

THE CITY OF CALGARY

LAND USE BYLAW 1P2007

OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

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

NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

PUBLISHING INFORMATION

TITLE: THE CALGARY LAND USE BYLAW 1P2007

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

STATUS: APPROVED BY CITY COUNCIL
2007 JULY 23

PRINTING DATE: 2008 AUGUST

ADDITIONAL COPIES: THE CITY OF CALGARY
DEVELOPMENT & BUILDING APPROVALS
PLANNING IMPLEMENTATION
DOCUMENT SALES CENTRE #8135
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- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
 - (b) a flow sensor for leak detection; and
 - (c) a master valve to secure the system if a leak is detected.
- (86) “**LRT corridor**” means a **street**, **parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include an **Accessory Residential Building** that contains a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**. 12P2010
- (90) “**major street**” means a **street** identified as a **major street** in the Transportation Bylaw.
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11. 51P2008
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
 - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.

- (96) “**non-conforming use**” means a lawful specific use:
- (a) being made of land or a **building** or intended to be made of a **building** lawfully under construction, at the date a land use bylaw affecting the land or **building** becomes effective; and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw.
- (97) “**open balcony**” means a **balcony** that is unenclosed on three sides, other than by a railing, balustrade or **privacy wall**.
- (98) “**overland flow area**” means those lands abutting the **floodway** or the **flood fringe**, the boundaries of which are indicated on the Floodway/ Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.
- 32P2009 (99) “**parcel**” means
- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
 - (b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N and R-2 districts, includes a **bare land unit** created under a condominium plan;”
- 47P2008 (100) “**parcel coverage**” means that portion of a **parcel** upon which covered **buildings** are located as measured from a point at **grade** directly below the outside surface of the exterior walls of a **building**, including any covered projections less than 2.4 metres above **grade**, but excluding **Accessory Residential Buildings** which in aggregate are less than 10.0 square metres.
- (101) “**parcel depth**” means the length of a line joining the mid-points of the **front property line** and the **rear property line**.
- (102) “**parcel width**” means the distance between the **side property lines** of a **parcel** measured at a right angle to the mid-point of the shortest **side property line**.
- (103) “**patio**” means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above **grade**, intended for use as an outdoor **amenity space**.
- (104) “**permitted use**” means a use of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (105) “**personal sale**” means the sale of goods and includes sales commonly known as garage sales, yard sales, moving sales and estate sales.

- (i) **Secondary Suite – Detached Garage;** 14P2010,
12P2010
- (i.1) **Secondary Suite – Detached Garden;** and 12P2010
- (j) **Social Organization** in the C-N1, C-N2, C-C1, C-COR1,
C-COR2, S-CI or CC-COR districts; and 51P2008,
14P2010
- (k) **Waste Disposal and Treatment Facility.** 14P2010
- (3) The following *uses* must always be notice posted in a **residential district**:
- (a) **Addiction Treatment;**
- (b) **Bed and Breakfast;**
- (c) **Child Care Service;**
- (d) **Community Recreation Facility;**
- (e) **Custodial Care;**
- (f) **Indoor Recreation Facility;**
- (g) **Library;**
- (h) **Museum;**
- (i) **Place of Worship – Medium;**
- (j) **Place of Worship – Small;**
- (k) **Residential Care;** and
- (l) **Service Organization.**
- (4) The following *uses* must always be notice posted in a **special purpose district**:
- (a) **Addiction Treatment;**
- (b) **Child Care Service;**
- (c) **Custodial Care;**
- (d) **Place of Worship – Medium;**
- (e) **Place of Worship – Small;**
- (f) **Residential Care;** and
- (g) **Service Organization.**
- (5) The construction of a new **building** or an addition to a **building** for the following *uses* must be notice posted:
- (a) **Assisted Living** in the **Developed Area**;
- (b) **Duplex Dwelling** when listed as a **discretionary use**;
- (c) **Semi-detached Dwelling** when listed as a **discretionary use**;
- (d) **Single Detached Dwelling** when listed as a **discretionary use** in the **Developed Area**; and

51P2008, 26P2010

- (e) Any **discretionary use** in the C-N1, C-N2, CC-1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, or CC-ET.
- (6) The **Development Authority** must not notice post any **development permit** applications not set out in subsections (2), (3), (4) or (5).

Division 6: General Provisions Relating to Development Permits

Applications the Development Authority Must Refuse

- 40** The **Development Authority** must refuse a **development permit** application when the proposed **development**:
- (a) is for a **use** that is not listed as either a **permitted** or **discretionary use** in the governing land use district;
 - (b) is for a **use** containing a restriction in its definition that is not met by the proposed **use**;
 - (c) exceeds any of the following requirements where they are specified on a Land Use District Map:
 - (i) maximum **building height**;
 - (ii) maximum **floor area ratio**; and
 - (iii) maximum **units** per hectare;
 - (d) does not meet the minimum area requirement to accommodate **commercial multi-residential uses** in the M-X1 and M-X2 Districts; and
 - (e) is for either a **Contextual Single Detached Dwelling** or a **Multi-Residential Development – Minor**, and does not comply with all of the requirements and rules of this Bylaw.

Applications That May Only Be Considered in a Direct Control District

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

Administrative Cancellation of an Application

31P2009

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

Term of a Development Permit

42 A **development permit** remains in effect until:

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

Suspension or Cancellation of a Development Permit

71P2008

43 (1) The **Development Authority** may suspend or cancel a **development permit** following its approval or issuance if:

- (a) the application contains a misrepresentation;
- (b) facts have not been disclosed which should have been at the time of consideration of the application for the **development permit**;
- (c) the **development permit** was issued in error;
- (d) the requirements or conditions of the **development permit** have not been complied with; or
- (e) the applicant requests, by way of written notice to the **Development Authority**, the cancellation of the **development permit**, provided that commencement of the **use, development** or construction has not occurred.

(2) If the **Development Authority** suspends or cancels a **development permit**, the **Development Authority** must provide written notice of the suspension or cancellation to the applicant.

(3) Upon receipt of the written notice of suspension or cancellation, the applicant must cease all **development** and activities to which the **development permit** relates.

Commencement of Development

31P2009

44 (1) Where a **development permit** is for a change of **use**, a change of intensity of **use** or both, **development** must commence within one year of the date of approval of the **development permit**.

(2) For the purpose of subsection (1), **development** commences when the applicant begins occupying the **parcel** and operating the **use** which was approved by the **development permit**.

31P2009

(3) Where a **development permit** is for construction, or for construction combined with a change of **use**, a change in intensity of **use** or both, **development** must commence within:

51P2008, 26P2010

- (a) three years of the date of approval of the **development permit** on **parcels** designated M-H1, M-H2, M-H3, C-O, I-B, S-CI, S-CRI, CC-MH, CC-MHX, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, and CC-ET Districts;

PART 3: RULES GOVERNING ALL DISTRICTS

Division 1: Road Rights-of-Way

Rights-of-Way Property Line Setbacks

53 (1) The **Development Authority** must not relax the basic right-of-way requirements referenced in Table 1 below:

Table 1: Road Rights-of-Way

ON (Numbered Streets)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
1 STREET E.	10 AVENUE S.	17 AVENUE S.	20.117	30.481	5.182 Each
1 STREET E.	17 AVENUE S.	ELBOW RIVER	20.117	30.481	5.182 Each
1 STREET W.	10 AVENUE S.	15 AVENUE S.	20.117	24.385	2.134 Each
1 STREET W.	15 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
4 STREET W.	40 AVENUE N.	16 AVENUE N.	20.117	24.385	2.134 Each
4 STREET E.	3 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134 Each
4 STREET E.	6 AVENUE S	9 AVENUE	20.117	24.385	2.134 Each
5 STREET W.	10 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
5 STREET W.	17 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134 Each
8 STREET W.	10 AVENUE S.	15 AVENUE S.	20.117	24.385	2.134 Each
8 STREET W.	15 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
9 STREET W.	10 AVENUE S.	16 AVENUE S.	20.117	24.385	2.134 Each
9 STREET W.	16 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
10 STREET W.	24 AVENUE N.	LANE S. OF 5 AVENUE N. (S. LEG)	20.117	30.481	5.182 Each
11 STREET E.	12 STREET E. SUBWAY	C.P.R. Right-Of-Way	20.117	24.385	2.134 Each
11 STREET W.	10 AVENUE S.	16 AVENUE S.	20.117	24.385	2.134 Each
11 STREET W.	16 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
12 STREET E.	1 AVENUE N.	SAINT GEORGE'S DRIVE	20.117	24.385	2.134 Each
12 STREET E.	BOW RIVER	12 STREET E. SUBWAY	20.117	24.385	2.134 Each
14 STREET W.	48 AVENUE N.	NORTH HAVEN DRIVE	25.299	30.481	5.182 WEST
14 STREET W.	ROSELAWN CRESCENT N.	38 AVENUE S.	20.117	30.481	5.182 Each
18 STREET W.	10 AVENUE S.	11 AVENUE S.	20.117	24.385	2.134 Each
19 STREET W.	10 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 Each
28 STREET E.	8 AVENUE S.	17 AVENUE S.	22.251	24.385	2.134 WEST
29 STREET W.	8 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134 Each
29 STREET W.	BOW TRAIL	35 AVENUE S.	20.117	24.385	2.134 Each
33 STREET W.	8 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
METIS TRAIL N.	AIRPORT TRAIL N.	64 AVENUE N.	20.117	36.577	8.230 Each
36 STREET E.	8 AVENUE S.	26 AVENUE S.	20.117	30.481	5.182 Each
37 STREET W.	BOW TRAIL	17 AVENUE S.	25.299	30.481	5.182 WEST
37 STREET W.	28 AVENUE S.	33 AVENUE S.	25.299	30.481	5.182 WEST
37 STREET W.	44 AVENUE S.	45 AVENUE S.	25.299	30.481	5.182 EAST
44 STREET E.	17 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134 Each
45 STREET W.	BOW TRAIL	15 AVENUE S.	22.251	24.385	2.134 EAST
45 STREET W.	17 AVENUE S.	26 AVENUE S.	22.251	24.385	2.134 EAST
45 STREET W.	33 AVENUE S.	35 AVENUE S.	22.251	24.385	2.134 WEST
52 STREET E.	14 AVENUE S.	16 AVENUE S.	25.299	30.481	5.182 WEST
52 STREET E.	50 AVENUE S.	126 AVENUE S.	20.117	45.000	4.942 EAST
52 STREET E.	50 AVENUE S. (S. LEG)	126 AVENUE S.	20.117	45.000	19.941 WEST
53 STREET W.	VARSITY ESTATES DRIVE (N. LEG)	53 AVENUE N.	20.117	24.385	2.134 EAST
68 STREET E.	17 AVENUE S.	26 AVENUE S.	20.117	36.577	8.230 Each
83 STREET W.	BOWNESS ROAD	33 AVENUE N.	20.117	30.481	5.182 Each
85 STREET	BOWNESS ROAD	48 AVENUE N.	20.117	30.481	5.182 Each

51P2008,
26P2010

51P2008,
26P2010
19P2010

Table 1: Road Rights-of-Way – continued

ON (Numbered Avenues)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
1 AVENUE N.	4 STREET E.	6 STREET E.	20.117	24.385	2.134 Each
4 AVENUE S	3 STREET E	RIVERFRONT AVENUE S	20.117	22.251	2.134 SOUTH
6 AVENUE S	3 STREET E	4 STREET E	20.117	24.385	2.134 Each
7 AVENUE S	3 STREET E	4 STREET E	20.117	24.385	2.134 Each
9 AVENUE S	3 STREET E	ELBOW RIVER	20.117	24.385	2.134 Each
10 AVENUE S.	14 STREET W.	OLYMPIC WAY	20.117	24.385	2.134 Each
10 AVENUE S.	BOW TRAIL	14 STREET W.	20.117	22.385	1.134 Each
11 AVENUE S.	17 STREET W.	18 STREET W.	24.384	26.518	2.134 NORTH
11 AVENUE S.	17 STREET W	14 STREET W.	20.117	24.385	2.134 Each
11 AVENUE S.	14 STREET W	6 STREET E.	20.117	24.385	2.134 Each
12 AVENUE S.	14 STREET W.	6 STREET E.	20.117	24.385	2.134 Each
12 AVENUE S.	19 STREET W.	14 STREET W.	20.117	24.385	2.134 Each
16 AVENUE N.	13 STREET W.	5 STREET E.	20.117	40.539	15.24 SOUTH
16 AVENUE N.	13 STREET W.	5 STREET E.	20.117	40.539	5.182 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	5.182 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	8.230 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	15.24 SOUTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	8.230 SOUTH
17 AVENUE S.	37 STREET W.	42 STREET W.	25.298	42.672	17.374 NORTH
17 AVENUE S.	37 STREET W.	17 STREET W.	20.117	30.481	5.182 Each
17 AVENUE S.	27 STREET E.	50 STREET E.	20.117	34.747	7.315 Each
17 AVENUE S.	C.N.R. RIGHT-OF-WAY	WEST EDGE OF T.U.C.	20.117	36.577	8.230 Each
26 AVENUE S.	24A STREET W.	37 STREET W.	20.117	24.385	2.134 Each
26 AVENUE S.	4 STREET W.	5 STREET E.	20.117	25.299	5.182 NORTH
26 AVENUE S.	26 STREET E.	28 STREET E.	20.117	24.385	2.134 Each
26 AVENUE S.	39 STREET E.	47 STREET E.	20.117	24.385	2.134 Each
26 AVENUE S.	DARTMOUTH ROAD	OGDEN ROAD	20.117	24.385	2.134 Each
34 AVENUE N.	77 STREET W.	69 STREET W.	22.250	24.384	2.134 NORTH
42 AVENUE S.	BRANDON STREET	LANE E. OF CLEVELAND	25.298	30.480	5.182 NORTH
42 AVENUE S.	BLACKFOOT TRAIL	CR.	20.117	30.481	5.182 Each
58 AVENUE S.	ELBOW DRIVE	12 STREET E.	25.298	27.432	2.134 NORTH
58 AVENUE S.	2 STREET W.	MACLEOD TRAIL	20.117	30.481	5.182 Each
90 AVENUE S.	BONAVENTURE DRIVE	LANE E. OF C.P.R. RIGHT-OF-WAY FAIRMOUNT DRIVE	20.117	24.385	2.134 Each
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	1.5 Each
BURNSLAND RD.	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
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
GLENMORE TRAIL	52 STREET E.	WEST EDGE OF T.U.C.	20.117	60.960	12.801 NORTH
MACDONALD AVE.	ELBOW RIVER	SPILLER ROAD	20.117	24.385	2.134 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	10 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 Each
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
TRANS-CANADA HIGHWAY	46 STREET W.	MCKAY ROAD	26.213	36.576	10.363 SOUTH

- (e) **bicycle parking stalls – class 1** required for **Dwelling Units** and **Live Work Units**; and
- (f) **bicycle parking stalls – class 2** required for **Dwelling Units** and **Live Work Units**.

Standards for Motor Vehicle Parking Stalls

- 122 (1)** Unless otherwise specified, the minimum width and depth of **motor vehicle parking stalls** are illustrated in Table 2.

Table 2: Minimum Dimensions for Motor Vehicle Parking Stalls

28P2009

Parking angle (degrees)	Aisle width (metres)	Stall depth perpendicular to aisle (metres)	Stall width parallel to aisle (metres)	
			Dwelling Units	Other Uses
90	7.20	5.40	2.50	2.60
75	6.12	5.64	2.59	2.69
60	4.82	5.49	2.89	3.00
45	4.00	5.00	3.54	3.68

- (1.1) The minimum width of a **motor vehicle parking stall** when it abuts a physical barrier, is:
 - (a) 3.1 metres when a physical barrier abuts both sides; and
 - (b) 2.85 metres when a physical barrier abuts only one side.
- (2) The angle of a **motor vehicle parking stall** must be 90 degrees or must be between 75 degrees and 45 degrees. Minimum required **motor vehicle parking stall** dimensions between 45 degrees and 75 degrees must be calculated using a straight line interpolation between dimensions.
- (3) The minimum depth of a **motor vehicle parking stall** is 5.9 metres where it is required for:
 - (a) a **Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Secondary Suite – Detached Garage, Secondary Suite – Detached Garden, Semi-detached Dwelling** or **Single Detached Dwelling**; and
 - (b) a **Dwelling Unit** where the stall is provided in a **private garage** intended to be used for the occupants of only one **Dwelling Unit**.
- (4) The minimum width of a **motor vehicle parking stall** required for a **Dwelling Unit** is:
 - (a) 3.0 metres where both sides of a stall abut a physical barrier;
 - (b) 2.85 metres where one side of a stall abuts a physical barrier; and
 - (c) 2.5 metres in all other cases.

28P2009

47P2008,
28P2009

12P2010

28P2009

- 28P2009 (5) *deleted*
- 28P2009 (6) *deleted*
- (7) The minimum width of a **motor vehicle parking stall** for **Multi-Residential Development, Multi-Residential Development – Minor, a Townhouse** or a **Rowhouse** provided for the exclusive use of a **Dwelling Unit** is reduced to 2.60 metres where:
- (a) the stall is one of two or more **motor vehicle parking stalls** that are provided in a **private garage**;
 - (b) the **motor vehicle parking stalls** in the **private garage** are for the sole use of the occupants of the **Dwelling Unit**; and
 - (c) the **motor vehicle parking stalls** are only counted towards fulfilling the minimum **motor vehicle parking stall** requirements for that **Dwelling Unit**.
- 47P2008, 28P2009 (8) *deleted*
- (9) The minimum vertical clearance of a **motor vehicle parking stall** is 2.1 metres.
- (10) Minimum required **motor vehicle parking stall** dimensions must be clear of all obstructions, other than wheel stops and structural columns.
- (11) Where structural columns encroach into a **motor vehicle parking stall**, such columns:
- (a) must not encroach into the width of the **motor vehicle parking stall** by more than a total of 0.30 metres;
 - (b) must be located within 1.2 metres of either end of the **motor vehicle parking stall**; and
 - (c) must not encroach into a **motor vehicle parking stall** within 0.30 metres of a drive aisle.
- (12) Wheel stops:
- (a) must have a maximum height of 0.10 metres;
 - (b) must be placed perpendicular to the **motor vehicle parking stall** depth; and
 - (c) must be a minimum of 0.60 metres from the front of the **motor vehicle parking stall**.
- (13) The maximum slope of a **motor vehicle parking stall** is 4.0 per cent in any direction.
- (14) **Motor vehicle parking stalls** must not be provided as tandem parking unless otherwise allowed in this Bylaw.

Division 2: Defined Uses

Defined Terms

135 In this Bylaw, the following terms have the following meanings.

136 “**Accessory Food Service**”

- (a) means a portion of a premises used for the sale and consumption of food for the patrons of, and located within, another approved **use**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have a maximum floor area of 15.0 square metres to accommodate food preparation and seating area;
- (d) must operate only in conjunction with another approved **use**;
- (e) must not have an independent customer access from the **building** in which the **use** is located;
- (f) does not require **motor vehicle parking stalls**; and
- (g) does not require **bicycle parking stalls – class 1 or class 2**.

137 “**Accessory Liquor Service**”

- (a) means a portion of a premises used for the sale and consumption of alcoholic beverages for the patrons of another approved **use**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to the Bylaw;
- (c) must serve only the patrons attending events or performances at the **use** in which it is located;
- (d) must not provide any seating area for the patrons;
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1 or class 2**.

138 “Accessory Residential Building”

- (a) means a **building**:
 - 12P2010 (i) that is not attached above **grade** to another **building** containing a **Dwelling Unit**; and
 - 12P2010 (ii) that accommodates a **use** that is subordinate to the main residential **use** on a **parcel**.
 - 12P2010 (iii) *deleted*
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

139 “Addiction Treatment”

- (a) means a **use**:
 - (i) where one or more persons with alcohol, drug or similar addiction issues live under the care or supervision of professional health or counselling care providers; and
 - (ii) that has at least one staff person at the facility at all times;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) may have a maximum of 10 residents when located in a **low density residential district**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per three (3) residents; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

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

171 “Contextual Single Detached Dwelling”

47P2008

- (a) means a **building** containing one **Dwelling Unit** that:
 - (i) meets all of the rules specified for the **use** in a district; and
 - (ii) may include a **Secondary Suite, Secondary Suite – Detached Garage or Secondary Suite – Detached Garden** in Districts that list those **uses**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**;
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

12P2010

172 *deleted*

32P2009

173 *deleted*

32P2009

174 “Convenience Food Store”

- (a) means a **use**:
 - (i) where fresh and packaged food is sold;
 - (ii) where daily household necessities may be sold;
 - (iii) that is entirely within a **building**;
 - (iv) that has a maximum **gross floor area** of 465.0 square metres;

13P2008

13P2008

- (v) that may display the items for sale within the **use** outside of a **building** a maximum distance of 6.0 metres from the public entrance of the **use**; and
- (vi) may include, within the total **gross floor area** of the **use**, a limited seating area no greater than 7.5 square metres;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not locate any outdoor display area in a required **setback area**, a parking area or on a sidewalk, if it impedes pedestrian movement;
- (d) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

13P2008

175 “Cottage Building”

- (a) means a residential **building** that is restricted in size and contains one, two or three **Dwelling Units**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**;
- (d) requires a minimum of 0.15 **visitor parking stalls** per **Dwelling Unit**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

176 “Counselling Service”

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

- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

295 “Secondary Suite”

12P2010

- (a) means a **use** where a second, self-contained **Dwelling Unit** is located within a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

295.1 “Secondary Suite – Detached Garage”

12P2010

- (a) means a **use**:
 - (i) where a second, self-contained **Dwelling Unit** is located in the same **building** as a detached **private garage**; and
 - (ii) that is located on the same **parcel** as a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

295.2 “Secondary Suite – Detached Garden”

12P2010

- (a) means a **use**:
 - (i) where a second, self-contained **Dwelling Unit** is detached and located at **grade** to the rear of a **main residential building**; and
 - (ii) that is located on the same **parcel** as a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

296 “Self Storage Facility”

- (a) means a **use**:
 - (i) where goods are stored in a **building**;
 - (ii) where the **building** is made up of separate compartments and each compartment has separate access;
 - (iii) that may be available to the general public for the storage of personal items;
 - (iv) that may include the administrative functions associated with the **use**; and
 - (v) that may incorporate **Custodial Quarters** for the custodian of the facility;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the administrative portion of the **use**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

297 “Semi-detached Dwelling”

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

298 “Service Organization”

- (a) means a **use**:
 - (i) where health or educational programs and services are offered to the public;
 - (ii) that does not include a **Health Services Laboratory – With Clients** or **Medical Clinic**;
 - (iii) that does not provide a food preparation **kitchen** or eating area for the public;

- (iv) **“Message Sign”** which means a *sign* that is either permanently attached to a *building* or that has its own permanent structure and is designed so that *copy* can be changed on a frequent basis;
- (v) **“Painted Wall Identification Sign”** which means a *sign* that:
 - (A) indicates, by name or symbol, the occupant, business or site upon which the *sign* is displayed; and
 - (B) is painted directly onto an exterior wall of a *building*; and
- (vi) **“Roof Sign”** which means a *sign* installed on the roof of a *building* or that projects above the *eaveline* of a *building*; 67P2008
- (vii) **“Rotating Sign”** which means a *sign* that rotates or has features that rotate;
- (viii) **“String of Pennants”** which means a *sign* consisting of pieces of fabric or other non-rigid material strung together on string, wire, cable, or are similarly joined;
- (ix) **“Temporary Sign Marker”** which means an area on a *parcel* that has been approved and demarked as a location for **“Temporary Signs”**, which for the purposes of the rules regulating *signs*, is deemed to be a *sign*; and
- (x) any type of *sign* that: 67P2008
 - (A) employs stereo optic, video, motion picture, laser or other projection device; or
 - (B) does not fit within any of the *sign* types listed in **Sign – Class A, Sign – Class B, Sign – Class C, Sign – Class D or Sign – Class F**; and
- (b) is a *use* within the Sign Group in Schedule A to this Bylaw.

304 “Sign – Class F”

- (a) means only the following devices intended to convey meaning about, or draw attention to, a site, person, business, event, product or commodity:
 - (i) **“Third Party Advertising Sign”** which means a *sign* that contains *copy* directing attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the site where the *sign* is located; and
- (b) is a *use* within the Sign Group in Schedule A to this Bylaw.

12P2010

305 “Single Detached Dwelling”

- (a) means a **building** which contains only one **Dwelling Unit** and may include a **Secondary Suite, Secondary Suite - Detached Garage or Secondary Suite - Detached Garden** in Districts which allow those **uses**, but does not include a **Manufactured Home**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

306 “Slaughter House”

- (a) means a **use**:
 - (i) where live animals are processed into food for human consumption;
 - (ii) that may have an area for supplies required to make the food products as part of the **use**;
 - (iii) that may have the functions of packaging or shipping the products made as part of the **use**;
 - (iv) that may have the function of using trailer units to keep the product on the **parcel** prior to shipping;
 - (v) that may have the administrative functions associated with the **use**; and
 - (vi) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Slaughter House** as a **use**;
- (b) is a **use** within the Direct Control Use Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;

- (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.

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:
- (a) 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**;
 - (b) not be located higher than 3.0 metres from **grade**; and
 - (c) not 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) A **skateboard ramp** must not be located on a **parcel**.

Accessory Residential Building

- 345** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** for an **Accessory Residential Building** is:
- (a) 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**.
- 12P2010 (5) The minimum distance between any façade of an **Accessory Residential Building** and a **main residential building** is 1.0 metres.
- 67P2008 (6) The height of an **Accessory Residential Building** must not exceed:
- (a) 4.6 metres, measured from the finished floor of the **building**;
 - (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**.

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.
- (2) Mechanical equipment may project a maximum of 0.3 metres from the surface of a roof on a **building**.

68P2008

Private Maintenance Easements

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

Secondary Suite – Setbacks

12P2010

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

Secondary Suite – Building Separation

12P2010

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

12P2010

Secondary Suite – Floor Area

- 352** (1) The maximum floor area of a **Secondary Suite**, excluding any area covered by stairways, is 70.0 square metres in the R-C1Ls, R-C1s and R-1s Districts.
- (2) The maximum floor area of a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**, excluding any area covered by stairways, is 70.0 square metres.
- (3) The maximum **floor area** in subsections (1) and (2) may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.

12P2010

Secondary Suite – Outdoor Private Amenity Space

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

12P2010

Secondary Suite – Density

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

12P2010

Secondary Suite – Entry and Stairways

355 *deleted*

Secondary Suite – Building Height

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

12P2010

Parcels Deemed Conforming

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

Dwellings Deemed Conforming

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

Division 2: Residential – Contextual Large Parcel One Dwelling (R-C1L) (R-C1Ls) District

Purpose

- 366** (1) The Residential – Contextual Large Parcel One Dwelling District is intended to accommodate existing residential **development** and contextually sensitive redevelopment in the form of **Single Detached Dwellings** in the **Developed Area** on large **parcels**.
- (2) **Parcels** designated R-C1Ls are intended to accommodate a **Secondary Suite, Secondary Suite – Detached Garage or Secondary Suite – Detached Garden** on the same **parcel** as a **Single Detached Dwelling**. 12P2010

Permitted Uses

- 367** The following **uses** are **permitted uses** in the Residential – Contextual Large Parcel One Dwelling District:
- (a) **Accessory Residential Building;**
 - (b) **Contextual Single Detached Dwelling;**
 - (b.1) **Home Based Child Care – Class 1;** 17P2009
 - (c) **Home Occupation – Class 1;**
 - (d) *deleted* 46P2009
 - (e) **Park;**
 - (f) **Protective and Emergency Service;**
 - (g) **Sign – Class A;**
 - (h) **Special Function Tent – Recreational;** and
 - (i) **Utilities.**

Discretionary Uses

- 368** The following **uses** are **discretionary uses** in the Residential – Contextual Large Parcel One Dwelling District:
- (a) **Bed and Breakfast;**
 - (b) **Community Entrance Feature;**
 - (b.1) **Home Based Child Care – Class 2;** 17P2009
 - (c) **Home Occupation – Class 2;**

- (d) **Place of Worship – Small;**
- (e) **Power Generation Facility – Small;**
- (f) **Sign – Class B;**
- (g) **Sign – Class C;**
- (h) **Sign – Class E;**
- (i) **Single Detached Dwelling;**
- (j) **Temporary Residential Sales Centre; and**
- (k) **Utility Building.**

12P2010

Permitted and Discretionary Uses for Parcels Designated R-C1Ls

369 *Parcels* designated R-C1Ls have the same *permitted* and *discretionary uses* referenced in sections 367 and 368 with the additional *discretionary uses* of:

- (a) **Secondary Suite;**
- (b) **Secondary Suite – Detached Garage; and**
- (c) **Secondary Suite – Detached Garden.**

Rules

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

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

13P2008

Number of Main Residential Buildings on a Parcel

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

Parcel Width

372 The minimum *parcel width* is 24.0 metres.

Parcel Depth

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

12P2010

(2) The minimum *parcel depth* for a *parcel* designated R-C1Ls is 30.0 metres.

Division 3: Residential – Contextual One Dwelling (R-C1) (R-C1s) District

Purpose

- 384 (1)** The Residential – Contextual One Dwelling District is intended to accommodate existing residential **development** and contextually sensitive redevelopment in the form of **Single Detached Dwellings** in the **Developed Area**.
- (2)** **Parcels** designated R-C1s are intended to accommodate a **Secondary Suite, Secondary Suite – Detached Garage or Secondary Suite – Detached Garden** on the same **parcel** as a **Single Detached Dwelling**. 12P2010

Permitted Uses

- 385 (1)** The following **uses** are **permitted uses** in the Residential – Contextual One Dwelling District:
- (a) **Accessory Residential Building;**
 - (b) **Contextual Single Detached Dwelling;**
 - (b.1) **Home Based Child Care – Class 1;** 17P2009
 - (c) **Home Occupation – Class 1;**
 - (d) *deleted* 46P2009
 - (e) **Park;**
 - (f) **Protective and Emergency Service;**
 - (g) **Sign – Class A;**
 - (h) **Special Function Tent – Recreational;** and
 - (i) **Utilities.**
- (2)** The following **uses** are **permitted uses** on a **parcel** that has a **building** used or previously used as a **Community Recreation Facility** or **School Authority – School**: 53P2008
- (a) **Community Recreation Facility;**
 - (b) **School Authority – School;** and
 - (c) **School Authority Purpose – Minor.**

Discretionary Uses

- 386 (1)** The following **uses** are **discretionary uses** in the Residential – Contextual One Dwelling District:
- (a) **Addiction Treatment;**

17P2009

- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (d.1) **Home Based Child Care – Class 2;**
- (e) **Home Occupation – Class 2;**
- (f) **Place of Worship – Small;**
- (g) **Power Generation Facility – Small;**
- (h) **Residential Care;**
- (i) **Sign – Class B;**
- (j) **Sign – Class C;**
- (k) **Sign – Class E;**
- (l) **Single Detached Dwelling;**
- (m) **Temporary Residential Sales Centre; and**
- (n) **Utility Building.**

53P2008

- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **Community Recreation Facility** or **School Authority – School** in the Residential – Contextual One Dwelling District:
 - (a) **Child Care Service;**
 - (b) **Library;**
 - (c) **Museum;**
 - (d) **School – Private;**
 - (e) **School Authority Purpose – Major; and**
 - (f) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Residential – Contextual One Dwelling District that has a **building** used or previously used as **School Authority – School**:
 - (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**

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

Permitted and Discretionary Uses for Parcels Designated R-C1s

12P2010

387 *Parcels* designated R-C1s have the same **permitted** and **discretionary uses** referenced in sections 385 and 386, with the additional **discretionary uses** of:

- (a) **Secondary Suite;**
- (b) **Secondary Suite – Detached Garage;** and
- (c) **Secondary Suite – Detached Garden.**

Rules

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

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3;
- (c) the applicable Uses And Use Rules referenced in Part 4; and
- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 385(2) and 386(2) and (3).

Number of Main Residential Buildings on a Parcel

13P2008

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

Parcel Width

390 (1) Unless otherwise referenced in subsection (2), the minimum **parcel width** is 12.0 metres.

(2) The minimum **parcel width** for a **parcel** designated R-C1s is 15.0 metres.

12P2010

Parcel Depth

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

- 12P2010 (2) The minimum **parcel depth** for a **parcel** designated R-C1s is 30.0 metres.

Parcel Area

- 392 (1) Unless otherwise referenced in subsection (2), the minimum area of a **parcel** is 330.0 square metres.

- 12P2010 (2) The minimum area of a **parcel** designated R-C1s is 400.0 square metres.

Parcel Coverage

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

- 3P2010 394 *deleted*

Building Setback Areas

- 395 The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 396, 397 and 398.

Building Setback from Front Property Line

- 3P2010 396 (1) For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the minimum **building setback** from a **front property line** is the greater of:
- (a) the **contextual front setback** less 1.5 metres; or
 - (b) 3.0 metres.
- 46P2009 (2) *deleted*
- 3P2010 (3) *deleted*
- 46P2009 (4) For an addition or exterior alteration to a **Single Detached Dwelling**, which was legally existing or approved prior to the effective date of this Bylaw, the minimum **building setback** from a **front property line** is the lesser of:
- (a) the **contextual front setback** less 1.5 metres to a minimum of 3.0 metres; or
 - (b) the existing **building setback** less 1.5 metres to a minimum of 3.0 metres.
- (5) For all other **uses**, the minimum **building setback** from a **front property line** is 3.0 metres.

Division 5: Residential – Contextual One / Two Dwelling (R-C2) District

Purpose

424 The Residential – Contextual One / Two Dwelling District is intended to accommodate existing residential **development** and contextually sensitive redevelopment in the form of **Duplex Dwellings, Semi-detached Dwellings,** and **Single Detached Dwellings** in the **Developed Area**.

Permitted Uses

- 425 (1)** The following **uses** are **permitted uses** in the Residential – Contextual One / Two Dwelling District:
- (a) **Accessory Residential Building;**
 - (b) **Contextual Single Detached Dwelling;**
 - (b.1) **Home Based Child Care – Class 1;** 17P2009
 - (c) **Home Occupation – Class 1;**
 - (d) *deleted* 46P2009
 - (e) **Park;**
 - (f) **Protective and Emergency Service;**
 - (g) **Sign – Class A;**
 - (h) **Special Function Tent – Recreational;** and
 - (i) **Utilities.**
- (2)** The following **uses** are **permitted uses** on a **parcel** that has a **building** used or previously used as a **Community Recreation Facility** or **School Authority – School**: 53P2008
- (a) **Community Recreation Facility;**
 - (b) **School Authority – School;** and
 - (c) **School Authority Purpose – Minor.**

Discretionary Uses

- 426 (1)** The following **uses** are **discretionary uses** in the Residential – Contextual One / Two Dwelling District:
- (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Community Entrance Feature;**

- 17P2009
- (d) **Custodial Care;**
 - (d.1) **Home Based Child Care – Class 2;**
 - (e) **Duplex Dwelling;**
 - (f) **Home Occupation – Class 2;**
 - (g) **Place of Worship – Small;**
 - (h) **Power Generation Facility – Small;**
 - (i) **Residential Care;**
 - (j) **Secondary Suite;**
- 12P2010
- (j.1) **Secondary Suite – Detached Garage;**
- 12P2010
- (j.2) **Secondary Suite – Detached Garden;**
 - (k) **Semi-detached Dwelling;**
 - (l) **Sign – Class B;**
 - (m) **Sign – Class C;**
 - (n) **Sign – Class E;**
 - (o) **Single Detached Dwelling;**
 - (p) **Temporary Residential Sales Centre; and**
 - (q) **Utility Building.**
- 53P2008
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **Community Recreation Facility** or **School Authority – School** in the Residential – Contextual One / Two Dwelling District:
 - (a) **Child Care Service;**
 - (b) **Library;**
 - (c) **Museum;**
 - (d) **School Authority Purpose – Major;**
 - (e) **School – Private; and**
 - (f) **Service Organization.**
 - (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Residential – Contextual One / Two Dwelling District that has a **building** used or previously used as **School Authority – School**:
 - (a) **Community Recreation Facility;**
 - (b) **Food Kiosk;**

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

Rules

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

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3;
- (c) the applicable Uses And Use Rules referenced in Part 4; and
- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 425(2) and 426(2) and (3).

Number of Main Residential Buildings on a Parcel

13P2008

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

Parcel Width

429 The minimum **parcel width** is:

- (a) 7.5 metres for a **parcel** containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (b) 13.0 metres for a **parcel** containing a **Duplex Dwelling**;
- (c) 13.0 metres for a **parcel** containing a **Secondary Suite, Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**; and

12P2010

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

Parcel Depth

- 430** (1) Unless otherwise referenced in subsection (2), the minimum **parcel depth** is 22.0 metres.
- 12P2010 (2) The minimum **parcel depth** for a **parcel** containing a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden** is 30.0 metres.

Parcel Area

- 431** The minimum area of a **parcel** is:
- (a) 233.0 square metres for a **parcel** containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (b) 400.0 square metres for a **parcel** containing a **Duplex Dwelling**;
- 12P2010 (c) 400.0 square metres for a **parcel** containing a **Secondary Suite, Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**; and
- (d) 400.0 square metres for a **parcel** containing a **Semi-detached Dwelling**, and if a **parcel** containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum **parcel** area of 180.0 square metres must be provided for each **Dwelling Unit**.

Parcel Coverage

- 432** The maximum **parcel coverage** is 45.0 per cent of the area of a **parcel**, which must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not provided in a **private garage**.
- 3P2010 **433** *deleted*

Building Setback Areas

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

Division 6: Residential – One Dwelling (R-1) (R-1s) District

Purpose

- 444** (1) The Residential – One Dwelling District is intended to accommodate residential *development* in the form of **Single Detached Dwellings** in the *Developing Area*.
- (2) *Parcels* designated R-1s are intended to accommodate a **Secondary Suite, Secondary Suite – Detached Garage or Secondary Suite – Detached Garden** on the same *parcel* as a **Single Detached Dwelling**. 12P2010

Permitted Uses

- 445** The following *uses* are *permitted uses* in the Residential – One Dwelling District:
- (a) **Accessory Residential Building;**
 - (a.1) **Home Based Child Care – Class 1;** 17P2009
 - (b) **Home Occupation – Class 1;**
 - (c) **Park;**
 - (d) **Protective and Emergency Service;**
 - (e) **Sign – Class A;**
 - (f) **Single Detached Dwelling;**
 - (g) **Special Function Tent – Recreational;** and
 - (h) **Utilities.**

Discretionary Uses

- 446** The following *uses* are *discretionary uses* in the Residential – One Dwelling District:
- (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Community Entrance Feature;**
 - (d) **Custodial Care;**
 - (d.1) **Home Based Child Care – Class 2;** 17P2009
 - (e) **Home Occupation – Class 2;**
 - (f) **Place of Worship – Small;**
 - (g) **Power Generation Facility – Small;**
 - (h) **Residential Care;**

- (i) **Sign – Class B;**
- (j) **Sign – Class C;**
- (k) **Sign – Class E;**
- (l) **Temporary Residential Sales Centre;** and
- (m) **Utility Building.**

12P2010

Parcels Designated R-1s

447 *Parcels* designated R-1s have the same **permitted** and **discretionary uses** referenced in sections 445 and 446, with the additional **discretionary uses** of:

- (a) **Secondary Suite;**
- (b) **Secondary Suite – Detached Garage;** and
- (c) **Secondary Suite – Detached Garden.**

Rules

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

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

13P2008

Number of Main Residential Buildings on a Parcel

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

Parcel Width

450 (1) Unless otherwise referenced in subsection (2) and (3), the minimum **parcel width** is 10.0 metres.

12P2010

(2) The minimum **parcel width** for a **parcel** containing a **Secondary Suite** or **Secondary Suite – Detached Garage** is 11.0 metres.

12P2010

(3) The minimum **parcel width** for a **parcel** containing a **Secondary Suite – Detached Garden** is 13.0 metres.

Parcel Depth

- 451** (1) Unless otherwise referenced in subsection (2), the minimum **parcel depth** is 22.0 metres.
- (2) The minimum **parcel depth** for a **parcel** designated R-1s is 30.0 metres. 12P2010

Parcel Area

- 452** (1) Unless otherwise referenced in subsections (2) and (3), the minimum area of a **parcel** is 330.0 square metres.
- (2) The minimum area of a **parcel** containing a **Secondary Suite** or **Secondary Suite – Detached Garage** is 330.0 square metres. 12P2010
- (3) The minimum area of a **parcel** containing a **Secondary Suite – Detached Garden** is 390.0 square metres. 12P2010

Parcel Coverage

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

Building Setback Areas

- 454** The depth of all **setback areas** must be equal to the minimum **building setback** required by sections 455, 456 and 457.

Building Setback from Front Property Line

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

Building Setback from Side Property Line

- 456** (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
 - (b) 3.0 metres on one side of the **parcel**, when no provision has been made for a **private garage** on the front or side of a **building**.

- (3) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:
- (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (4) The **building setback** required in subsection 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, an exclusive private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
 - (b) provides unrestricted vehicle access to the rear of the **parcel**.
- (5) One **building setback** from a **side property line** may be reduced to zero metres where:
- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, on both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and
 - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.

Building Setback from Rear Property Line

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

Building Height

- 458** (1) The maximum **building height** is 11.0 metres where:
- (a) the area of the **parcel** is less than 400.0 square metres; or
 - (b) the **parcel width** is less than 15.0 metres.
- (2) The maximum **building height** is 12.0 metres where:
- (a) the area of the **parcel** is equal to or greater than 400.0 square metres; and
 - (b) the **parcel width** is equal to or greater than 15.0 metres.

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

Purpose

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

Permitted Uses

475 The following *uses* are *permitted uses* in the Residential – One /Two Dwelling District:

- (a) **Accessory Residential Building;**
- (b) **Duplex Dwelling;**
- (b.1) **Home Based Child Care – Class 1;** 17P2009
- (c) **Home Occupation – Class 1;**
- (d) **Park;**
- (e) **Protective and Emergency Service;**
- (e.1) **Secondary Suite;** 12P2010
- (f) **Semi-detached Dwelling;**
- (g) **Sign – Class A;**
- (h) **Single Detached Dwelling;**
- (i) **Special Function Tent – Recreational; and**
- (j) **Utilities.**

Discretionary Uses

476 The following *uses* are *discretionary uses* in the Residential – One / Two Dwelling District:

- (a) **Addiction Treatment;**
- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (d.1) **Home Based Child Care – Class 2;** 17P2009
- (e) **Home Occupation – Class 2;**
- (f) **Place of Worship – Small;**
- (g) **Power Generation Facility – Small;**
- (h) **Residential Care;**

- 12P2010 (i) *deleted*
- 12P2010 (i.1) **Secondary Suite – Detached Garage;**
- 12P2010 (i.2) **Secondary Suite – Detached Garden;**
- (j) **Sign – Class B;**
- (k) **Sign – Class C;**
- (l) **Sign – Class E;**
- (m) **Temporary Residential Sales Centre; and**
- (n) **Utility Building.**

Rules

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

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

13P2008

Number of Main Residential Buildings on a Parcel

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

Parcel Width

479 The minimum *parcel width* is:

12P2010

- (a) 7.5 metres for a *parcel* containing a **Single Detached Dwelling**;
- (b) 13.0 metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 13.0 metres for a *parcel* containing a **Secondary Suite, Secondary Suite – Detached Garage or Secondary Suite – Detached Garden**; and
- (d) 13.0 metres for a *parcel* containing a **Semi-detached Dwelling**, and if a *parcel* containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum *parcel width* of 6.0 metres must be provided for each **Dwelling Unit**.

Parcel Depth

- 480 (1) Unless otherwise specified in subsection (2), the minimum *parcel depth* is 22.0 metres.
- (2) The minimum *parcel depth* for a *parcel* containing a **Secondary Suite, Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden** is 30.0 metres. 12P2010

Parcel Area

- 481 The minimum area of a *parcel* is:
- (a) 330.0 square metres for a *parcel* containing a **Single Detached Dwelling**;
- (b) 400.0 square metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 400.0 square metres for a *parcel* containing a **Secondary Suite, Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**; and 12P2010
- (d) 400.0 square metres for a *parcel* containing a **Semi-detached Dwelling**, and if a *parcel* containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each **Dwelling Unit**.

Parcel Coverage

- 482 (1) Unless otherwise referenced in subsection (3), the maximum *parcel coverage* for a **Single Detached Dwelling** is 45.0 per cent of the area of a *parcel*.
- (2) Unless otherwise referenced in subsection (3), the maximum *parcel coverage* for a **Semi-detached Dwelling** or **Duplex Dwelling** is 50.0 per cent of the area of a *parcel*. 13P2008
- (3) The maximum *parcel coverage* referenced in subsections (1) and (2) must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.
- (4) For all other *uses*, the maximum *parcel coverage* is 45.0 per cent.

Building Setback Areas

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

Building Setback from Front Property Line

484 The minimum **building setback** from a **front property line** is:

- (a) 2.0 metres for a **laned parcel**; and
- (b) 3.0 metres for a **laneless parcel**.

Building Setback from Side Property Line

485 (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.

(2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:

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

71P2008

(3) For a **parcel** containing a **Semi-detached Dwelling**, there is no requirement for a **building setback** from the **property line** upon which the party wall is located.

(4) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:

- (a) the back of the public sidewalk; or
- (b) the curb where there is no public sidewalk.

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

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

(6) One **building setback** from a **side property line** may be reduced to zero metres where:

Division 9: Residential – Low Density Multiple Dwelling (R-2M) District

Purpose

489 The Residential – Low Density Multiple Dwelling District (R-2M) is intended to primarily accommodate comprehensively designed low density residential *development* in the form of **Duplex Dwellings, Rowhouses, Semi-detached Dwellings, and Townhouses** in the *Developing Area*.

Permitted Uses

490 The following *uses* are *permitted uses* in the Residential – Low Density Multiple Dwelling District: 13P2008

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** 17P2009
- (b) **Home Occupation – Class 1;**
- (c) *deleted* 46P2009
- (d) **Park;**
- (e) **Protective and Emergency Service;**
- (f) **Rowhouse;**
- (g) **Sign – Class A;**
- (h) **Special Function Tent – Recreational; and**
- (i) **Utilities.**

490.1 The following *uses* are *permitted uses* in the Residential – Low Density Multiple Dwelling District where there is only one *main residential building* located on a *parcel*: 13P2008, 12P2010

- (a) **Duplex Dwelling;**
- (b) **Secondary Suite; and**
- (c) **Semi-detached Dwelling.**

Discretionary Uses 13P2008

- 491** (1) *Uses* listed in Section 490.1 are *discretionary uses* in the Residential – Low Density Multiple Dwelling District where there is more than one *main residential building* on a *parcel*.
- (2) The following *uses* are *discretionary uses* in the Residential – Low Density Multiple Dwelling District:
- (a) **Addiction Treatment;**
 - (b) **Bed and Breakfast;**
 - (c) **Community Entrance Feature;**
 - (d) **Custodial Care;**

- 17P2009 (d.1) **Home Based Child Care – Class 2;**
- (e) **Home Occupation – Class 2;**
- (f) **Place of Worship – Small;**
- (g) **Power Generation Facility – Small;**
- (h) **Residential Care;**
- 12P2010 (i) *deleted*
- 12P2010 (i.1) **Secondary Suite – Detached Garage;**
- 12P2010 (i.2) **Secondary Suite – Detached Garden;**
- (j) **Sign – Class B;**
- (k) **Sign – Class C;**
- 71P2008 (k.1) **Sign – Class D;**
- (l) **Sign – Class E;**
- (m) **Single Detached Dwelling;**
- (n) **Temporary Residential Sales Centre;**
- (o) **Townhouse; and**
- (p) **Utility Building.**

Rules

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

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

13P2008

Density

493 The maximum **density** for a **parcel** designated Residential – Low Density Multiple Dwelling District is:

- (a) 50 **units** per hectare for **Rowhouses**; and
- (b) 38 **units** per hectare where there is a **Townhouse** or more than one **main residential building** on a **parcel**.

Parcel Width

494 The minimum *parcel width* is:

- (a) 10.0 metres for a *parcel* containing a **Single Detached Dwelling**;
- (b) 13.0 metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 13.0 metres for a *parcel* containing a **Secondary Suite, Secondary Suite – Detached Garage or Secondary Suite – Detached Garden**;
- (d) 13.0 metres for a *parcel* containing a **Semi-detached Dwelling**, and if a *parcel* containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum *parcel width* of 6.0 metres must be provided for each **Dwelling Unit**; and
- (e) 5.0 metres for an individual *parcel* containing a **Dwelling Unit** in a **Rowhouse or Townhouse**.

12P2010

Parcel Depth

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

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

12P2010

Parcel Area

496 The minimum *parcel area* is:

- (a) 330.0 square metres for a *parcel* containing a **Single Detached Dwelling**;
- (b) 400.0 square metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 400.0 square metres for a *parcel* containing a **Secondary Suite, Secondary Suite – Detached Garage or Secondary Suite – Detached Garden**;
- (d) 400.0 square metres for a *parcel* containing a **Semi-detached Dwelling**, and if a *parcel* containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each **Dwelling Unit**; and
- (e) 160.0 square metres for a *parcel* containing an individual **Dwelling Unit** in a **Rowhouse or Townhouse**.

12P2010

Parcel Coverage

- 497 (1)** Unless otherwise referenced in subsection (2), the maximum *parcel coverage* is:
- (a) 45.0 per cent of the area of the *parcel* for each **Single Detached Dwelling**;
 - (b) 50.0 per cent of the area of the *parcel* for each **Semi-detached Dwelling** and **Duplex Dwelling**; and
 - (c) 60.0 per cent of the area of the *parcel* for each **Rowhouse** or **Townhouse**.
- (2)** The maximum *parcel* coverage referenced in subsection (1), must be reduced by 21.0 square metres for each required *motor vehicle parking stall* that is not located in a *private garage*.

Building Setback Areas

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

Building Setback from Front Property Line

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

Building Setback from Side Property Line

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

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.

Gated Access

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

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

573 Any of the following **uses** must comply with the rules of the R-C2 District that apply to such **development**:

46P2009

12P2010

12P2010

- (a) **Accessory Residential Building** that is not combined with a **Multi-Residential Development**;
- (b) **Duplex Dwelling**;
- (c) *deleted*
- (d) **Secondary Suite**;
- (d.1) **Secondary Suite – Detached Garage**;
- (d.2) **Secondary Suite – Detached Garden**;
- (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.

Division 2: Multi-Residential – Contextual Grade-Oriented (M-CG) (M-CGd#) District

Purpose

576 The Multi-Residential – Contextual Grade-Oriented District:

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

Permitted Uses

577 (1) The following ***uses*** are ***permitted uses*** in the Multi-Residential – Contextual Grade-Oriented District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** *17P2009*
- (b) **Home Occupation – Class 1;**
- (c) *deleted* *46P2009*
- (d) **Park;**
- (e) **Protective and Emergency Service;**
- (f) **Sign – Class A;**

- (g) **Special Function Tent – Recreational;** and
- (h) **Utilities.**
- (2) The following **uses** are **permitted uses** on a parcel in the Multi-Residential – Contextual Grade-Oriented District that has a **building** used or previously used as a **School Authority – School**:
 - (a) **School Authority – School;** and
 - (b) **School Authority Purpose – Minor.**

Discretionary Uses

578 (1) The following **uses** are **discretionary uses** in the Multi-Residential – Contextual Grade-Oriented District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Bed and Breakfast;**
- (d) **Community Entrance Feature;**
- (e) **Custodial Care;**
- (f) **Duplex Dwelling;**
- (f.1) **Home Based Child Care – Class 2;**
- (g) **Home Occupation – Class 2;**
- (h) **Live Work Unit;**
- (i) **Multi-Residential Development;**
- (j) **Place of Worship – Medium;**
- (k) **Place of Worship – Small;**
- (l) **Power Generation Facility – Small;**
- (m) **Residential Care;**
- (n) **Secondary Suite;**
- (n.1) **Secondary Suite – Detached Garage;**
- (n.2) **Secondary Suite – Detached Garden;**
- (o) **Semi-detached Dwelling;**
- (p) **Sign – Class B;**
- (q) **Sign – Class C;**
- (r) **Sign – Class D;**

17P2009

12P2010

12P2010

- (b) provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 30.0 square metres; or
 - (ii) for every 45.0 square metres, where irrigation is provided by a **low water irrigation system**; and
 - (c) provide trees planted in a linear arrangement along the length of the **setback area**.
- (4) Where a **setback area** shares a **property line** with a **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
 - (b) may have a sidewalk along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.
- (5) Where a **setback area** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district** and there is no access from the **lane**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
 - (b) may have a sidewalk along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.

Minimum Required Motor Vehicle Parking Stalls

- 791 (1) Unless otherwise referenced in subsection (3), for **development** on **parcels** 0.4 hectares or less, the minimum number of **motor vehicle parking stalls**:
- (a) for a **Beauty and Body Service, Information and Service Provider, Personal Apparel Service, Pet Care Service, Photographic Studio, and Print Centre** is:
 - (i) 2.0 stalls per 100.0 square metres of **gross usable floor area** when those **uses** are located in a **building** that was legally existing or approved prior to the effective date of this Bylaw; or

38P2009,
23P2010

15P2008

- (ii) the minimum requirement for the **uses** as referenced in Part 4 when those **uses** are located in a **building** approved after the effective date of this Bylaw;
- (b) for each **Dwelling Unit** is:
 - (i) 0.75 **stalls** per **unit** for resident parking; and
 - (ii) 0.1 **visitor parking stalls**;
- (c) for each **Live Work Unit** is:
 - (i) 0.5 **stalls** per **unit** for resident parking; and
 - (ii) 0.5 **visitor parking stalls**;
- (d) for an **Office**, when located on floors above the ground floor is:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
 - (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (e) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**;
- (f) for a **Retail Store** is:
 - (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
 - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
 - (iii) where **Retail Store uses** are located on or below the ground floor, the cumulative number of stalls referenced in (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum of 3.0 stalls; and
- (g) for all other **uses** is the minimum requirement referenced in Part 4.

- (2) Unless otherwise referenced in sub-section (3), for **development** on **parcels** greater than 0.4 hectares, the minimum number of **motor vehicle parking stalls**:
- (a) for each **Dwelling Unit** is:
 - (i) 0.75 **stalls** per **unit** for resident parking; and
 - (ii) 0.1 **visitor parking stalls**;
 - (b) for each **Live Work Unit** is:
 - (i) 1.0 **stalls** per **unit** for resident parking; and
 - (ii) 0.5 **visitor parking stalls**;
 - (c) for an **Office**, when located on floors above the ground floor is:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
 - (ii) the cumulative number of stalls referenced in subsection (i) are reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
 - (d) for a **Retail Store** is:
 - (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
 - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
 - (iii) where **Retail Store uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 3.0 stalls; and
 - (e) for a **Child Care Service, Cinema, Conference and Event Facility, Drinking Establishment – Medium, Home Occupation – Class 1, Home Occupation Class – 2, Hotel, Library, Museum, Restaurant: Food Service Only – Medium, Restaurant: Licensed – Medium, Seasonal Sales Area, Special Function Tent – Commercial and Special Function Tent – Recreational** is the minimum requirement referenced in Part 4;
 - (f) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small, and Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**; and
 - (g) for all other **uses** is 3.5 stalls per 100.0 square metres of **gross usable floor area**.

38P2009, 23P2010

- (3) For a **Beauty and Body Service, Computer Games Facility, Convenience Food Store, Drinking Establishment – Small, Drinking Establishment – Medium, Liquor Store, Outdoor Café, Personal Apparel Service, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small or Retail Store**, located on the ground floor of a **building**, the minimum number of **motor vehicle parking stalls**:
- (a) In Area A, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where:
- (A) the **building** contains a **Dwelling Unit, Hotel or Office** above the ground floor; or
- (B) the **use area** is less than or equal to 465.0 square metres; and
- (ii) 1.0 stalls per 100.0 square metres of **gross usable floor area** in all other cases; and
- (b) In Area B, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where a **building** contains a **Dwelling Unit** above the ground floor;
- (ii) 0.0 stalls where the **use area** is less than or equal to 465.0 square metres, provided:
- (A) the **building** is only one **storey**; or
- (B) the **building** was legally existing or approved as of November 1, 2009; and
- (ii) 1.0 stalls per 100.0 square metres of **gross usable floor area** where the **use area** is greater than 465.0 square metres and where:
- (A) the **building** is only one **storey**; or
- (B) the **building** was legally existing or approved as of November 1, 2009; and
- (iv) in all other cases the minimum requirement referenced in subsections (1) and (2).

Excess Motor Vehicle Parking Stalls

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

Exclusive Use of Motor Vehicle Parking Stalls

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

Required Bicycle Parking Stalls

- 794** (1) The minimum number of *bicycle parking stalls – class 1* for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) no requirement where the number of *units* is less than 20; and
 - (ii) 0.5 stalls per *unit* when the total number of *units* equals or exceeds 20; and
 - (b) all other *uses* is the minimum requirement referenced in Part 4.
- (2) The minimum number of *bicycle parking stalls – class 2* for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) 2.0 stalls for *developments* of 20 *units* or less; and
 - (ii) 0.1 stalls per *unit* for *developments* of more than 20 *units*; and
 - (b) all other *uses* is 5.0 per cent of the minimum number of *motor vehicle parking stalls*.

38P2009



- (a) for each **Dwelling Unit** or **Live Work Unit** is 1.0 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.15 *visitor parking stalls* per *unit*; and
 - (c) for each **Live Work Unit** is 0.5 *visitor parking stalls* per *unit*.
- (4) The minimum *motor vehicle parking stall* requirement for an **Office**, when located on floors above the ground floor is:
- (a) 1.0 stalls per 100.0 square metres of *gross usable floor area*; and
 - (b) the cumulative number of stalls referenced in subsection (a) must be reduced by 0.75 stalls per 50.0 square metres of total *gross usable floor area* to a maximum reduction of 1.5 stalls.
- (5) Unless otherwise referenced in subsection (6.1), the minimum *motor vehicle parking stall* requirement for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small and Restaurant: Licensed – Small** is 1.7 stalls per 10.0 square metres of *public area*. 38P2009
- (6) Unless otherwise referenced in subsection (6.1), the minimum *motor vehicle parking stall* requirement for a **Retail Store** is: 38P2009
- (a) 4.0 stalls per 100.0 square metres of total *gross usable floor area* when located on floors above the ground floor;
 - (b) 2.0 stalls per 100.0 square metres of total *gross usable floor area* when located on or below the ground floor; and
 - (c) where **Retail Store** uses are located on or below the ground floor, the cumulative number of stalls referenced in (b) are reduced by 1.0 stall per 50.0 square metres of total *gross usable floor area* to a maximum of 3.0 stalls.
- (6.1) For a **Beauty and Body Service, Computer Games Facility, Convenience Food Store, Drinking Establishment – Small, Drinking Establishment – Medium, Food Kiosk, Liquor Store, Outdoor Café, Personal Apparel Service, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail Store**, located on the ground floor of a *building*, the minimum number of *motor vehicle parking stalls*: 38P2009,
23P2010
- (a) In Area A, as illustrated on Map 7.1, is:
 - (i) 0.0 stalls where:
 - (A) the *building* contains a **Dwelling Unit, Hotel, Multi-Residential Development** or **Office** above the ground floor; or
 - (B) the *use area* is less than or equal to 465.0 square metres; and
 - (ii) 1.0 stalls per 100.0 square metres of *gross usable floor area* in all other cases; and

- (b) In Area B, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where a **building** contains a **Dwelling Unit** or **Multi-Residential Development** above the ground floor;
 - (ii) 0.0 stalls where the **use area** is less than or equal to 465.0 square metres, provided:
 - (A) the **building** is only one **storey**; or
 - (B) the **building** was legally existing or approved as of November 1, 2009; and
 - (iii) 1.0 stalls per 100.0 square metres of **gross usable floor area** where the **use area** is greater than 465.0 square metres and where:
 - (A) the **building** is only one **storey**; or
 - (B) the **building** was legally existing or approved as of November 1, 2009; and
 - (iv) in all other cases, the minimum requirement referenced in subsections (5) (6) and (7).
- (7) The minimum **motor vehicle parking stall** requirement for all other **uses** is the requirement referenced in Part 4.

Bicycle Parking Stall Requirement

- 1108 (1)** The minimum number of **bicycle parking stalls – class 1** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) no requirement where the number of **units** is less than 20; and
 - (ii) 0.5 **stalls** per **unit** where the total number of **units** equals or exceeds 20; and
 - (b) all other uses is the minimum requirement referenced in Part 4.
- (2)** The minimum number of **bicycle parking stalls – class 2** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) 2.0 stalls for **developments** of 20 **units** or less; and
 - (ii) 0.1 stalls per **unit** for **developments** of more than 20 **units**; and
 - (b) all other **uses** is 5.0 per cent of the minimum number of **motor vehicle parking stalls**.

Exclusive Use of Bicycle Parking Stalls

- 1109** **Bicycle parking stalls – class 1** provided for **Dwelling Units** and **Live Work Units** are for the exclusive use of residents.

Accessory Residential Buildings

- 1110 (1) An Accessory Residential Building:**
- (a) may have an **amenity space** in the form of a **deck** or a **patio**;
 - (b) must not be located in a required **setback area**; and
 - (c) must not be located between a **building** containing **Dwelling Units** and a **street**.
- (2) The maximum gross floor area of an Accessory Residential Building is:**
- (a) 74.0 square metres when approved as storage, garbage containers and recycling facilities; and
 - (b) 100.0 square metres when approved and used as a **private garage**.
- (3) The maximum height for an Accessory Residential Building when approved as a private garage is 5.0 metres measured from grade.**

Objects Prohibited or Restricted

- 1111 (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 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**; and
 - (b) 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**.

Driveway Length and Parking Areas

- 1112 (1) A driveway** must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and

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

Vehicle Access

- 1113 (1) Unless otherwise referenced in subsection (2), where the **parcel** shares a **rear** or **side property line** with a **lane**, all vehicle access to the **parcel** must be from the **lane**.
- (2) Where a **parcel** shares a **rear** or **side property line** with a **lane** but access from the **lane** is not physically feasible due to elevation differences between the **parcel** and the **lane**, all vehicle access must be from a **street**.

Uses At Grade

- 1114 (1) An exterior access facing a **street** must be provided for each individual **use** or **unit** located on the floor closest to **grade** facing a **street**, which must be connected to the public sidewalk by an individual walkway.
- (2) For **laned parcels**, the area between a **building** and a **street** must:
 - (a) be a **landscaped area**;
 - (b) not provide motor vehicle access, parkade access, garbage or loading access; and
 - (c) not contain **motor vehicle parking stalls, loading stalls, garbage facilities** or parkade and building venting.

Garbage

- 1115 Garbage containers and waste material must be stored inside the **main residential building**.

Recycling Facilities

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

Mechanical Screening

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

Visibility Setback

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

Retaining Walls

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

Fences

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

Parcel Access

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

Motor Vehicle Parking Stall Requirements

- 1157 (1)** For **developments** containing **Dwelling Units** or **Live Work Units**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.75 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls** per **unit**; and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.
- (2)** Unless otherwise referenced in sub-section (4), for **development** on parcels 0.4 hectares or less, the minimum **motor vehicle parking stall** requirement:
- (a) for a **Beauty and Body Service, Information and Service Provider, Personal Apparel Service, Pet Care Service, Photographic Studio, and Print Centre** is:
 - (i) 2.0 stalls per 100.0 square metres of **gross usable floor area** when those **uses** are located in an existing approved **building** prior to the effective date of this Bylaw; or
 - (ii) the minimum requirement for the **uses** as referenced in Part 4 when those **uses** are located in a **building** approved after the effective date of this Bylaw.
 - (b) for an **Office**, when located on floors above the ground floor is:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
 - (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
 - (c) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**;
 - (d) for a **Retail Store** is:
 - (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
 - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
 - (iii) where **Retail Store** uses are located on or below the ground floor, the cumulative number of stalls referenced in (ii) must be reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum of 3.0 stalls; and

38P2009

38P2009

- (e) for all other **uses** is the requirement referenced in Part 4.
- (3) Unless otherwise referenced in sub-section (4), for **development on parcels** greater than 0.4 hectares, the minimum **motor vehicle parking stall** requirement:
- (a) for an **Office**, when located on floors above the ground floor, is:
- (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
- (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (b) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**;
- (c) for a **Retail Store** is:
- (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
- (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
- (iii) where **Retail Store** uses are located on or below the ground floor, the cumulative number of stalls referenced in (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum of 3.0 stalls; and
- (d) for all other **uses** is 3.5 stalls per 100.0 square metres of **gross usable floor area**.

38P2009, 23P2010

- (4) For a **Beauty and Body Service, Computer Games Facility, Convenience Food Store, Drinking Establishment – Small, Drinking Establishment – Medium, Food Kiosk, Liquor Store, Outdoor Café, Personal Apparel Service, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail Store**, located on the ground floor of a **building**, the minimum number of **motor vehicle parking stalls**:
- (a) In Area A, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where:
- (A) the **building** contains a **Dwelling Unit, Hotel, Multi-Residential Development** or **Office** above the ground floor; or

- (B) the **use area** is less than or equal to 465.0 square metres; and
- (ii) 1.0 stalls per 100.0 square metres of **gross usable floor area** in all other cases; and
- (b) in Area B, as illustrated on Map 7.1, is:
 - (i) 0.0 stalls where a **building** contains a **Dwelling Unit** or **Multi-Residential Development** above the ground floor;
 - (ii) 0.0 stalls where the **use area** is less than or equal to 465.0 square metres, provided:
 - (A) the **building** is only one **storey**; or
 - (B) the **building** was legally existing or approved as of November 1, 2009;
 - (iii) 1.0 stalls per 100.0 square metres of **gross usable floor area** where the **use area** is greater than 465.0 square metres and where:
 - (A) the **building** is only one **storey**; or
 - (B) the **building** was legally existing or approved as of November 1, 2009; and
 - (iv) in all other cases, the minimum requirement referenced in subsections (2) and (3).

Exclusive Use of Motor Vehicle Parking Stalls

75P2008

1158 **Motor vehicle parking stalls** required for **uses** in accordance with the District requirement referenced in section 1157(2)(d) must not be signed or in any way identified as being other than for the use of all users of the **parcel**.

Required Bicycle Parking Stalls

- 1159** (1) The minimum number of **bicycle parking stalls – class 1** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) no requirement where the number of **units** is less than 20; and
 - (ii) 0.5 stalls per **unit** where the total number of **units** equals or exceeds 20; and
 - (b) all other **uses** is the minimum requirement referenced in Part 4.
- (2) The minimum number of **bicycle parking stalls – class 2** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:

- (i) 2.0 stalls for **developments** of 20 **units** or less; and
 - (ii) 0.1 stalls per **unit** for **developments** of more than 20 **units**; and
- (b) all other **uses** is 5.0 per cent of the minimum number of **motor vehicle parking stalls**.

Exclusive Use of Bicycle Parking Stalls

1160 **Bicycle parking stalls – class 1** provided for **Dwelling Units** and **Live Work Units** are for the exclusive use of residents.

Parcel Access

1161 All **developments** must comply with the access requirements of the **Controlled Streets Bylaw**.

Division 3: Centre City East Village Mixed Use District (CC-EMU)

Purpose

1247 The Centre City East Village Mixed Use District is intended to provide for:

- (a) a mix of commercial and residential **uses**;
- (b) **uses** that are sensitive to adjacent districts that allow for primarily residential **uses**;
- (c) a range of intensity of **development** where intensity is measured by **floor area ratio**; and
- (d) a **building** form that is street oriented at **grade**.

Permitted Uses

1248 (1) The following **uses** are **permitted uses** in the Centre City East Village Mixed Use District:

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

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

- (a) **Accessory Food Service**;
- (b) **Accessory Liquor Service**;
- (c) **Beauty and Body Service**;
- (d) **Convenience Food Store**;
- (e) **Fitness Centre**;
- (f) **Information and Service Provider**;
- (g) **Museum**;
- (h) **Personal Apparel Service**;
- (i) **Pet Care Service**;

- (j) **Photographic Studio;**
- (k) **Restaurant: Food Service Only – Small;**
- (l) **Retail Store;** and
- (m) **Take Out Food Service.**

Discretionary Uses

- 1249 (1)** The following *uses* are **discretionary uses** in the Centre City East Village Mixed Use District only if they were legally existing or approved prior to the effective date of this Bylaw:
- (a) **Parking Lot – Grade.**
- (2)** *Uses* listed in subsection 1248(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Mixed Use District.
- (3)** The following *uses* are **discretionary uses** in the Centre City East Village Mixed Use District:
- (a) **Assisted Living;**
 - (b) **Child Care Service;**
 - (c) **Community Entrance Feature;**
 - (d) **Drinking Establishment – Medium;**
 - (e) **Drinking Establishment – Small;**
 - (f) **Dwelling Unit;**
 - (g) **Home Occupation - Class 2;**
 - (h) **Hotel;**
 - (i) **Live Work Unit;**
 - (j) **Medical Clinic;**
 - (k) **Office;**
 - (l) **Outdoor Café;**
 - (m) **Post-secondary Learning Institution;**
 - (n) **Residential Care;**
 - (o) **Restaurant: Food Service Only – Medium;**
 - (p) **Restaurant: Licensed – Medium;**
 - (q) **Restaurant: Licensed – Small;**
 - (r) **School – Private;**
 - (s) **School Authority - School;**

- (t) **Seasonal Sales Area;**
 - (u) **Service Organization;**
 - (v) **Sign – Class B;**
 - (w) **Sign – Class C;**
 - (x) **Sign – Class D;**
 - (y) **Sign – Class E;**
 - (z) **Social Organization;** and
 - (aa) **Utility Building.**
- (4) The following **uses** are additional **discretionary uses** when they face a **street** located within Area C as illustrated on Map 10:
- (a) **Market;**
 - (b) **Specialty Food Store;** and
 - (c) **Veterinary Clinic.**
- (5) The following **uses** are additional **discretionary uses** when located within **buildings** designated as a Municipal Historic Resources pursuant to the *Historical Resources Act*:
- (a) **Restaurant: Food Service Only – Large;** and
 - (b) **Restaurant: Licensed – Large.**

Rules

1250 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses and Use Rules referenced in Part 4.

Density

- 1251 (1)** The maximum **floor area ratio** for **development** on **parcels** when located within Area C as illustrated on Map 10 is 3.0.
- (2)** For all other **parcels**, the maximum **floor area ratio** is:
- (a) 6.65 for an **East Village – High Rise Building;** and
 - (b) 5.65 for an **East Village – Mid Rise Building.**
- (3)** In this section, for the purpose of calculating **floor area ratio**:
- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
 - (i) **Child Care Service;**

- (ii) **Community Entrance Feature;**
 - (iii) **Museum;**
 - (iv) **Protective and Emergency Service;**
 - (v) **School – Private;**
 - (vi) **Service Organization;**
 - (vii) **Social Organization;** and
 - (viii) **Utilities;** and
- (b) the total density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, may be excluded to a maximum of 3.0 **floor area ratio**.

Location of Uses within Buildings

1252 (1) The following **uses** may only be located on the first or second **storey** of a **building** when they face a **street** located within Area D as illustrated on Map 10:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Beauty and Body Service;**
- (d) **Convenience Food Store;**
- (e) **Drinking Establishment – Medium;**
- (f) **Drinking Establishment – Small;**
- (g) **Information and Service Provider;**
- (h) **Medical Clinic;**
- (i) **Museum;**
- (j) **Outdoor Café;**
- (k) **Personal Apparel Service;**
- (l) **Pet Care Service;**
- (m) **Photographic Studio;**
- (n) **Restaurant: Food Service Only – Medium;**
- (o) **Restaurant: Food Service Only – Small;**
- (p) **Restaurant: Licensed – Medium;**
- (q) **Restaurant: Licensed – Small;**
- (r) **Retail Store;**
- (s) **Seasonal Sales Area;** and
- (t) **Take Out Food Service.**

Use Area

- 1253** (1) Unless otherwise referenced in subsections (2) or (3), the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2) Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors.
- (3) The maximum **use area** of a:
- (a) **Accessory Food Service** is 15.0 square metres; and
 - (b) **Medical Clinic** is 200.0 square metres:

Building Height

- 1254** For **buildings** located within Area C as illustrated on Map 10 the maximum **building height** is 14.5 metres, not to exceed 3 **storeys**.

Use Area Width

- 1255** For **parcels** located within Area C as illustrated on Map 10:
- (a) a **use area** may have a maximum of one entrance on each **street** and the maximum width of a **use area** on the ground floor that faces a **street** is 7.5 metres in width.

Motor Vehicle Parking Stalls

- 1256** The minimum number of required **motor vehicle parking stalls**, **visitor parking stalls**, and **bicycle parking stalls – class 1** and **class 2** is the required amount specified in the General Rules for Centre City East Village Districts referenced in Part 12, Division 1.

SCHEDULE A

Groups of Uses

AGRICULTURE AND ANIMAL GROUP

Extensive Agriculture
Kennel
Tree Farm
Veterinary Clinic

AUTOMOTIVE SERVICE GROUP

Auto Body and Paint Shop
Auto Service – Major
Auto Service – Minor
Bulk Fuel Sales Depot
Car Wash – Multi-Vehicle
Car Wash – Single Vehicle
Fleet Service
Gas Bar
Large Vehicle Service
Large Vehicle Wash
Recreational Vehicle Service

CARE AND HEALTH GROUP

Addiction Treatment
Child Care Service
Custodial Care
Health Services Laboratory – With Clients
Hospital
Medical Clinic
Residential Care

CULTURE AND LEISURE GROUP

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

DIRECT CONTROL USES

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

EATING AND DRINKING GROUP

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

GENERAL INDUSTRIAL GROUP

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

INDUSTRIAL SUPPORT GROUP

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

INFRASTRUCTURE GROUP

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

OFFICE GROUP

Counselling Service
Office
Service Organization

PERSONAL SERVICE GROUP

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

RESIDENTIAL GROUP

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

SALES GROUP

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

SIGNS GROUP

Community Entrance Feature

Sign – Class A

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

Sign – Class B

Fascia Identification Sign

Sign – Class C

Freestanding Identification Sign

Sign – Class D

Canopy Identification Sign
 Projecting Identification Sign

Sign – Class E

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

Sign – Class F

Third Party Advertising Sign

STORAGE GROUP

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

SUBORDINATE USE GROUP

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

TEACHING AND LEARNING GROUP

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