission shall require, as the condition precedent of its consideration of the application that the applicant display for not less than seven days in a conspicuous place on the site, not less distant from the street or streets abutting the site than the Planning Commission directs a notice or notices in a form prescribed by the Planning Commission setting out the proposed use.

(2) The Planning Commission shall require a notice displayed pursuant to subsection (1) to set out

- (a) the proposed use of the building or site
- (b) that an application respecting the proposed use will be considered by the Planning Commission; and
- (c) that any proprietary elector who objects to the proposed use of the site may deliver to the Planning Commission a written statement of his objection to such use setting out
 - (i) his full name and the address for service of any notice to be given to him in respect of the objection,
 - (ii) a description of the premises in respect of which he is assessed

which need be only in sufficient detail to allow the Planning Commission to recognize the general location and type of the premises, and

- (iii) the reasons for his objection to the proposed use, which statement must be received by the Director not later than the day set out in the notice.

13. (1) When a statement of objection to the use of a building or a site on which a notice has been posted is signed by more than one person, the name and address of and the property in which each signatory is interested shall be set out in the statement of objection.

(2) When two or more persons sign the same statement of objection, they shall indicate on the statement one name and one address for service of any notice to be given to them in respect of the objection.

(3) When a statement of objection signed by more than one person does not indicate a name and address for service of notices to which an objector is entitled, the Planning Commission shall send the notices to the first legible name and adequate address on the statement.

Action of Planning Commission on Application

14. (1) Where an application is made to the Planning Commission its approval of a conditional use of a building or site the Planning Commission in its sole discretion may

- (a) grant the approval,
- (b) refuse the approval, or
- (c) grant the approval subject to reasonable conditions it may impose.

(2) Where an application is made to the Planning Commission requesting that it decide that a proposed building is accessory to another building on the same site or a proposed use is accessory to the use of a building presently on the site or to the use of the site the Planning Commission shall determine whether or not the building or use applied for as an accessory building or use is normally incident and subordinate to the principal use of the building or site in respect of which the application is made and may impose reasonable conditions on the construction of the accessory building or the carrying out of the accessory use.

(3) When the Planning Commission is dealing with an application made to it pursuant to the provisions of section 11, it shall consider, among other matters which appear to it to be relevant, all objections received by it from persons who are entitled to object and who have complied with the provisions of the notice posted on the building or site under consideration, all as provided in clause (c) of subsection (2) of section 12.

L. 01. (4) The Planning Commission shall advise the applicant, and the objectors, if any, of its decision on the application by a notice in writing, copies of which shall be sent by mail to the address given for service in the application and in each statement of objection.

Time Limit on a Conditional or Accessory Use

15. Where as a condition which it imposes pursuant to the provisions of section 14 the Planning Commission limits the time for which it approves a conditional use or an accessory use and such time or the last extension thereof expires the person carrying on the use shall within such time as it is reasonable in the opinion of the Planning Commission

- (a) discontinue the use and remove all buildings and works constructed in connection therewith, and
- (b) restore the site or building either to its original condition or to a condition which meets the approval of the Planning Commission.

Right to Appeal a Decision of Planning Commission

16. (1) Where upon an application being made to it the Planning Commission

- (a) refuses to approve a conditional use or decides that a use applied for as an accessory use of a building or site or a building applied for as accessory is not properly considered accessory, or
- (b) imposes conditions on its approval that would create unnecessary hardship

the applicant within thirty days of the notice of the decision of the Planning Commission being mailed or delivered to him may appeal the decision of the Planning Commission in the manner provided in Part VIII.

(2) Where the Planning Commission approves an application to which an objection was made in the manner provided in this part, the objector within ten days of the date when notice of the decision of the Planning Commission is mailed to him may appeal the decision of the Planning Commission in the manner provided in Part VIII.

Certificate of Compliance

17. (1) Except as otherwise provided by Section 17a a person who is required by the Building By-law to obtain a building or occupancy permit by the Sand and Gravel Pit By-law to obtain a permit by the Sign By-law to obtain a permit, or by this By-law to obtain a permit

after obtaining any required approval of a City Official, of the Planning Commission or of the Appeal Board but before applying for the permit desired shall apply to the Director for a certificate of compliance and shall advise the Director of

- (a) the type and location of the building, excavation, sign or other structure or development to be built, altered or occupied as the case may be, and
- (b) the use of the building proposed to be built or altered, or the type of occupancy desired, as the case may be

in such detail and with such additional relevant information as the Director may require to determine whether or not the proposed building, excavation, sign or structure or other development as built or altered as located on the site or the proposed occupancy will comply with the provisions of this By-law. (As amended by By-law No. 6001, passed January 7, 1963.)

(2) The applicant shall furnish to the Director three copies of plot plans of the site and of such other plans and specifications as in the case the Director finds necessary or desirable to enable him to determine whether or not the proposed building, alteration or occupancy will comply with the provisions of this By-law.

(3) The Director after considering the application and the plans submitted

(a) if he finds the proposed building, the proposed alteration or the proposed occupancy will not comply with the provisions of this By-law shall notify the applicant of the reasons why the certificate of compliance will not be granted and shall return one copy of the plans furnished;

(b) if, in the case of the erection or alteration of a building, he finds the building will comply with the provisions of this By-law

- (i) as applied for and not subject to conditions,
- (ii) with or without changes in the plans but subject to conditions,
- (iii) with changes in the plans but without other conditions

shall return one copy of the plans with the changes, if any are required, endorsed thereon to the applicant and shall furnish him with a certificate of compliance with the conditions of compliance, if any are necessary, endorsed thereon or attached thereto;

(c) if in the case of the occupancy of a building he finds that the proposed occupancy will comply with the provisions of this By-law either unconditionally or subject to certain conditions, he shall furnish the applicant with a certificate to that effect with the conditions of the occupancy, if any, endorsed thereon or attached thereto and shall return to him a copy of plans obtained from him.

(4) The Director shall forward to the Building Inspector a copy of all Plans received from an applicant for a certificate of compliance together with a copy of the notice of refusal given to the applicant or the certificate of compliance furnished to him, as the case may be, with all conditions attached or endorsed thereon.

17a. (1) Notwithstanding the provisions of section 17 or of subsection (1) of section 8 of By-law No. 4682, The Building By-law, a person may obtain and the Building Inspector may issue for the Building, Sign or other structure, or occupancy, a permit for (B/L. 6001.)

- (a) the construction of or an external addition to a one-family or a two-family dwelling under circumstances and conditions that comply with the provisions of subsection (2);
- (b) the conversion of a one-family dwelling to a two-family dwelling under circumstances and conditions that comply with the provisions of subsection (3);
- (c) the construction of a rumpus room, a play room, a study room, a guest sleeping room, a hobby workshop, a laundry room, a storage room or a furnace room that does not involve any external addition to the dwelling where it is to be constructed;
- (d) the construction of a detached private garage under circumstances and conditions that comply with the provisions of subsection (4);
- (e) the erection of an identification or local advertising sign under circumstances and conditions that comply with the provisions of subsection (5); or
- (f) the use of such dwelling, rooms in dwellings or detached private garage under the circumstances and conditions referred to in subsections (2), (3) and (4). (As amended by By-law No. 6001, passed January 7, 1963.)

without a certificate of compliance from the Director being issued in respect of such operation.

(2) The circumstances and conditions under which no certificate of compliance is required for a building permit for the construction of or an addition to a one-family or a two-family dwelling are:

- (a) that the site on which the building is to be or is presently erected is in
 - (i) an R-1, R-2, R-3, R-4 or R-5 District in the case of a one-family dwelling;
 - (ii) an R-2, R-3, R-4, or R-5 District in the case of a two-family dwelling, or
 - (iii) that portion of an AR District which is approved for the purposes of a planned development by the Planning Board pursuant to Condition 9 of Table 'B' in the case of either a one-family or a two-family dwelling;

- (b) that the site on which the dwelling is to be or presently is placed
 - (i) is not less than five thousand square feet in area;
 - (ii) is not less than fifty feet in width;
 - (iii) has a front yard of not less than twenty feet in depth;
 - (iv) is not flanked on both sides by sites with front yards either or both of which are of greater or less depth than the required minimum depth;
 - (v) does not adjoin the portion of a street for which a set-back is established by Table 'U';
 - (vi) has side yards of not less than five feet in width;
 - (vii) has a rear yard of not less depth than twenty-five feet counting one-half of the lane abutting it; and
 - (viii) is not a reversed corner site;
- (c) that all proposed projections into the yards will comply with the provisions of section 28 applicable to residential districts;
- (d) that if located in an AR, R-1, or R-2 District all of the buildings proposed on the site will not cover more than one-third of the site area;
- (e) that the building proposed to be constructed or altered will not exceed twenty-eight feet in height; and
- (f) that the dwelling does not or will not include a private garage access to which is from
 - (i) a major or an arterial thoroughfare, or
 - (ii) any street which is less than twenty feet from the proposed dwelling;

(3) The circumstances and conditions under which no certificate of compliance is required for a building permit for the conversion of a one-family dwelling to a two-family dwelling are:-

- (a) that the dwelling is located in an R-2, R-3, R-4 or R-5 district
- (b) that the site on which the building is located is not less than one hundred feet deep nor less than fifty feet wide; and
- (c) that the conversion does not involve any external addition to the dwelling other than a means of access.

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(4) The circumstances and conditions under which no certificate of compliance is required for a building permit for the construction of a detached private garage are:-

- (a) that it is to be located on a site
 - (i) in an RR-1, R-1, R-2, R-3, R-4 or R-5 District;
 - (ii) that is not a corner or reversed corner site, and
 - (iii) on which a dwelling is presently erected or is to be erected contemporaneously with the garage.
- (b) that access to the garage will not be from a major or an arterial thoroughfare or from any other street less than twenty feet from the proposed garage;
- (c) that the garage will be no closer than
 - (i) sixty feet to the front boundary of the site;
 - (ii) three feet to a side boundary of the site unless the wall of the garage nearest to the boundary is constructed of bricks, stone or equivalent fire resistant material, or unless the side property boundary abuts a lane;
 - (iii) three feet to a lane to which the garage is connected by a driveway;
 - (iv) five feet to another building;
- (d) that it does not exceed fifteen feet in height;
- (e) that if in an RR-1, R-1, or R-2 district all buildings on the site where it is to be located will not when the garage is constructed cover more than one third of the site area and all the accessory buildings will not cover more than one tenth of the site area.

(5) The circumstances and conditions under which no certificate of compliance is required for a sign permit for the erection of a sign are:-

- (a) that the sign is an identification or local advertising sign;
- (b) that it is located in a C-1, C-2, CM-1, CM-2, M-1, M-2, or M-3 district, but not in a shopping centre subject to special sign regulations;
- (c) that, if attached to a building in a C-1 district, it extends no more than three feet above the highest point of the building as determined under section 22 of this by-law and no part of the structural support is visible;
- (d) that, if the sign is in a C-1 District and is illuminated, the lighting is not intermittent or flashing. (As amended by By-law No. 6001, passed January 7, 1963.)

17b. The Building Inspector shall not issue an occupancy permit under the Building By-law unless he is satisfied that all the conditions of a Certificate of Compliance issued pursuant to Section 17 hereof for the premises in question have been complied with. (As amended by By-law No. 6001, passed January 7/63.)

18. (1) Notwithstanding anything contained in section 17 the Director shall not issue a certificate of compliance in respect of the erection, alteration or occupancy of a building or any part thereof during

- (a) the time an application in respect thereof is pending a decision of the Planning Commission or the Appeal Board, or
- (b) the time limited by section 16 for an appeal from the action of the Planning Commission in respect thereof.

(2) If in the opinion of the Director a building, alteration or occupancy for which a certificate of compliance is sought would be likely to be detrimental to the movement of traffic in the area where the building is or is to be located he may refuse to issue a certificate of compliance unless and until the access ways shown on the plans submitted to him are approved by the Traffic Supervisor.

(3) A certificate of compliance shall cease to be valid three months after the date on which it was issued unless the Director endorses thereon

- (a) that the building, alteration thereof or occupancy still complies with the provisions of the By-law, and
- (b) the date on which such endorsement was made.

(4) Where a person has been granted a certificate of compliance for the use of a building or land which does not comply with

- (a) the further requirements of this By-law;
- (b) the requirements of any Dominion, Provincial or other municipal legislation, or
- (c) the conditions of any easement, covenant, building scheme or agreement;

the Director may declare the certificate void ab initio. (As amended by By-law No. 5707, passed January 8, 1962.)

PART II - A

EXCAVATIONS OF LAND AND STRIPPING OF SOIL

18a. (1) Except as provided in this Part no person shall excavate land or remove the top soil from land in any district of the City that is established by this By-law.

(2) The owner of land in any district in the City shall not cause, permit, allow or suffer any other person to excavate land or remove top soil from land belonging to him within the City except as provided in this Part.

18b. (1) Except as provided in Subsection (2) a person who wishes to excavate land or remove top soil from land within the City shall apply to the Director for a permit so to do.

(2) No permit is required under this Part for any of the following operations:

(a) the excavation of foundations on the site and the grading of a site where

(i) a building permit has been issued for the foundations pursuant to by-law Number 4682, The Building By-law, and

(ii) the area of the portion of the site to be graded excluding the area taken by the excavation for the building is not more than ten thousand square feet;

(b) the landscaping of land immediately adjoining an existing building when the total area of the site or the area from which the top soil is to be removed does not exceed ten thousand square feet;

(c) the operation of a sand or gravel pit where the excavation or removal of top soil is in accordance with a permit issued under By-law Number 5033, The Sand and Gravel Pit By-law;

(d) the erection of a sign for which a sign permit or building permit has been issued;

(e) the installation or construction of any part of a public utility except a public highway other than a sidewalk or highway constructed by the City itself.

(3) Notwithstanding the provisions of subsection (2) or of any other section of this By-law where it is proposed to excavate land or strip soil in a district classified as a residential district or on a site which immediately adjoins a residential district no person shall excavate land or remove top soil from an area of dimensions in excess of fifty feet wide and one hundred feet long without first obtaining a permit so to do from the Director pursuant to the other provisions of this Part. (As amended by By-law No. 5679, passed January 8, 1962.)

(4) If it is convenient and expedient so to do the Director may incorporate a permit required by this section with a certificate of compliance issued pursuant to the provisions of Part II of this By-law.

18c. (1) A person wishing to make an excavation or remove top soil for which a permit is required by this Part shall apply in writing to the Director for a permit so to do and shall set out the following details in his application:

- (a) the location of the site on which the excavation or stripping of loam is to take place, such location to be designated by the legal description of the land and by the civic number where the same is available;
- (b) the area of the site on which the operation is to take place;
- (c) the type of excavation to be made with probable dimensions of the excavation or the area of the land from which and the depth to which the top soil is to be removed;
- (d) the present height of the land on the site with relation to any abutting public thoroughfares and with relation to adjoining sites;
- (e) the location on the site where the excavation is to be made or the top soil is to be removed with relation to the boundaries of the site;
- (f) the condition in which the excavation is to be left when the operation is complete or the final disposition to be made of the area from which the top soil is to be removed;
- (g) the action which is to be taken for restoring the condition of the surface of the land to be affected and for preventing, controlling or lessening the creation of dust from the land;
- (h) when the excavation or removal of top soil will be completed, the action to be taken to prevent or control creation of dust during the excavation or removal of top soil and while the land is still uncovered and the time when it is anticipated that the surface of the land will be restored to its former condition.

(2) Wherever a permit is required for the excavation of land or the removal of top soil pursuant to this Part the operation shall be deemed to be a conditional use under this By-law in the same manner and to the same extent as if it was designated as a conditional use in each use table of the Schedule to this By-law.

(3) The Planning Commission shall consider every application for a permit to excavate land or to remove top soil therefrom and shall not direct that a permit be granted therefor unless the Planning Commission is satisfied that

- (a) the operation will be proceeded with immediately and will be completed according to the timing set out in the application;
- (b) the operation will be carried out so as to create a minimum of dust, and
- (c) the operation is one which in the opinion of the Planning Commission reasonably necessary for the use and development of the land in question.

(4) The Planning Commission may require as a condition of authorizing the granting of a permit to excavate land or remove top soil that

- (a) the permittee take the precautions and follow the methods prescribed by the Planning Commission for the prevention or control of the creation and spreading of dust by the proposed operation, including but not limited to
 - (i) keeping the surface of the ground from which the grass or top soil is removed dampened with water or road oil during all times when the surface of the ground remains uncovered;
 - (ii) treating the exposed surface of the ground from which the top soil is removed with a commercial emulsion manufactured for the purpose of controlling dust during all times when it is exposed;
 - (iii) covering the land from which the top soil is removed with manure or similar natural substance which will reduce or prevent the dust from the exposed surface being blown about during such time as the surface is exposed; (As amended by By-law No. 5679, passed January 8, 1962.)
 - (iv) treating the exposed surface of the ground from which the top soil is removed with calcium chloride or similar deliquescent material to reduce the creation and spreading of dust;
 - (v) covering the portion of the ground from which the top soil has been removed and which is not immediately required for building or the other purpose for which the top soil has been removed therefrom with sod during such time as the surface thereof remains exposed;
 - (vi) placing snow fences or other artificial structures around or across the area exposed by the removal of top soil to reduce the amount of dust which may be blown about from the exposed surface;
 - (vii) where the area from which the top soil is removed is likely to be exposed for a sufficient length of time to allow the seed to sprout, sowing the exposed surface with crested wheat or other grass or grain which will prevent the soil from loosening to being blown about;
 - (viii) where the situation warrants such installation, placing of water sprinkler pipes or some other semi-permanent water device to keep the exposed surface of the ground from which the top soil is removed dampened at all times while it is exposed;

whichever of the said methods or any other methods, whether similar or dis-similar thereto, that the Planning Commission deems to be useful for controlling dust under the circumstances peculiar to the proposed operation; and

- (b) the method or methods so prescribed be endorsed on the permit or on the certificate of compliance, as the case may be, to be issued for the proposed operation as a condition or conditions to which the permit or certificate is subject.

18d. (1) A person obtaining a permit to excavate land or to remove top soil therefrom shall comply with all of the provisions of this and every other by-law and of any federal or provincial statute or regulation applicable thereto and with each and every condition on which the permit is issued.

(2) If the permittee neglects or refuses to comply with the provisions of all law affecting or relating to the permit and with any of the conditions subject to which the permit is issued, in addition to any penalty which may be imposed pursuant to this by-law

- (a) the Planning Commission may direct that the permit be suspended or revoked as in the opinion of the Planning Commission the circumstances may require;
- (b) the City may proceed to do or to have done any or all of the things which this by-law and the said conditions of the permit or of certificate of compliance if the permit is incorporated therein require the permittee to do and which the permittee fails to do, and may recover the expense thereof with costs by action in any court of competent jurisdiction or in like manner as municipal taxes.

(3) If pursuant to the provisions of subsection (2) a permit is suspended or revoked the Planning Commission may require before it reinstates the permit or authorizes a new permit to be issued to replace one that has been revoked that in addition to the permittee complying with the requirements of the law applicable thereto and the conditions of the permit, the permittee forthwith take such action as the Planning Commission deems necessary and reasonable to control and mitigate any dust nuisance which has been occasioned by the failure of the permittee to comply with the applicable law or with the conditions of the permit.

(4) a person who

(a) contravenes

- (i) a provision of this Part, or
- (ii) a condition upon which a permit is issued for the excavation of land or the removal of top soil;
(As amended by By-law No. 5679, passed January 8, 1962.)

or

- (b) suffers or permits an act to be done in contravention of a provision of this Part or of a condition upon which such a permit is issued; or

(c) neglects or fails

- (i) to do any act or thing required to be done by this Part in connection with the excavation of land and the removal of top soil, or
- (ii) to comply with each and every condition upon which a permit for the excavation of land or removal of top soil is issued;

or

- (d) allows any land which has been excavated or from which the top soil has been removed, whether or not a permit has been obtained for the same to remain in a condition from which dust will be created or blown about

and whether or not the permit is issued separately or is incorporated in a certificate of compliance is guilty of an offence and is liable upon summary conviction to a penalty not exceeding one hundred dollars and costs, and in addition thereto to a penalty not exceeding twenty dollars for every day the default continues and in default of payment of such fine and cost to imprisonment for a period not exceeding thirty days unless the fine, penalty and costs including the cost of committal are sooner paid. (As amended by By-law No.5679, passed Jan.8, 1962.)

18e. (1) Notwithstanding other provisions of this By-law where the Director is satisfied that a conditional use, an accessory use or a temporary use is of a type that in the circumstances in question would be approved by the Planning Commission, he may, subject to such conditions as he deems usual or desirable, approve the use.

(2) The Director shall not approve a use pursuant to subsection (1) for which notice posting is mandatory.

(3) A use approved by the Director pursuant to subsection (1) shall be deemed to be a use approved by the Planning Commission for the purpose of this By-law. (As amended by By-law No. 6001, passed January 7, 1963.)

PART III

SIZE AND HEIGHT OF BUILDINGS

Maximum Floor Areas

19. (1) A person shall not erect a building in a C-2, a CM-1 or a CM-2 District the total floor area of which exceeds the maximum floor area for the district in which the site of the building is located as set out in Table 'R' of the Schedule. (As amended by By-law No. 5121, passed November 10, 1958.)

(2) The maximum floor areas set out in Table 'R' are subject to the conditions qualifications and exceptions set out in the table.

Maximum Building Heights

20. (1) A person shall not erect a building the height of which exceeds the maximum height for the district in which the building is located as set out in Table 'S' of the Schedule.

(2) The maximum heights set out in Table 'S' are subject to the conditions, qualifications and exceptions set out in the table.

Base for the Measurement of Height

21. The base from which to measure the height of a building is the mean grade of all streets abutting the site where the building is located or the mean elevation of the ground adjoining the front wall of the building whichever is the higher.

22. (1) For the purposes of this part the height of a building shall be the vertical distance between the base, determined in accordance with the provisions of section 21, and the highest point of the building.

(2) When determining the highest point of a building

(a) an elevator housing, a roof stairway entrance, a water tank, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall; or

(b) a roof sign, an aerial array, a flag pole or similar device not structurally essential to the building

shall not be considered.

PART IV

YARDS AND SET-BACKS

Minimum Requirements, Variations and Exceptions

23. (1) Except as otherwise provided in Section 24 a person who uses a site for any purpose

(a) shall provide and maintain thereon a yard or yards which comply with the applicable requirements of Table 'T' of the Schedule and subsection (2), and

(b) shall not erect a building or permanent structure, other than a sign any part of which is nearer to the portion of a street boundary to which Table 'U' applies than the setback distance therefor established by that table. (As amended by By-law No. 6001, passed January 7, 1963.)

(2) Where a site abuts a portion of a street boundary for which a set-back is established by table 'U' the depth of the front yard or the width of the side yard which abuts such portion of the street boundary shall be increased from the applicable requirement of Table 'T' by the amount of the applicable set-back established by Table 'U'.

(2a) The requirements for the provision and maintaining of yards in this Part IV and in Table 'T' do not apply to construction wholly beneath the surface of the ground and such subsurface construction need not be considered when providing the yards so required. (B/L. 5304.)

(3) The provisions of Table 'T' and Table 'U' are subject to the conditions, qualifications and exceptions set out in the tables.

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(4) Notwithstanding subsections (1) and (2) the Planning Commission in its discretion may permit the erection of a canopy or other projection above a set-back established by Table 'U' subject to conditions deemed reasonable by the Commission.

(5) Where a building does not comply with the provisions of this By-law by reason of its encroachment into a required front yard, required rear yard or set-back area established by Table 'U', the Planning Commission in its discretion may allow a person to extend or add to the building where the extension or addition

(a) will not encroach further into the front yard, rear yard, or set-back area as the case may be, but

(b) otherwise complies with this by-law. (As amended by By-law No. 6001, passed January 7, 1963.)

24. (1) After the principal building is constructed on a site in a residential district if it appears that the building is so located that one or more of the yards will not comply with the requirements of Section 23, the Director, subject to the provisions of Subsection (2) of this Section, may in his discretion
(B/L/ 6001.)

(a) relax the requirement for the yard or yards in question by not more than six inches, or

(b) refuse to relax the requirement even if the relaxation sought is six inches or less.

(2) If the principal building is so located on a site in respect of which the yard relaxation is sought that

(a) a relaxation of more than six inches is required, or

(b) the combined depth of the yard for which the relaxation is sought and the yard on the opposite side of the building is less than the aggregate of the minimum dimensions required for both yards.

the Director shall not grant the relaxation, but on appeal a relaxation may be granted with such conditions as the Appeal Board in its discretion may impose.
(B/L. 5640.)

24a. Where a dwelling is erected on a site in a residential district in such a manner that one side yard is of less width than is required by this By-law but the combined width of that side yard and of the yard on the opposite side of the building is no less than the aggregate of the minimum dimensions required for both yards, the Planning Commission in its discretion may approve the extension of such a building where:

(a) the extension will not reduce:

- (i) the width of the side yard already deficient in width, or
- (ii) the combined widths of both side yards below the aggregate of the minimum dimensions required for both yards, and

(b) the Planning Commission is satisfied that the extension:

- (i) will not unreasonably prejudice the enjoyment of neighbouring properties, and
- (ii) is not objectionable or undesirable for any other reason.

(As amended by By-law No. 6001, passed January 7, 1963.)

Utility Regulating Stations

25. Notwithstanding any other provisions of this part when a gas, electricity or waterworks pumping, regulating, transformer or storage building or equipment is erected in a district in which such building or equipment is allowed, on a site designated or approved by the City for that purpose and when such site is of less area than other sites in the immediate locality, the person erecting the building or equipment shall place it or cause it to be placed on the site in a position which is approved by the Director.

Restriction of Certain Corner Sites

26. Notwithstanding anything elsewhere contained in this By-law no person using a corner site in a residential district, in an A District or an AR District shall place or maintain in or upon that portion of the site within a triangle formed by the common boundaries of the site and the streets abutting it and a straight line connecting the two points on the said boundaries distant twenty five feet from the point where they intersect, a wall, a fence, a shrub, a hedge, a tree or other object or structure, whether or not it is similar or dissimilar, or is natural or artificial, if such object or structure interferes with or obstructs the view of the driver of any vehicle using the streets.

Fences in Residential Districts

27. In addition to the restriction contained in section 26, a person shall not construct a fence on a site in a residential district that is higher than

- (a) six feet for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site; and
- (b) four feet for the portion of the fence that does extend beyond the foremost portion of the principal building on the site.

Projections over Yards

28. (1) Except as provided in this part a person shall not allow any portion of the principal building on a site to project over or on a yard.

(2) The portions of and attachments to a principal building which may project over or on a yard are

- (a) on a site in a residential district B/L. 6001.
 - (i) a cornice, a balcony, a belt course, a sill, a canopy or eaves which project over a yard a distance not exceeding one-half of the width of the smaller side yard required for the site;
 - (ii) an unenclosed verandah, porch or balcony which projects not more than thirty inches over a front yard;
 - (iii) a chimney which
 - (A) is not more than four feet wide and projects one foot or less over a yard, or
 - (B) is not more than eight feet wide and projects six inches or less over a yardif it is not less than three feet from a side boundary of a site.
 - (iv) unenclosed steps with or without a landing
 - (A) if they do not project more than eight feet where they are above the surface of the yard, or
 - (B) if the Director approves them for the site where they are or are to be erected,
- (b) on a site in a C-2, a CM-1, an M-1, an M-2 or an M-3 District a canopy or an extension over the rear yard only, if
 - (i) the canopy or extension is at least 12 feet above the surface of the yard,
 - (ii) the supports of the canopy or extension do not obstruct the use of the yard; and
 - (iii) no dwelling accommodation is provided on the site (B/L. 6252.)

- (c) on a site in any district an exterior fire escape not more than four feet wide.
- (d) other portions of and attachments to a principal building which in the opinion of the Planning Commission are of a similar nature to the projections provided for in paragraphs (a), (b) and (c) and which project over a yard no more than is allowed for the projection to which they are similar. (As amended by B/L No. 6001, passed January 7, 1963.)

Objects Prohibited or Restricted in Yards

29. (1) No person shall allow

- (a) a commercial vehicle of a maximum weight in excess of nine thousand pounds to remain on a site in any residential district, or
- (b) more than one commercial vehicle of a maximum weight not in excess of nine thousand pounds to remain on a site in an RC, an RR-1, and R-1 or an R-2 District

for longer than is reasonably necessary to load or unload such vehicle.

(1a) For the purposes of subsection (1) the phrase 'maximum weight' means the aggregate weight of the vehicle and the load which that vehicle is permitted to carry on the public highways of the Province of Alberta under the legislation and regulations of the Province applicable thereto. (As amended by By-law No. 5254, passed July 3, 1959.)

(2) No person shall allow

- (a) a commercial motor vehicle or a trailer of any type to remain in a front yard
- (b) a motor vehicle used for stock car races, a motor vehicle which has all or part of its superstructure removed or a motor vehicle which is in a dilapidated or unsightly condition to remain outside a building in a residential district.

PART V

PARKING AND LOADING SPACES AND AREAS

30. (1) Subject to subsection (2), a person using a building or land for a purpose listed in Table 'V' of the Schedule shall provide and maintain no less than the number of parking spaces specified in the table for the use.

(2) A person need not provide or maintain parking spaces in a C-2, a CM-1 or a CM-2 District other than the parking spaces required for dwelling accommodation allowed in a C-2 District, and the parking spaces required for apartment houses allowed in the Central Area Zone.

(As amended by By-law No. 6035, passed February 18, 1963.)

(As amended by By-law No. 6105, passed July 5, 1963.)

(3) A person using a building or land for a purpose listed in Table 'W' of the Schedule shall provide and maintain no less than the number of loading spaces specified in the table for the use.

(4) Table 'V' and Table 'W' are each subject to the conditions, qualifications and exceptions appearing in or at the end of the table.

(5) Where more than one use is made of a building or a site the total number of

(a) parking spaces required by Table 'V', and

(b) loading spaces required by Table 'W'

B/L shall be the aggregate of those required for all such uses and the number required
5152 for any such use shall not be considered to include the number required for any other use of the same building or site.

B/L (6) A use made of a public or quasi-public building which is normally
5640 accessory to the principal use for which the building is erected shall not be considered a separate use for the purpose of this section.

31. Where the number of parking or loading spaces required to be provided is to be determined by reference to a unit made up of a number of persons, a number of rooms, a number of seats, seating spaces or bed spaces, or a fixed floor area, and the calculation involved results in a fractional number of parking or loading spaces, the next higher number shall be taken.

32. (1) A person providing a parking space required by this part shall locate it either

(a) on the same site as the building or use in respect of which it is required, or

(b) on another site owned by him not further than four hundred feet from the site where the building is located, or where the use is carried on,

and in the latter case shall agree with the City in writing under seal, which document shall be in such form that it can be protected by registration under The Land Titles Act, that the site on which the parking space is located shall be used for such purpose as long as it is required by this part.

(2) The Director shall cause a Caveat to be registered against the land on which the parking space is located based on the agreement made with the City pursuant to subsection (1).

(3) A person providing a loading space required by this part shall locate it on the same site as the building or use in respect of which it is required.

(4) A parking space or a loading space located within a set-back distance from a street required by Table 'U' shall not be counted for the purposes of Table 'V' or Table 'W'.

33. (1) Where a parking space or loading space is required pursuant to the provisions of this by-law the person providing it shall design, locate and construct it so that

- (a) it is reasonably accessible to the vehicle intended to be accommodated there,
- (b) it can be properly maintained, and
- (c) it is satisfactory to the Planning Commission in size, shape, location and construction.

(2) For the purposes of this part a person shall not use, and the Planning Commission shall not approve the use of

- (a) a parking space less than one hundred fifty two square feet in area or than eight feet wide; or
- (b) a loading space less than three hundred square feet in area or than eight feet wide, or with less than twelve feet overhead clearance.

(3) A person providing a parking space where required for other than a one-family or a two-family dwelling shall cause the portion of the site so used to be surfaced as directed by the Planning Commission.

34. (1) Where a building which requires parking or loading spaces is to be erected, the owner of the building shall provide the required parking and loading spaces at or before the time of construction of the building.

(2) Where a building has been erected at the time this By-law becomes effective, and the site upon which it is located does not afford space for the number of parking or loading spaces required for the building or the use thereof, the building or the use shall not for that reason alone be deemed non-conforming but the building shall not be enlarged nor the use of the building altered in such a manner that either additional parking spaces or additional loading spaces are required unless provision is made for the total number of parking and loading spaces required pursuant to the provisions of subsection (1) or subsection (3) of section 30.

PART VI

SITE DIMENSIONS

35. (1) DELETED BY BY-LAW NO. 5613.

(2) No person shall subdivide land for any purpose in an RC District so that

(a) the number of parcels resulting from the subdivision will exceed one-fifth of the number of acres contained in the land so subdivided, or

(b) any lot is of less area than three acres

36. (1) Subject to section 37 where a use of a building is included in Table 'X' of the Schedule, and there is prescribed the minimum dimensions of a site which may be used for the use, a person shall not use a site of lesser dimensions for such use.

(2) Subject to section 37 where a use table allows land of a specified minimum size, or a building located on a site of a specified minimum size to be used for a use, a person shall not use land of a less size or a building located on a site of less size to be used for such use.

(3) The minimum areas and dimensions of sites set out in Table 'X' are subject to any conditions, qualifications, and exceptions set out in or at the end of the table.

37. DELETED BY BY-LAW NO. 5688.

37a. Notwithstanding Section 36 and Section 37 if a site which is not part of a subdivision for a row housing development

(a) has a depth of not less than one hundred feet, and

(b) has a width of not less than twenty five feet, and

(c) is recorded in the Land Titles Office for the South Alberta Land Registration District on a Certificate of Title which deals with no other property

a person may erect on the site a one-family dwelling after securing approval by the Planning Commission of the use of the site for that purpose and of the plans thereof if the site is located in a district where such building is allowed. (B/L 5613.)

37b. Notwithstanding Section 36 if a site which is not part of a subdivision for a row-housing development

B/L 5688. (a) has a depth of not less than one hundred feet, and

(b) has a width of not less than thirty seven and one half feet, and

(c) is recorded in the Land Titles Office for the South Alberta Land Registration District on a Certificate of Title which deals with no other property

a person may either

(d) erect on the site

(i) a one-family dwelling, or

(ii) a two-family dwelling after securing the approval of the Planning Commission for the use of the site for that purpose and for the plans thereof

if the site is located in a district where such building is allowed, or

(e) convert a one-family dwelling already on the site into a two-family dwelling, after securing the approval of the Planning Commission of the use of the site for that purpose and of the plans thereof if the site is located in a district where such building is allowed

PART VII

BUILDINGS AND SITES IN CERTAIN DISTRICTS AND AREAS

Sites adjacent to Arterial and Major Thoroughfares

By-Law 5152.

38. The provisions of Sections 39 and 40 apply only to a site which abuts an arterial or a major thoroughfare or a service road adjacent and parallel to an arterial or major thoroughfare

39. (1) Where a person

(a) erects a building other than a one-family dwelling, a two-family dwelling or a motel building not higher than twenty eight feet, or

(b) adds to or otherwise alters an existing building so that its floor area is increased by more than thirty percent.

he shall cause those walls of such building which face on an arterial or major thoroughfare and those walls which face upon a street intersecting with an arterial or major thoroughfare and which are visible therefrom to be faced with brick, stone or other material approved by the Planning Commission, including but not limited to glass, porcelain, enamelled panels, architectural concrete, split concrete block, glazed concrete block, integrally colored concrete block, self-supporting metal panels and asbestos boards when used in combination with other approved material unless the construction or alteration is allowed by the Planning Commission on a temporary basis only. (By-law 5152.)

(2) Where a person erects a building required by subsection (1) to have the facing set out in that subsection and one-third or more of the elevation of the roof of the building is visible from a major or arterial thoroughfare, a service road adjacent and parallel to a major or arterial thoroughfare or from a street intersecting with the major or arterial thoroughfare in addition to facing the exterior walls as required by subsection (1) he shall also cause those portions of the roof which are visible from the said public thoroughfares to be finished with plain tile, slate, sheet copper, sheet lead, zinc, tin, asbestos, protective metal, asbestos shingles, cement tile, metal shingles, metal tile, plastic, or other material approved by the Planning Commission. (By-law 5640.)

(3) Where a person constructs a roof which pursuant to subsection (2) is finished in whole or in part with any metal allowed by subsection (2) and where the Planning Commission requires, he shall cause the metal to be underlaid by a roof sheeting which in the opinion of the Building Inspector is the equivalent of three-quarter inch fir lumber to prevent buckling or bending of the metal. (By-law 5640.)

(4) A person shall not use an existing residential building in a district other than a residential district for a use which is not a residential use but which is allowed in the district in which the building is located, if the use involves a substantial addition to the building or any major structural change thereto.

(5) For the purposes of subsection (2) a change or addition to a residential building which does not increase the floor area of the building shall not be deemed to be a substantial addition. (By-law 5227)

40. (1) Where a person uses a portion of a site for open air storage he shall enclose the portion of the site so used by buildings, fences, hedges, trees or other landscaping features, or by a combination of any of them.

(2) When fences, hedges, trees or landscaping features are used for the purposes set out in subsection (1), they shall be of a design, construction and variety approved by the Planning Commission.

(3) Where there are parts of a site neither covered by buildings nor used for open air storage, the owner or lessee thereof shall cause the unoccupied parts of the site to be either

- (a) paved and maintained in a neat and dust free condition to the satisfaction of the Planning Commission, or
- (b) landscaped suitably, and maintained free of weeds to the satisfaction of the Planning Commission.

GROUND COVERAGE IN CERTAIN RESIDENTIAL DISTRICTS

41. A person shall not erect a building or buildings

- (a) in a RR-1 or an R-1 district so that

- (i) all buildings on the site together cover more than one third
- (ii) all accessory buildings on the site together cover more than ten per cent

of the site area; or

(b) in an R-2 District so that

- (i) all buildings on the site together cover more than forty,
- (ii) the principal building on the site covers more than thirty three and one-third, or
- (iii) all accessory buildings on the site together cover more than ten percent of the site area. (B/L. 5227.)

RE-LOCATION OF BUILDINGS

41a. (1) Unless and until he has obtained either the approval of the Director or the approval of the Planning Commission no person shall

(a) place on a site a building which has been previously erected or placed on a different site, or

(b) alter the location on a site of a building which has already been erected on that site.

(2) Before considering an application for approval under subsection (1) the Director or the Planning Commission require a site to be notice posted in accordance with Section 12.

(3) An approval under Subsection (1) shall be subject to such conditions as seem necessary or desirable to the Director or the Planning Commission.

(4) In the event that

(a) The Director has required a site to be notice posted under subsection (2) and objections are received, or that

(b) The Director is not satisfied that approval should be granted under subsection (1)

the Director shall refer the matter to the Planning Commission. (As amended by By-law No. 600j, passed January 7, 1963.)

Residential Buildings on same Site

41b. No person may erect a residential building on a site on which another residential building is already located unless

(a) all residential buildings when erected on the site form a dwelling group which complies with the provisions of this By-law, or

(b) the site is in a district where an accessory building may be used as a dwelling and the Planning Commission after application is made to it as provided in Section 14 decides that

- B/L 5640. (i) all but one of the buildings are accessory to one residential building on the site, or
(ii) all buildings are accessory to the principal use of the site.

Metal Clad Buildings in Central Business Districts

42. Unless the Planning Commission otherwise allows a person shall not erect a metal clad building in a CM-1, or a CM-2 district.

Special Development Areas

43. As well as complying with all other applicable provisions of this By-law a person using or developing a site in a Special Development Area shall comply with all applicable provisions of the following rules:

RULES FOR SPECIAL DEVELOPMENT AREAS

- (1) A building shall not be closer than twenty feet to a street or to a side boundary of the site, and at least seventeen feet from the rear boundary of the site.
- (2) A building shall have its exterior wall faced with brick, stone or other material approved by the Planning Commission, including but not limited to glass, porcelain, enameled panels, architectural concrete, split concrete block, integrally coloured concrete blocks, glazed concrete block, and self-supporting metal panels and asbestos board when used in combination with other approved material.
- (3) Unless the Planning Commission approves otherwise the aggregate ground floor areas of all accessory buildings shall not exceed the ground floor area of the principal building on the site.
- (4) In addition to the parking spaces required pursuant to the provisions of Part V, one-half of the number of parking spaces so required for employees shall be provided for visitors, and the minimum number of parking spaces provided for visitors shall be five.
- (5) Trucks and trailers used in connection with the business or industry carried out on the site shall not be kept in parking spaces required for employees or visitors but sufficient additional parking spaces, enclosed by buildings, fences, hedges or a combination of all three shall be provided for all such trucks and trailers.
- (6) If equipment or material is stored outside of a building it shall be kept in an orderly manner and enclosed by buildings, fences, hedges, trees or other landscaping features or a combination of any of them.

- (7) Fences, hedges, trees or other landscaping features required by Rules 5 and 6 shall be of a design, construction or variety approved by the Planning Commission.
- (8) Neither waste material nor refuse shall be permitted to remain outside a building.
- (9) General Advertising Signs shall not be erected, maintained or displayed.
- (10) The Director shall not issue a certificate of compliance required by the provisions of Section 17 in respect of a site until the Planning Commission approves the type, location and arrangement of buildings, other structures, parking spaces and loading spaces on the site.

Accessory Buildings - General

44. Where a structure is attached to the principal building on a site, by a roof, a floor or a foundation it is part of the principal building and is not an accessory building, even though separated from it by a passage which is open at both ends.

45. (1) No person shall erect an accessory building that is less than three feet from a common boundary of the site on which the building is located and an adjoining site unless the walls of the building nearest to the common boundary are constructed of brick, stone or equivalent fire resistant material.

(2) No person shall erect an accessory building in an A, an AR, a C-Hwy-1, a C-Hwy-2 or an AM district unless and until the Planning Commission has approved the position of such building in relation to the boundaries of the site on which it is located and to the other buildings on the site.

46. (1) In addition to complying with the other provisions of this Part no person shall erect or construct in a residential district a private garage, whether it be an accessory building or incorporated in a principal building, where the driveway connecting the garage to a public thoroughfare is less than either

- B/L
5640.
- (a) three feet in length measured from the property line if the public thoroughfare is a lane, or
 - (b) twenty feet in length measured from the edge of the sidewalk closest to the property line of the site if the public thoroughfare is not a lane, or
 - (c) where there is no sidewalk, twenty feet in length measured from the property line unless a shorter distance is allowed by the Planning Commission.

(1a) Where a residential area is developed on a road and walkway system and the dwellings front upon the walkway and back upon the road for the purposes of subsection (1) the road may be regarded in the discretion of the Planning Commission as a lane. (As amended by By-law No. 6001, passed January 7, 1963.)

(2) No person shall construct a driveway for motor vehicles from a site to a major or arterial thoroughfare unless

(a) there is no other practical method of vehicular access to the site;

(b) he provides turning space on the site connected to the driveway so that every motor vehicle leaving the site by such driveway will face the thoroughfare which the driveway enters, and

(c) he causes the driveway to enter such thoroughfare at a location on the common boundary approved by the Traffic Supervisor.

46a. (1) Notwithstanding any other provision of this By-law, a person may erect upon a site which is not in a residential district but which has erected upon it a residential building, a private garage or other accessory building.

(2) A site upon which a private garage or other approved accessory building is allowed to be erected pursuant to subsection (1) shall be deemed to be in a residential district for the purposes of subsection (1) of Section 46 and of Sections 47 and 48. (As amended by By-law No. 6001, passed January 7, 1963.)

Accessory Buildings Residential Districts

47. (1) A person shall not use an accessory building erected on a site in a residential district as a dwelling.

(2) Where a site is located in a residential district a person shall not erect thereon

(a) an accessory building more than fifteen feet high, or

(b) subject to subsection (3) an accessory building so that any portion of it is less than five feet away from the principal building on the site, or less than sixty feet away from the boundary of the street on which the site fronts.

(2a) Where a residential area is developed on a road and walkway system and the dwellings front upon the walkway and back upon the road, for the purposes of paragraph (b) of subsection (2) the walkway may be regarded in the discretion of the Planning Commission as being the street on which the sites of the dwellings front. (As amended by By-law No. 6001, passed January 7, 1963.)

(3) Notwithstanding paragraph (b) of subsection (2), a person may erect a private garage, less than sixty feet away from the boundary of the street on which the site fronts, where

(a) it is five feet away from the principal building on the site,

(b) it does not encroach on the required area of the front yard, or

in the case of a through site, it is no closer than twenty feet or such other distance as the Director, having regard to the location of buildings on the site and on adjoining sites, may specify to the streets on which the site fronts,

(c) it is not nearer the side of the site than the minimum distance of the width required for a side yard for the site, and

(d) it complies with the provisions of this by-law other than those of paragraph (b) of subsection (2) of this section. (As amended by By-law No. 6001, passed January 7, 1963.)

48. When a person erects an accessory building on a reversed corner site in a residential district, he shall not place it

B/L 5640. (a) less than fifteen feet from the site boundary abutting the side street or such lesser distance as the Planning Commission may allow.

(b) less than five feet from the rear boundary of the site if no lane intervenes between the site on which the accessory building is to be placed and the key site behind it.

Accessory Buildings, Commercial, Business and Industrial

49. No person shall erect in a C-2, a CM-1 or a CM-2 District an accessory Building as a workshop the ground floor area of which is more than forty percent of the ground floor area of the principal building on the same site.

50. No person shall construct an accessory building on a site in a C-1, a C-2, a CM-1, a CM-2, an M-1, an M-2 or an M-3 District which abuts a site in a residential district so that the building is nearer the boundary of the residential site than the lesser of

(a) five feet, or

(b) ten percent of the width of the site on which it is placed but in no case less than three feet.

51. When the boundary of a reversed corner site in a C-1, a C-2, a CM-1, a CM-2, an M-1, M-2, or an M-3 district abuts a key site in a residential district no person erecting an accessory building the rear yard of the reversed corner site shall place it so that it is less than

- (a) fifteen feet from the side boundary of the site on the street side, and
- (b) five feet from the rear boundary of the site if no lane intervenes between it and the residential district.

MINIMUM DISTANCES FROM STREET BOUNDARIES INCREASED BY SET-BACK

52. Where a site abuts a portion of a street boundary for which a set-back is established by Table 'U' the minimum distance required by a provision of this part between a private garage or other accessory building and such portion of the street boundary shall be increased by the amount of the applicable set-back established by the table.

PREMISES USED FOR OUTDOOR DISPLAY OF MOTOR VEHICLES OR MACHINERY

52a. Where premises are used for the outdoor display for sale or hire of motor vehicles, trailers, farm machinery or construction or other machinery:

(a) the Planning Commission shall require:

- (i) that toilet facilities which in the opinion of the City Medical Office of Health are suitable and adequate be provided on the premises or on neighbouring premises, and
- (ii) that the motor vehicles, trailers and machinery be displayed in an orderly manner, and for this purpose the Planning Commission may require that all or any part of the display area be divided into separate display stalls by markings painted on the paving or by barriers fixed to the surface of the display area, and

(b) the Planning Commission may require:

- (i) that the display area in whole or in part be enclosed by an ornamental fence or wall of a design and height approved by the Planning Commission and located on or set back such distance as the Commission may deem suitable, and
- (ii) that the display area be paved as approved by the Planning Commission and maintained in a neat condition free of dust, and
- (iii) that any portion of the property not included in the display area be paved or be landscaped as approved by the Planning Commission and be maintained in a neat and attractive condition. (As amended by By-law No. 5783, passed January 8, 1962.)

Special Sign Regulations

52b. (i) On and after the first day of January A.D. 1963 the Director shall endorse on every Certificate of Compliance which is issued for a new shopping centre the words "Subject to Special Sign Regulations".

(2) Notwithstanding any other provision in this By-law no Certificate of Compliance for a sign nor sign permit nor other permit for a sign shall be issued for a sign which is to be located in a shopping centre which is subject to special sign regulations unless the Director or the Planning Commission approved the sign. (As amended by By-law No. 6001, passed January 7, 1963.)

52c (i) The use of land located in a setback area as prescribed in Table 'U' of the Schedule to support a sign is permitted for a limited time only and is subject to the condition that when the width of the street is to be extended into the setback area in which the sign is erected or when it is necessary to remove or alter a sign erected in such a setback area to allow for the installation or repair of any public utility, then on written notice from the City Engineer stating that street or utility work is to be started pursuant to a resolution of the Council of the City, the owner of the sign shall within thirty (30) days at his own risk and at no cost to the City remove, alter or relocate the sign as required to permit the street or utility work to proceed

(2) The use of a building to support a sign or a canopy over or above a setback area as prescribed in Table 'U' of the Schedule is permitted for a limited time only and is subject to the condition that when as the result of the extension of the width of a street a sign or canopy fails to comply with the provisions of the Sign By-law or of this By-law then the owner of the sign or canopy on written notice of a resolution of the Council of the City requiring the removal, alteration or relocation of the sign or canopy shall within thirty (30) days at his own risk and at no cost to the City, remove, alter or relocate the sign or canopy to comply with the terms of the resolution and the provisions of relevant City by-laws

(3) Subsections (i) and (2) shall not be construed to prohibit the relocation or re-erection of the sign or canopy on the same premises if the owner of the sign or canopy when relocating or re-erecting it complies with the provisions of this and other relevant City by-laws. (As amended by By-law No. 6001, passed January 7, 1963.)

52d. (i) A site which is designated by Council as an CR-6 Central Residential District is subject to all the provisions of the Zoning By-law governing its previous zoning category except as modified by subsection (2).

(2) In addition to the uses permitted pursuant to subsection (1) under the previous zoning category a person may use a site designated as an CR-6 Central Residential District for the erection of an apartment house where

- (a) The site has an area of not less than fifteen thousand (15,000) square feet and a width of not less than one hundred fifty (150) feet,
- (b) the apartment house is at least nine storeys in height,
- (c) the total floor area of the apartment house calculated in accordance with the conditions of Table 'R' of the Schedule does not exceed an area equal to two and six tenths (2.6) times the area of the site.

(d) the design and external appearance of the apartment house is approved by the Planning Commission, and

(e) One off-street parking space is provided for each dwelling unit in the apartment house.

(As amended by By-law No. 6047 passed February 18, 1963.)

52f. (1) All lots in the Central Area Zone in addition to being subject to the regulations for CM-1, CM-2 or M-1 Districts as the case may be are subject to the regulations set out in subsections 2), 3) and 4) below.

(2) A building in the Central Area Zone which contains dwelling units other than for a caretaker and is not an hotel is classified as an apartment house for the purpose of The Zoning By-law.

(3) Notwithstanding any other provision in The Zoning By-law, the Planning Commission may approve as a conditional use for a site in the Central Area Zone an apartment house or a building which is classified as an apartment house if

(a) in addition to any storeys used for commercial or other uses provision is made for nine storeys of apartment suites or dwelling units and no commercial or non-residential use is accommodated in any storey used for residential purposes

(b) the site has a width of not less than 75 feet and an area of not less than 9,500 square feet.

(c) the total floor area determined in accordance with Table "R" does not exceed three (3) times the ground area of the site plus any additional floor area which the Planning Commission may approve in accordance with Table "RR", the Table of Bonus Allowances as set out in the Schedule; but in no case shall the grand total of the floor area approved exceed eight (8) times the ground area of the site, and

(d) One (1) space for off-street parking is provided for every apartment suite or dwelling unit, either

(i) within the building or a parking structure on the site

(ii) on an open portion of the site not visible from a public street,

(iii) within a parking structure not more than 400 feet from the building, or

(iv) with the approval of the Planning Commission for a period not longer than five years on a temporary site not more than 400 feet from the building and subject to conditions required by the Planning Commission.

(4) The Planning Commission need not approve an apartment house in the Central Area Zone

(i) which contains suites or dwelling units below the 24 foot level of the building, or

(ii) in which proposed uses of the lower twenty-four feet of the height of the building in the opinion of the Planning Commission, are not

compatible with the development of adjoining sites or with the development of the Central Area Zone as the major retail shopping area of the City,

but in no case shall the Planning Commission approve an apartment house which contains suites or dwelling units on the ground floor.

(As amended by By-law No. 6092, passed July 5, 1963.)

APPEALS

APPEAL BOARD ESTABLISHED

53. A Development Appeal Board is hereby established consisting of no fewer than three persons to be appointed annually by resolution of Council, none of whom shall be officials or servants of Council or members of the Planning Commission, and at least one of whom, shall be a member of the Council and a majority shall be persons other than members of Council.

APPEAL BOARD - CHAIRMAN, QUORUM, SECRETARY, MEETINGS

54. (1) The Appeal Board shall appoint one of its members as Chairman who shall preside over its meetings.

(2) Three members of the Appeal Board shall constitute a quorum for hearing and deciding an appeal, and for doing any other act required or permitted to be done by the Appeal Board.

(3) The City Commissioners shall appoint an employee of the City to act as Secretary of the Appeal Board without having a vote on the Appeal Board or the right to participate in the decisions of the Appeal Board.

(4) The Appeal Board shall meet at such times as the Appeal Board or its Chairman considers necessary.

RIGHTS OF APPEAL

55. An appeal to the Appeal Board may be made by a person

- (a) who claims that the strict enforcement of the requirements of this by-law or of section 125 of The Act would cause him special and unnecessary hardship because of circumstances peculiar to the use, character or situation of his land or building, or

- (b) who is not satisfied with a decision resulting from the exercise of discretionary powers by Council, the Planning Commission or an authorized official of the City under this by-law, or
- (c) who proposes a specific use of land or a building that is not expressly provided for by this By-law but is similar in character and purpose to other uses of land and buildings permitted by this by-law in the zone in which such use is proposed, or
- (d) who alleges there is error in the interpretation of this by-law by the development authority, the Planning Commission or an official of the City, or
- (e) when this by-law otherwise provides for an appeal.

NOTICE OF APPEAL REQUIRED

56. A person in order to exercise a right of appeal provided by this by-law shall serve on the Secretary either by registered mail or by delivery at his office during normal office hours a completed Notice of Appeal in duplicate.

NOTICE OF APPEAL - FORM

57. The Notice of Appeal shall set out
- (a) the name and full mailing address of the appellant, which shall be his address for service of any notice in connection with the appeal;
 - (b) the grounds of the appeal
 - (c) the location and legal description of the land affected by the subject matter of the appeal; and
 - (d) such other matters as the appellant deems relevant to the appeal.

NOTICES OF APPEAL - TIME LIMIT

58. (1) Where an objector, who is not satisfied with a decision resulting from the exercise of discretionary powers respecting an application for approval of a conditional use, appeals to the Appeal Board, he shall serve the Notice of Appeal on the Secretary within ten days of the decision being mailed to him pursuant to section 14.

(2) Except as is provided in subsection (1) where a person who is not satisfied with a decision resulting from the exercise of discretionary powers by Council, the Planning Commission or an official of the City under this by-law appeals to the Appeal Board, he shall serve the Notice of Appeal on the Secretary within thirty days of the day on which there is mailed to him a notice of the decision against which he is appealing.

NOTICES OF APPEAL - FEES

59. (1) Except for an appeal under clause (c) of section 55, an appellant when serving Notice of Appeal on the Secretary shall pay to the City an appeal fee of fifteen dollars.

(2) If the appellant withdraws the appeal before it is heard by the Appeal Board, the City Treasurer shall return to the appellant the appeal fee.

(3) The Appeal Board in its discretion may direct that the appeal fee in whole or in part be returned to the appellant.

SECRETARY- NOTICE OF HEARING

60. Upon receiving a Notice of Appeal properly completed within the period, if any, prescribed and accompanied by the required appeal fee, the Secretary

- (a) shall obtain from the Director all files dealing with the subject matter of the appeal, and such other information concerning the appeal as the Director deems relevant;
- (b) shall serve the appellant and the objectors, if any, or if the appeal is made by an objector, shall serve the objector and the person making the original application on the subject matter of the appeal and all other persons who may be affected by the subject of the appeal with a Notice of the Hearing of the appeal setting out
 - (i) the subject matter and nature of the appeal,
 - (ii) the place and time, not earlier than five days from the date of mailing the notice of hearing, where and when the Appeal Board will hear the appeal,
 - (iii) that the appellant and the objectors, or the original applicant, as the case may be, will have an opportunity of further stating and discussing the appeal and the objections at the hearing, and
 - (iv) that, if the parties to whom the notice of the hearing is sent do not appear personally or by an agent at the hearing, the Appeal Board may proceed to decide the matter in their absence.

SECRETARY - MINUTES AND NOTIFICATIONS

61. (1) As soon as reasonably possible after a hearing of the Appeal Board, the Secretary shall

- (a) prepare minutes of the hearing, setting out the particulars of the appeal, the decision of the Appeal Board, and its reasons for making that decision, and
- (b) Notify all parties entitled to receive notices in respect of the appeal, of the decision of the Appeal Board and the reasons for the decision.

(2) The Secretary shall maintain the minutes prepared pursuant to subsection (1) at his office for inspection at all reasonable times.

SECRETARY - SIMILAR USE LIST

62. The Secretary shall maintain a list of decisions of the Appeal Board concerning appeals under clause (c) of section 55 and such list shall be open for public inspection during normal office hours.

HEARINGS - NOTICE

63. Before hearing an appeal the Appeal Board shall ensure that reasonable notice of the hearing has been given to

- (a) the person making the appeal and to the objectors, if any, or, if the appeal is made by an objector, to the objector and to the person making the original application on the subject matter of the appeal, and
- (b) other persons who, in its opinion, may be affected by the subject of the appeal.

HEARINGS - ADDITIONAL INFORMATION

64. If, before allowing or rejecting the appeal, the Appeal Board requires

- (a) additional information or plans it deems necessary for deciding the issue,
- (b) statements on any matter properly relevant to the appeal from owners of property which is or may be affected by the appeal, which statements shall be in writing and signed by the persons making them, or
- (c) site plans of the land affected by the appeal, prepared or certified by an Alberta Land Surveyor,

it shall inform the appellant, who shall furnish such information, plans, statements, or certified plans at his expense within the time the Appeal Board may designate.

HEARINGS - NOTICE POSTINGS

65. Where there has not been displayed on the building or site affected by an appeal a notice of the kind and in the manner set out in section 12, the Appeal Board may require the person making an appeal to cause such a notice with appropriate variations in form and substance as the circumstances require, to be displayed on the building or site for the time and in the manner which the Appeal Board directs.

HEARINGS - DECISIONS

66. (1) The hearing of appeals shall be open to the public but the Appeal Board may deliberate and reach its decisions in private.

(2) The decision of the majority of members present at a hearing duly convened shall be deemed to be the decision of the whole Appeal Board.

HEARINGS - INTERESTED MEMBERS

67. Notwithstanding any other provision of this by-law, no member of the Appeal Board shall sit on any question before the Appeal Board in which he or she has a direct or indirect personal interest, either by reason of:

- (a) any financial advantage or disadvantage which may accrue or result to such member other than that which accrues to other citizens of Calgary generally,
- (b) any position, office or occupation held or carried on by such member which is directly or indirectly affected to a greater extent than the position, office or occupation of the other members of the Appeal Board, or
- (c) the location of the residence of such member being adjacent to or in the immediate vicinity of land which is the subject matter of the question before the Appeal Board and being affected favourably or adversely by reason of the decision of the Appeal Board.

HEARINGS - CONDUCT

68. In the conduct of hearings, the Appeal Board is not bound by the technical rules of evidence but

- (a) shall conduct hearings in accordance with
 - (i) such rules as may be prescribed by the Provincial Planning Board pursuant to section 145 of the Act, and
 - (ii) the provisions of this by-law insofar as these provisions are not inconsistent with such rules of the Provincial Planning Board;
- (b) shall afford to every person concerned the opportunity to be heard, to submit evidence and to hear the evidence of others, and
- (c) shall keep a written record of its proceedings.

DECISIONS - DETERMINATION OF APPEALS

69. (i) The Appeal Board shall consider and determine each appeal having due regard to the circumstances and merits of the particular case and the general purposes and intent of this by-law and of the general plan for the City when adopted and, in the case of an appeal made under clause (a) of section 55, shall seek to relieve the appellant from unnecessary hardship to such extent as in its opinion will not be unduly adverse to the public interest.

(2) It is the intent of this by-law that the Appeal Board shall grant a relaxation of a provision of this by-law only to a degree which does not amount to an abandonment of the provision.

DECISIONS - JURISDICTION

70. In determining an appeal, the Appeal Board may confirm, reverse or vary the decision appealed from, and may impose such conditions or limitations as it deems proper and desirable in the circumstances.

DECISIONS - NOT A PRECEDENT

71. Where the Appeal Board allows a relaxation of a provision of this by-law or of section 125 of the Act, in respect of a particular appeal and with respect to a particular site,

(a) it shall not be obliged thereby to allow the same or a similar relaxation in respect of another appeal or with respect to another site in the same district or class of district, in another district or otherwise howsoever, and

(b) this by-law shall not be deemed to be altered or amended by the relaxation, but any provision hereof so relaxed shall continue in full force and effect with respect to all other sites and to the same site under all conditions other than those dealt with in the particular appeal, unless and until such provision is amended by Council in the manner provided in the Act and in this by-law.

DECISIONS FINAL

72. The decision of the Appeal Board is final and binding upon all parties, subject only to an appeal under section 146 of the Act.

FURTHER RULES AND PRESCRIBED FORMS

73. The Appeal Board is authorized to establish further rules and prescribe all forms and notices necessary for the proper conduct of its business insofar as such rules, forms and notices are not inconsistent with the rules prescribed by the Provincial Planning Board pursuant to section 145 of the Act or with the provisions of this by-law.

AMENDMENTS

APPLICATIONS

74. (1) A person who wishes this by-law amended may apply in writing to the Planning Commission setting out the desired amendment, furnishing reasons in support of the application and requesting that the Planning Commission submit it to Council.

(2) If a person applies to Council in any manner for an amendment to this by-law, Council shall require him to submit his application to the Planning Commission in accordance with the provisions of this section before it considers the amendment proposed by such person.

(3) Pursuant to section 123 (3) of the Act, when an application for an amendment of this by-law has been refused, an application for the same amendment may not be submitted by the same or another person until at least one year after the refusal unless the Planning Commission otherwise allows.

AMENDMENT FEES AND EXPENSES

75.(1) A person making an application to the Planning Commission for an amendment to this by-law for a purpose other than to clarify an existing provision shall

- (a) pay to the City an application fee of ~~ten~~ dollars, and
- (b) undertake in writing on a form provided by the Planning Commission to be liable for and to pay on demand all expense which the City may incur to persons other than City employees made necessary by or arising out of the processing of the proposed amendment, whether it be enacted or not, including but not limited to map printing or reproduction costs, surveys and advertising charges.

(2) If it appears that the proposed amendment is one which

- (a) is applicable to and for the benefit of the City at large or for most of the persons affected in one area or in one district or class of district, or
- (b) is one which makes provisions or establishes boundaries which ought to have been included in the by-law originally,

Council may direct that the application fee be returned to the applicant and that the City pay the expense which the applicant has agreed to pay pursuant to the provisions of subsection (1)

- (c) unless Council directs that the additional expense of a proposed amendment, whether it be enacted or not, be borne by the City, the applicant shall pay to the City those expenses for which he has undertaken to be liable upon receipt of an account for the same.

PROCEDURE

76.(1) Where an application for an amendment is accompanied by the required fee and undertaking, the Planning Commission shall

- (a) examine the proposed amendment for content;

(b) advise the applicant that

- (i) it is prepared to recommend the amendment to Council without further investigation;
- (ii) it is not prepared to recommend the amendment;
- (iii) it may recommend the amendment after due investigation into the matter; or
- (iv) it is prepared to recommend an alternative amendment either at once or after due investigation.

(2) Upon receiving the advice of the Planning Commission, the applicant shall advise the Director if

- (a) he wishes the Director to proceed with the amendment submitted by him or an alternate amendment proposed by the Planning Commission, or
- (b) he wishes to withdraw his application for an amendment.

(3) If the applicant chooses to have the Director proceed with the amendment submitted or with an alternative amendment proposed by the Planning Commission, the Director shall prepare, and as soon as reasonably convenient submit to Council, a report on the proposed amendment, together with maps and other relevant material.

(4) When the applicant has indicated that he wishes the amendment submitted by him or an alternative proposed by the Planning Commission to be presented to Council, or that he wishes to withdraw the proposed amendment, the Director may, if he considers it desirable, submit the matter to the Planning Commission for further consideration.

PLANNING COMMISSION MAY ORIGINATE AMENDMENTS

77. Notwithstanding anything elsewhere contained in this part, the Planning Commission may present to Council an amendment initiated by resolution of the Planning Commission itself.

GENERAL PLAN AND REGIONAL PLANS

78. This by-law shall not be amended so as to be, or to become, at variance with, or in contravention of, the General Plan of the City or any Preliminary Regional Plan or Regional General Plan which may be adopted by the Calgary Regional Planning Commission.

ENFORCEMENT

UNAUTHORIZED CONSTRUCTION

79. Pursuant to section 122 of the Act it is hereby provided that the Planning Commission or an official of the City may be authorized by resolution of Council to act on its behalf in respect of the matters referred to in section 126 of the Act.

RIGHT TO ENTER

80. The Director and the persons employed in the Planning Department to whom City identification cards on Form numbered F-1 are issued are the authorized officers or servants of the Council for the purposes of section 137 of the Act.

ENFORCEMENT

81. Pursuant to section 138 of the Act, this by-law may be enforced and the contravention of any provisions contained herein restrained, by the Supreme Court of Alberta upon action brought by the Council, whether or not any penalty has been imposed for the contravention.

PENALTY

82. (1) Pursuant to section 139 of the Act

(a) A person who contravenes or suffers or permits any act or thing to be done in contravention of or neglects or fails to comply with this by-law or a condition of a permit granted pursuant to this by-law is guilty of an offence and is liable on summary conviction to a fine of not more than one hundred dollars and in addition thereto to a fine of not more than twenty dollars for every day the default continues, and in default of payment to imprisonment for a term not exceeding thirty days.

(b) When a person is convicted under clause (a) of having undertaken or permitted a development that contravenes any by-law or permit, the council may file a notification of the illegal development against the title to the affected land in the Land Titles Office.

(c) The conviction of a person under this subsection does not operate as a bar to further prosecution under this subsection for the continued neglect or failure on the part of the person to comply with this by-law, or with the conditions of a permit issued in accordance with this by-law.

(2) A person who continues or maintains a building or a use of a building, or land

(i) in a district in which it is prohibited in this by-law, and in which such building or use is not a non-conforming building or use, or

(ii) in a manner or under conditions which are contrary to a provision of this by-law, or

(iii) for which an approval, authorization or consent is required by this by-law, but has not been obtained, or

(iv) upon which conditions are imposed by a provision of this by-law, without complying with such conditions, or

- (v) upon which conditions are imposed in respect of a permission granted under the provisions of this by-law in respect of the said building, or the said use of such building or land, without complying with such conditions,

is guilty of an offence, and is liable on summary conviction to a fine of not more than one hundred dollars, and in addition thereto to a fine of not more than twenty dollars for every day the default continues, and in default of payment to imprisonment for a term not exceeding thirty days.

LIABILITY AND RESPONSIBILITY

83. (1) When the owner, tenant or occupant of a site engages a contractor, technician, tradesman or other person to do anything or to undertake any development upon or in connection with the site or any building thereon, the owner, tenant or occupier and the person or persons engaged by him shall be liable for the penalty provided by section 82 hereof for any failure to comply with the provisions of this by-law.

(2) A contractor, technician, tradesman or other person undertaking any development shall first be satisfied that such work is authorized under this by-law.

Repeal

84. (1) By-law No. 2835 and By-law No. 4271 are repealed.

(2) The repeal of By-law No. 4271 shall not affect the validity of a Development Permit granted pursuant to the provisions of that by-law.

85. (1) Notwithstanding the provisions with respect to non-conforming uses and buildings contained in this By-law or in the Act, unless a building, the use of a building or the use of land complies with the applicable provisions of

- (a) By-law Number 2835 if it was carried out or constructed during the time in which that by-law continued in force, or
- (b) By-law Number 4271 if it was carried out or constructed during the time in which that By-law continued in force

it shall not be deemed to be lawfully carried out or lawfully constructed when this By-law becomes effective, and it shall be deemed to be in contravention of this By-law.

(2) Where a Development Permit is valid under the provisions of subsection (2) of section 71, the permittee shall comply with all the terms of the permit in completion of the permitted development.

84 This By-law shall come into effect on the day next following the day on
which it receives its third reading by Council.

DONE AND PASSED IN COUNCIL THIS DAY OF A.D. 1958.

Mayor

City Clerk

SCHEDULE

To

BY-LAW NO. 4916

THE ZONING BY-LAW

TABLE "A"

USE TABLE FOR "A" - AGRICULTURAL AND PARKWAY DISTRICTS

Permitted Uses

Farms of no less than 20 acres area
Identification signs
Local advertising signs
One-Family dwellings on sites of
no less than 20 acres area
Parks

Private garages

Water reservoirs, wells, storage,
purification and distribution systems

Conditional Uses

Airports and airfields
Animal hospitals, kennels and pounds
Archery ranges

Bowling greens
Cemeteries
Christmas Tree Sales (B/L. 5563.)

Colleges on sites of no less than
20 acres area

Convents and monasteries on sites of
no less than 20 acres area

Correction homes on sites of no less
than 20 acres area

Crematories
Directional signs
Domestic animal and poultry raising
for commercial marketing
Drive-in theatres
Driving ranges
Exhibition grounds
Fire stations
Golf courses
Gun clubs
Home occupations
Homes for the aged, widows or
children on sites of no less than
20 acres area
Horse riding academies
Hospitals and sanatoria
Keeping of Pigeons
Kindergartens - posting Mandatory
Market gardens, horticultural
nurseries and greenhouses

(B/L. 6237.)
(B/L. 5688.)

Conditional Uses Cont'd.

B/L. 5688.	Nursery School - posting mandatory	Race tracks, commercial sports fields and stadia
	Nursing and convalescent homes on sites of no less than 20 acres area	Radio and television transmitting stations, towers and equipment (Commercial)
	Petroleum and natural gas wells, drilling, producing and storage equipment	Radio transmitting stations, towers and equipment (Amateur, fire, police and taxis)
	Police stations	Sand and gravel pits
	Private clubs and lodges	Small holdings
	Private schools	Sportsfields (non-commercial)
	Public schools	Tennis courts
	Public and quasi-public buildings	Zoological gardens and open air museums
	Public utility buildings and installations	

Conditions, Qualifications and Exceptions

1. A farm or a small holdings includes dwellings and all structures and equipment normally incident to the efficient operation of a farm or a small holding.
2. Unless the Planning Commission/ or the Director otherwise allows a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located.
3. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
4. Home occupations are limited to those:
 - (a) which are approved by the Planning Commission for the dwelling where they are carried on;
 - (b) which do not have connected with them displays of goods, sale of goods or stock in trade upon the premises; and
 - (c) which do not employ other than occupants of the dwelling in which they are carried on.

- 4a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by By-law No. 6058, passed April 1, 1963.)
5. Parks include all ancillary uses and equipment allowed in parks by the City.
6. A private garage may be erected only on a site where another permitted or conditional use is carried out.
7. Animal hospitals, kennels, pounds or crematories shall be no closer to the boundary of a residential district than five hundred feet.
8. Unless the Provincial Board of Health acting pursuant to the provisions of The Public Health Act of the Province of Alberta otherwise directs a crematory shall not be erected elsewhere than in a cemetery.
9. Public Utility buildings and installations are limited to those which
 - (a) are essential to the district in which they are located or
 - (b) could not be located in another district without materially hampering the service supplied to the City by the Public Utility involved.
10. No kindergarten, nursery school or private school shall be established on any site of less than twenty acres in area. (B/L. 5688.)
- 10a. Where a kindergarten or Nursery School is to be carried on in a church hall, a community hall, or in a public school, notice posting of the proposed use is not mandatory unless required by the City Planner. (As amended by B/L. No. 6001, passed January 7, 1963.)
11. In a zoning district formerly in the Town of Bowness no person shall erect a single-family dwelling having a floor area of less than 850 square feet. (As amended by By-law No. 6374, passed October 26, 1964.)

TABLE "B"

USE TABLE FOR AR - AGRICULTURAL (FUTURE RESIDENTIAL) DISTRICT

Permitted Uses

Identification Signs
Local Advertising Signs
Parks
Private Garages

Conditional Uses

Archery Ranges
Bowling Greens
Christmas Tree Sales (B/L. 5563.)
Directional Signs
Domestic Animal and Poultry raising for Commercial Marketing.
Driving Ranges
Farms of no less than 20 acres area
Fire Stations
Golf courses
Home occupations
Horse Riding Academies
Kindergartens - posting mandatory
Market gardens, horticultural nurseries and greenhouses
Nursery schools - posting mandatory
Nursing and Convalescent Homes
One-Family and two-family dwellings in a planned development
One-family dwellings on sites of not less than two acres area
Petroleum and natural gas wells, drilling and producing equipment
Police stations
Private schools
Public schools
Public and quasi-public buildings
Public utility buildings and installations
Radio transmitting stations, towers and equipment (Amateur, fire, police and taxis)
Sand and gravel pits

B/L. 5688.

B/L. 6277.

Conditional Uses Cont'd

Small holdings	Water reservoirs, wells, storage, purification and distribution systems
Sportsfields (non-commercial)	
Tennis courts	Zoological gardens and open air museums

Conditions, Qualifications and Exceptions

1. A farm and a small holding includes dwellings and all structures and equipment normally incident to the efficient operation of a farm or a small holding.
2. Unless the Planning Commission or the Director otherwise allows a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 600i.)
3. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
4. Home occupations are limited to those:
 - (a) which are approved by the Planning Commission for the dwellings where they are carried on;
 - (b) which do not have connected with them displays of goods, sale of goods or stock in trade upon the premises; and
 - (c) which do not employ other than the occupants of the dwelling in which they are carried on.
- 4a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by By-law No. 6058, passed April 1, 1963.)
5. Parks include all ancillary uses and equipment allowed in parks by the City.
6. A private garage may be erected only on a site where another permitted or conditional use is carried out.
7. Public utility buildings and installations are limited to those which
 - (a) are essential to the district in which they are located, or
 - (b) could not be located in another district without materially hampering the service supplied to the City by the Public Utility involved.

8. No subdivision or transfer of land in an AR district whether by replotting scheme or otherwise shall be allowed unless:

- (a) the subdivision is in accordance with a scheme of subdivision approved by the Planning Commission which provides for the gradual breaking down of the existing acreage parcels and holdings in the area in question into smaller parcels, and eventually into sites for residential and other purposes having regard to the topography of the land, the major thoroughfare system and the eventual establishment of residential neighbourhoods and communities, or
- (b) the subdivision in the opinion of the Planning Commission will not prejudice the implementation of such a scheme of subdivision as is referred to in Clause (a).

9. A person proposing to undertake a planned development of a portion of an AR district, which will include the subdivision of the land and the erection of residential buildings thereon, after having

- (a) arranged for the provision to the land to be developed of electric power, water, sewerage, street and other facilities or such of them as may be required to the satisfaction of the City Commissioners, and
- (b) received the approval of the Planning Commission and of the Director of Town and Rural Planning of the Province of Alberta to the proposed subdivision of the land to be developed.

may before the final plans of subdivision have been registered in the Land Titles Office proceed with the erection of one-family and two-family dwellings on such sites within the planned development as are approved by the Planning Commission for that purpose and in so doing he shall comply with such requirements of this By-law applicable to R-1 and R-2 Districts as the Planning Commission shall direct in the place of similar requirements applicable to an AR District.

10. No kindergarten, nursery school or private school shall be established on any site of less than two acres in area. (B/L. 5688.)

10a. Where a Kindergarten or a nursery school is to be carried on in a church hall, a community hall, or in a public school, notice posting of the proposed use is not mandatory unless required by the City Planner. (As amended by By-law No. 6001, January 7, 1963.)

TABLE "C"

USE TABLE FOR RC - COUNTRY RESIDENTIAL DISTRICTS

Permitted Uses

Archery Ranges

Bowling Greens

Golf courses

Identification Signs (size restricted)

Local Advertising Signs (size restricted)

One-family dwellings on sites not less than three acres area

Parks

Private garages

Private schools

Private stables

Public schools

Tennis Courts

Water reservoirs, wells, storage purification and distribution systems

Conditional Uses

Christmas Tree Sales (B/L. 5563.)
Directional Signs

Fire Stations

Home occupations

Identification signs (larger area)
Kindergartens - posting mandatory
(B/L. 5688.)

Local Advertising Signs (larger area)
(B/L. 6001.)

Market Gardens, horticultural nurseries and greenhouses.

Nursery Schools - posting mandatory
(B/L. 5688.)

Neighbourhood stores

Police Stations

Public utility buildings and installations

Sportsfields (non-commercial)

Conditions, Qualifications and Exceptions

1. If an identification sign is not larger than two hundred sixteen square inches for a dwelling unit or fifteen square feet for a non-residential building it is a permitted use in an RC District; if in either case, it is larger, then it is only a conditional use for such district.

If a local advertising sign is not larger than fifteen square feet in area it is a permitted use in an RC District; if it is larger it is a conditional use in an RC District. (As amended by B/L. No. 6001, passed January 7, 1963.)

2. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 600, passed January 7, 1963.)
3. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
4. Dwellings in an RC District shall cover not less than one thousand square feet of ground surface; the area covered by attached garages, porches, verandahs, breeze-ways and similar extensions of the dwelling shall not be included in calculating the minimum ground area so required.
5. Parks include all ancillary uses and equipment allowed in parks by the City.
6. A private garage may be erected only on a site where another permitted or conditional use is carried out.
7. A private stable may only be placed on a site where a dwelling is erected and may accommodate no more than three horses.
8. After Council approves a general plan which makes provision, among other things, for the subdivision of an RC District and the development of it as a low density residential area or for some other purpose, the boundaries of a site in the district may not be located in a manner which in the opinion of the Planning Commission will prejudice the subdivision and development of the district as provided in the plan.
9. Home occupations are limited to those
 - (a) which are approved by the Planning Commission for the dwellings where they are carried out;
 - (b) which do not have connected with them displays of goods, sale of goods or stock in trade upon the premises; and
 - (c) which do not employ other than the occupants of the dwelling in which they are carried on.
- 9a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by By-law No. 6058, passed April 1, 1963.)
10. No building or use requiring a water well or a septic field shall be located on a site of less than three acres in area.

Public Utility Buildings and Installations are limited to those which

(a) are essential to the district in which they are located, or

(b) could not be located in another district without materially hampering the service supplied to the City by the public utility involved.

12. Unless the Planning Commission otherwise allows no kindergarten, nursery school or private school shall be established on any site of less than three acres in area. (As amended by By-law No. 6001, passed January 7, 1963.)

12a. Where a Kindergarten or a Nursery School is to be carried on in a church hall, a community hall or in a public school, notice posting of the proposed use is not mandatory unless required by the Director. (As amended by By-law No. 6001, passed January 7, 1963.)

TABLE "D"

USE TABLE FOR RR-1 - RESTRICTED ONE-FAMILY RESIDENTIAL DISTRICTS

Permitted Uses

Conditional Uses

Identification Signs (size restricted)

Bowling Greens
Christmas Tree sales (B/L. 5563.)
Directional signs

One-family dwellings

Fire Stations

Parks

Golf courses

Private garages

(B/L. 5688.)
(B/L. 5688.)

Home occupations
Identification Signs (larger area)
Kindergartens - posting mandatory
Nursery Schools - posting mandatory
Private schools
Public Schools
Regulating stations for Public utilities
Sportsfields (non-commercial)
Tennis Courts
Water Reservoirs, wells, storage,
purification and distribution equipment.

Conditions, Qualifications and Exceptions

1. If an identification sign is not larger than two hundred and sixteen square inches for a dwelling unit or fifteen square feet for a non-residential building it is a permitted use in a RR-1 District, if in either case, it is larger, then it is only a conditional use for such district.
- 1a. A person may, where allowed by the Planning Commission or the Director erect a sign not otherwise allowed by this By-law on premises accommodating a non-conforming use. The Planning Commission or the Director may, as a condition of allowing the sign, require that an existing sign or signs on the premises be removed. (As amended by By-law No. 6001, passed January 7, 1963.)
2. In a RR-1 District one-storey dwellings shall cover not less than 1400 square feet, one and one-half storey dwellings and split level dwellings shall cover not less than 1200 square feet and two storey dwellings shall cover not less than 1000 square feet of ground surface; the area covered by attached garages, porches, verandahs, breeze-ways and similar extensions of the dwelling shall not be included in calculating the minimum ground area so required.

3. Parks include all ancillary uses and equipment allowed in Parks by the City.
4. A private garage may be erected only on a site where there is a dwelling, and shall serve only the occupants of that dwelling.
5. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 6001, passed January 7, 1963.)
6. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
7. A fire Station may be erected only if the Fire Chief deems it necessary for the adequate protection of the district where it is located.
8. A Golf Course shall not include a commercial driving range or miniature golf course.
9. Home occupations are limited to those:
 - (a) which are approved by the Planning Commission for the dwelling where they are carried on;
 - (b) which do not have connected with them displays of goods, sale of goods or stock in trade upon the premises; and
 - (c) which do not employ other than occupants of the dwelling in which they are carried on.
- 9a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by B/L No. 6058, passed April 1, 1963.)
10. A private school shall only be erected on a site having a minimum area of four hundred square feet for each pupil. Only a private school where the equivalent of a public school curriculum is taught may be erected in an RR-1 District.
- 10a. No kindergarten, nursery school or private school shall be established on any site of less than 80 foot frontage or of less than 12,000 square feet in area. (As amended by By-law No. 5688, passed October 30, 1961.)
- 10b. Where a kindergarten or nursery school is to be carried on in a church hall, a community hall or in a public school, notice posting of the proposed use is not mandatory unless required by the Director. (As amended by By-law No. 6001, passed January 7, 1963.)

11. Public Utility Regulating Stations are limited to those which
 - (a) are essential to the district in which they are located, or
 - (b) could not be located in another district without materially hampering the service supplied to the City by the public utility involved.

12. A water reservoir, well, storage or purification and distribution equipment shall be allowed in an RR-1 District only if it is necessary to serve the residents of that District.

TABLE "E"

USE TABLE FOR R-1 - ONE-FAMILY RESIDENTIAL DISTRICTS

Permitted Uses

For all sites:

Identification signs (size restricted)

One-family dwellings

Parks

Private Garages

For transitional sites only:

Fire stations

Kindergartens

Lodging houses

Nursery schools

Parking areas

Police stations

Private schools

Public and quasi-public buildings

Public schools

Public utility buildings and installations

Two-family dwellings

Conditional Uses

For all sites:

Bowling Greens

Christmas tree sales (B/L. 5563.)

Directional Signs

Fire stations

Golf Courses

Home occupations

Hospitals and sanatoria - posting mandatory

Identification signs (larger area)

Keeping of Pigeons - posting mandatory
B/L. 6318.

Kindergartens - posting mandatory

Nursery schools - posting mandatory

Nursing and convalescent homes -
posting mandatory (B/L. 6277.)

Police stations - posting mandatory

Private schools - posting mandatory

Public and quasi-public buildings -
posting mandatory

Public schools

Public utility buildings and installations

Sportsfields (non-commercial)

Tennis courts

Water reservoirs, wells, storage,
purification and distribution equipment

Conditions, Qualifications and Exceptions

If an identification sign is not larger than two hundred sixteen square inches for a dwelling unit or fifteen square feet for a non-residential building, it is a permitted use; if, in either case, it is larger, then it is only a conditional use.

2. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 6001, passed January 7, 1963.)
 - 2a. Lodging houses are limited to those accommodating no more than six lodgers and no more than one family. (As amended by By-law No. 5121, passed Nov. 10/58.)
 - 2b. A person may, where allowed by the Planning Commission or the Director erect a sign not otherwise allowed by this By-law on premises accommodating a non-conforming use. The Planning Commission or the Director may, as a condition of allowing the sign, require that an existing sign or signs on the premises be removed. (As amended by By-law No. 6001, passed January 7, 1963.)
3. Parks include all ancillary uses and equipment allowed in Parks by the City.
4. A private garage may be erected only on a site where another permitted or conditional use is carried out.
5. A fire Station, a Police Station, a Public Utility Building or installation shall be located in an R-1 district only if it is necessary for the efficiency of the service in question that it be in the district.
6. A directional sign shall not contain any advertising slogan, illustration wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
7. A Golf Course shall not include a commercial driving range or a miniature golf course.
8. Home occupations are limited to those:
 - (a) which are approved by the Planning Commission for the dwellings where they are carried on;
 - (b) which do not have connected with them displays of goods, sale of goods or stock in trade upon the premises; and
 - (c) which do not employ other than occupants of the dwelling in which they are carried on.
- 8a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by By-law No. 6058, passed April 1, 1963.)

9. Hospitals and sanatoria do not include isolation hospitals, mental hospitals or institutions for the treatment of alcoholics or drug addicts, or for the treatment of animals.
10. A private school shall only be erected on a site having a minimum area of four hundred square feet for each pupil. Only a private school where the equivalent of the public school curriculum is taught may be erected in an R-1 District.
- 10a. No kindergarten, nursery school or private school shall be established on any site with a frontage of less than 50 feet or with an area of less than 5000 square feet. (As amended By By-law No. 5688, passed October 30, 1961.)
- 10b. Where a kindergarten or a nursery school is to be carried on in a church hall, a community hall or in a public school, notice posting of the proposed use is not mandatory unless required by the Director. (As amended by By-law No. 6001, passed January 7, 1963.)
11. In addition to conforming with all other provisions of this Table every Nursing and Convalescent Home shall
 - (a) provide a minimum site area of 2 acres
 - (b) have a minimum site dimension of at least 230 feet
 - (c) provide at least 1000 square feet of site area per bed
 - (d) restrict the ground coverage of the buildings to not more than one-third of the site area
 - (e) restrict the height of all buildings to one storey not more than 28 feet in height
 - (f) provide a buffer strip, exclusive of roadways and parking areas, in each side yard at least 25 feet in width which shall adjoin the side property line and extend into the front yard to the front property line.
 - (g) landscape at least 50 per cent of the site area including all areas not occupied by buildings, parking areas and roads
 - (h) fence and hard surface all parking areas to standards approved by the City Director
 - (i) provide all its parking facilities outside the side and front yards required by this by-law.
(As amended by by-law No. 6277, passed April 27, 1964.)
12. No application to permit the keeping of pigeons shall be approved:
 - (1) if an apartment house is located on the same site, or

- (2) unless the quarters housing the pigeons will be no closer than 25 feet to any building used for human habitation, or
 - (3) unless the design, character and appearance of the quarters housing the pigeons conforms to the design, character and appearance of neighbouring developments. (As amended by By-law No. 6318, passed June 22, 1964.)
13. In the zoning district formerly in the Town of Bowness no person shall erect a single-family dwelling having a floor area of less than 850 square feet.
(As amended by By-law No. 6374, passed October 26, 1964.)

TABLE "F"

USE TABLE FOR R-2 - TWO FAMILY RESIDENTIAL DISTRICTS

Permitted Uses

For all sites:

Identification signs (size restricted)
Lodging Houses
One-Family dwellings
Parks
Private garages
Two-family dwellings

For transitional sites only:

Apartment houses
Clinics
Colleges
Fire Stations
Kindergartens
Nursery schools
Parking areas
Police stations
Private schools
Public and quasi-public buildings
Public schools
Public utility buildings and installations

Conditional Uses

For all sites:

Archery ranges
Bowling greens
Christmas tree sales (B/L. 5563.)
Colleges - posting mandatory
Directional Signs
Fire stations
Golf courses
Home occupations
Hospitals and sanatoria - posting mandatory
Identification signs (larger area)
Keeping of pigeons - posting mandatory
(B/L. 6318.)
Kindergartens - posting mandatory
Local Credit Union offices - posting
mandatory (B/L. 5979.)
Neighbourhood stores - posting mandatory
Nursery schools - posting mandatory
Nursing and convalescent homes -
posting mandatory (B/L. 6277.)
Police stations - posting mandatory
Private schools - posting mandatory
Public and quasi-public buildings -
posting mandatory
Public schools
Public utility buildings and installations
Semi-detached one-family dwellings
(B/L. 5815.)
Sportsfields (non-commercial)
Tennis courts
Water reservoirs, wells, storage, purifi-
cation and distribution equipment

Conditions, Qualifications, and Exceptions

1. If an identification sign is not larger than two hundred sixteen square inches for a dwelling unit or fifteen square feet for a non-residential building, it is a permitted use; if, in either case, it is larger, then it is only a conditional use.
2. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 6001, passed January 7, 1963.)
- 2a. A person may, where allowed by the Planning Commission or the Director, erect a sign not otherwise allowed by this By-law on premises accommodating a non-conforming use. The Planning Commission or the Director may, as a condition of allowing the sign, require that an existing sign or signs on the premises be removed. (As amended by By-law No. 6001, passed January 7, 1963.)
3. Parks include all ancillary uses and equipment allowed in parks by the City.
4. A private garage may be erected only on a site where another permitted or conditional use is carried out.
5. Clinics are limited to those accommodating the offices of only one medical, dental or other professional healing practitioner.
6. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
- 6a. Lodging houses are limited to those accommodating no more than six lodgers and no more than one family. (As amended by By-law No. 5121, passed Nov. 10, 1958.)
- 6b. All utility lines for water, sewer or gas service provided for a semi-detached one-family dwelling shall be separate and independent from similar lines provided for any other dwelling unit and the party wall separating semi-detached one-family dwelling units shall conform to the requirements of the Building By-law of The City of Calgary established for a fire wall. As amended by By-law No. 5815, passed March 5, 1962.)
7. A Fire Station, a Police Station, a public utility building or installation shall be located in an R-2 District only if it is necessary for the efficiency of the service in question that it be in that district.
8. A golf course shall not include a commercial driving range or miniature golf course.

9. Home occupations are limited to those

- (a) which are approved by the Planning Commission for the dwellings where they are carried on;
- (b) which do not have connected with them displays of goods, sale of goods, or stock in trade upon the premises, and
- (c) which do not employ other than the occupants of the dwelling in which they are carried on.

9a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by By-law No. 6058, passed April 1, 1963.)

10. Hospitals and sanatoria do not include isolation hospitals, mental hospitals, nor institutions for the treatment of alcoholics or drug addicts, nor for the treatment of animals.

11. A neighborhood store

- (a) shall be located on a corner or a reversed corner site which is landscaped, paved, and is no closer than one thousand five hundred feet to a business or commercial district, an industrial district or another neighborhood store;
- (b) shall be accommodated in a building which incorporates a dwelling and is of a design which in the opinion of the Planning Commission is compatible with other buildings in the immediate vicinity; and
- (c) shall not, unless the Planning Commission otherwise allows, have identification signs which are not flat against the building.

12. A private school shall only be erected on a site having an area of four hundred square feet for each pupil. Only a private school where the equivalent of a public school curriculum is taught may be erected in a R-2 district.

12a. No kindergarten, nursery school or private school shall be established on any site with a frontage of less than 50 feet or with an area of less than 5000 square feet. (As amended by By-law No. 5688, passed October 30, 1961.)

12b. Where a Kindergarten or Nursery School is to be carried on in a church hall, a community hall or in a public school notice posting of the proposed use is not mandatory unless required by the Director. (As amended by By-law No. 6001, passed January 7, 1963.)

13. The office of a local Credit Union

- (a) shall be accommodated in a building which is of a design that in the opinion of the Planning Commission is compatible with other buildings in the immediate vicinity whether or not the same building also incorporates a dwelling.
- (b) shall not display any advertising sign, and unless the Planning Commission otherwise allows, shall not display any illuminated sign, any sign larger than 216 square inches in area, or any identification sign which is not affixed flat against the wall of the building.
- (c) shall be used for no purpose except the usual work of the local credit union.
- (d) shall be accommodated only in a building on a site landscaped and paved to the satisfaction of the Planning Commission whether or not the same building also accommodates dwelling units. (As amended by By-law No. 5979, passed November 26, 1962.)

14. In addition to conforming with all other provisions of this Table every Nursing and Convalescent Home shall

- (a) provide a minimum site area of 2 acres
- (b) have a minimum site demension of at least 230 feet
- (c) provide at least 1000 square feet of site area per bed
- (d) restrict the ground coverage of the buildings to not more than one-third of the site area
- (e) restrict the height of all buildings to one storey not more than 28 feet in height
- (f) provide a buffer strip, exclusive of roadways and parking areas, in each side yard at least 25 feet in width which shall adjoin the side property line and extend into the front yard to the front property line.

15. No application to permit the keeping of pigeons shall be approved:

- (1) if an apartment house is located on the same site, or
- (2) unless the quarters housing the pigeons will be no closer than 25 feet to any building used for human habitation, or
- (3) unless the design, character and appearance of the quarters housing the pigeons conforms to the design, character and appearance of neighbouring developments. (As amended by By-law No. 6318, passed June 22, 1964.)

16. In a zoning district formerly in the Town of Bowness no person shall erect a single-family dwelling having a floor area of less than 850 square feet, or a two-family dwelling in which either unit has a floor area of less than 850 square feet. (As amended by By-law No. 6374, passed October 26, 1964.)

TABLE "G"

USE TABLE FOR R-3 - GENERAL RESIDENTIAL DISTRICTS

<u>Permitted Uses</u>	<u>Conditional Uses</u>
<u>For all sites:</u>	<u>For all sites:</u> (B/L. 5486.)
Apartment houses	Archery Ranges
Identification signs (size restricted)	Bowling Greens
One-family dwellings	Christmas Tree sales (B/L. 5563.)
Parks	Colleges - posting mandatory
Private garages	Convents and monasteries - posting mandatory
Two-family dwellings	Directional signs
	Dwelling Groups
<u>For Transitional sites only:</u>	Fire stations
Colleges	Fraternity & Sorority Houses - posting mandatory
Convents and monasteries	Golf courses
Fire stations	Home occupations
Fraternity and sorority houses	Homes for aged, widows or children - posting mandatory
Homes for the aged, widows or children	Hospitals and sanatoria - posting mandatory
Hospitals and sanatoria	Identification signs (larger area)
Kindergartens	Keeping of pigeons - posting mandatory (B/L. 6318.)
Lodging houses	Kindergartens - posting mandatory
Nursery Schools	Local Credit Union offices - posting mandatory
Nursing & convalescent homes	Lodging houses
Parking areas	Neighborhood stores - posting mandatory
Police stations	Nursing and convalescent homes - posting mandatory
Private clubs & lodges	Nursery schools - posting mandatory
Private schools	Police stations - posting mandatory
Public and quasi-public buildings	Private clubs & lodges - posting mandatory
Public utility buildings and installations	Private schools - posting mandatory
Public schools	Public and quasi-public buildings - posting mandatory

Conditional Uses Cont'd.

For all sites:

Public schools	Water Reservoirs, wells, storage, purification and distribution equipment.
Public utility buildings and installations	
Row dwellings (B/L. 5613.)	<u>For Transitional sites only:</u>
Semi-detached one-family dwellings (B/L. 5815.)	Clinics (B/L. 5486.)
Sportsfields (non-commercial)	
Tennis Courts	

Conditions, Qualifications and Exceptions

1. If an identification sign is not larger than two hundred sixteen square inches for a dwelling unit or fifteen square feet for a non-residential building, it is a permitted use; if, in either case, it is larger, then it is only a conditional use.
2. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 6001, passed January 7, 1963.)
 - 2a. A person may where allowed by the Planning Commission or the Director, erect a sign not otherwise allowed by this By-law on premises accommodating a non-conforming use. The Planning Commission or the Director may, as a condition of allowing the sign, require that an existing sign or signs on the premises be removed. (As amended by By-law No. 6001, passed January 7, 1963.)
3. Parks include all ancillary uses and equipment allowed in parks by the City.
4. A private garage may be erected only on a site where another permitted or conditional use is carried out.
5. In addition to the parking spaces required by Table "V", a clinic on a ~~transitional~~ site in a R-3 District shall be provided with two parking spaces for each medical, dental or other healing practitioner employed in the clinic. (As amended by By-law No. 5486, passed September 12, 1960.)
6. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
7. The arrangement of the buildings in a dwelling group are subject to the approval of the Planning Commission.

- 7a. All utility lines for water, sewer or gas service provided for a semi-detached one-family dwelling shall be separate and independent from similar lines provided for any other dwelling unit and the party wall separating semi-detached one-family dwelling units shall conform to the requirements of the Building By-law of the City of Calgary established for a fire wall. (As amended by By-law No. 5815, passed March 5, 1962.)
8. A fire station, a police station, a public utility building or installation shall be located in a R-3 District only if it is necessary for the efficiency of the service in question that it be in that district.
9. A golf course shall not include a commercial driving range or a miniature golf course.
10. Home occupations are limited to those
 - (a) which are approved by the Planning Commission for the dwellings where they are carried on;
 - (b) which do not have connected with them displays of goods, sale of goods or stock in trade upon the premises; and
 - (c) which do not employ other than the occupants of the dwelling in which they are carried on.
- 10a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by By-law No. 6058, passed April 1, 1963.)
11. Hospitals and sanatoria do not include isolation hospitals, mental hospitals nor institutions for the treatment of alcoholics or drug addicts, nor for the treatment of animals.
12. A neighborhood store
 - (a) shall be located on a corner or a reversed corner site which is landscaped, paved and is no closer than one thousand five hundred feet to a business or commercial district, an industrial district or another neighborhood store;
 - (b) shall be accommodated in a building which incorporates a dwelling and is of a design which in the opinion of the Planning Commission is compatible with the other buildings in the immediate vicinity; and
 - (c) shall not, unless the Planning Commission otherwise allows have identification signs which are not flat against the building.

13. Private clubs and lodges do not include institutions which require a license under the Calgary License By-law to operate.
14. A private school shall only be erected on a site having an area of four hundred square feet for each pupil. Only a private school where the equivalent of the public school curriculum is taught may be erected in an R-3 District.
- 14a. No kindergarten, nursery school or private school shall be established on any site with a frontage of less than 50 feet or with an area of less than 5000 square feet. (As amended by By-law No. 5688, passed October 30, 1961.)
- 14b. Where a Kindergarten or a Nursery School is to be carried on in a church hall, a community hall or in a public school, notice posting of the proposed use is not mandatory unless required by the Director. (B/L. 6001, passed Jan. 7, 1963.)
15. For a site designated R-3X the permitted uses listed in this Table shall be conditional uses. (As amended by By-law No. 5978, passed February 18, 1963.)
16. The office of a local credit union
 - (a) shall be accommodated in a building which is of a design that in the opinion of the Planning Commission is compatible with other buildings in the immediate vicinity whether or not the same building also incorporates a dwelling.
 - (b) shall not display any advertising sign, and unless the Planning Commission otherwise allows, shall not display any illuminated sign, any sign larger than 216 square inches in area, or any identification sign which is not affixed flat against the wall of the building.
 - (c) shall be used for no purpose except the usual work of the local credit union.
 - (d) shall be accommodated only in a building on a site landscaped and paved to the satisfaction of the Planning Commission whether or not the same building also accommodates dwelling units. (As amended by B/L. 5979, passed Nov. 26/62.)
17. No application to permit the keeping of pigeons shall be approved:
 - (1) if an apartment house is located on the same site, or
 - (2) unless the quarters housing the pigeons will be no closer than 25 feet to any building used for human habitation, or
 - (3) unless the design, character and appearance of the quarters housing the pigeons conforms to the design, character and appearance of neighbouring developments. (As amended by By-law No. 6318, passed June 22, 1964.)
18. In a zoning district formerly in the Town of Bowness no person shall erect a single-family dwelling having a floor area of less than 850 square feet, or a two-family dwelling in which either unit has a floor area of less than 850 square feet. (As amended by By-law No. 6374, passed October 26, 1964.)

TABLE "H"

USE TABLE FOR R-4 AND R-5 - GENERAL RESIDENTIAL DISTRICTS

<u>Permitted Uses</u>	<u>Conditional Uses</u>
<u>For all sites:</u>	<u>For all sites:</u>
Apartment houses	Archery Ranges
Identification signs (size restricted)	Bowling greens
One-family dwellings	Christmas tree sales (B/L. 5563.)
Parks	Clinics (B/L. 5152.)
Private garages	Colleges - posting mandatory
Two-family dwellings	Convents and monasteries - posting mandatory
	Directional signs
<u>For transitional sites only:</u>	Dwelling groups
Colleges	Fire stations
Convents and monasteries	Fraternity and sorority houses - posting mandatory.
Fire stations	Golf courses
Fraternity and Sorority houses	Home occupations
Hotels	Homes for the aged, widows or children- posting mandatory
Homes for the aged, widows or children	Hospitals and sanatoria - posting mandatory
Hospitals and sanatoria	Hotels - posting mandatory in R-4 districts only.
Kindergartens	Identification signs (larger area)
Lodging houses	Keeping of pigeons - posting mandatory (B/L. 6318.)
Nursery schools	Kindergartens - posting mandatory
Nursing and convalescent homes	Local Credit Union offices - posting mandatory (B/L. 5979.)
Parking areas	Lodging Houses
Police Stations	Neighborhood stores
Private clubs and lodges	Nursery schools - posting mandatory
Private schools	Nursing and convalescent homes - posting mandatory
Public and quasi-public buildings	Police stations - posting mandatory
Public utility buildings and installations	Private clubs and lodges - posting mandatory
Public schools	
Retail businesses and services when accessory to the operation of and located in an apartment hotel or a hotel	

Conditional Uses Cont'd.

For all sites:

Private schools - posting mandatory	Semi-detached one-family dwellings (B/L 5815.
Public and quasi-public buildings - posting mandatory	Sportsfields (non-commercial)
Public schools	Tennis courts
Public utility buildings and installations	Water reservoirs, wells, storage, purification and distribution equipment.
Row dwellings (B/L 5613.)	
Retail businesses and services when accessory to the operation of and located in an apartment hotel or a hotel	

Conditions, Qualifications and Exceptions

1. If an identification sign is not larger than two hundred sixteen square inches for a dwelling unit or fifteen square feet for a non-residential building, it is a permitted use; if, in either case, it is larger, then it is only a conditional use.
2. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 6001, passed January 7, 1963.)
- 2a. A person may where allowed by the Planning Commission or the Director, erect a sign not otherwise allowed by this By-law on premises accommodating a non-farming use. The Planning Commission or the Director may, as a condition of allowing the sign, require that an existing sign or signs on the premises be removed. (As amended by By-law No. 6001, passed January 7, 1963.)
3. Parks include all ancillary uses and equipment allowed in parks by the City.
4. A private garage may be erected only on a site where another permitted or conditional use is carried out.
5. In addition to parking spaces required by Table "V", a clinic in an R-4 or an R-5 District shall be provided with two parking spaces for each medical, dental or other healing practitioner employed in the clinic. (As amended by By-law No. 5152, passed January 19, 1959.)
6. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.

7. The arrangement of buildings in a dwelling group is subject to the approval of the Planning Commission.
- 7a. All utility lines for water, sewer or gas service provided for a semi-detached one-family dwelling shall be separate and independent from similar lines provided for any other dwelling unit and the party wall separating semi-detached one-family dwelling units shall conform to the requirements of The Building By-law of The City of Calgary established for a fire wall. (As amended by By-law No. 5815, passed March 5, 1962.)
8. A fire station, a police station or a public utility building or installation shall be located in a R-4 District only if it is necessary for the efficiency of the service in question that it be in that district.
9. A golf course shall not include a commercial driving range or a miniature golf course.
10. Home occupations are limited to those which
 - (a) are approved by the Planning Commission for the dwellings where they are carried on;
 - (b) do not have connected with them displays of goods, sale of goods or stock in trade upon the premises; and
 - (c) do not employ other than the occupants of the dwelling in which they are carried on.
- 10a. Notwithstanding the foregoing, the Planning Commission may allow a medical, dental or other healing practitioner to employ one individual other than an occupant of the dwelling where the practitioner is operating his office as a Home Occupation on a temporary basis only. (As amended by By-law No. 6058, passed April 1, 1963.)
11. Hospitals and sanatoria do not include isolation hospitals, mental hospitals, nor institutions for the treatment of alcoholics or drug addicts nor for the treatment of animals.
12. A hotel or an apartment hotel which is licensed for the sale of intoxicating liquor shall not be located in a residential district.
13. A neighborhood store
 - (a) shall be located on a corner or a reversed corner site which is landscaped, paved, and is no closer than one thousand five hundred feet to a business or commercial district or another neighborhood store;
 - (b) shall be accommodated in a building which incorporates a dwelling and is of a design which in the opinion of the Planning Commission is compatible with other buildings in the immediate vicinity; and

- (c) shall not, unless the Planning Commission otherwise allows, have identification signs which are not flat against the building.
14. Private clubs and lodges do not include institutions which require a license under the Calgary License By-law to operate.
15. A private school shall be erected only on a site having an area of four hundred square feet for each pupil. Only a private school where the equivalent of a public school curriculum is taught may be erected in an R-4 or an R-5 District.
- 15a. No kindergarten, nursery school or private school shall be established on any site with a frontage of less than 50 feet or with an area of less than 5000 square feet. (As amended by By-law No. 5688, passed October 30, 1961.)
- 15b. Where a kindergarten or a nursery school is to be carried on in a church hall, a community hall or in a public school, notice posting of the proposed use is not mandatory unless required by the Director. (As amended by By-law No. 6001, passed January 7, 1963.)
16. For a site designated R-4X the permitted uses listed in this Table shall be conditional uses. (By-law No. 5978.)
17. The office of a local credit union
- (a) shall be accommodated in a building which is of a design that in the opinion of the Planning Commission is compatible with other buildings in the immediate vicinity whether or not the same building also incorporates a dwelling.
 - (b) shall not display any advertising sign, and unless the Planning Commission otherwise allows, shall not display any illuminated sign, any sign larger than 216 square inches in area, or any identification sign which is not affixed flat against the wall of the building.
 - (c) shall be used for no purpose except the usual work of the local credit union.
 - (d) shall be accommodated only in a building on a site landscaped and paved to the satisfaction of the Planning Commission whether or not the same building also accommodates dwelling units. (As amended by By-law No. 5979, passed November 26, 1962.)
18. No application to permit the keeping of pigeons shall be approved:
- (1) if an apartment house is located on the same site, or
 - (2) unless the quarters housing the pigeons will be no closer than 25 feet to any building used for human habitation, or
 - (3) unless the design, character and appearance of the quarters housing the pigeons conforms to the design, character and appearance of neighbouring developments. (As amended by By-law No. 6318, passed June 22, 1964.)

TABLE "I"

USE TABLE FOR C-I - LOCAL COMMERCIAL DISTRICTS

<u>Permitted Uses</u>	<u>Conditional Uses</u>
Artist studios	Bakeries (retail only)
Banks	Billiards Halls and pool rooms (B/L. 6012.)
Barber shops	Bowling alleys (B/L. 5626.)
Beauty parlours	Catering establishments
Clinics	Christmas tree sales (B/L. 5563.)
Dry cleaning agencies	Cleaning and dyeing establishments for clothes, dry goods, rugs and carpets (not laundries) - posting mandatory
Dwelling accommodation	Colleges
Frozen food locker establishments	Directional Signs
Identification signs (B/L. 6001.)	Delicatessens
Interior decorating studios	Drive-in refreshment stands - posting mandatory
Local advertising signs	Dry cleaning establishments and shirt laundries - posting mandatory
Laundry agencies	Fire stations
Libraries	Fraternity and sorority houses
Offices: administrative, business and professional	Funeral homes
Parks	General advertising signs
Parking areas	Hospitals and sanatoria (B/L. 6004.)
Photography studios	Ice vending machines (B/L. 6001.)
Post offices	Laundries, automatic or self-service
Private garages	Liquor stores
Private schools	Motion picture theatres
Public schools	Nursing and convalescent homes - posting mandatory (B/L. 5919.)
Radio and Television repair shops (B/L. 6001.)	Police stations
Restaurants	Private clubs and lodges
Retail stores	Public and quasi-public buildings
Shoe repair shops	Public utility buildings and installations
Tailor shops	Radio transmitting stations, towers and equipment (Amateur, fire, police and taxis)
Valet shops	

Conditional Uses Cont'd.

Rental garages	Water reservoirs, wells, storage, purification and distribution equipment for water
Service stations	Workshops accessory to retail stores

Conditions, Qualifications and Exceptions

1. All permitted and conditional uses except drive-in refreshment stands, parks, parking areas and service stations shall be carried on only within a building.
2. Dry cleaning agencies or laundry agencies do not include the cleaning or laundry establishments which they represent.
3. Dwelling accommodation
 - (a) shall not be located below the second storey of a building,
 - (b) shall have direct access to the outside street level,
 - (c) shall not consist of more than one storey
 - (d) in a building shall be restricted in floor area, but may exceed the floor area of the Commercial portion of the building to a maximum of 20% more than the floor area of the Commercial portion of the building. (B/L. 6451, passed 12-4-65.)
4. Frozen food locker establishments may provide service for the district where located and the adjacent residential districts only, and shall be limited to seven hundred lockers, each of a capacity of not more than one hundred cubic feet.
5. A restaurant includes any establishment which serves meals to the public for compensation other than a drive-in refreshment stand but does not include a place where there is dancing or other entertainment.
6. A delicatessen, a pawn shop, a pet shop, a liquor store, a second-hand store or a tire shop are not retail stores for the purposes of this table.
- 6a. Unless the Planning Commission or the Director otherwise allows a sign if attached to a building shall extend no more than three feet above the highest point of the building as determined under section 22 of this by-law and no part of the structural support shall be visible, and, if illuminated, the lighting shall not be intermittent or flashing. (As amended by By-law No. 6001, passed Jan. 7, 1963.)
7. Deleted by By-law No. 6001, passed January 7, 1963.)
8. Bakeries are limited to those which sell their products on or from their own premises and do not include bakeries which supply products for other retailers.

9. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize the particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
10. A fire station, a police station, or a public utility building or installation shall be located in a C-1 District only if it necessary for the efficiency of the service in question that it be in that district.
11. A drive-in refreshment stand or service station site boundary which abuts a residential district shall be separated therefrom by a fence or boundary wall approved by the Planning Commission and if there is no intervening lane by a strip of shrubbery, flowers or grass of ten feet or such less width as the Planning Commission may direct.
12. A workshop accessory to a retail store shall not be located at the front of the store, and shall be restricted to the compounding, processing and treatment of goods which would normally be done on the premises where the goods are sold. Goods for sale in other premises shall not be processed in such workshop.
13. No more than four motor vehicles or trailers or any combination of these shall be displayed for sale or for hire on a service station site without the approval of the Planning Commission. (As amended by By-law No. 5783, passed Jan. 8, 1962.)
14. Ice vending machines shall be located not less than one hundred feet from the boundary of a residential district. (As amended by By-law No. 6001, passed January 7, 1963.)

TABLE "J"

USE TABLE FOR C-2 - GENERAL COMMERCIAL DISTRICTS

Permitted Uses

Artist studios
Auction rooms
Auditoriums
Bakeries
Banks
Barber Shops
Beauty parlours
Billiard halls and pool rooms
Blue printing, Photostating, map
printing and mechanical reproduc-
tion processes
Bowling Alleys
Boxing Arenas
Catering Establishments
Clinics
Commercial schools
Dance halls
Dancing schools
Delicatessens
Dry cleaning agencies
Dwelling accommodation
Film exchanges
Frozen Food Locker establishments
Gymnasias
Ice storage houses
Identification signs
Interior decorating studios
Laundry agencies
Libraries
Local Advertising signs

Conditional Uses

Amusement Arcades
Auto body and paint shop (B/L. 6044.)
Bus terminals
Car washing establishments
Christmas tree sales (B/L. 5563.)
Cleaning and dyeing establishments
for clothes, dry goods, rugs and carpets
(not laundries)
Cocktail lounges (Amended By B/L. 5152.)
Colleges
Dairies
Directional Signs
Drive-in refreshment stands - posting
mandatory
Dry cleaning establishments and shirt
laundries
Fire stations
Fraternity and Sorority Houses
Funeral Homes
General advertising signs
Hotels
Ice vending machines
Laundries, automatic or self-service
Liquor stores
Materials testing laboratories (B/L. 6177.)
Motels
Open Air sports arenas
Ornamental metal works
Parking structures (B/L. 5121.)
Plumbing and sheet metal workshops

Permitted Uses Cont'd.

Medical and Dental laboratories
Music colleges
Offices, administrative, business
and professional
Parks
Parking areas
Pawn shops
Pet shops
Photography studios
Post offices
Private garages
Private schools
Public baths
Public schools
Radio and television Repair Shops
(B/L. 6001.)
Radio and television studios
Restaurants
Retail stores
Sale and sample rooms
Second hand stores
Shoe repair shops
Tailor shops
Taxidermy shops
Theatres
Valet shops
Workshops accessory to retail
stores

Conditional Uses Cont'd.

Police stations
Printing, lithographing and publishing
establishments
Private clubs and lodges
Public and quasi-public buildings
Public garages
Public utility buildings and installations
Radio transmitting stations, towers, and
equipment (Amateur, fire, police and taxis)
Rinks (Commercial)
Service stations
Sign painting workshops
Swimming pools
Tire shops
Trade schools
Trailer courts
Trailer sales lots (Amended by 5121.)
Used car sale lots
Veterinary clinics
Water reservoirs, wells, storage, purifi-
cation and distribution equipment for
water

Conditions, Qualifications and Exceptions

1. All permitted and conditional uses except drive-in refreshment stands, ice vending machines, open air sports arenas, parking areas, rinks, service stations, and used car sale lots shall be carried on only within a building.
2. Dry-cleaning agencies or laundry agencies do not include the dry cleaning or laundry establishment which they represent.
3. Dwelling accommodation
 - (a) shall not be located below the second storey of a building,
 - (b) shall have direct access to the outside street level.
4. Frozen food locker establishments are limited to direct consumer service.
5. Ice storage houses are limited to five tons capacity.
6. Parks include all ancillary uses and equipment allowed in parks by the City.
7. A restaurant includes any establishment which serves meals to the public for compensation other than a drive-in refreshment stand.
8. A delicatessen, a pawn shop, a pet shop, a liquor store, a second hand store or a tire shop are not retail stores for the purposes of this table.
9. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize the particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
10. Ice vending machines shall be located no less than one hundred feet from the boundary of a residential district.
11. The assembly or production of ornamental metal works shall be carried on only in connection with or accessory to the retail or display of such ornamental metal.
12. A plumbing or sheet metal shop shall be operated only in connection with or accessory to the retail or display of plumbing or sheet metal equipment.
13. A wall of a public garage which is within fifty feet of and faces upon a residential district with no lane intervening between them shall have no openings other than immovable windows. Unless the Planning Commission otherwise allows all motor vehicles stored in connection with a public garage shall be stored inside a building. (Amended by By-law No. 6044.)

- 13a. Unless the Planning Commission otherwise allows all operations involved in carrying on a public garage or an auto body and paint shop, including
- (a) the parking of motor vehicles awaiting repair or painting, or having been repaired or painted, awaiting collection, and
 - (b) the storage of damaged or undamaged motor vehicle parts,
- shall be carried on within a building, which shall be sufficiently sound - insulated to confine the noise to the premises, and any flashing, fumes, gases, smoke and vapour created on the premises shall be effectively confined to the premises. (As amended by By-law No. 6044, passed February 18, 1963.)
14. A site on which is located a drive-in refreshment stand, a service station or other conditional use which is carried on wholly or partly outside of a building and which abuts a residential district shall be separated therefrom by a fence or boundary wall approved by the Planning Commission and if there is no intervening lane by a strip of shrubbery, flowers or grass of ten feet or such less width as the Planning Commission may direct.
15. Trade schools are limited to those approved by the Planning Commission.
16. Veterinary clinics shall not have outside pens, runs or enclosures or be used for boarding animals, whether sick or healthy.
17. A workshop accessory to a retail store shall not be located at the front of the store on the ground floor and shall be restricted to the compounding, processing and treatment of goods which would normally be done on the premises where the goods are sold. Goods for sale in other premises shall not be processed in such workshop.

TABLE "K"

USE TABLE FOR CM-1 & CM-2 - CENTRAL BUSINESS DISTRICTS

<u>Permitted Uses</u>	<u>Conditional Uses</u>
Amusement arcades	Auto Body and paint shop (B/L. 6044.)
Artist studios	Bus terminals
Auction rooms	Car washing establishments
Auditoriums	Christmas tree sales (B/L. 5563.)
Assembly of automobile equipment (not on ground floor)	Directional signs
Assembly of minor electric and electronic equipment (not on ground floor)	Drive-in refreshment stands
Bakeries	General advertising signs
Banks	Motels
Barber shops	Nursing and convalescent homes associated with a clinic (B/L. 6226.)
Beauty parlours	Open air sports arenas
Billiard halls and pool rooms	Parking structures (B/L. 5151.)
Blue printing, photostating, map printing and mechanical reproduction processes	Trailer courts
Bowling alleys	
Boxing arenas	
Catering establishments	
Cleaning and dyeing establishments for clothes, dry goods, rugs and carpets (not laundries)	
Clinics	
Cocktail Lounges (amended by 5152.)	
Colleges	
Commercial schools	
Dairies	
Dance halls	
Dancing schools	
Delicatessens	
Dry cleaning agencies	
Dry cleaning establishments and shirt laundries	

Permitted Uses Cont'd.

Dwelling accommodation

Film exchanges

Film and film-testing laboratories (not on ground floor)

Fire stations

Fraternity and sorority houses

Frozen food locker establishments

Funeral homes

Gymnasias

Hotels

Ice storage houses

Ice vending machines

Identification signs

Interior decorating studios

Laundry agencies

Laundries, automatic or self-service

Local advertising signs

Libraries

Liquor stores

Machine shops and blacksmith shops (not on ground floor)

Manufacture, assembly and processing of articles or merchandise from prepared bone, cellulose products, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, precious metals, or stones, paint, tobacco or wood (not on ground floor)

Manufacture, assembly and processing of bakery products, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toiletries and food products (not on ground floor)

Manufacture and maintenance of commercial advertising structures and devices (not on ground floor)

Manufacture of figurines and other similar ceramic products (not on ground floor)

Manufacturing and maintenance of light sheet metal products (not on ground floor)

Manufacture of musical instruments, toys, novelties, rubber and metal stamps (not on ground floor)

Medical and dental laboratories

Motion picture theatres

Music colleges

Offices, administrative, business and professional

Ornamental metal works

Parking areas

Parks

Pawn shops

Pet shops

Photography studios

Plumbing and sheet metal workshops

Police stations

Post offices

Printing, lithographing and publishing establishments

Private clubs and lodges

Private garages

Private schools

Public and quasi-public buildings

Permitted Uses cont'd.

Public baths	Theatres
Public garages	Tire shops
Public schools	Trade schools
Public utility buildings and installations	Trailer sales lots (Amended by B/L. 5121.)
Radio and television repair shops (B/L. 6001.)	Used car sale lots
Radio and television studios (commercial)	Valet shops
Radio transmitting stations, towers and equipment (amateur, fire, police and taxis)	Veterinary clinics
Restaurants	Warehousing (not on ground floor)
Retail stores	Water reservoirs, wells, storage, purification and distribution equipment
Rinks (commercial)	Wholesale stores or businesses (not on ground floor)
Sale and sample rooms	Workshops accessory to retail stores
Second-hand stores	
Service stations	
Shoe repair shops	
Sign painting workshops	
Swimming pools	
Tailor shops	
Taxidermy shops	

Conditions, Qualifications and Exceptions

1. All uses except drive-in refreshment stands, ice vending machines, open air sports arenas, parking areas, parks, rinks, service stations, trailer courts and used car sales shall be carried on only within a building.
2. The assembly of automobile equipment may only be carried on in conjunction with a use which is allowed on the ground floor of the building where it takes place. The assembly of automobile equipment includes the painting, upholstering, re-building, body repair or alteration, reconditioning, repairing and overhauling of motor vehicles; tire retreading and recapping; and battery manufacturing and servicing.
3. Dwelling accommodation is only allowed if
 - (a) it is accessory to the principal use of the building or site, and

(b) it is to be occupied by the caretaker or watchman of the premises and his family

4. Ice vending machines shall be located not less than one hundred feet from the boundary of a residential district.

5. Laundry agencies do not include the laundry establishments they represent.

6. The food products which may be manufactured, assembled or processed do not include fish and meat products, sauerkraut, vinegar or yeast.

7. Manufacture of ceramics may be carried on only if pulverised clay is used and if the kilns are fired by electricity or low pressure gas.

8. Parks include all ancillary uses and equipment allowed in parks by the City.

9. A wall of a public garage which is within fifty feet of and faces upon a residential district with no lane intervening between them shall have no openings other than immoveable windows. Unless the Planning Commission otherwise allows all motor vehicles stored in connection with a public garage shall be stored inside. (As amended by By-law No. 6044, passed February 18, 1963.)

Unless the Planning Commission otherwise allows all operations involved in carrying on a public garage or an auto body and paint shop, including

(a) the parking of motor vehicles awaiting repair or painting, or having been repaired or painted, awaiting collection, and

(b) the storage of damaged or undamaged motor vehicle parts.

shall be carried on within a building, which shall be sufficiently sound-insulated to confine the noise to the premises, and any flashing, fumes, gases, smoke and vapour created on the premises shall be effectively confined to the premises. (As amended by By-law No. 6044, passed February 18, 1963.)

10. A restaurant includes any establishment which serves meals to the public for compensation other than a drive-in refreshment stand.

11. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.

12. A site on which is located a drive-in refreshment stand, a service station, a public garage or other use which is carried on wholly or partly outside of a building and which abuts a residential district shall be separated therefrom by a fence or boundary wall approved by the Planning Commission, and if there is no intervening lane by a strip of shrubbery, flowers or grass of ten feet or such less width as the Planning Commission may direct.

13. A use which involves a paint boiling process shall not be carried on in a CM-1 or CM-2 District.
- 13a. A private school shall be erected only on a site having an area of four hundred square feet for each pupil.
14. Drop hammers and punch presses in excess of twenty tons rated capacity may not be used in connection with a use allowed in a CM-1 or a CM-2 District.
15. The manufacture, assembly and processing of wood does not include planing and saw-mill work.
16. Light sheet metal products are limited to heating and ventilating equipment, eaves and cornices.
17. The assembly or production of ornamental metal works shall be carried on in a CM-1 or a CM-2 district only in connection with or accessory to the retail or display of such ornamental metal.
18. Veterinary clinics shall not have outside pens, runs or enclosures, or be used for boarding healthy or sick animals.
19. A workshop accessory to a retail store shall not be located at the front of the store on the ground floor and shall be restricted to the compounding, processing and treatment of goods which would normally be done on the premises where the goods are sold. Goods for sale on other premises shall not be processed in such workshop.
20. A nursing or convalescent home is allowable as a conditional use in a CM-1 or CM-2 district only when it is associated and operated in connection with a medical clinic which is located either on the same site or on a site which is within 400 feet of the site of the nursing or convalescent home and when the nursing or convalescent home is used only for the treatment of patients who stay in the home no longer than seven days. (As amended by By-law No. 6226, passed January 20, 1964.)

TABLE "L"

USE TABLE FOR C-Hwy-1 - HIGHWAY MOTEL DISTRICTS

<u>Permitted Uses</u>	<u>Conditional Uses</u>
Identification signs	Auto body and paint shop (B/L. 6044.)
Local advertising signs	Camping grounds
Motels	Car washing establishments
Parks	Christmas tree sales (B/L. 5563)
Private garages	Cocktail lounges (B/L. 5152.)
Public schools	Directional signs
	Drive-in refreshment stands - posting mandatory
	Drive-in theatres
	Driving ranges
	General advertising signs
	Hotels
	Ice vending machines
	Open air sports arenas
	Public garages
	Restaurants
	Road houses
	Service stations
	Trailer courts
	Trailer sales lots (B/L. 5121.)
	Truck motels
	Used car sales lots
	Water reservoirs, wells, storage, purifi- cation and distribution equipment

Conditions, Qualifications and Exceptions

1. Deleted by By-law No. 6001.
2. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to a principal building where it is located. (As amended by By-law No. 6001, passed January 7, 1963.)

3. Parks include all ancillary uses and equipment allowed in parks by the City.
4. A private garage may be erected only on a site where another permitted or conditional use is carried out.
5. A restaurant includes any establishment which serves meals to the public for compensation.
6. A site on which is located a drive-in refreshment stand, a service station, a public garage or any other use which is carried on wholly or partly outside of a building and which abuts a residential district shall be separated therefrom by a fence or boundary wall approved by the Planning Commission, and if there is no intervening lane by a strip of shrubbery, flowers or grass of ten feet or such less width as the Planning Commission may direct.
7. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
8. Deleted by By-law No. 6001.
9. Ice vending machines shall be located no less than one hundred feet from a residential district.
10. A wall of a public garage which is within fifty feet of and faces upon a residential district with no lane intervening between them shall have no openings other than immoveable windows. Unless the Planning Commission otherwise allows all motor vehicles stored in connection with a public garage shall be stored inside. (As amended by By-law No. 6044, passed February 18, 1963.)
- 10a. Unless the Planning Commission otherwise allows all operations involved in carrying on a public garage or an auto body and paint shop, including
 - (a) the parking of motor vehicles awaiting repair or painting, or having been repaired or painted, awaiting collection, and
 - (b) the storage of damaged or undamaged motor vehicle parts,shall be carried on within a building, which shall be sufficiently sound-insulated to confine the noise to the premises, and any flashing, fumes, gases, smoke and vapour created on the premises shall be effectively confined to the premises. (As amended by By-law No. 6044, passed February 18, 1963.)

TABLE "M"

USE TABLE FOR C-Hwy-2 - HIGHWAY COMMERCIAL AND INDUSTRIAL DISTRICTS

Permitted Uses

Identification signs
Local advertising signs
Parks

Conditional Uses

Commercial, manufacturing, public utility, storage and warehousing activities and buildings, the appearance, extent and manner of carrying out of which are suitable to an arterial thoroughfare
Christmas tree sales (B/L. 5563.)
Directional signs
General advertising signs.

Conditions, Qualifications and Exceptions

1. Parks include all ancillary uses and equipment allowed in parks, by the City.
2. Unless the Planning Commission or the Director otherwise allows, a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to the principal building where it is located.
3. The Planning Commission shall determine whether or not a use of land or a building is of a type which is suitable to a site in a C-Hwy-2 District.
4. The Planning Commission shall determine the manner in which a use deemed to be suitable to a C-Hwy-2 District shall be carried out in such district.
5. The Planning Commission shall not vary or modify the application of any requirement of Part VII with respect to a site adjacent to an arterial or a major thoroughfare.
6. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.

TABLE "N"

USE TABLE FOR M-1 - RESTRICTED LIGHT INDUSTRIAL DISTRICTS

<u>Permitted Uses</u>	<u>Conditional Uses</u>
Amusement arcades	Bulk Oil storage warehouses (B/L. 5227.)
Assembly of automobile equipment as an accessory use	Christmas tree sales (B/L. 5563.)
Assembly of minor electric and electronic equipment	Directional signs
Artist studios	Driving ranges
Auditoriums	Drive-in refreshments stands (B/L. 6196.)
Auction rooms	General advertising signs
Auto body and paint shop (B/L. 6044.)	Motels
Bakeries	Open air sports arenas
Banks	Parking structures (B/L. 5121.)
Barber shops	Petroleum and natural gas wells, drilling and producing equipment
Beauty parlours	Radio transmitting stations, towers and equipment (amateur, fire, police and taxis)
Billiard halls and pool rooms	Trailer courts
Blue printing, photostating, map printing and mechanical reproduction processes	Truck motels
Bottling and distribution plants	Veterinary clinics & hospitals
Bowling alleys	Animal homes & pounds (B/L. 5577.)
Boxing arenas	Water reservoirs, wells, storage, purification and distribution equipment.
Building equipment storage yards	
Building material storage yards	
Bus terminals	
Cartage, freighting or trucking yards or terminals	
Car washing establishments	
Catering establishments	
Chicken hatcheries and poultry dressers	
Cleaning and dyeing establishments for clothes, dry goods, rugs and carpets	
Clinics	
Cocktail lounges (Amended By By-law No. 5152.)	

Permitted Uses Cont'd.

Cold storage plants	Local advertising signs
Colleges	Machine shops and blacksmith shops
Commercial schools	Manufacture and maintenance of commercial advertising structures and devices
Crematories	Manufacture and maintenance of light sheet metal products
Dairies	Manufacture, assembly and processing of articles or merchandise from prepared bone, cellulose products, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paint, paper, plastics, precious metals or stones, tobacco and wood
Dance halls	Manufacture, assembly and processing of bakery products, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toiletries and food products
Dancing schools	Manufacture of figurines and other similar ceramic products
Delicatessens	Manufacture Gypsum wall panels (Amended By B/L. 5304.)
Drive-in theatres	Manufacture of musical instruments, toys, novelties, rubber and metal stamps
Dry cleaning agencies	Medical and dental laboratories
Dry cleaning establishments	Motion picture theatres
Dwelling accommodation	Music colleges
Feed and fuel storage yards	Offices, administrative, business and professional
Film exchanges	Ornamental metal works
Film laboratories and testing laboratories	Parking areas
Fire stations	Parks
Frozen food locker establishments	Pawn shops
Funeral homes	Pet shops
Gravel, sand and similar building material storage	Photography studios
Gymnasias	Plumbing and sheet metal workshops
Hotels	Police stations
Ice plants	Post offices
Ice storage houses	
Ice vending machines	
Identification signs	
Interior decorating studios	
Laundry agencies	
Laundries, automatic or self-service	
Laundries (steam)	
Libraries	
Liquor Stores	

Permitted Uses Cont'd.

Printing, lithographing and publishing establishments	Shoe repair shops
Private clubs and lodges	Sign painting workshops
Private garages	Small boat building
Public and quasi-public buildings	Tailor shops
Public baths	Taxidermy shops
Public garages	Theatres
Public schools	Tire shops
Public utility buildings and installations	Trade schools
Public utility service yards	Trailer sales lots (Amended by B/L. 5121.)
Radio and television repair shops (B/L. 6001.)	Used car sale lots
Radio and television studios	Valet shops
Restaurants	Warehousing
Retail lumber yards and accessory mill work	Welding shops
Retail stores	Wholesale stores or businesses
Rinks (commercial)	Workshops accessory to retail stores
Sale and sample rooms	
Second-hand stores	
Service stations	

Conditions, Qualifications and Exceptions

1. A use which is a permitted use in this table is permitted for all floors of a building including the ground floor; otherwise all of the conditions, qualifications and exceptions of Table "K" apply to this table.
2. All uses except drive-in refreshment stands and theatres, open air sports arenas, parking areas, parks, rinks, service stations and used car sales shall be carried on only within buildings; or, in the case of cartage, freightage or trucking yards and terminals, electric substations, lumber yards, public utility service yards, and storage yards (including storage yards accessory to a use allowed by this table) on sites enclosed by buildings, fences, trees or landscaped features or a combination of any of them, of a height design, construction or variety approved by the Planning Commission.

3. The manufacture of concrete or cement products shall not be carried on in an M-I District.
4. The Planning Commission shall not consider an application for the approval of a bulk oil storage warehouse unless and until the applicant has produced to it plans endorsed as approved by the Fire Prevention Bureau of the City. (By-law No. 5227.)

TABLE "O"

USE TABLE FOR M-2 - GENERAL LIGHT INDUSTRIAL DISTRICTS

Permitted Uses

All uses set out in table "N" as permitted Uses for M-1, Restricted Light Industrial Districts

Conditional Uses

All uses set out in Table "N" as Conditional Uses for M-1, Restricted Light Industrial Districts

All industrial uses other than those:

- (a) incorporated in this table as permitted uses by reference to Table "N"
- (b) listed as uses in Table "P" and not included in this table concrete or cement products manufacture. (B/L. 5677.)

Conditions, Qualifications and Exceptions

1. Except as otherwise provided in the conditions, qualifications and exceptions in this table, all of the conditions, qualifications and exceptions of Table "K" applicable to Table "N" apply also to this table.
2. A use which is permitted to be carried on only within a building or within an enclosed area in a CM-1, a CM-2 or an M-1 district may be carried on in an M-2 District either inside or outside a building, and if carried on outside a building need not be in an enclosed area.
3. A use permitted in an M-2 district may be carried on any floor.
- 3a. Where the Planning Commission permits the manufacture of concrete or cement products as a conditional use in an M-2 district all operations shall be carried on only within a building and no storage or stockpiling of raw materials, of waste materials, or of partially manufactured products is permitted outside of a building. (B/L. 5677.)
4. When associated with a use otherwise allowed
 - (a) A use which involves a paint boiling process may be carried on in an M-2 District
 - (b) planing and saw-mill work may be carried on in an M-2 district
 - (c) drop hammers and punch presses need not be limited to twenty tons rated capacity in an M-2 district.
5. A use which in the opinion of the Planning Commission is or is likely to become a nuisance by reason of the emission of odour, dust, smoke, gas fumes, refuse matter, waste or water carried waste, or by reason of vibration; or is likely to create a hazard to persons or property shall not be carried on in an M-2 district.

TABLE "P"

USE TABLE FOR M-3 - HEAVY INDUSTRIAL DISTRICTS

Permitted Uses

All uses set out in Table "N" as permitted uses for M-1 Restricted Light Industrial Districts

All uses designated in Table "O" as permitted or conditional uses for M-2 General Light Industrial Districts and not set out elsewhere in this table

Also the following uses;

Acetylene gas manufacture or storage

Alcohol manufacture (industrial)

Ammonia, bleaching powder, or chlorine manufacture

Automobile wrecking (inside a building)

Asphalt manufacture or refining

Blast furnaces or coke ovens

Boiler works

Brick, tile or terra cotta manufacture

Bulk oil storage warehouses (B/L. 5227.)

Chemical manufacture

Concrete or cement products manufacture

Cotton gins or oil mills (not petroleum refineries)

Fish smoking, curing or canning

Flour and feed mills

Freight classification yards

Iron, steel, brass or copper, foundries or fabrication plants

Conditional Uses

Acid manufacture

Automobile wrecking yards

Cement, lime, gypsum or plaster of paris manufacture

Directional signs

drive-in refreshment stands (B/L. 6196.)

Drop forge industries manufacturing forgings with power hammers

Explosives, manufacture or storage of,

Fat rendering

Fertilizer manufacture

Garbage, offal or dead animal reduction or dumping

Gas manufacture

General advertising signs

Glue manufacture

Parking structures (amended by B/L. 5121.)

Petroleum and natural gas well, drilling, producing and storing equipment

Petroleum refining

Slaughter of animals

Smelting of copper, iron, tin and zinc ores

Stock yards or feeding pens

Storage, sorting, collecting or baling of rags, old paper, iron or junk

Tanneries or the curing or storage of raw hides

Permitted Uses Cont'd.

Lamp black manufacture	Rolling Mills
Liquid air manufacture	Rubber or gutta-percha manufacture or treatment
Oilcloth or linoleum manufacture	Salt works
Ore reduction	Smoke Houses (Amended by B/L. 5227.)
Paint, oil, shellac, turpentine, lacquer or varnish manufacture	Soap and compound manufacture
Paper or pulp manufacture	Soap manufacture
Plastic manufacture	Stove or shoe polish manufacture
Potash works	Tar distillation or tar products manufacture
Pyroxlin manufacture	Wool pulling or scouring
Quarry or stone works	
Railroad repair shops	
Rock, sand or gravel distribution, excavation or crushing	

Conditions, Qualifications and Exceptions

1. Dwelling accommodation is allowed only if
 - (a) it is accessory to the principal use of the building or site, and
 - (b) it is to be occupied by a caretaker or watchman of the premises and his family.
2. Ice vending machines shall be located not less than one hundred feet from a residential district.
3. A wall of a public garage that is within fifty feet of and faces upon a residential district with no lane intervening between shall have no openings other than immoveable windows.
4. A site on which a commercial or industrial use which is carried on wholly or partly outside of a building and which abuts a residential district shall be separated therefrom by a fence or boundary wall approved by the Planning Commission, and if there is no intervening lane by a strip of shrubbery, flowers or grass of ten feet or such less width as the Planning Commission may direct.
5. An industrial use which the Planning Commission does not allow as a conditional use in an M-2 district, because it is or is likely to become a nuisance or a hazard, may be carried on in an M-3 district as a conditional use, unless it is forbidden by other legislation or unless the Planning Commission is of the opinion that the

nuisance or the hazard involved is of such a nature that the safety and comfort of the inhabitants of the City or any area thereof is endangered by the use for such purpose of land or a building within the City.

6. (By-law 5626.) Unless the Planning Commission otherwise allows all conditional uses for an M-3 district shall be located not less than 500 feet from the boundary of a district of another designation.
7. Deleted by By-law No. 6001.
8. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
9. The Planning Commission shall not consider an application for the approval of a bulk oil storage warehouse unless and until the applicant has produced to it plans endorsed as approved by the Fire Prevention Bureau of the City. (By-law 5227.)

TABLE "Q"

USE TABLE FOR AM - AGRICULTURAL (FUTURE INDUSTRIAL) DISTRICTS

Permitted Uses

Farms of no less than 20 acres
in area
Identification signs
Local advertising signs
Parks

Conditional Uses

Asphalt batching plants (B/L. 5429.)
Bulk oil storage warehouses (B/L. 5227.)
Cement block manufacture (B/L. 5429.)
Cement brick manufacture (B/L. 5429.)
Concrete batching plant (B/L. 5429.)
Core houses (B/L. 5429.)
Directional signs
Garbage, offal, or dead animal reduction
or dumping
Keeping of pigeons (B/L. 6237.)
Large scale industries
Motels
Open air sports arenas
Open air storage
Petroleum and natural gas wells, drilling
and producing equipment.
Pipe storage (petroleum industry)
storage yards & buildings (B/L. 5429.)
Radio and television transmitting
stations & equipment (commercial)
Radio transmitting stations, towers, and
equipment (amateur, fire, police and taxis)
Sand and gravel pits
Service stations (B/L. 5227.)
Trailer courts
Truck Motels
Vehicles and equipment (petroleum industry)
storage yards & buildings (amended by B/L. 5429.)
Water reservoirs, wells, storage, purifica-
tion and distribution equipment
Any other use which in the opinion of the
Planning Commission will not hinder the
planned development of the area. (B/L. 6001.)

Conditions, Qualifications and Exceptions

1. A farm includes farm dwellings and all structures and equipment normally incident to the efficient operation of a farm. Farm dwellings are subject to the limitations of height set out in Table "S" but other farm buildings are not restricted to height.
2. After a general plan which makes provision, among other things, for the subdivision and development of an AM District for future industrial purposes has been prepared and is approved by Council the boundaries of a site in the district may not be located in a manner which in the opinion of the Planning Commission will prejudice the subdivision and development of the district as provided in the plan.
3. Unless the Planning Commission or the Director otherwise allows a sign which is separate from a building must be located so as to comply with the front yard or set-back requirements applicable to the principal building where it is located. (As amended by By-law No. 6001, passed January 7, 1963.)
4. Parks include all ancillary uses and equipment allowed in parks by the City.
5. A directional sign shall not contain any advertising slogan, illustration, wording or other matter calculated to induce the public to patronize a particular product, enterprise, business or industry to which it refers in preference to any other similar product, enterprise, business or industry.
6. Large scale industries may not be established in an AM District if they require public sewer and water service.
7. The Planning Commission shall not consider an application for the approval of a bulk oil storage warehouse unless and until the applicant has produced to it plans endorsed as approved by the Fire Prevention Bureau of the City. (As amended by By-law No. 5227, passed May 25, 1959.)

TABLE "QA"

USE TABLE FOR DC - DIRECT CONTROL DISTRICT

Permitted Uses

Farms of no less than 20 acres in area for which the proposed location, height and size of buildings has been approved by the Planning Commission

(As amended by)
(B/L. No. 5786, passed)
(December 20, 1961.))

Conditional Uses

All other uses as approved by the Planning Commission on the merits of each individual application having regard to:

- (1) conformity of the proposed use with the general plan being prepared for the City, (B/L. 6141.)
- (2) the existing use of the land and existing uses of neighboring lands, and
- (3) the zoning of neighboring lands, and, where the land has been annexed to the City the previous zoning and development policy and regulations applied to the land before annexation.

TABLE "QB"

USE TABLE FOR CS-I - COMMERCIAL AND SERVICE DISTRICT

Permitted Uses

Identification Signs (size restricted)
One-family dwellings
Two-family dwellings
Private garages

(B/L. 6483., passed
May 10, 1965.)

Conditional Uses

Apartment houses
Lodging houses
Restaurants
Retail stores (size restricted)
Banks
Barber shops
Beauty parlours
Clinics
Delicatessens
Dry cleaning agencies
Laundry agencies
Offices; business and professional
Post offices
Shoe repair shops
Tailor shops
Valet shops
Public utility buildings and installations

Conditions, Qualifications and Exceptions

1. A restaurant includes any establishment which serves meals to the public for compensation other than a drive-in refreshment stand.
2. Dry cleaning agencies or laundry agencies do not include the dry cleaning or laundry establishment which they represent.
3. A retail store is a store which is less than 2000 square feet in area, and, for the purposes of this district, does not include a pet shop, a department store, a pawn shop, a liquor store, a second hand store or a tire shop.
4. Identification signs
 - (a) to a maximum area of 216 square inches are permitted for residential uses, and
 - (b) to a maximum of 15 square feet are permitted for non-residential uses.
5. All other signs not included in the next preceding paragraph are conditional uses.
6. Unless the Planning Commission otherwise allows, all signs are limited to those that:
 - (a) are attached to the buildings which they identify, and,
 - (b) do not project above the roof line of the building to which they are attached.
7. Parking spaces shall be located at least 27 feet North of the existing North boundary of 16th Avenue N.W.
8. Unless the Planning Commission allows, there shall be no access for motor vehicles from a site to 16th Avenue N.W.
9. (a) Parking areas shall not abut 17th Avenue North unless a fence, wall or landscaping of a design, construction and variety, approved by the Planning Commission, is erected between the parking area and said 17th Avenue.
 - (b) The landscaped area required to be provided pursuant to Condition 9(a) shall be seeded with grass and planted with suitable plants and trees to the satisfaction of the Planning Commission and shall be of a width and depth satisfactory to the Planning Commission.
10. A public utility building or installation shall be allowed in the district only if, in the opinion of the Planning Commission, it is necessary for the efficiency of the service in question that it be located in that district.

- (a) Notwithstanding any other provision of this By-law, and for the purpose of this district only, the Planning Commission in its sole discretion may allow a building to be occupied by a combination of any one or more of the conditional uses listed in the above table and each such use shall be considered as a separate use for the purposes of Table "V".
- (b) In the event that the Planning Commission, pursuant to Condition 11(a) allows a building to be occupied both by a residential use and a non-residential use, the Planning Commission shall require that:
 - (i) the non-residential use or uses be located only on the ground floor of the building,
 - (ii) the residential use or uses be located only above the ground floor and such residential use or uses have a separate direct access to the sidewalk.
 - (iii) residential uses and non-residential uses shall be located on the same floor.

TABLE "R"

MAXIMUM TOTAL FLOOR AREAS OF BUILDINGS (Section 19)

<u>District</u>	<u>Maximum Floor Area</u>
C-2	2.8 times area of site where located (B/L. 5121.)
CS-1	1.0 times area of site where located, (B/L. 6483.)
CM-1	3 times area of site where located (B/L. 6160.)
CM-2	8 times area of site where located (B/L. 6160.)

Conditions, Qualifications and Exceptions

1. For the purpose of this table a floor area is determined from the outside dimensions of a building at the level of the floor.
2. The total floor area of a building includes all usable floor area except:
 - (a) that of a basement storey,
 - (b) that of a space used for vehicle parking inside the building,
 - (c) that of a penthouse used for equipment required to service the building.
3. For the purposes of this table a site area includes the area between the street boundary of the site and a set-back established by Table "U" applicable to the site.
4. For the purposes of this table the floor space in an overhead passage joining a building on one site to a building on another site shall not be included in determining the maximum floor area in either building.
5. For the purposes of this table a building erected on a site may have a total floor area determined with reference to the aggregate area of the site on which the building is erected and of **another** site within four hundred feet of the boundary of the site on which the building is located if
 - (a) the same owner has title to both sites,
 - (b) there is now no building or permanent structure (other than a parking structure) on the other site, and (As amended by By-law No. 6348, passed Aug. 17, 1964.)
 - (c) the owner enters into an agreement under seal with the City whereby he undertakes

to retain ownership of both sites and to maintain one of them free from any building or permanent structure and in default of so doing to reduce the floor area of the building appropriately.

6. Deleted by By-law No. 6160.

TABLE "RR"

BONUSES APPLICABLE IN THE CENTRAL AREA ZONE

The basic floor area calculated as three times the ground area of the site may be increased with the approval of the Planning Commission as follows:

<u>Bonus Development</u>	<u>Floor Area increased by:</u>
Open arcade	5 square feet per square foot of arcade
Enclosed arcade	8 square feet per square foot of arcade
Ground level open area	8 square feet per square foot of ground level open area
Open volume	1 square foot per 10 cubic feet of volume

Where a side set-back is provided the bonus factor for the open volume allowable on that side is increased by the width of the set-back expressed as a percentage of the frontage of the site times 0.005.

Conditions, Qualifications and Exceptions

- I. For the purposes of interpreting and applying the provisions of this Table:
 - (a) Ground level open area is a portion of the site which is:
 - (i) open to the sky,
 - (ii) not occupied by any part of the building,
 - (iii) not used for the movement or parking of vehicles,
 - (iv) adjoining and approximately level with a street,
 - (v) visible and accessible from the street, and
 - (vi) not less than 25 feet long nor less than 10 feet wide.
 - (b) Open volume is that space which is:
 - (i) adjacent to a building,
 - (ii) open to the sky,
 - (iii) above the roof of
 - (A) an arcade, or
 - (B) a storey of the building, and
 - (iv) below the 80 foot level of the building.
 - (c) The side set-back is a measurement which applies only to a building for which a bonus for open volume is allowable and is the distance between the side property line and the wall of the building adjoining the open volume. No bonus for a side set-back is allowed where the set-back is:

- (i) less than 10 feet, or
- (ii) does not extend for the entire depth of the site, or
- (iii) where, unless the Planning Commission otherwise allows, balconies, canopies or other projections project into the set-back area.

(d) An open arcade

- (i) is a covered walk-way for the use of the general public which is open to, and approximately level with the adjoining street or ground level open area on one side,
- (ii) has display windows and entrances to retail or service stores on the other side,
- (iii) has a minimum length of 25 feet,
- (iv) is at least 5 feet wide, and
- (v) directly adjoins or leads to a street.

(e) An enclosed arcade

- (i) is a covered walk-way for the use of the general public,
- (ii) is completely enclosed and protected from the weather,
- (iii) is approximately level with the adjoining street or ground level open area and accessible therefrom,
- (iv) has display windows and entrances for retail or service stores on one or both sides, and
- (v) is not less than 25 feet long and 5 feet wide.

2. (a) To calculate the basic floor area permitted, a set-back required under subsection (2) of The Zoning By-Law and contained in Table "U" of the by-law may be included in the area of the site, but no such set-back may be used in the calculation of the amount of any additional floor area permitted as a bonus.
 - (b) In no case shall the total floor area of any building including the basic floor area and the additional areas permitted as bonuses exceed eight (8) times the ground area of the site including the area of any set-back required under subsection (2) of section 23 of The Zoning By-law.
3. No bonus under this Table is allowed for any ground level open area at the rear of a building unless the site is a corner site and the open area adjoins the street side of the site.
 4. No bonus is allowed for any open volume at the rear of a building unless:
 - (a) the site is a corner site and the open volume adjoins the street side of the site, or
 - (b) a side set-back which qualifies for a side set-back bonus adjoins that open volume.

5. (a) All ground level open spaces for which a floor area bonus has been granted under this Table and all roofs below the 80 foot level of the building shall be landscaped to the satisfaction of the Planning Commission and made available for the use of the occupants of the building.

(b) In addition to the landscaping required under clause (a) the Planning Commission may require the landscaping of any other area.
6. The Planning Commission need not approve that portion of a wall which has an area in excess of 6000 square feet and is above the 24 foot level of a building if the wall is within 10 feet of a side property line.
(As amended by By-law No. 6256, passed March 16, 1964.)
7. There is no height restriction for an apartment house or a building containing dwelling units in the Central Area Zone but the Planning Commission may, having regard to surrounding developments, refuse to approve any proposed development above a height of 250 feet.
(As amended by By-law No. 6092, passed July 5, 1963.)

TABLE "S"

PERMISSIBLE HEIGHTS OF BUILDINGS (Section 20)

<u>District</u>	<u>Maximum Height of Building (Feet)</u>
AR, RC, RR-1, R-1, R-2 & R-3	28
R-4	40
R-5	150
C-1	28
CS-1	40
C-2	150 (B/L. 5121.)
CM-1	150
CM-2	250
C-Hwy-1	28
C-Hwy-2	40
M-1 & M-2	40

Conditions, Qualifications and Exceptions

1. (a) Table "S" shall not apply to schools, colleges, public and quasi-public buildings, public utility buildings, public hospitals or sanatoria in an AR District or in a residential district, or to a radio or television transmitting tower, a public water tower or drive-in theatre screen wherever located.

(b) Table "S" shall not apply to an apartment house approved for erection in the Central Area Zone. (As amended by By-law No. 6092, passed July 5, 1963.)
2. Table "S" shall not apply to public utility apparatus if in the opinion of the City Director it is of such a nature that it has to exceed the height limits in this table.
3. Notwithstanding the maximum heights set out in this table or the provisions of Conditions 1 and 2 of this table no building or other structure shall be erected in such a position and to such a height that it interferes in any way with the transmission or reception of telephone communication channels, television channels or other signals operated on or in connection with the Alberta Government Telephones Microwave Radio Telephone Link-up System.
4. Subject to condition 3 of this Table and notwithstanding the maximum heights set out above where a site in an R-3 District has been designated R-3X or a site in a R-4 District has been designated R-4X buildings on such site may be erected to the height set out in the designating by-law and where the by-law sets no maximum

height the buildings on such site may be erected to a maximum height of 150 feet.
(As amended by By-law No. 5978, passed February 18, 1963.)

5. A building in a C-1 District in addition to complying with the height limits in this Table shall be restricted to two storeys.
(As amended by By-law No. 6138, passed August 5, 1963.)

TABLE "T"

YARD DIMENSIONS (Section 23 (I) (a))

I - Front Yards

<u>District</u>	<u>Type of Site</u>	<u>Minimum Depth</u>
A	All types	25 Feet
AR, RC	All types	20 Feet
RR-1, R-1, R-2, R-3, R-4, & R-5	All sites other than key sites	(a) 20 Feet; or (b) 20% of depth of site
RR-1, R-1, R-2, R-3, R-4, & R-5	Key Sites	(a) 15 Feet; or (b) the average of: (i) the depth of the front yard required to be provided or already provided (whichever is the less) on the adjoining interior site, <u>and</u> (ii) the width of the side yard required to be provided or already provided (whichever is the less) on the street side of the adjoining reversed corner site
AM	All sites	30 Feet or 25% of depth of site
C-Hwy-1 & C-Hwy-2	All sites	(a) 30 Feet, or (b) 25% of depth of site, or (c) such less depth as the Director having regard to regulations which affected the site and neighboring sites before the first day of June, 1958, may determine.
(As amended by By-law No. 5867, passed May 28, 1962.)		
C-1, C-2, M-1, M-2, & M-3	Sites located on an entire frontage 40% of which is developed with buildings with conforming uses having front yards.	Neither less than the shallowest nor greater than the deepest front yard already provided.

<u>District Cont'd.</u>	<u>Type of Site Cont'd.</u>	<u>Minimum Depth Cont'd.</u>
C-1	All sites other than those on an entire frontage on which 40% of the sites have been developed with buildings with conforming uses and with front yards. (As amended by By-law No. 5227, passed May 25, 1959.)	20 Feet or 20% of the depth of the site.
C-2	All sites in the Bowness Shopping Centre bounded by Bowness Road, 77 Street N.W., 43 Avenue N.W., and 79 Street N.W. (As amended by By-law No. 6374, passed October 26, 1964.)	None allowed unless otherwise approved by the Planning Commission.
CS-1	Sites abutting 16 Avenue N.W., All other Sites (By-law No. 6483.)	10 Feet 20 Feet

Conditions, Qualifications and Exceptions

1. Where alternate minimum depths of front yards are given, the lesser depth is the minimum required.
2. Where in a residential district a public or quasi-public building, a public utility building, a public hospital, a sanatorium, a school, or a college is constructed to a greater height than is allowed for other buildings in the same district the minimum requirement for the front yard in connection therewith is increased by one foot for every three feet or portion thereof by which the height of the building exceeds the maximum height for the district set by Table "S".
3. Where in a residential district a building is constructed on a site which is flanked by two sites on both of which permanent principal buildings are located so that the front yard of either or both varies from the minimum depth required by this table the Director may allow or require the depth of the front yard of the middle site to be increased or decreased from the minimum depth required by this table to a depth which is an average of the depth of the two flanking sites.
(As amended by By-law No. 5121, passed November 10, 1958.)
4. When an entire frontage in an R-1 or an R-2 District is developed as a unit and the average depth of all the front yards is not less than the required minimum, the individual depth of any of the front yards may be decreased by not more than five feet. (As amended by By-law No. 5121, passed November 10, 1958.)
5. Front yards shall be provided adjacent to each street upon which a through site abuts.

6. Where the boundary between a residential district and a district which is not a residential district divides an entire frontage, all of the sites on the entire frontage shall have front yards required for a residential district unless on the day this by-law comes into effect forty percent of the sites on the non-residential portion of the entire frontage are developed with permanent principal buildings. In the latter case the required minimum of the front yards on the non-residential portion of the entire frontage is the average depths of the front yards already developed on that portion of the entire frontage.
7. The Director may determine on which street a corner lot fronts.
8. Front yards are not required on sites other than those listed in this table.
9. Where the closing in of an existing porch or verandah attached to a dwelling in a residential district is not otherwise allowed by this by-law, the Planning Commission may, in its discretion, approve the closing in of such a porch or verandah where it is satisfied that the closing in will not prejudice the enjoyment of neighboring properties and is not objectionable or undesirable for any other reason.
(As amended by By-law No. 6001, passed January 7, 1963.)
10. Where a residential area is developed on a road and walkway system and the dwellings front upon the walkway and back upon the road, the boundary of the sites adjoining the walkway shall, in the discretion of the Planning Commission be deemed to be the front boundaries of the sites and where the distance between the dwellings facing each other across the walkway is not less than 90 feet the front yards in the discretion of the Planning Commission may be reduced to no less than 15 feet.
(As amended by By-law No. 6001, passed January 7, 1963.)
11. Notwithstanding the provisions of this Table, every site adjoining Barlow Trail or the service road adjacent and parallel thereto in any part of the Foothills Industrial Area shall provide a minimum yard adjoining the said major thoroughfare or service road adjacent and parallel thereto of at leasty twenty (20) feet.
(As amended by By-law No. 6052, passed April 29, 1963.)
12. Notwithstanding the provisions of this Table the minimum front yard for
 Lots 1 and 2 in Block 9 of Plan 786 J.K.,
 Lot 3 in Block 9 of Plan 1488 J.K, and
 Lots 4, 5, 6 and 7 in Block 9 of Plan 2268 J.K.
all located on the west side of 37th Street, between 41st Avenue and Gissing Avenue, South West shall be 19 feet.
(As amended by By-law No. 6275, passed April 13, 1964.)

TABLE "T"

II
Side Yards

<u>District</u>	<u>Type of Site and Type of Side Yard</u>	<u>Minimum Width</u>
A, AR, & RC	All types of sites and side yards	15 Feet
RR-1	All types of sites - both sides	10% width of site
R-1, R-2, R-3, R-4 and R-5 (B/L. 5121.)	Interior sites and corner sites;- both sides; reversed corner sites;- interior side (Not applicable to site where building more than 28 Ft. high.	(a) 5 Feet; or (b) 10% width of site, but not less than 3 Feet.
R-4 and R-5	Interior sites and corner sites- both sides; reversed corner sites- interior side. (Applicable to site where building more than 28 Ft. high.)	5 Feet <u>and add</u> one foot for each 3 Feet of height of building over 28 Feet (B/L. 5121.)
R-3X & R-4X	As for R-4 & R-5 for buildings over 28 feet high.	(B/L. 5978.)
R-1, R-2, R-3, R-4, and R-5	Reversed corner sites - street side	10 Feet.
C-1, C-2, CM-1, and CM-2	Side yards abutting side of a site in a residential district	(a) 5 feet, <u>or</u> (b) 10% width of site but not less than 3 Feet.
C-1, C-2, CM-1 and CM-2	Corner site or reversed corner site street side	None required
C-1, C-2, CM-1, and CM-2	Corner and reversed corner site - off street side; and interior sites - both sides	None allowed unless otherwise approved by the Director
C-Hwy-1 & C-Hwy-2	All sites - both sides	(a) 20 feet or (b) 10% of width of site or (c) such less width as the Director having regard to regulations which affected the site and neighbouring sites before the first day of June 1958 may determine
(As amended by By-law No. 5867, passed May 28, 1962.)		
CS-1	All types	5 feet and add 1 foot for each 3 feet or por- tion thereof by which the height of the building exceeds 28 Ft.

(B/L. No. 6483.)

M-1, M-2, M-3	Side yards abutting side of a site in a residential district	(a) 5 Feet <u>or</u> (b) 10% width of site but not less than 3 Feet
M-1, M-2 & M-3	Other sites and yards	None required but 3 Feet if provided
AM	All types of sites and yards	15 Feet

Conditions, Qualifications and Exceptions

1. Where alternate minimum widths of side yards are given, the lesser width is the minimum required.
2. The side yard requirements of this table do not apply to individual buildings in a dwelling group. A person shall not erect a dwelling group until he has submitted a site plan showing the arrangement and spacing of the individual buildings and has obtained the approval of the plan from the Planning Commission. The Planning Commission shall not approve a dwelling group in which the buildings are less than 10 feet apart or less than ten feet from either side boundary of the site.
- 2a. The side yard requirements of this table do not apply to row dwelling developments. A person shall not erect a row dwelling building until he has submitted a site plan showing the arrangements and spacing of the row dwelling buildings and has obtained approval of the plan from the Planning Commission. The Planning Commission shall not approve a plan in which the row dwelling buildings are less than ten feet apart or less than five feet from a side boundary of the site. (B/L. 5613.)
- 2b. No side yard is required on that side of a semi-detached one-family dwelling which is joined by a party wall to another semi-detached one-family dwelling. The minimum width of the side yard required on the side opposite to the party wall is five feet. (As amended by By-law No. 5815, passed March 5, 1962.)
The Planning Commission may require the consolidation of the building site for semi-detached one-family dwellings under one title and withhold approval of any subdivision of the parcel comprising the building site until both semi-detached dwellings have been built. The Planning Commission may also require the registration in the Land Titles Office of any covenant or restriction it deems desirable to ensure the preservation and maintenance of the required yard spaces for the semi-detached one-family dwellings as shown on the plans therefor approved by the Planning Commission. (As amended by By-law No. 6043, passed February 18, 1963.)
- 2c. Where the Planning Commission so allows no side yard is required on the side of a semi-detached apartment house which is joined by a party wall to another semi-detached apartment house. As a condition of allowing apartment houses to be constructed without such side yards the Planning Commission may:
 - i) require the consolidation of the building site under one title and withhold approval of any subdivision of the parcel composing the building site until the two semi-detached apartment houses have been built.

- (ii) require the registration in the Land Titles Office of such covenants and restrictions as will ensure the preservation and maintenance of the open spaces, yards and courts on each of the sites as shown on the plan approved for the semi-detached apartment houses by the Planning Commission.
- (iii) require that the width of the side yard on the side of the semi-detached apartment house opposite the party wall shall be not less than the sum of the widths of the side yards that otherwise would be required for the site. (As amended by By-law No. 6043, passed February 18, 1963.)

3. WHERE

- (a) a public or quasi-public building, a public utility building, a public hospital, a sanatorium, a school or college, whether or not it exceeds the maximum height set by Table "S", or
 - (b) a private club, a lodge, a fraternity or sorority building is located in a residential district side yards shall be provided each of which is not less than ten percent of the site width and not less than ten feet wide, but no case need be more than fifteen feet wide. (Amended by By-law No. 5121.)
4. Where in a residential district a public or quasi-public building, a public utility building, a public hospital, a sanatorium, a school or a college is constructed to a height exceeding the applicable maximum set by Table "S", the minimum requirements for side yards as set by this table and by Condition 3 above is increased by one foot for every three feet or portion thereof by which the height of the building exceeds the height allowed for other buildings in the district where it is located.
5. When an entire frontage in an R-1 or an R-2 District is developed as a unit and the aggregate width of both side yards of a site is not less than the total minimum requirements for both side yards of the site, the individual width of one side yard may be less than the required minimum, but shall be no less than three feet and principal buildings on adjoining sites shall be no less than ten feet apart. (Amended by By-law No. 5121.)
6. On all interior residential sites without a rear lane, in those residential zoning districts formerly contained in the Town of Bowness, one of the required side yards shall have a minimum width of 12 feet unless the dwelling on the site has an attached garage or carport. (As amended by By-law No. 8374, passed Oct. 26, 1964.)

III

Rear Yards

<u>District</u>	<u>Type of Site</u>	<u>Minimum Depth of Rear Yards</u>
A	All sites	15 Feet
AR & RC	All sites	25 Feet
RR-1, R-1 & R-2	All sites	(a) 25 Feet <u>or</u> (b) 25% depth of site
R-3, R-4, & R-5	Corner sites	18 Feet
R-3, R-4 & R-5	Sites other than Corner sites	(a) 25 Feet <u>or</u> (b) 25% depth of site
C-1	All sites	20 Feet (exclusive of lane)
C-2 & CM-1	Corner sites and reversed corner sites; other sites abutting a lane	20 Feet (exclusive of lane)
C-2 & CM-1	All sites not abutting a lane other than corner sites and reversed corner sites	No rear yard required but 3 Feet if provided (exclusive of lane)
CM-2	All sites	No rear yard required but 3 Feet if provided (exclusive of lane)
C-Hwy-1, C-Hwy-2, M-1, M-2 & M-3	Sites abutting a lane at the rear	20 Feet (exclusive of lane)
C-Hwy-1, C-Hwy-2, M-1, M-2 & M-3	Sites not abutting a lane at the rear	No rear yard required
CS-1	All sites	25 Feet (B/L. 6483.)
AM	All sites	15 Feet (exclusive of lane)

Conditions, Qualifications and Exceptions

1. Where alternate minimum depths or rear yards are given the lesser depth is the minimum required.
2. One half the width of a lane abutting the rear boundary of a site in a residential district may be counted as part of a required rear yard for such site. No part of a lane shall be counted as part of a rear yard required for a site other than a site in a residential district. (B/L. 5121.)

3. Where the Planning Commission allows, a person need not provide the rear yard required by this table for a site in a C-1, C-2, C-Hwy-1, C-Hwy-2, M-1, M-2, M-3 or AM District, if he provides a space of an equivalent area elsewhere on the site, such space being in addition to any front or side yards that are required by this by-law. (B/L. 6252, passed March 2, 1964.)
4. A rear yard is not required for a site in a C-Hwy-1, a C-Hwy-2, and M-1, a M-2 or a M-3 district if the rear boundary of the site abuts a railway line.
- 4a. Notwithstanding the provisions of this part of Table "T" every site in the Foothills Industrial Area which is joined on the side or rear by a twenty-foot easement for a lead or sublead track shall provide a minimum yard parallel to the said easement of seventeen (17) feet for a private spur track. (As amended by By-law No. 6052, passed April 29, 1963.)
5. No rear yard is required for a through site.
6. Where a building in a C-1 or a C-2 district provides dwelling accommodation the site on which it is built shall have a rear yard of a minimum depth of twenty feet without counting any portion of a lane.
7. Where a site in a C-2, a CM-1, a CM-2, a C-Hwy-1, a C-Hwy-2, a M-1, a M-2 or a M-3 District abuts a residential district with no lane intervening it shall have a rear yard at least twenty feet deep.
8. No rear yard is required for a service station site which abuts a lane but in a district where a service station is allowed and this table requires a rear yard such rear yard shall be provided for a service station site which does not abut a lane. (As amended by By-law No. 5304, passed August 31, 1959.)

TABLE "U"

SET - BACKS

I - Numbered Streets

<u>Street</u>	<u>Portion to which Set-back applies</u>	<u>Set-back (in feet)</u>
1 St. S.E.	2 Ave. S.E. - 4 Ave. S.E.	7 - each side
	4 Ave. S.E. - Elbow River	5 - each side
1 St. S.W.	4 Ave. S.W. - 17 Ave. S.W.	5 - each side
2 St. S.E.	2 Ave. S.E. - Victoria Bridge	7 - each side
(Amended by By-law No. 5121.)	Victoria Bridge - 29 Ave. S.E.	10 - each side
	32 Ave. S.E. - Macleod Trail	10 - each side
2 St. S.W.	1 Ave. S.W. - 6 Ave. S.W.	7 - each side
4 St. N.E.	40 Ave. N.E. - 48 Ave. N.E.	17 - each side
4 St. N.W.	16 Ave. N.W. - 32 Ave. N.W.	7 - each side
	32 Ave. N.W. - 40 Ave. N.W.	10 - each side
	40 Ave. N.W. - 48 Ave. N.W.	17 - East side
4 St. S.E.	Langevin Br. - 9 Ave. S.E.	7 - each side
4 St. S.W.	Bow River - 6 Ave. S.W.	7 - each side
	6 Ave. S.W. - C.P.R. Main Line	5 - each side (B/L. 5629.)
	C.P.R. Main Line - 30 Ave. S.W.	7 - each side
6 St. S.E.	5 Ave. S.E. - 9 Ave. S.E.	7 - each side
8 St. S.W.	4 Ave. S.W. - 9 Ave. S.W.	7 - each side
	9 Ave. S.W. - 12 Ave. S.W.	5 - each side
	12 Ave. S.W. - 17 Ave. S.W.	7 - each side
9 St. S.W.	4 Ave. S.W. - 9 Ave. S.W.	7 - each side
10 St. N.W.	Hillhurst Bridge - 24 Ave. N.W.	10 - each side
11 St. S.W.	5 Ave. S.W. - 9 Ave. S.W.	14 - West side
	9 Ave. S.W. - 11 Ave. S.W.	7 - each side
14a St. N.E.	Centre Ave. E. - 8 Ave. N.E.	49 - West side
14 St. N.W.	7 Ave. N.W. - Bowness Road	10 - each side
	7 Ave. N.W. - 16 Ave. N.W.	10 - each side except where already taken

<u>Street</u>	<u>Portion to which set-back applies</u>	<u>Set-back (in feet)</u>
14 St. S.W.	10 Ave. S.W. - 38 Ave. S.W.	10 - each side
14 St. N.W.	16 Ave. N.W. - 24 Ave. N.W.	10 - each side
14 St. S.W.	66 Ave. S.W. - 114 Ave. S.W.	17 - each side
15 St. S.E.	Centre Ave. E. - Bow River	66 - West side
15 a St. N.E. -	8 Ave. N.E. - 16 Ave. N.E.	32 - East side
15 St. S.E.	17 Ave. S.E. - 22 Ave. S.E.	17 - each side
15 St. S.E. diagonal road connecting with 76 Ave.	76 Ave. S.E. - 82 Ave. S.E.	17 - each side
16 St. S.W.	38 Ave. S.W. - 46 Ave. S.W.	10 - each side
	46 Ave. S.W. - 50 Ave. S.W.	3.1 - East side
19 St. S.E.	8 Ave. S.E. - 9 Ave. S.E.	14 - East side (B/L. 5254.)
24 St. S.E.	2 Ave. S.E. - 15 Ave. S.E.	66 - West side
24 St. S.W.	Richmond Road - 17 Ave. S.W.	10 - each side
24 St. N.W.	8 Ave. N.W. - Westmount Boulevard	7 - each side
24 St. S.E.	34 Ave. S.E. - 50 Ave. S.E.	33 - each side
24 St. N.W.	40 Ave. N.W. - 48 Ave. N.W.	17 - each side
24 St. S.W.	50 Ave. S.W. - 58 Ave. S.W.	17 - each side
24 St. S.E. and Ogden Road	57 Ave. S.E. - 70 Ave. S.E.	14 - West side
24 St. S.W.	Richmond Road - 50 Ave. S.W.	10 - each side
	90 Ave. S.W. - 114 Ave. S.W.	17 - each side
26 St. S.E. (B/L. 5121.)	24 St. (at approx. 71 Ave. S.E. - 82 Ave. S.E.)	10 - each side
36 St. S.E.	66 Ave. S.E. - 82 Ave. S.E.	66 - West side
37 St. S.W.	17 Ave. S.W. - Banff Coach Road	17 - each side or less if Planning Commission allows
37 St. N.W.	Banff Trail - 24 Ave. N.W.	33 - each side
37 St. S.W.	26 Ave. S.W. - 36 Ave. S.W.	17 - West side
	36 Ave. S.W. - 44 Ave. S.W.	17 - each side
	44 Ave. S.W. - 46 Ave. S.W.	17 - East side
	46 Ave. S.W. - 50 Ave. S.W.	17 - each side
	50 Ave. S.W. - 66 Ave. S.W.	66 - East side
	82 Ave. S.W. - 114 Ave. S.W.	66 - East side

<u>Street</u>	<u>Portions to which set-backs apply</u>	<u>Set-back (in feet)</u>
53 St. S.W.	Banff Coach Road - Richmond Road	66 - East side
<u>11 - Numbered Avenues</u>		
1 Ave. S.	1 St. S.E. - 4 St. S.W.	7 - each side
2 Ave. S.	3 St. S.E. - 4 St. S.W.	7 - each side
3 Ave. S.	4 St. S.W. - 4 St. S.E.	7 - each side
4 Ave. S.	2 St. S.E. - 8 St. S.W.	7 - each side
4 Ave. S.E.	2 St. E. - Langevin Bridge	7 - each side
4 & 5 Aves. S.E.	6 St. S.E. - Langevin Bridge	7 - each side
4 Ave. S.W.	8 St. S.W. - Hillhurst Bridge	7 - each side
5 Ave. S.	5 St. S.E. - 11 St. S.W.	7 - each side
6 Ave. S.	4 St. S.E. - 6 St. S.E.	7 - each side
6 Ave. S.	4 St. S.E. - 11 St. S.W.	7 - each side
7 Ave. S.E.	2 St. S.E. - 6 St. S.E.	7 - each side
7 Ave. S.W.	4 St. S.W. - 11 St. S.W.	7 - each side
8 Ave. S.E.	2 St. S.E. - 6 St. S.E.	7 - each side
8 Ave. S.W.	4 St. S.W. - 11 St. S.W.	7 - each side
9 Ave. S.E.	2 St. S.E. - 6 St. S.E.	7 - North side
9 Ave. S.W.	11 St. S.W. - 14 St. S.W.	7 - North side
9 Ave. S.E.	15 St. S.E. - Elbow River	7 - each side
11 Ave. S.	6 St. S.E. - 17 St. S.W.	7 - each side
11 Ave. S.W.	17 St. S.W. - 24 St. S.W.	7 - North side
12 Ave. S.	MacDonald Bridge - 20 St. S.W.	7 - each side
12 Ave. S.W.	24 St. S.W. - 33 St. S.W.	34 - North side
16 Ave. N. (Amended by By-law No. 6483.)	6 St. N.E. - 10 St. N.W.	7 - each side
16 Ave. N. (Amended by By-law No. 6483.)	10 St. N.W. - 14 St. N.W.	17 - North side only
16 Ave. N. (As amended by By-law No. 6483.)	10 St. N.W. - 14 St. N.W.	7 - South side only
17 Ave. S.	5 St. S.E. - 33 St. S.W.	7 - each side
17 Ave. S.E.	15 St. S.E. - 19 St. S.E.	17 - each side
	Cushing Bridge - 19 St. S.E.	between 5 & 7 as required by Planning Commission

<u>Street</u>	<u>Portions to which Set-back applies</u>	<u>Set-back (in feet)</u>
	Cushing Bridge - 24 St. S.E.	17 - each side
17 Ave. S.W.	33 St. W. - 37 St. S.W.	7 - South side
	37 St. S.W. - 45 St. S.W.	17 - North side
	45 St. W. - 53 St. S.W.	17 - each side
22 Ave. S.E.	15 St. E. - Lane east of 15A St. S.E. and West of 16 St. S.E.	7 - each side (B/L. 5254.)
30 Ave. S.W.	Elbow Drive - 8 St. S.W.	7 - each side
32 Ave. S.W.	24 St. W. - Richmond Road	14 on South side through City property; 7 on each side otherwise.
32 Ave. N.E.	24 St. N.E. - C.P.R. tracks	17 - each side
33 Ave. S.W.	14 St. S.W. - 24 St. S.W.	7 - each side
38 Ave. S.W.	16 St. S.W. - Sifton Boulevard	7 - each side
40 Ave. S.E.	Bonnybrook Road - Portland Street	17 - each side
42 Ave. S.E.	Macleod Trail - 1 St. S.E.	7 - each side
	1 St. S.E. - Calgary Power R/W	17 - North side
	Calgary Power R/W - 6 St. S.E.	17 - both sides
48 Ave. N.E.	Airport Road (approx. 11 St. N.E.) - 1 St. N.E.	17 - each side
48 Ave. N.	Laycock Drive - 4 St. N.W.	17 - South side
50 Ave. S.W.	16 St. S.W. - 24 St. S.W.	7 - each side
50 Ave. S.E.	Ogden Road - 36 St. S.E.	17 - each side
50 Ave. S.W.	37 St. S.W. - 45 St. S.W.	66 - North side
	Macleod Trail - Elbow Drive S.W.	7 - each side
58 Ave. S.E.	2 St. S.E. - 6 St. S.E.	17 - South side
	C.P.R. tracks - Macleod Trail S.W.	17 - each side
66 Ave. S.W. (B/L. 5121.)	Macleod Trail - Elbow Drive	17 - each side (except where already provided)
66 Ave. S.W.	Elbow Drive - 14 St. S.W.	17 - South side
Connecting Road 76' Ave. & 15 St. S.E.	50 Ave. S.E. at) - (76 Ave. At approx. 15 St. S.E.) 11 St. S.E.	17 - each side
76 Ave. S.E.	Diagonal Road (approx. 17a St.) 26 St. S.E.	7 - each side

<u>Street</u>	<u>Portions to which Set-back applies</u>	<u>Set-back (in feet)</u>
82 Ave. S.	C.P.R. tracks - Elbow Drive	17 - South side
	6 St. S.E. - C.P.R. tracks	17 - each side
82 Ave. S.W.	Elbow Drive - 14 St. S.W.	17 - each side
82 Ave. S.E.	20 St. S.E. - 28 St. S.E.	17 - each side
	28 St. S.E. - 36 St. S.E.	33 - each side
90 Ave. S.W.	14 St. S.W. - 24 St. S.W.	17 - each side
114 Ave. S.	10 St. S.E. - Macleod Trail	33 - each side
114 Ave. S.W.	37 St. S.W. - Macleod Trail S.W.	33 - each side
<u>III - Named Streets and Avenues</u>		
Banff Coach Road	37 St. S.W. - 38 St. S.W.	17 - each side
	38 St. S.W. - 45 St. S.W.	25 - South side
	53 St. S.W. - 69 St. S.W.	33 - each side
Bonnybrook Road	Bonnybrook Bridge - 40 Ave. S.E.	10 - each side
Centre St. N.	7 Ave. N. - 32 Ave. N.	10 - each side
Centre St. S.	9 Ave. S. - Centre St. Bridge	5 - each side
Centre St. N.	32 Ave. N. - 40 Ave. N.	7 - each side
Edmonton Trail	Langevin Bridge - 3 Ave. N.E.	7 - each side
	5 Ave. N.E. - 32 Ave. N.E.	7 - each side
	32 Ave. N.E. - 40 Ave. N.E.	10 - each side
Elbow Ave.	9 Ave. S.E. - 12 Ave. S.E.	7 - each side
Elbow Drive	4 St. S.W. - 29 Ave. S.W.	10 - North side
	29 Ave. S.W. - 34 Ave. S.W.	7 on each side or less if Planning Commission allows
	50 Ave. S.W. - 58 Ave. S.W.	10 - each side
Kensington Road	10 St. N.W. - 24 St. N.W. (B/L.6490.)	10 - each side
Macleod Trail	9 Ave. S.E. - 38 Ave. S.	10 - each side
	38 Ave. S. - 42 Ave. S.W.	10 - West side
	42 Ave. S.W. - 46 Ave. S.W.	20 East side & 10 West side, except where already provided.
	46 Ave. S.W. - 58 Ave. S.W.	10 - each side
	58 Ave. S.W. - 66 Ave. S.W.	66 on each side except where already provided

<u>Street</u>	<u>Portions to which Set-back applies</u>	<u>Set-back (in feet)</u>
Memorial Drive	6 St. N.E. - 11 St. N.E.	17 - North side (B/L. 6295)
Ogden Road	50 Ave. S.E. - Bonnybrook Bridge	10 - East side
	57 Ave. S.E. - 50 Ave. S.E.	14 - East side
Portland Street	40 Ave. S.E. - Alyth Overpass	17 - each side
Premier Way	8 St. S.W. - Marquette St. S.W.	10 - South side
Richmond Road	17 Ave. S.W. - 24 St. S.W.	5.5 - each side
	24 St. S.W. - 37 St. S.W.	5.5 - each side
	37 St. S.W. - 53 St. S.W.	17 - each side
	53 St. S.W. - 69 St. S.W.	33 - each side

IV - Bowness

Bowness Road	Bow Crescent - 62 St. N.W.	7 - each side
	62 St. N.W. - 63 St. N.W.	17 - North side
	Lots 17-18, Blk. 20, Plan 4610 AJ	17 - South side
	Lots 8-9, Blk. 3, Plan 4610 AJ	17 - North side
	Lots 11-12, Blk. 22, Plan 4610 AJ	17 - South side
	65 St. N.W. - 66 St. N.W.	7 - each side
	66 St. N.W. - 67 St. N.W.	7 - North side
	40 Ave. N.W. - Bow River	17 - each side
Bowwood Drive	33 Ave. N.W. - 36 Ave. N.W.	7 - each side
Bowfort Road	Trans-Canada - 85 St. N.W.	7 - each side
34 Ave. N.W.	69 St. N.W. - 73 St. N.W. projection	7 - North side
	73 St. N.W. - 76 St. N.W. projection	7 - North side 40 - South side
	76 St. N.W. - 77th St. N.W. projection	7 - each side
36 Ave. N.W.	64 St. N.W. - 67 St. N.W.	34 - South side
46 Ave. N.W.	72 St. N.W. - Bowness Road	7 - each side
64 St. N.W.	Bowwood Drive - Bow Crescent	17 - each side
72 St. N.W.	Bowness Road - 46 Ave. N.W.	7 - each side
77 St. N.W.	34 Ave. N.W. - 36 Ave. N.W.	7 - each side
	36 Ave. N.W. - 37 Ave. N.W.	7 - East side
	Bowness Road - 46 Ave. N.W.	7 - each side
83 St. N.W.	33 Ave. N.W. - Bowness Road	7 - each side

Conditions, Qualifications and Exceptions

1. Where part of a portion of a street to which a set-back applies has already been widened beyond the width of the rest of such portion, this additional width shall be considered as making up part of the set-back required on the side on which the widening has been made.
2. Where the table provides for a lesser set-back to be allowed by the Planning Commission, the reduction may be allowed for any part of the portion affected by the set-back or for the whole of such portion as the circumstances require and the amount of the reduction shall be decided by the Planning Commission for the part in question.
3. Where the table provides that the set-back shall be five or seven feet as required by the Planning Commission the provisions of Condition 2 shall apply within the limitations of the amounts set by the table.
4. Where the table provides a greater set-back for City property all property owned or controlled by the City at the time this By-law becomes effective shall be subject to the increased set-back, and shall continue to be subject thereto, even if it is subsequently sold.

TABLE "V"

Parking Spaces

(Part V)

<u>Use of Building or Site</u>	<u>Minimum Number of Parking Spaces</u>
Airport, bus, freight and train terminals	One for each three employees and additional spaces Planning Commission designates for use of Public using the terminal.
Apartment Houses - R-2, R-3, R-4, and R-5 Districts	One per dwelling unit (B/L. 6035.)
Banks	One per 500 square feet of floor area used for business purposes
Beer Parlours	One per ten seats for patrons (B/L. 5152.)
Billiard halls and Pool rooms	One per 140 square feet of floor area plus one per 10 seats for spectators, for restaurant facilities or for other activities.
(As amended by By-law No. 6012, passed December 19, 1962.)	
Bowling alleys	Five per alley plus 5 for staff plus one per ten seating spaces for spectators, restaurant or other activities; or one per 100 square feet of space for the accommodation of the public, whichever is the greater (B/L. 5626.)
Business, administrative and professional offices	One per 500 square feet of floor area used for business purposes and in any case not less than one for each office or suite of offices occupied as a unit by one person or firm.
(As amended by By-law No. 6159, passed August 5, 1963.)	
Churches	One per 30 seating spaces
Cocktail lounges	One per 10 seats for patrons (B/L. 5152.)
Curling Rinks	8 per curling sheet of ice plus 5 for staff plus 1 per 10 seating spaces for spectators, restaurant or other activities or 1 per 100 sq. ft. of space for accommodation of public, whichever is the greater (B/L. No. 5179.)

Use of Building or Site Cont'd.

Dwellings, one-family or two-family in Residential Districts including semi-detached one-family dwellings. (B/L. 5815.)

Dwelling accommodation when allowed in other than residential districts

Equipment and repair shops

Hospitals, sanatoria and asylums

Hotels

Local Credit Union offices (B/L. 5979.)

Lodges

Lodging Houses

Lumber Yards

Manufacturing and Industrial Plants

Nursing homes

Orphanages

Private clubs

Public assembly auditoriums

Public utility buildings

Research laboratories

Restaurants

Retail stores and personal service shops

(As amended by By-law No. 6159, passed August 5, 1963.)

Service stations and public garages or Auto Body and Paint Shops

Schools without public auditoriums or gymnasiums

Minimum Number of Parking Spaces Cont'd.

One per dwelling unit

One per dwelling unit

As for banks

One per 4 patients or inmate beds and one per 4 employees, and one per staff doctor and regular attending doctor

One per 3 guest rooms

As for banks

One per 10 adult members or adherents (B/L. No. 6001, passed Jan. 7, 1963.)

As for Hotels

One per 3 employees (minimum 5)

One per 3 employees (minimum 5)

One per two patient beds (B/L. 6277.)

As for hospitals

As for lodges

One per 10 seating spaces for public or one per 100 square feet used in service of public, whichever is greater

One per 3 employees (minimum 5)

One per 3 employees (minimum 5)

One per 10 seats for patrons

One per 500 square feet of floor area used for business purposes and in any case not less than one for each individual store or shop.

As for banks

One per 2 employees

Use of Building or Site Cont'd.

Minimum Number of Parking Spaces Cont'd.

Schools with public auditoriums
or gymnasiums
Theatres and cinemas
Warehousing, wholesale and storage
buildings and yards

One per 2 employees plus number required
for public assembly auditoriums
As for restaurants
One per 3 employees (minimum 5)
(Amended by By-law 5121.)

Conditions, Qualifications and Exceptions

1. Parking spaces provided for an apartment house shall not be located in the front yard of the site occupied by the apartment house or elsewhere between the front of the apartment house and the boundary of the street on which the apartment house faces.
2. Where a transitional site is used as a parking area that portion of the site which would correspond to the front yard if a building were erected on the site, including the amount by which such yard would be increased by subsection (2) of section 23, shall not contain any parking spaces but shall be landscaped to the satisfaction of the Planning Commission.
3. The portion of a transitional site used as a parking area on which parking spaces are allowed shall be separated from the common side boundary between the parking area site and a residential site by
 - (a) a fence or wall approved by the Planning Commission and not less than six feet in height, or
 - (b) a strip of land equal to ten percent of the width of the site or not more than five feet landscaped and planted to the satisfaction of the Planning Commission.
4. The portion of a transitional site used for parking shall be:
 - (a) marked off with curbs, barriers or fences as required and approved by the Planning Commission, and
 - (b) paved with asphalt or concrete. (Amended by By-law No. 5121.)
5. Where in a district other than a residential district a parking area is located on a site immediately adjacent to a residential district there shall be no parking spaces provided and parking shall not be allowed within five feet of the common boundary with the residential district unless a fence or a wall approved by the Planning Commission of the height applicable to the portion of the site in the residential district which is abutted and the land shall be landscaped to the satisfaction of the Planning Commission;
6. The floor space used for business purposes does not include corridors, wash rooms, cloak rooms, staff retiring or refreshment rooms, stock rooms, elevators or stairways.

7. Nursing homes include convalescent homes and homes for the aged and infirm.
8. Public assembly auditoriums include sports arenas, hockey forums.
(Amended by By-law No. 5227.)
9. Restaurants include all establishments serving meals to the public with or without entertainment.
10. Schools include colleges, universities, commercial schools and trade schools, and other similar institutions. Schools with gymnasiums need not provide parking spaces in respect of the gymnasium if it is only open to the pupils and the staff.
11. Where in the opinion of the Planning Commission adequate provision has been made for parking spaces in the portion of a street or other area which is opposite or adjacent to the land set aside for a shopping centre, the requirement for parking spaces for commercial uses in the shopping centre shall not apply.
(As amended by By-law No. 5227, passed May 25, 1959.)

TABLE "W"

Loading Spaces

(Part V)

<u>Use of Building or Site</u>	<u>Minimum Number of Loading Spaces</u>
Auditoriums, convention and exhibition buildings	One per 50,000 square feet of gross floor area or fraction thereof
Funeral homes	One per 50,000 square feet of gross floor area or fraction thereof in addition to number required for hearses
Freight terminals and railroad yards	One per 20,000 square feet of gross floor area or fraction thereof
Hospitals, sanatoria and welfare institutions	One per 50,000 square feet of gross floor area or fraction thereof in addition to number required for ambulances
Hotels	As for auditoriums, etc.
Industrial and manufacturing plants	As for freight terminals
Office buildings	As for auditoriums, etc.
Restaurants	As for auditoriums, etc.
Retail and wholesale establishments	As for freight terminals
Sport arenas	As for auditoriums, etc.
Warehouses	As for freight terminals

Conditions, Qualifications and Exceptions

1. A loading space is to be provided for the first 50,000 or 20,000, as the case may be, square feet of gross floor area, and an additional loading space for every additional 50,000 or 20,000, as the case may be, square feet or fraction thereof.
2. A restaurant for the purpose of Table "W" includes any establishment which serves meals to the public for compensation and includes a night club.
3. Freight terminals include those operated in connection with highway transportation.

Regulations having to do with Subdivision in the Calgary Zoning By-Law.

PART II - A EXCAVATIONS OF LAND AND STRIPPING OF SOIL. (SEE) PAGE 25

PART VI - SITE DIMENSIONS - (SEE) PAGE 37

(A)
TABLE A. AGR. AND PARKWAY DISTRICTS - USES PERMITTED RESTRICTED TO 20 ACRES MINIMUM. PAGE 60

(AR)
TABLE B. AGR. (FUTURE RES.) DISTRICTS. FARMS - 20 ACRES 63
 1-F - 2 ACRES.
 1-F & 2-F IN A PLANNED DEVELOPMENT.

CONDITIONS OF SUBDIVISION IN AN AR ZONE. 65

TABLE C - COUNTRY RESIDENTIAL DISTRICTS (RC) 3 ACRES MINIMUM. 66

RR-1 - RESTRICTED ONE-FAMILY RES. DISTRICTS 70.
 KINDERGARTEN, NURSERY SCHOOL, PRIVATE SCHOOL. (80' FRONTAGE MIN. 70.
 112,000 SQ. FT. MIN.)

R-1 ONE-FAMILY RES. DISTRICTS 74
 KINDERGARTEN, NURSERY SCHOOL, PRIVATE SCHOOL { 50' FRONTAGE MIN.
 5,000 SQ. FT. MIN. }

R-2 TWO-FAMILY RES. DISTRICTS 78.
 - NEIGHBORHOOD STORE LOCATION CONDITIONS. 78.
 - KINDERGARTEN, ETC. - SAME AS ABOVE. 79.
 - NURSING AND CONVALESCENT HOME - 2 ACRES MIN.
 230' MIN SITE DIMENSION.

R-3 GENERAL RESIDENTIAL DISTRICTS 82
 - NEIGHBORHOOD STORE LOCATION
 - KINDERGARTEN, ETC. SAME AS ABOVE.

7-4 D-5 GENERAL RESIDENTIAL DISTRICTS.

PAGE 86.

NEIGHBORHOOD STORE LOCATION.

C-1 LOCAL COMMERCIAL DISTRICTS

C-2 GENERAL " "

CM-1 & CM-2 - CENTRAL BUSINESS DISTRICTS.

C-Hwy-1 - HIGHWAY HOTEL DISTRICTS.

C-Hwy-2 - HIGHWAY COMMERCIAL & INDUSTRIAL DISTRICTS.

M-2 GENERAL LIGHT INDUSTRIAL DISTRICTS.

AM - LGR. (FUTURE IND.) DISTRICTS.

DC - DIRECT CONTROL DISTRICT.

CS - COMMERCIAL AND SERVICE DISTRICT.

NO SUBDIVISION REGS.

EXCEPT FOR THOSE

ON TABLE X

GOVERNING HOTELS;

HOTELS, SERVICE STATION.

TABLE X - MINIMUM AREAS AND DIMENSIONS OF SITES.

X

<u>Type of Building</u>	<u>District</u>	<u>Site Area (Square Feet) Required per dwelling unit</u>	<u>Minimum Site Area (Square Feet)</u>	<u>Minimum Site Width (Feet)</u>
Apartment Houses (50 Feet high or less)	R-4 and R-5	(1) Units having a floor area of no more than 500 sq. ft.	400	
		(2) Units having a floor area of more than 500 sq. ft. with no more than one bedroom or room which is separate from the living-room and capable of being used as a bedroom	600	
		(3) Units having a floor area of more than 500 sq. ft. with more than one bedroom or room which is separate from the living-room and capable of being used as a bedroom. (As amended by By-law No. 6253, passed March 2, 1964.	750	
Apartment Houses (High than 50 feet)		(5) Minimum site for subdivisions approved after 1 March 1961.	6,000	60
	R-5	400	8,000	75
		II		
		<u>Sites used for Other Purposes</u>		
Hotels	All districts where allowed	Not applicable	7,500 (B/L. 5806.)	75
Motel	All districts where allowed	Not applicable	24,000	
Service station	All districts where allowed	Not applicable	12,000	100

Type of Building	District	Site Area (Square Feet) Required per dwelling unit	Minimum Site Area (Square Feet)	Maximum Site Width (Feet)
All buildings other than dwellings, apartment houses and regulating stations for public utilities (As amended by By-law No. 5121, passed Nov. 10, 1958.)	All residential districts where allowed		5,000	50

Conditions, Qualifications and Exceptions

1. A service station site shall have a depth and width of not less than 100 feet each.
2. Where a portion of a site is transferred to the City for street purposes, and it was agreed by the Planning Commission that the reduction in site area resulting from the transfer would not affect the density or intensity of development permitted on the site, the area of the site for the purposes of Table "X" shall include the area of the portion of the site so transferred. (As amended by By-law No. 6001, passed January 7, 1963.)
3. The Planning Commission shall decide whether or not a room which is shown on a plan for an Apartment House is a bedroom or a room which is separate from the living-room and capable of being used as a bedroom. (As amended by By-law No. 6253, passed March 2, 1964.)
4. In a Highway Motel District (C-Hwy-1) formerly in the Town of Bowness the width of all sites shall be no less than 175 feet. (As amended by By-law No. 6374, passed October 26, 1964.)

