

THE CITY OF CALGARY

LAND USE BYLAW 1P2007

OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

11P2008	June 1, 2008	11P2010	April 19, 2010	4P2013	March 1, 2013
13P2008	June 1, 2008	14P2010	May 17, 2010	5P2013	March 25, 2013
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48P2008	June 1, 2008	19P2010	June 7, 2010	7P2014	April 14, 2014
49P2008	June 1, 2008	23P2010	June 7, 2010	33P2013	June 9, 2014
50P2008	June 1, 2008	32P2010	July 26, 2010	13P2014	June 9, 2014
53P2008	June 1, 2008	34P2010	August 19, 2010	15P2014	June 9, 2014
54P2008	May 12, 2008	39P2010	November 22, 2010	11P2014	June 19, 2014
57P2008	June 9, 2008	7P2011	January 10, 2011	24P2014	October 27, 2014
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NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

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BYLAW 1P2007

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- (108.1) “**primary building wall**” means any exterior **building** wall that forms part of a façade that contains a **public entrance** and faces, or is oriented to, a **street** or a parking area on the same **parcel** as illustrated in Sign Illustration 2, with the exception that corner sites facing public streets can have two **primary building walls** not withstanding one façade may not contain a **public entrance**. 35P2011
- (109) “**privacy wall**” means a structure that: 13P2008,67P2008
- (a) provides visual **screening**;
 - (b) is located on a **balcony, deck** or **patio**; and
 - (c) does not include a railing or balustrade.
- (110) “**private amenity space**” means **amenity space** provided for the use of the occupants of only one **unit**.
- (111) “**private condominium roadway**” means an area of land that provides access to a **parcel**, and is contained within:
- (a) common property forming part of a bare land condominium plan; or
 - (b) a **bare land unit** that is used for the purpose of accommodating a private roadway for access purposes in accordance with an easement agreement registered on it.
- (112) “**private garage**” means an **Accessory Residential Building** or a part of a **main residential building** which accommodates the storage or shelter of vehicles and includes a carport.
- (113) “**property line**” means the legal boundary of a **parcel**.
- (114) “**public area**” means the floor area of a **use** that allows access to the public, but does not include washrooms, hallways accessing washrooms or entrance vestibules.
- (115) “**public entrance**” means an entrance to a **building** which is open to the general public.
- (116) “**rear property line**” means the **property line** opposite to and farthest from the **front property line**, or in the case of an **irregular parcel**, the **rear property line** is established by drawing a line the maximum distance from the **front property line** that: 9P2012
- (a) is wholly within the **parcel**;
 - (b) is not less than 3.0 metres long; and
 - (c) runs parallel to the **front property line**, or, if the **front property line** is a curved line, runs parallel to the straight line between the two end points of the curve of the **front property line**.

- (117) “**rear setback area**” means an area of a **parcel** defined by the **rear property line**, the **side property lines** that intersect with the **rear property line**, and a line parallel to the **rear property line** measured at the minimum depth of the **setback area** required by the District.
- 33P2013 (117.1) “**receiving parcel**” means the **parcel**, comprising the area of the Municipal Historic Resource, that will receive the transfer of **motor vehicle parking stalls** from a **transferring parcel**.
- (118) “**recessed balcony**” means a **balcony** that is enclosed on at least two sides other than by a railing, balustrade or **privacy wall**.
- (119) “**recreational vehicle**” means a vehicle that provides temporary accommodation for recreational or travel purposes and includes but is not limited to:
- (a) motor homes;
 - (b) travel trailers;
 - (c) fifth wheel travel trailers;
 - (d) campers, whether located on a truck or other vehicle or not;
 - (e) tent trailers;
 - (f) boats; and
 - (g) a trailer used to transport any of the above.
- 32P2009 (119.1) “**research and development**” means the process of creating or improving products and services by way of information obtained through experimental qualitative and quantitative testing for industries such as, but not limited to, pharmaceuticals, bio-technology, computer software, medical instrumentation, aerospace and electronics manufacturers:
- (120) “**residential district**” means any of the land use districts in the **low density residential districts** and the **multi-residential districts**.
- (121) “**retaining wall**” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials.
- 38P2013, 24P2014, 15P2016 (121.1) *deleted*
- 24P2014 (121.2) “**rotor’s arc**” means the largest circumferential path travelled by a **blade**.
- 33P2013 (121.3) “**scramble parking**” means a parking area where the **motor vehicle parking stalls** are not assigned to individual users or vehicles and where access is available to vehicles for periods no longer than four hours at a time.
- (122) “**screen**”, “**screened**” and “**screening**” means the total or partial concealment of a **building**, equipment, structure or activity by a berm, **fence**, vegetation or wall.

- (122.1) “**secondary building wall**” means any exterior **building** wall that is not a **primary building wall** as illustrated in Sign Illustration 2. 35P2011
- (123) “**setback area**” means the area of a **parcel** between the **property lines** and lines parallel to the **property lines** at a distance equivalent to the minimum depth from each respective **property line** as required by the District.
- (124) “**shopping centre**” means, for the purposes of **signs** in Part 3, Division 5, a site that: 71P2008
- (a) is 0.40 hectares or larger;
 - (b) contains more than one commercial **use**, being primarily retail and personal service, with shared parking; and
 - (c) is located in the C-N1, C-N2, C-C1, C-C2, C-R1, C-R2 or C-R3 Districts.
- (125) “**side property line**” means a **property line** other than the **front** and **rear property lines**.
- (126) “**side setback area**” means an area of a **parcel** defined by any **side property line** and a line parallel to that **side property line** measured at the minimum depth of the **setback area** required by the District and terminating where that line meets the **front setback area** and the **rear setback area**.
- (127) “**sign**” means any device or fixture intended to identify or convey information or to advertise or attract attention to a product, service, place, activity, event, person, institution or business. 30P2011, 35P2011
- (128) “**sign area**” means:
- (a) the entire area of a **sign** on which **copy** is intended to be placed; and 35P2011
 - (b) in the case of a **sign** which has **copy** on more than one side of the **sign**, the average of the total area of all sides of the **sign**.
- (129) “**sign owner**” means any person who is described on a **sign**; whose name, address or telephone number appears on a **sign**; who is in control of a **sign**; or who is the subject of or intended to benefit from a **sign**; and there may be more than one **sign owner** of a **sign**.
- (130) “**skateboard and sports ramp**” means structure(s) that provide a surface upon which an individual may use or operate a skateboard, bicycle, scooter, roller skates or other similar devices. **Skateboard and sports ramp** structures may include re-purposed furniture or other skateable or bikeable above **grade** surfaces, but does not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete. 43P2016
- (131) “**soft surfaced landscaped area**” means an area with a surface consisting of materials that:
- (a) are living, or derived from living organisms;
 - (b) are not formed into a structure; and

- (c) may include, but are not limited to, mulch, native grasses, plants, shrubs, sod and trees.

68P2008

(131.1) “**solar collector**” means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.

(132) “**special purpose district**” means any one or more of the land use districts described in Part 9.

33P2013

(132.1) “**Stephen Avenue Mall heritage area**” means the area identified below in Map 1:

Map 1.1: Stephen Avenue Mall Heritage Area



(133) “**storey**” means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it but does not include a **basement**.

(134) “**street**” means:

- (a) any public road, including the boulevards, sidewalks and improvements, but excluding a **lane**, bridge or walkway; or
- (b) a **private condominium roadway**.

7P2011, 9P2012, 5P2013

(135) “**street-oriented multi-residential building**” means a **Multi-Residential Development** where all of the **buildings** in the **development** include the following characteristics:

- (a) the facade of the **main residential building** on the floor closest to **grade** facing a **street** is comprised of **units** or **commercial multi-residential uses**, and may only include the following additional elements:
 - (i) emergency exits and **public entrances**; and

Division 3: Development Permits

Requirement for a Development Permit

- 23** A **development permit** is required for every **development** unless it is otherwise exempted in this division. 1P2009

Conditions for Development Permit Exemptions

- 24** A **development** listed in section 25 will only be exempt from the requirement to obtain a **development permit** if it: 13P2008, 51P2008, 75P2008, 32P2012, 1P2009
- (a) complies with the rules of this Bylaw;
 - (b) is not subject to the Calgary International Airport Vicinity Protection Area Regulation;
 - (c) is not located in the **floodway**;
 - (d) is not subject to any restrictions imposed by the Subdivision and Development Regulation; and
 - (e) has adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the **development**. 44P2013

Exempt Developments

- 25** (1) The following **developments** do not require a **development permit** if the conditions of section 24 are met: 13P2008, 57P2008, 67P2008, 68P2008, 71P2008, 75P2008, 1P2009, 10P2009, 17P2009, 46P2009, 14P2010, 21P2011, 27P2011, 4P2012, 9P2012, 32P2012
- (a) a **Home Occupation – Class 1**;
 - (b) a **Home Based Child Care – Class 1**.
 - (c) the erection of any **fence** or gate;
 - (d) a driveway;
 - (e) the construction of a **deck, landing or patio**;
 - (e.1) the construction of **skateboard and sports ramps** located in the Districts contained within Part 5: Low Density Residential Districts, or Part 6: Multi-Residential Districts; 43P2016
 - (f) the construction of an **Accessory Residential Building** with a **gross floor area** equal to or less than 75.0 square metres when listed as a **permitted use** in a land use district;
 - (g) a satellite dish antenna less than 1.0 metre in diameter;
 - (h) external maintenance, internal alterations, and mechanical and electrical work on a **building** provided the intensity of **use** of the **building** does not increase;
 - (i) a **Special Function – Class 1**;

- (j) **a Special Function – Class 2:**
- (i) where located on a **parcel** for 3 consecutive days or less, excluding the time used to erect and dismantle the temporary structures;
- (ii) where the cumulative area of covered temporary structures is less than or equal to:
- (A) 125.0 square metres when located on a **parcel** within 45.0 metres of either a **residential district** or a Direct Control District where the **use** of the **parcel** is residential; and
- 33P2013 (B) 300.0 square metres when located on a parcel designed CR20-C20/R20 or an East Village District contained in Part 12; and
- 5P2015 (iii) where located on the same **parcel** as:
- (A) **Conference and Event Facility;**
- (B) **Drinking Establishment – Large;**
- (C) **Drinking Establishment – Medium;**
- (D) **Drinking Establishment – Small;**
- (E) **Restaurant: Licensed – Large;**
- (F) **Restaurant: Licensed – Medium;**
- (G) **Restaurant: Licensed – Small;**
- (H) **Restaurant: Neighbourhood;** or
- (I) **Night Club;**
- (k) a temporary **building**, the sole purpose of which is incidental to the erection or alteration of a **building** for which a permit has been granted under the Building Permit Bylaw;
- (l) the use of all or part of a **building** or **parcel** as a **Motion Picture Filming Location** for a period not exceeding one year;
- (m) stockpiling on the same **parcel** undergoing excavation, grading or stripping;
- (n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of potential heritage sites, and:
- (i) the total power generation capacity of all **solar collectors** on the **parcel** is 10 kilowatts or less; or
- (ii) the **solar collectors** are used for thermal energy;

- (o) a **sign** that is exempt from the requirement to obtain a **development permit** as specified in Part 3, Division 5;
 - (p) the following projects carried on by, or on behalf of, the **City**:
 - (i) roads, traffic management projects, interchanges;
 - (ii) **Sewage Treatment Plant, Utilities, Water Treatment Plant, and Waste Disposal and Treatment Facility**; 5P2013
 - (iii) motor vehicle and pedestrian bridges, unless they are part of the +15 and +30 walkway systems;
 - (iv) water, sewage and storm water lines and facilities; and
 - (v) landscaping projects, parks, public tennis courts and street furniture;
 - (q) the use of all or part of a **building** as a temporary polling station, returning offices' headquarters, Federal, Provincial or Municipal candidates' campaign offices and any other official temporary **use** in connection with a Federal, Provincial or Municipal election, referendum or census; and
 - (r) a **Temporary Residential Sales Centre** located: 5P2013
 - (i) in the **Developing Area**; or
 - (ii) on a **parcel** identified in subsection 25(2)(n).
 - (s) a **Secondary Suite**, when listed as a **permitted use** in the district, for which an application for a permit pursuant to the Building Permit Bylaw was received prior to 2017 March 03. 26P2015
- (2) The following **developments** do not require a **development permit** if they are not located in the **flood fringe** or **overland flow** areas and the conditions of section 24 are met:
- (a) an exterior alteration or addition to a **Duplex Dwelling, Semi-detached Dwelling** and **Single Detached Dwelling** where:
 - (i) listed as a **discretionary use**;
 - (ii) the addition and alteration complies with the rules of section 365; and
 - (iii) the existing **building** is not listed on the **City** inventory of potential heritage sites;
 - (b) an addition to a **Contextual Semi-detached Dwelling** or a **Contextual Single Detached Dwelling**;
 - (i) if the addition has a **gross floor area** less than or equal to 40.0 square metres and the addition has a height that is less than or equal to 6.0 metres when measured from **grade** at any point adjacent to the addition; or

- (ii) if the addition has a **gross floor area** less than or equal to 10.0 square metres and is located above the first **storey**;
- (c) the construction of and addition to a **Single Detached Dwelling, Semi-detached Dwelling and Duplex Dwelling** when listed as a **permitted use** in a land use district;
- (d) an outdoor in-ground or above ground private swimming pool or hot tub so long as it:
 - (i) is not located within the **actual front setback area**;
 - (ii) has a total area less than 15.0 per cent of the **parcel** area; and
 - (iii) does not have any above **grade** components including a **deck**, walkway, supporting member, heater or mechanical equipment within 1.2 metres of any **property line**;
- (e) **retaining walls** that are less than 1.0 metre in height, measured from the lowest **grade** at any point **adjacent** to the **retaining wall**;
- (f) facilities required for environmental remediation or monitoring;
- (g) excavation, grading or stripping provided:
 - (i) the area of land to be excavated, stripped or graded is less than 1000.0 square metres;
 - (ii) it is part of a **development** for which a **development permit** has been released; or
 - (iii) the person carrying out the excavation, stripping or grading has signed a Development Agreement with the **City** for the area to be excavated, stripped or graded and that Development Agreement contemplates excavating, stripping or grading;
- (h) **Utilities** installed or constructed within a **street** or a utility right-of-way;
- (i) *deleted*
- (j) a **Power Generation Facility – Small** required for the purpose of providing electrical power for emergency or back-up purposes with a generation capacity of less than 20 kilowatts;
- (k) a **Power Generation Facility – Small** required in order to comply with the emergency power requirements of the Alberta Building Code;
- (l) A **Power Generation Facility – Small** with a total power generation capacity of 10 kilowatts or less where the **Power Generation Facility – Small**:

5P2013

- (i) does not use an internal combustion engine; and
- (ii) is located entirely within an existing approved **building**;
- (m) the **City's** use of land which it either owns or has an equitable interest in for a purpose approved by **Council** in connection with any **Utility**; and
- (n) the construction of a **Contextual Single Detached Dwelling** when on a **parcel** that is identified as:
 - (i) Block 4 Plan 9711796;
 - (ii) Block 6 Plan 9711978;
 - (iii) Lot 1 Plan 8711504;
 - (iv) Block 3 Plan 7203JK;
 - (v) Lots 1 through 3 Block 4 Plan 8810907;
 - (vi) Block 5 Plan 7627JK;
 - (vii) Lot 1 Block 6 Plan 8811565;
 - (viii) Lots 2 through 5 Block 8 Plan 8910156;
 - (ix) Lot 1 Block 1 Plan 8810212;
 - (x) Block 1 Plan 6368JK;
 - (xi) Lot 2 Block 1 Plan 8810882;
 - (xii) Meridian 5 Range 2 Township 25 Section 8 Quarter South West containing 64.7 hectares (160 Acres) more or less excepting thereout:
- (A) The Westerly 150 feet in perpendicular width throughout of said quarter section containing 3.67 hectares (9.06 Acres) more or less.

(B)

Plan	Number	Hectares	(Acres) More or Less
Subdivision	0212109	5.208	12.87
Subdivision	0212996	0.329	0.81
Subdivision	0310384	5.392	13.32
Subdivision	0310801	0.281	0.69
Road	0410951	0.740	1.83
Subdivision	0411095	5.586	13.80
Subdivision	0413246	3.570	8.82

Subdivision	0413479	2.041	5.04
Subdivision	0513290	4.763	11.77
Subdivision	0610329	10.166	25.1
Subdivision	0614724	6.395	15.8

(xiii) Meridian 5 Range 2 Township 25 Section 8 Quarter South East containing 64.7 hectares (160 Acres) more or less excepting thereout:

Plan	Number	Hectares	(Acres) More or Less
Subdivision	8110054	20.84	51.5
Subdivision	0010707	2.885	7.13
Subdivision	0012144	0.453	1.12
Subdivision	0111064	0.858	2.12
Subdivision	0111261	3.974	9.82
Subdivision	0112249	0.972	2.40
Subdivision	0211588	4.76	11.76
Subdivision	0211922	0.081	0.20
Subdivision	0212109	4.555	11.26
Subdivision	0212265	3.905	9.65
Subdivision	0212996	4.803	11.87
Subdivision	0310801	7.802	19.28
Subdivision	0311537	4.63	11.44
Subdivision	0312428	0.898	2.22
Subdivision	0313145	1.415	3.50
Road	0410951	0.890	2.20
Subdivision	0614724	0.191	0.47

ON (Named St. & Ave)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
BOWNESS ROAD	85 STREET W.	40 AVENUE N.	20.117	30.481	5.182 Each
BOWNESS ROAD	C.P.R. RIGHT-OF-WAY	BOW CRESCENT	20.117	30.481	5.182 Each
BOWNESS ROAD	51 STREET W.	48 STREET W.	20.117	30.481	5.182 Each
BOWNESS ROAD	48 STREET W.	MACKAY ROAD	20.117	23.117	1.500 Each
BURNSLAND ROAD	34 AVENUE S.	39 AVENUE S.	20.117	24.385	2.134 Each
CENTRE STREET N.	LAYCOCK DRIVE	40 AVENUE N.	24.384	30.480	3.048 Each
CENTRE STREET N.	40 AVENUE N.	32 AVENUE N.	20.117	30.481	5.182 Each
CENTRE STREET N.	32 AVENUE N.	MEMORIAL DRIVE	22.860	30.480	3.810 Each
CENTRE STREET S.	RIVERFRONT AVENUE	4 AVENUE S.	20.117	24.385	2.134 Each
CENTRE STREET S.	4 AVENUE S.	6 AVENUE S.	20.117	30.481	5.182 Each
CENTRE STREET S.	6 AVENUE S.	LANE S. OF 7 AVENUE S.	20.117	24.385	2.134 Each
EDMONTON TRAIL	38 AVENUE N.	16 AVENUE N.	20.117	24.385	2.134 Each
EDMONTON TRAIL	16 AVENUE N.	5 AVENUE N.	20.117	30.481	5.182 Each
MACDONALD AVE.	ELBOW RIVER	8 STREET E.	20.117	24.385	2.134 Each
MACLEOD TRAIL	7 AVENUE S.	9 AVENUE S.	20.117	30.481	5.182 Each
MACLEOD TRAIL	10 AVENUE S.	17 AVENUE S.	20.117	30.481	5.182 Each
OGDEN ROAD	24 STREET E.	80 AVENUE S.	24.384	30.480	3.048 Each
OGDEN ROAD	26 AVENUE S.	17 STREET E.	20.117	30.481	5.182 Each
OGDEN ROAD	MILLICAN ROAD	69 AVENUE S.	20.117	30.480	10.363 WEST
OLYMPIC WAY	11 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 EAST
RICHMOND ROAD	29 STREET W.	37 STREET W.	22.860	24.384	0.762 Each
RICHMOND ROAD	41 STREET W.	45 STREET W.	25.298	30.480	5.182 NORTH
RIVERFRONT AVENUE	2 STREET W.	3 STREET E.	20.117	24.385	2.134 Each
TRANS CANADA HIGHWAY	46 STREET W.	MCKAY ROAD	26.213	36.576	10.363 SOUTH

- (2) When considering a **development permit** application for a **parcel adjacent** to a **street** right-of-way referenced in Table 1, the **Development Authority** must require that the **building** be set back from the basic right-of-way by a distance equal to:
 - (a) the required **building setback** in the applicable land use district; plus
 - (b) the Required Setbacks referenced in Table 1.
- (3) When considering an application for a **development permit** for a **discretionary use**, the **Development Authority** may require that a **building** must not be constructed within a future corner cut-off at an intersection.
- (4) Portions of a **parcel** within the Required Setbacks referenced in Table 1 may be used by an applicant for the purposes of calculating **landscaped area**, **floor area ratio** and **units** per hectare.

Division 3: Floodway, Flood Fringe and Overland Flow

Floodway, Flood Fringe and Overland Flow

55 For *parcels* located in the *floodway*, *flood fringe* or *overland flow area*, the requirements of this Division apply and prevail when there is any conflict between the requirements of this Division and any other requirements of this Bylaw.

33P2013

Floodway Regulations

- 56** (1) For *parcels* located in the *floodway* on which a *building* existed and the use of that *parcel* was approved as of September 9, 1985, the use may continue as a *permitted* or *discretionary use* provided that the *use* is listed in the land use district that the *parcel* is designated.
- (2) Subject to subsection (1), in the *floodway* only those *permitted* and *discretionary uses* which are listed below, and which are also listed in the land use district for which the *parcel* is designated, may be allowed as *permitted* and *discretionary uses*:
- (a) **Extensive Agriculture;**
 - (b) **Natural Area;**
 - (c) **Outdoor Recreation Area;**
 - (d) **Park; and**
 - (e) **Utilities.**

New Buildings and Alterations

- 57** (1) No new *buildings* or other new structures are allowed in the *floodway*, except for the replacement of existing **Accessory Residential Buildings, Backyard Suites, Duplex Dwellings, Secondary Suites, Semi-detached Dwellings** and **Single Detached Dwellings** on the same *building* footprint.
- (2) An addition to a *building* in the *floodway* may only occur if it does not increase the *building* footprint or increase the obstruction to floodwaters.
- (3) In the *floodway*, nothing must be stored outside of a *building*.

32P2012, 11P2014,
24P2014

Alterations to the Floodway and Riverbanks

58 On those areas of land within the *floodway* that are subject to municipal jurisdiction, no alterations shall be made to a *floodway* and no structures including, but not limited to, berms, *decks*, docks, *fences*, gates, *patios*, rip-rap or walls shall be constructed on, in or under a *floodway* unless those structures are being constructed by, or on behalf of, the *City* for the purpose of erosion control, where the primary purpose is to protect public infrastructure.

11P2014

32P2012, 11P2014

Fringe and Overland Flow Area Regulations

- 59** (1) Only those goods that are easily moveable may be stored on a *parcel* in the **flood fringe** or the **overland flow area**.
- (2) Unless stated in subsection (3), all **buildings** must be set back 6.0 metres from the edge of the **floodway**.
- (3) Where a *parcel* was vacant on July 22, 1985, all **buildings** must be set back the greater of the following distances:
- (a) 60.0 metres from the edge of the Bow River;
 - (b) 30.0 metres from the edge of the Elbow River, Nose Creek, West Nose Creek; or
 - (c) 6.0 metres from the edge of the **floodway**.

13P2008, 32P2012,
11P2014**Building Design in the Flood Fringe**

- 60** (1) All **buildings** in the **flood fringe** must be designed in the following manner:
- (a) to prevent structural damage by floodwaters;
 - (b) the first floor of all **buildings** must be constructed at or above the **designated flood level**; and
 - (c) all electrical and mechanical equipment within a **building** must be located at or above the **designated flood level**; and
 - (d) a sewer back up valve must be installed in every building.
- (2) The rules regarding **building** design referenced in subsection (1) do not apply to:
- (a) an addition that does not increase the **gross floor area** of the **building** by more than 10.0 per cent of the **gross floor area** legally existing as of June 09, 2014; and
 - (b) a **fence, gate, deck, landing, patio, skateboard and sports ramp**, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an **Accessory Residential Building**.
- (3) Notwithstanding subsection (1) and (2), in addition to the conditions listed in section 38, additions to **buildings** that increase the **gross floor area** of the **building** by more than 10.0 per cent but less than 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:
- (a) provide electrical isolation for the entire **building** through the placement of the master switch above the **designated flood level**; and,
 - (b) install a sewer back-up valve in the building.

43P2016

- (4) Notwithstanding subsection (1), (2) and (3), in addition to the conditions listed in section 38, additions to **buildings** that increase the **gross floor area** of the **building** by at least 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:
- (a) fully mitigate as per subsection (1).

Building Design in the Overland Flow Area

32P2012, 11P2014

- 61 (1) All **buildings** in the **overland flow area** must be designed in the following manner:
- (a) to prevent structural damage by floodwaters;(b)
- (b) the first floor of all **buildings** must be constructed at a minimum of 0.3 metres above the highest **grade** existing on the street abutting the **parcel** that contains the **building**;
- (c) all electrical and mechanical equipment within a **building** must be located at or above the first floor of the **building** referenced in subsection (b); and
- (d) a sewer back up valve must be installed in every building.
- (2) The rules regarding **building** design referenced in subsection (1) do not apply to:
- (a) an addition that does not increase the **gross floor area** of the **building** by more than 10.0 per cent of the **gross floor area** legally existing as of June 09, 2014; and
- (b) a **fence, gate, deck, landing, patio, skateboard and sports ramp**, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an **Accessory Residential Building**.
- (3) Notwithstanding subsection (1) and (2), additions that increase the **gross floor area** of the **building** by more than 10.0 per cent but less than 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:
- (a) provide electrical isolation for the entire **building** through the placement of the master switch a minimum of 0.3 metres above the highest **grade** existing on the **adjacent street**; and,
- (b) must have a sewer back up valve installed in every building.
- (4) Notwithstanding subsection (1), (2), and (3), additions that increase the **gross floor area** of the **building** by at least 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:
- (a) fully mitigate as per subsection (1).

43P2016

- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

155.1 “Beverage Container Quick Drop Facility”

37P2014

- (a) means a **use** where:
 - (i) bottles and other beverage containers are taken for return and reimbursement of the recycling deposit applied to the container at the time the beverage is purchased;
 - (ii) bottles and other beverage containers are removed from the site for storage or sorting;
 - (iii) reimbursement is done through direct deposit into a pre-registered account and no reimbursement of the recycling deposit occurs on-site; and
 - (iv) there is no sorting or long-term storage of bottles on-site;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) when located within 300.0 metres to a **parcel** designated as a **residential district**, must:
 - (i) not have any outside storage of carts, bottles, other beverage containers, palettes, or cardboard boxes;
 - (ii) not allow for loading or the movement of recyclable material from the premise between the hours of 9:00pm-7:00am;
 - (iii) not have compaction of materials occurring outside of a **building**;
- (d) unless otherwise referenced in subsection (c):
 - (i) must provide total concealment, through a solid **screen** or **fence**, for any materials located outside of a **building**;
 - (ii) may be required to demonstrate how impacts such as debris, grocery carts, litter or recyclable material will be managed;
- (e) requires a minimum of 2.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (f) does not require **bicycle parking stalls – class 1**; and

- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

156 “Billiard Parlour”

- (a) means a **use**:
 - (i) where the primary function is the rental of billiard tables, pool tables or similar games tables to the public for a fee; and
 - (ii) that may include a maximum of three (3) mechanical or electronic games that are kept for the purpose of furnishing entertainment or amusement;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 11.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

22P2016

156.1 “Brewery, Winery and Distillery

- (a) means a **use**:
 - (i) where beer, wine, spirits and other alcoholic beverages are manufactured;
 - (ii) that may have areas and facilities for the storage, packaging, bottling, canning and shipping of the products made;
 - (iii) that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a special event;
 - (iv) that may include the retail sale of products made on the premises for consumption off the premises;
 - (v) that may include a **public area** of 75.0 square metres or less where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises;
 - (vi) where the private hospitality area and the **public area** may be separate floor areas or may occur in the same floor area, but whether these activities are combined or separate the **public area** may not exceed the maximum in subsection (a)(v) unless combined with another **use** as contemplated in subsection (c);

159 “Bulk Fuel Sales Depot”

- (a) means a *use*:
 - (i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and
 - (ii) where the vehicles receiving fuel have a **gross vehicle weight** greater than 4536 kilograms; 54P2008, 44P2013,
29P2016
- (b) is a *use* within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

160 “Campground”

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

161 “Car Wash – Multi Vehicle”

- (a) means a *use*:
 - (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and 71P2008, 44P2013,
29P2016
 - (ii) where more than one vehicle may be washed at one time; 9P2012

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

162 “Car Wash – Single Vehicle”

- (a) means a **use**:
- 44P2013, 29P2016 (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and
- 71P2008 (ii) that contains one wash bay, and this wash bay is only capable of washing one motor vehicle at a time;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 47P2008 (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;

283.1 “Restaurant: Neighbourhood”

5P2015

- (a) means a *use*:
 - (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) that may be licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and
 - (iii) that has a *public area* of 150.0 square metres or less; and
- (b) where the following neighbourhood sensitive rules are met:
 - (i) that may have a maximum of 10.0 square metres of *public area* used for the purposes of providing entertainment for patrons which is ancillary to the service of food;
 - (ii) minors are never prohibited;
- (c) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (d) must not have any openings, except emergency exits, loading bay doors, or non-opening windows, on a façade that faces a *residential district* or abuts a *lane* separating the *parcel* from a *residential district*;
- (e) must not have an exterior entrance located on a façade that faces a *residential district*, unless that façade is separated by an intervening *street*;
- (f) requires a minimum of 1.7 *motor vehicle parking stalls* per 10.0 square metres of *public area*;
- (g) does not require *bicycle parking – class 1* or *class 2*.

284 “Restored Building Products Sales Yard”

- (a) means a *use*:
 - (i) where products that have been recovered from demolished *buildings* are stored, displayed or sold either entirely within a *building* or outside of a *building*;
 - (ii) that does not accommodate the wrecking, dismantling, manufacturing, servicing or repairing of anything on the same *parcel* as the *use*;
 - (iii) that does not accommodate the display, wrecking or sale of any motor vehicles or auto parts;

- (iv) that does not accommodate waste disposal or landfilling of any product; and
- (v) that does not accommodate a drop off site for products related to the **use**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

285 “Retail Garden Centre”

- (a) means a **use**:
 - (i) where gardening products, plants, seeds, shrubbery, trees and other gardening related products are sold to the public from a permanent **building**;
 - (ii) that may accommodate temporary structures such as greenhouses and pole barns for the planting and growing of plants;
 - (iii) that may accommodate temporary structures and specifically identified outdoor areas for the storage, display and sale of plants and products; and
 - (iv) that may not accommodate the sale of produce or other food stuff;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

39P2010 **286** *deleted*

39P2010 **286.1 “Retail and Consumer Service”**

- (a) means a **use** where any of the following activities occur:
 - (i) the general retail sale or rental of goods, materials products or supplies including merchandise that may also be sold at a **Building Supply Centre**;
 - (ii) services related to the care and appearance of the human body or hair;
 - (iii) services intended for relaxation and rejuvenation through massage, aromatherapy and similar non-medical therapies;

323 “Vehicle Rental – Major”

- (a) means a *use*:
 - (i) where passenger vehicles and light trucks are rented to the public;
 - (ii) where the **gross vehicle weight** of the vehicles rented is less than 8200 kilograms; and
 - (iii) where more than five (5) vehicles are available for rent;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the *parcel*, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the *use*, which must be:
 - (i) signed as being for the exclusive use of the customers and employees of the *use*; and
 - (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

324 “Vehicle Rental – Minor”

- (a) means a *use*:
 - (i) where passenger vehicles and light trucks are rented to the public;
 - (ii) where the **gross vehicle weight** of the vehicles rented is equal to or less than 4536 kilograms; and
 - (iii) where no more than five (5) vehicles are available for rent;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the *parcel*, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the *use*, and these **motor vehicle parking stalls** must be:
 - (i) signed as being for the exclusive use of the customers and employees of the *use*; and

71P2008, 44P2013,
29P2016

- (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

325 “Vehicle Sales – Major”

- (a) means a **use**:
 - (i) where motor vehicles are sold or leased;
 - (ii) where six (6) or more vehicles, each with a **gross vehicle weight** equal to or less than 4536 kilograms, are available for sale or lease; and
 - (iii) that may be combined with an **Auto Body and Paint Shop**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have more than 25.0 per cent of the **gross floor area** occupied by an **Auto Body and Paint Shop**;
- (d) must not have an outdoor speaker system;
- (e) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (f) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- (g) must provide 1.0 **motor vehicle parking stall** for every inventory vehicle on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (h) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be:
 - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
 - (ii) shown on the plan submitted for a **development permit**;
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

326 “Vehicle Sales – Minor”

- (a) means a **use**:
 - (i) where motor vehicles are sold or leased; and

71P2008, 44P2013
29P2016

- (ii) where no more than five (5) vehicles, each with a **gross vehicle weight** equal to or less than 4536 kilograms, are available for sale or lease; 71P2008, 44P2013
29P2016
- (iii) *deleted* 71P2008
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have an outdoor speaker system;
- (d) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (e) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- (f) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (g) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be;
- (i) signed as being for the exclusive use of the customers and employees of the **use**; and
- (ii) shown on the plan submitted for a **development permit**;
- (h) does not require **bicycle parking stalls – class 1**; and
- (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

327 “Vehicle Storage – Large”

- (a) means a **use**:
- (i) where motor vehicles with a **gross vehicle weight** greater than 4536 kilograms are stored when they are not in use; 32P2009, 44P2013
29P2016
- (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
- (iii) that does not accommodate the storage of any equipment;
- (iv) that does not accommodate the storage of any **dilapidated vehicles**;
- (v) that may have a **building** for administrative functions associated with the **use**; and

- (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide a stall for every vehicle stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be:
 - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
 - (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

328 “Vehicle Storage – Passenger”

32P2009, 44P2013,
29P2016

10P2009

- (a) means a **use**:
 - (i) where motor vehicles with a **gross vehicle weight** of 4536 kilograms or less are stored when they are not in use;
 - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
 - (iii) that does not accommodate the storage of any equipment;
 - (iv) that does not accommodate the storage of any **dilapidated vehicles**;
 - (v) that may have a **building** for administrative functions associated with the **use**; and
 - (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every vehicle stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be;

- (i) signed as being for the exclusive use of the customers and employees of the **use**; and
- (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

329 “Vehicle Storage – Recreational”

- (a) means a **use**:
 - (i) where **recreational vehicles** are stored when they are not in use; 32P2009
 - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
 - (iii) that does not accommodate the storage of any equipment;
 - (iv) that does not accommodate the storage of any **dilapidated vehicles**; 10P2009
 - (v) that may have a **building** for administrative functions associated with the **use**; and
 - (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide a stall for every vehicle stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be;
 - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
 - (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

330 “Veterinary Clinic”

- (a) means a **use**:
 - (i) where small animals or pets receive medical treatment; and
 - (ii) that may provide for the incidental sale of products related to the **use**;
- (b) is a **use** within the Agriculture and Animal Group in Schedule A to this Bylaw;
- (c) must only provide medical treatment to small animals or pets that have been bred and raised to live with, and are dependent on, people for care, food and shelter;
- (d) must not:
 - (i) have outside enclosures, pens, runs or exercise areas; or
 - (ii) store equipment, products or other things associated with the **use** outdoors;
- (e) must not allow animals to stay overnight, except for animals in the care of the **use** where overnight stays are necessary for medical observation or recovery of the animal;
- (f) requires a minimum of 3.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

39P2010 **331** *deleted*

32P2009 **332** *deleted*

333 “Waste Disposal and Treatment Facility”

- (a) means a **use**:
 - (i) where waste is collected or disposed and treated;
 - (ii) where waste may be stored permanently in piles open to the air or in pits covered with earth;
 - (iii) where waste may be stored temporarily in piles or inside structures before being transported to another location for treatment;
 - (iv) where waste may be treated in **buildings** and structures or areas open to the air; and

- (3) A **balcony** attached to a **Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse Building or Townhouse** within 1.2 metres of a party wall must have a solid **privacy wall** that: 13P2008, 67P2008, 9P2012, 24P2014
- (a) is a minimum of 2.0 metres in height;
 - (b) is a maximum of 3.0 metres in height; and
 - (c) extends the full depth of the **balcony**.
- (4) *deleted* 24P2014, 15P2016

Driveways

- 341 (1) A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
 - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (2) A driveway connecting a **street** to a **private garage** must: 9P2012
- (a) be a minimum of 6.0 metres in length along the intended direction of travel for vehicles and measured from:
 - (i) the back of the public sidewalk to the door of the **private garage**; or
 - (ii) a curb where there is no public sidewalk to the door of a **private garage**; and
 - (b) contain a rectangular area measuring 6.0 metres in length and 3.0 metres in width.
- (3) A driveway connecting a **lane** to a **private garage** must be a minimum of 0.60 metres in length along the intended direction of travel for vehicles, measured from the **property line** shared with the **lane** to the door of a **private garage**. 9P2012
- (4) Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or **motor vehicle parking stall** that is hard surfaced. 9P2012
- (5) That portion of a driveway, including a **motor vehicle parking stall**, within 6.0 metres of a public sidewalk, or a curb on a **street** where there is no public sidewalk, must not exceed a width of: 9P2012
- (a) 6.0 metres where the **parcel width** is 9.0 metres or less; or
 - (b) 7.0 metres where the **parcel width** is greater than 9.0 metres and less than 15.0 metres.

- 57P2008, 13P2011 (6) In the **Developed Area** a driveway accessing a **street** must not be constructed, altered or replaced except where:
- (a) it is located on a **laneless parcel**;
 - (b) it is located on a **laned parcel** and 50.0 per cent or more **parcels** on the same block face have an existing driveway accessing a **street**; or
 - (c) there is a legally existing driveway that it is not being relocated or widened.
- 13P2011 (7) A driveway constructed, altered or replaced in accordance with subsection (6) may be extended in length.
- 57P2008, 13P2011 (8) Where a **parcel** is the subject of **development**, the **Development Authority** must not require the removal of a legally existing driveway accessing a **street** even where the proposed **development** is a **discretionary use**.

Retaining Walls

- 342 (1) A **retaining wall** must be less than 1.0 metre in height when measured from **grade**.
- (2) A minimum horizontal separation of 1.0 metre must be maintained between **retaining walls** on the same **parcel**.

Fences

- 343 The height of a **fence** above **grade** at any point along a **fence** line must not exceed:
- (a) 1.2 metres for any portion of a **fence** extending between the foremost front façade of the **main residential building** and the **front property line**;
 - (b) 2.0 metres in all other cases; and
 - (c) 2.5 metres at the highest point of a gate that is not more than 2.5 metres in length.

Solar Collectors

- 343.1 (1) A **solar collector** may only be located on the wall or roof of a **building**.
- 68P2008 (2) A **solar collector** mounted on a roof with a pitch of less than 4:12, may project:
- (a) a maximum of 0.5 metres from the surface of a roof, when the solar collector is located 5.0 metres or less from a side property line, measured directly due south from any point along the **side property line**; and
 - (b) in all other cases, maximum of 1.3 metres from the surface of a roof.

- (3) A **solar collector** mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 metres from the surface of a roof.
- (4) A **solar collector** mounted on a roof must not extend beyond the outermost edge of the roof.
- (5) A **solar collector** that is mounted on a wall:
 - (a) must be located a minimum of 2.4 metres above **grade**; and
 - (b) may project a maximum of:
 - (i) 1.5 metres from the surface of that wall, when the wall is facing a **rear property line**; and
 - (ii) in all other cases, 0.6 metres from the surface of that wall.

Skateboard and Sports Ramps

43P2016

- 343.2** (1) All **skateboard and sports ramp** structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.
- (2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).
 - (3) The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.
 - (4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.
 - (5) There must only be one **skateboard and sports ramp** envelope per **parcel**.
 - (6) All **skateboard and sports ramp** structures must be located between the rear façade of the **main residential building** and the **rear property line**.
 - (7) The height of a **skateboard and sports ramp** at any point is measured from **grade**.
 - (8) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **side property line**.
 - (9) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **rear property line**.
 - (10) **Skateboard and sports ramp** structures must not be included in **parcel coverage**.

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

Objects Prohibited or Restricted

- 344 (1) A **recreational vehicle** must not remain in an **actual front setback area** for longer than 24 hours.
- (2) A trailer that may be used or is intended to be used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an **actual front setback area** except while actively engaged in loading or unloading.
- (3) A **dilapidated vehicle** must not be located outside of a **building**.
- (4) A **large vehicle** must not remain on a **parcel** except while actively engaged in loading or unloading. Only one **large vehicle** may remain on a **parcel** while actively engaged in loading or unloading.
- (5) A satellite dish greater than 1.0 metre in diameter must:
- not be located in an **actual front setback area** or in an **actual side setback area** where the **parcel** shares a **property line** with a **street**;
 - not be located higher than 3.0 metres from **grade**; and
 - not be illuminated.
- (6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter when the applicant demonstrates:
- compliance with subsection (5) would prevent signal reception; and
 - the satellite dish will be located and **screened** to the satisfaction of the **Development Authority**.
- 43P2016 (7) *deleted*
- 13P2014 (8) A **Power Generation Facility – Small** with a capacity greater than 100kW must not be located on a **parcel** when the principal **use** on the **parcel** is a **Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling, Single Detached Dwelling, or Semi-detached Dwelling**.

Accessory Residential Building

- 345 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** for an **Accessory Residential Building** is:
- 1.2 metres from a **side** or **rear property line** shared with a **street**; or

- (b) 0.6 metres from a **side** or **rear property line** in all other cases.
- (2) The minimum **building setback** for an **Accessory Residential Building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres when:
- (a) the **Accessory Residential Building** is less than 10.0 square metres **gross floor area**;
- (b) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; or
- (c) the owner of the **adjacent parcel** grants a 1.5 metre private maintenance easement that must:
- (i) be registered against the title of the **parcel** proposed for development and the title of the **adjacent parcel**; and
- (ii) include a 0.60 metre eave and footing encroachment easement.
- (3) An **Accessory Residential Building** must not be located in the **actual front setback area**.
- (4) A **private garage** on a **laneless parcel** may be located within the required 3.0 metre **side setback area**, except along the **street** side of a **corner parcel**.
- (5) The minimum distance between any façade of an **Accessory Residential Building** and a **main residential building** is 1.0 metres. 12P2010
- (6) The height of an **Accessory Residential Building** must not exceed:
- (a) 4.6 metres, measured from the finished floor of the **building**; 67P2008
- (b) 3.0 metres at any **eaveline**, when measured from the finished floor of the **building**; and
- (c) one **storey**, which may include an attic space that:
- (i) is accessed by a removable ladder;
- (ii) does not have windows;
- (iii) is used by the occupants of the **main residential building** for placement of personal items; and
- (iv) has a maximum height of 1.5 metres when measured from the attic floor to the underside of any rafter.

Restrictions on Use of Accessory Residential Building

- 346 (1) The finished floor of an **Accessory Residential Building**, other than a **private garage**, must not exceed 0.6 metres above **grade**.
- (2) An **Accessory Residential Building** must not be used as a **Dwelling Unit**, unless a **Backyard Suite** has been approved. 24P2014

- 45P2015
- (3) An **Accessory Residential Building** must not have a *balcony* or rooftop *deck*.
- (4) The area of a *parcel* covered by all **Accessory Residential Buildings** located on a *parcel*:
- (a) for a parcel containing a **Contextual Semi-detached Dwelling, Duplex Dwelling, or a Semi-detached Dwelling** that has yet to be subdivided, must not exceed the lesser of:
- (i) the *building coverage* of the *main residential building*; or
- (ii) 150.0 square metres; and
- (b) in all other cases, must not exceed the lesser of:
- (i) the *building coverage* of the *main residential building*; or
- (ii) 75.0 square metres; and
- (c) the calculation to determine the area of a *parcel* covered by **Accessory Residential Buildings** must not include any **Accessory Residential Buildings** with a cumulative *gross floor area* of 10.0 square metres or less.
- (5) All roof drainage from an **Accessory Residential Building** must be discharged onto the *parcel* on which the *building* is located.

27P2011

3P2010, 45P2015

Contextual Single Detached Dwelling

3P2010

347 (1) A Contextual Single Detached Dwelling:

45P2015

- (a) must have:
- (i) a portion of the front façade, with an area less than or equal to 50% of the area of all front façades, recessed or projecting forward from the remaining façade that has a minimum dimension of:
- (A) 2.0 metres in width
- (B) 0.6 metres in depth; and
- (C) 2.4 metres in height; or
- (ii) a *porch* projecting from the front façade with a minimum dimension of:
- (A) 2.0 metres in width; and
- (B) 1.2 metres in depth;
- (b) must not have vehicular access from the *lane* to an attached *private garage*;

- (c) must not have windows that are located beyond the rear façade of a **main residential building** on an adjoining **parcel** unless: 9P2012
- (i) the window is located below the second **storey**;
 - (ii) the window is located on the rear façade;
 - (iii) the glass in the window is entirely obscured; or
 - (iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and
- (d) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum **building height**; and 27P2011, 45P2015
- (e) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres. 27P2011, 45P2015
- (f) *deleted* 45P2015
- (2) Unless otherwise referenced in this Part, a **Contextual Single Detached Dwelling**: 15P2016
- (a) may have a **balcony** located on a side façade:
 - (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
 - (ii) where it is on the **street** side of a **corner parcel**;
 - (b) may have a **balcony** located on a rear façade where:
 - (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
 - (ii) a **privacy wall** is provided where the **balcony** is facing a **side property line** shared with a **parcel**; and
 - (iii) the **privacy wall** is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
 - (c) must not have a **balcony** with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**. 27P2011
- (3) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** less than or equal to 10.0 metres the maximum **building depth** is the greater of:
- (a) 65.0 per cent of the **parcel depth**; or
 - (b) the **contextual building depth average**.

- (4) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10 metres the maximum **building depth** is the **contextual building depth average**.
- (5) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10.0 metres, the maximum area of a horizontal cross section through each **storey** above the first **storey** must not exceed the **building coverage**.
- (6) Where a **private garage** is attached to a **Contextual Single Detached Dwelling**, the maximum **building coverage** is the maximum **parcel coverage** which must be reduced by 21.0 square metres for each required **motor vehicle parking stall**.

27P2011

Contextual Semi-detached Dwelling

27P2011

347.1 (1) A Contextual Semi-detached Dwelling:

- (a) must have:
- (i) the principal front façade of one **unit** staggered a minimum of 0.6 metres behind the principal front façade of the other **unit**; and
 - (ii) the principal rear façade of one **unit** staggered a minimum of 0.6 metres behind the principal rear façade of the other **unit**;
- (b) must have façade articulation for each **unit**, by including:
- (i) a portion of the front façade, with an area less than or equal to 50% of the area of all front façades of each **unit**, recessed or projecting forward from the remainder of the front façade of that **unit**, with the projecting or recessed portion having a minimum dimension of:
 - (A) 2.0 metres in width;
 - (B) 0.6 metres in depth; and
 - (C) 2.4 metres in height; or
 - (ii) a **porch** that projects from the front façade a minimum dimension of:
 - (A) 2.0 metres in width; and
 - (B) 1.2 metres in depth;
- (c) located on a **corner parcel** must have an exterior entrance which is visible from the **street** side of the **corner parcel**;
- (d) must not have vehicular access from the lane to an attached **private garage**;

45P2015

- (e) must not have windows that are located beyond the rear façade of a **contextual adjacent building** on an adjoining **parcel** unless: 9P2012, 44P2013
- (i) the window is located below the second **storey**;
 - (ii) the window is located on the rear façade;
 - (iii) the glass in the window is entirely obscured; or
 - (iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and
- (f) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum **building height**;
- (g) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres; and 45P2015
- (h) must not have an exterior entrance from **grade** located on a side façade, except on the **street** side of a **corner parcel**. 45P2015
- (i) *deleted* 45P2015
- (2) Unless otherwise referenced in this Part, a **Contextual Semi-detached Dwelling**: 15P2016
- (a) may have a **balcony** located on a side façade where:
 - (i) it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
 - (ii) it is on the **street** side of a **corner parcel**;
 - (b) may have a **balcony** located on a rear façade where:
 - (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
 - (ii) a **privacy wall** is provided where the **balcony** is facing a **side property line** shared with a **contextual adjacent building**; and 9P2012
 - (iii) the **privacy wall** is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
 - (c) must not have a **balcony** with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**.
- (3) The maximum **building depth** of a **Contextual Semi-detached Dwelling** is the greater of:
- (a) 60.0 per cent of the **parcel depth**; or
 - (b) the **contextual building depth average**.

- (4) Where a **private garage** is attached to a **Contextual Semi-detached Dwelling**, the maximum **building coverage** is the maximum **parcel coverage** which must be reduced by 21.0 square metres for each required **motor vehicle parking stall**.

Planting Requirement for Contextual Single Detached and Contextual Semi-detached Dwellings

- 347.2 (1) Trees required by this section:
- (a) may be provided through the planting of new trees or the preservation of existing trees;
 - (b) must be provided on a **parcel** within 12 months of issuance of a **development completion permit**;
 - (c) must be maintained on the **parcel** for a minimum of 24 months after issuance of a **development completion permit**;
 - (d) must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association; and
 - (e) are not required to be shown on a plan that is part of an application for **development permit**.
- (2) A minimum of 2.0 trees must be provided for each **unit** of a **Contextual Semi-detached Dwelling**.
- (3) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** less than or equal to 10.0 metres a minimum of 2.0 trees must be provided.
- (4) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10.0 metres a minimum of 3.0 trees must be provided.
- (5) The requirement for the provision of 1.0 trees is met where:
- (a) a deciduous tree has a minimum **calliper** of 60 millimetres; or
 - (b) a coniferous tree has a minimum height of 2.0 metre.
- (6) The requirement for the provision of 2.0 trees is met where:
- (a) a deciduous tree has a minimum **calliper** of 85 millimetres; or
 - (b) a coniferous tree has a minimum height of 4.0 metres.

45P2015

24P2014

15P2016

Permitted use Rowhouse Building

- 347.3 (1) To be a **permitted use** in the R-CG District a **Rowhouse Building**:
- (a) must have façade articulation for each **Dwelling Unit**, by including:

- (i) a portion of a **street** facing façade of each **unit** recessed behind or projecting forward from the remainder of the **street** facing façade of that **unit**, with the projecting or recessed portion having a minimum dimension of:
 - (A) 2.0 metres in width;
 - (B) 0.3 metres in depth; and
 - (C) 2.4 metres in height; or
 - (ii) a **porch** that projects from a **street** facing façade a minimum dimension of:
 - (A) 2.0 metres in width; and
 - (B) 1.2 metres in depth;
 - (b) must have the main floor located above **grade** adjacent to the **building** to a maximum of 1.20 metres above **grade** for **street** facing façades;
 - (c) located on a **corner parcel** must have an exterior entrance which is visible from each **street** side of the **corner parcel**;
 - (d) must not have an attached **private garage**;
 - (e) must have a **motor vehicle parking stall** or **private garage** for each **Dwelling Unit** with direct, individual access to a **lane**;
 - (f) must not have windows on an exposed side façade of a **unit** that are located beyond the rear façade of a **contextually adjacent building** on an adjoining **parcel** unless:
 - (i) the window is located below the second **storey**;
 - (ii) the glass in the window is entirely obscured;
 - (iii) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; or
 - (iv) the façade that contains the window is setback a minimum of 4.2 metres from the **side property line**; and
 - (g) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres.
- (2) *deleted*
- (3) Unless otherwise referenced in subsection (4) the maximum **building depth** of a **Rowhouse Building** that is a **permitted use** is the greater of:
- (a) 60.0 per cent of the **parcel depth**; or
 - (b) the **contextual building depth average**.

15P2016

- (4) There is no maximum **building depth** for a **Rowhouse Building** located on a **corner parcel**.

Visibility Setback

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

Roof Equipment Projection

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

Private Maintenance Easements

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

12P2010, 24P2014

Secondary Suite

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

12P2012, 24P2014

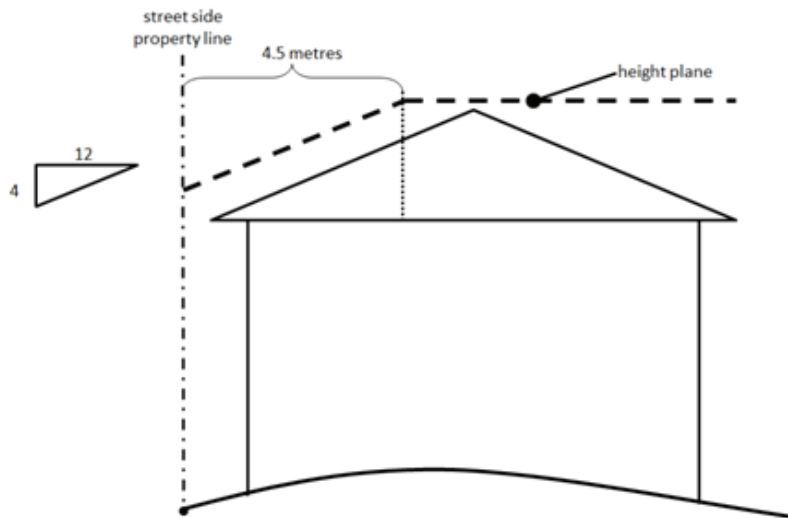
351.1 *deleted*

the height plane described in section 360 at a point that is 4.5 metres from the **street side property line**, and extends downward toward the **street side property line** at a 4:12 slope.

- (2) The following diagram illustrates the rules of subsection 361(1)

45P2015

Illustration 2:
Building Height on a Corner Parcel
Section 361(1)



362 *deleted*

3P2010

Approved Building Grade Plans

363 All **building reference points** must be in accordance with a **building** grade plan.

47P2008, 46P2009,
9P2012

Gated Access

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

Exempt Additions

365 In order for the exemption in section 25(2)(a) to apply to an exterior alteration or addition to an existing **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**:

32P2012

- (a) the existing **building** must:
 - (i) conform to the rules of this Bylaw; and
 - (ii) be legally existing or approved prior to the effective date of this Bylaw;
- (b) the addition may be a maximum of:
 - (i) 40.0 square metres in floor area for any portion at a height less than or equal to:

- (A) 7.5 metres measured from **grade** where the existing **building** has a **walkout basement**; or
- (B) 6.0 metres measured from **grade** where the existing **building** does not have a **walkout basement**; and
- (ii) 10.0 square metres in floor area for any portion not exceeding the highest point of the existing roof;
- (b.1) The additions allowed in Section 365(b)(i) and (ii) must not be located on the same storey.
- (c) the addition or exterior alteration may:
 - (i) reduce the existing **building setback** from a **front property line** a maximum of 1.5 metres provided the **building** will comply with the minimum **setback** from a **front property line** specified in the district; and
 - (ii) reduce the existing **building setback** from **rear property line** a maximum of 4.6 metres provided the **building** will comply with the minimum **setback** from a **rear property line** specified in the district; and
- (d) the addition or exterior alteration must meet the rules:
 - (i) of section 347(1)(c) where there is a new window opening being created or where an existing window is being moved or enlarged; and
 - (ii) of section 347(2) where a new **balcony** is being constructed or an existing **balcony** is being altered.

3P2010

15P2016

Cottage Housing Cluster

- 365.1 (1)** Unless otherwise referenced in subsection (2), the minimum separation distance between **cottage buildings** is 3.0 metres.
- (2) When a **common amenity space – outdoors** is located between two **cottage buildings**, the minimum separation distance between those **buildings** is 6.0 metres.
- (3) Within each **Cottage Housing Cluster** the maximum number of **Dwelling Units** is 25.
- (4) Each **cottage building** must be **adjacent** to the common open space.
- (5) The maximum **gross floor area** of any individual **storey** of a **Dwelling Unit** in a **cottage building** is 100.0 square metres.
- (6) The maximum **gross floor area** of a **Dwelling Unit** in a **cottage building** is 150.0 square metres.
- (7) Each **Dwelling Unit** in a **cottage building** must have a **private amenity space** that:

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

15P2016

Purpose

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

Permitted Uses

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

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

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

Discretionary Uses

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

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

Permitted and Discretionary Uses for Parcels Designated R-Gm

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

- (a) **Single Detached Dwelling.**

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

- (a) **Single Detached Dwelling.**

- (a) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; or
- (b) the owner of the **adjacent parcel** grants a 1.5 metre private maintenance easement that must:
 - (i) be registered against the title of the **parcel** proposed for development and the title of the **adjacent parcel**; and
 - (ii) include a 0.60 metre footing encroachment easement.

Objects Prohibited or Restricted

- 564** (1) A **recreational vehicle** must not remain in an **actual front setback area** for longer than 24 hours.
- (2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an **actual front setback area**, except while engaged in loading or unloading.
- (3) A **dilapidated vehicle** must not remain outside of a **building**.
- (4) A **large vehicle** must not remain on a **parcel**, except while engaged in loading or unloading.
- (5) A satellite dish antenna greater than 1.0 metre in diameter must not:
- (a) be located in an **actual front setback area** or in an **actual side setback area** of a **corner parcel**;
 - (b) be located higher than 3.0 metres from **grade**; and
 - (c) be illuminated.
- (6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter, when the applicant demonstrates:
- (a) compliance with subsection (5) would prevent signal reception; and
 - (b) the satellite dish will be located and screened to the satisfaction of the **Development Authority**.
- (7) *deleted*

43P2016

Driveway Length and Parking Areas

- 565** (1) A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
 - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.

- (2) A driveway connecting to a **street** must:
- (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
 - (b) be a minimum of 3.0 metres in width.
- (3) A driveway connecting to a **lane** must:
- (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and
 - (b) be located between the **property line** shared with a **lane** and the vehicular entrance of the **private garage**.
- 9P2012 (4) Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or a parking stall that is hard surfaced.

Garbage

566 (1) Garbage containers and waste material must be stored either:

- (a) inside a **building**; or
- (b) in a garbage container enclosure approved by the **Development Authority**.

41P2009

(2) A garbage container enclosure:

- (a) must not be located between a **building** and a public **street**; and
- (b) unless specified in subsection (3) must not be located in a **setback area**.

41P2009

(3) Where the **main residential building** is a **Multi-Residential Development** a garbage container enclosure may be located in a **setback area** from another **parcel** provided that:

- (a) the wall of the enclosure is constructed of maintenance free materials; and
- (b) there is no overhang of eaves onto an **adjacent parcel** or **lane**.

Recycling Facilities

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

Mechanical Screening

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

Visibility Setback

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

13P2008

Retaining Walls

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

Fences

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

68P2008

Solar Collectors

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

67P2008

- (4) A **solar collector** that is mounted on a wall:
- (a) must be located a minimum of 2.4 metres above **grade**; and
 - (b) may project a maximum of 0.6 metres from the surface of that wall.

43P2016

Skateboard and Sports Ramps

- 571.2 (1)** All **skateboard and sports ramp** structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.
- (2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).
- (3) The maximum envelope dimensions do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.
- (4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.
- (5) There must only be one **skateboard and sports ramp** envelope per **parcel**.
- (6) All **skateboard and sports ramps** structures must be located between the rear façade of the **main residential building** and the **rear property line**.
- (7) The height of a **skateboard and sports ramp** at any point is measured from **grade**.
- (8) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **side property line**.
- (9) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **rear property line**.
- (10) A **skateboard and sports ramp** must not be attached to a **deck**, another structure, **fence**, or **building** such as, but not limited to, a **main residential building, Backyard Suite or Accessory Residential Building**.
- (11) Notwithstanding sections 550, 551, and 557, **skateboard and sports ramps** may be included in the calculation of **landscaped area, hard surfaced landscape area, soft surfaced landscaped area or common amenity space**.

Gated Access

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

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

46P2009, 12P2010
24P2014

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

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

Parcel Access

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

Commercial Multi-Residential Uses

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