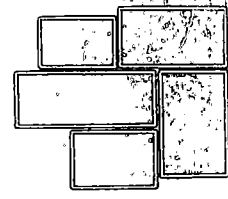


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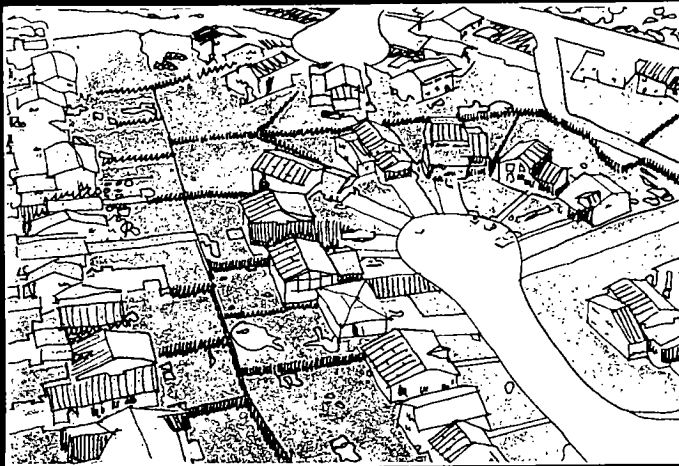
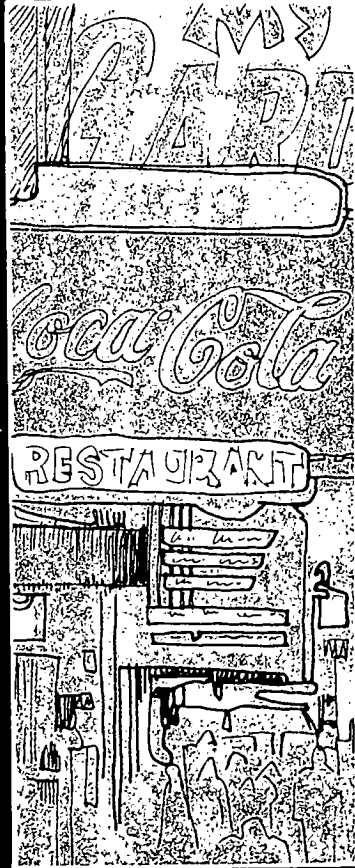
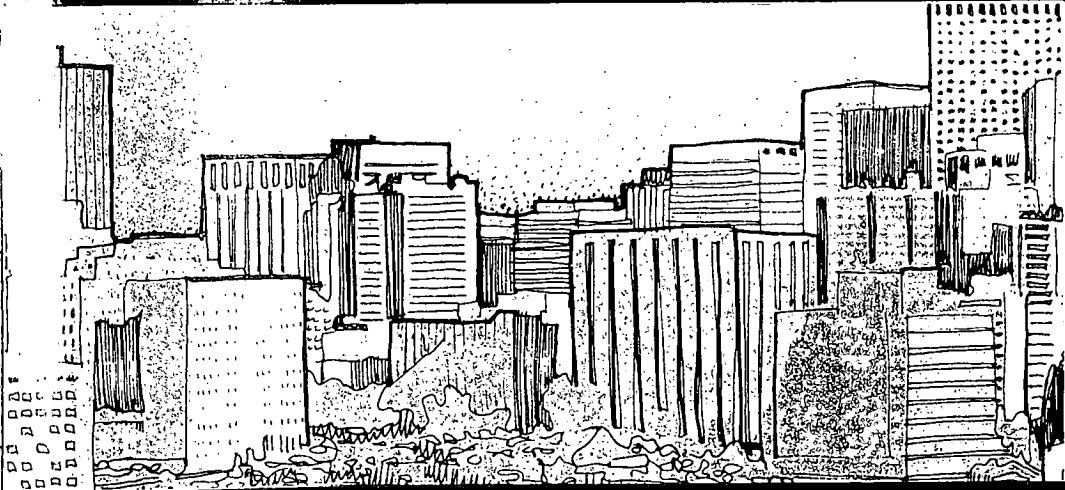
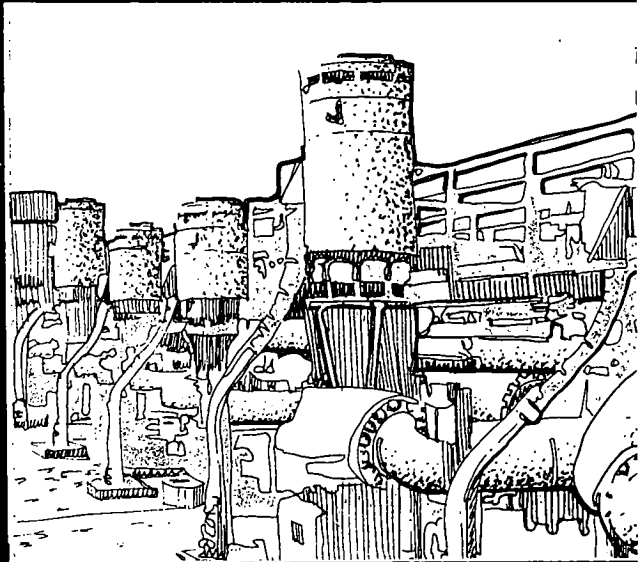
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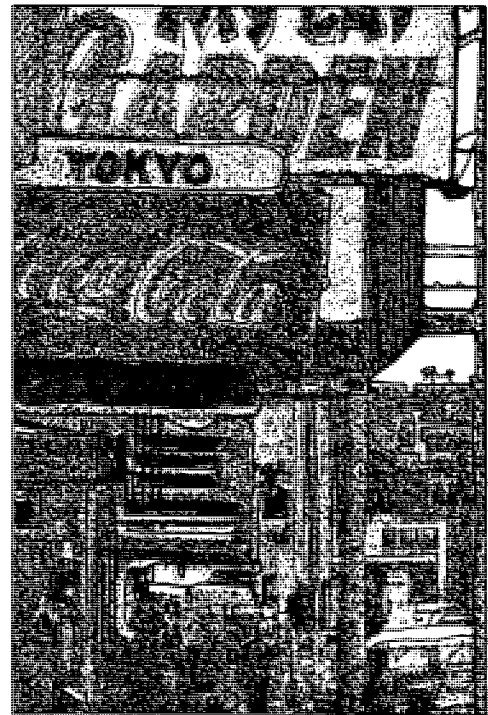
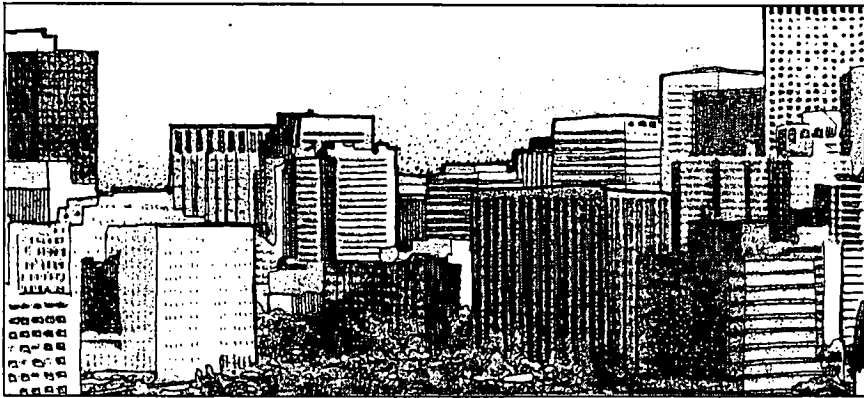
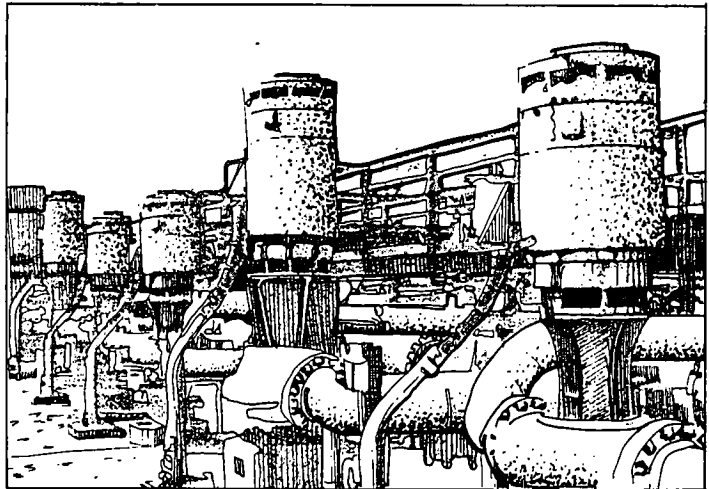
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**NOTE:** Bylaw 5996 was adopted by City Council on July 3, 1980 and became effective on that date. A record of bylaws amending the text of Bylaw 5996, adopted by Council since July 3, 1980, is contained on the following pages.

This document has been consolidated for convenience only. The Official Bylaw and amendments thereto, available from the Office of the City Clerk, should be consulted for all purposes of interpretation and application.

Questions concerning the interpretation and application of the Bylaw may be directed to the Land Use Planning Section (428-4180 or 428-3450) of the Planning and Building Department.

## RECORD OF TEXT AMENDMENTS TO EDMONTON LAND USE BYLAW 5996

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The Land Use Bylaw 5996 was adopted by City Council on July 3, 1980.

Following is a list of Bylaws adopted by Council subsequent to July 3, 1980 which amended the text of the Land Use Bylaw. The list is in chronological order, based on the adoption dates of City Council. The list does not include Bylaws which amend Appendix III, the Land Use Map.

<u>Adoption Date</u>	<u>Bylaw No.</u>	<u>Content</u>
<u>1980</u>		
September 9, 1980	6190	Comprehensive Text Amendments
September 24, 1980	6206	Belvedere Statutory Plan Overlay (SPO) (Section 820B)
<u>1981</u>		
February 10, 1981	6358	Redistricting Fees
February 24, 1981	6260	Belvedere SPO revisions (Section 820B)
March 10, 1981	6375	Development Application Fees (Section 21)
June 24, 1981	6471	Apartment Housing
June 24, 1981	6472	DC3 District (Section 4.5)
September 9, 1981	5998	Oliver SPO (Section 820A)
September 9, 1981	6390	Boyle Street/McCauley SPO (Section 820D)
September 27, 1981	6380	Old Strathcona SPO (Section 820C)
October 27, 1981	6627	Development Agreement Fees
November 10, 1981	6626	Comprehensive Text Amendments
November 24, 1981	6502	Downtown SPO (Section 820E)
December 8, 1981	6721	Development Agreement Fees
<u>1982</u>		
January 26, 1982	6748	Redistricting Fees
February 23, 1982	6388	Central McDougall SPO (Section 820F)
March 10, 1982	6855	Public Education (Section 620.3)
March 10, 1982	6858	Warehouse Sales - IM District
May 11, 1982	6610	Sign Regulations
May 25, 1982	6220	Fraternity and Sorority Housing - Garneau Area Redevelopment Plan, and Garneau SPO (Section 820G)
June 14, 1982	6934	Site Area (Section 51.2)
August 17, 1982	6968	Religious Assembly - CNC District
October 12, 1982	7049	DC5 District (Section 750)
October 12, 1982	7057	Amend Central McDougall SPO and other text amendments
December 14, 1982	6985	Garneau SPO amendments (Section 820G)
December 14, 1982	7016	Comprehensive Text Amendments

## RECORD OF TEXT AMENDMENTS TO EDMONTON LAND USE BYLAW 5996

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### 1983

January 11, 1983	6768	Montrose/Santa Rosa SPO (Section 820H)
January 26, 1983	7138	Redistricting Fees
February 8, 1983	6766	Parkdale SPO (Section 820 I)
April 13, 1983	7144	Development Agreement Fees
September 16, 1983	7322	Comprehensive Text Amendments
September 27, 1983	7229	Group Homes

### 1984

January 24, 1984	7418	Portable Signs
February 28, 1984	7428	Development Application and Agreement Fees
December 11, 1984	7541	Amusement Establishments

### 1985

February 26, 1985	7187	North Saskatchewan River Valley and Ravine System Protection Overlay (Section 811)
March 12, 1985	7728	Comprehensive Text (Secondhand Stores)
March 12, 1985	7729	Powers of the Municipal Planning Commission
April 23, 1985	7726	"P" Designator (SPO maps), etc.
August 13, 1985	7802	Downtown SPO amendments (Section 820E), etc.

### 1986

January 28, 1986	8068	Development Application, Development Agreement, and Redistricting Application Fees
March 25, 1986	7971	Cloverdale SPO (Section 820J), Floodplain Information and Overlay
May 13, 1986	8223	Establishment of Development Officer
June 10, 1986	8206	Parking Standards for Religious Assemblies
June 10, 1986	8138	Rossdale SPO (Section 820K), Floodplain Overlay
September 24, 1986	8324	Sign Regulations: CNC/CSC sites and Balloon Signs
September 24, 1986	8157	Scona East SPO (Section 820L)

### 1987

January 27, 1987	8376	Development Application, Development Agreement, and Redistricting Application Fees
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**SECTION OPERATIVE AND  
140 INTERPRETIVE CLAUSES**

## 1. Title and Contents

*Bylaw 6626*  
*November 10, 1981*

### 1.1 Title

This Bylaw may be cited as the Edmonton Land Use Bylaw.

*Bylaw 6190*  
*September 9, 1980*  
*Bylaw 6626*  
*November 10, 1981*

### 1.2 Contents of Bylaw

The contents of this Bylaw shall include:

- a) Part I, comprising this Section 2 to Section 99, both inclusive and also all appurtenant Schedules and Appendices to those Sections;
- b) Part II, comprising all of the District Clauses, being Section 110 to Section 990, both inclusive, and also all appurtenant Schedules and Appendices to those Sections;
- c) Part III, comprising the Land Use District Map; and
- d) Part IV, comprising all Direct Control provisions adopted by City Council pursuant to the provisions of Section 750 of this Bylaw.

*Bylaw 7728*  
*March 12, 1985*

### 1.3 Headings and Titles

Notwithstanding any other provision of this Bylaw or any other Bylaw passed by Council to the contrary, headings and titles within this Bylaw shall be deemed to form a part of the text of this Bylaw.

## 2. Previous Legislation

2.1 No provision of any other bylaw with respect to zoning, development control, development schemes and land use classifications shall hereafter apply to any parts of the City described in this Bylaw, subject to the transitional provisions of this Bylaw.

2.2 The following legislation is hereby repealed:

- 1) Bylaw No. 2135, The Zoning Bylaw, as amended;
- 2) Bylaw No. 4949, The Development Control Bylaw, as amended; and

- 3) Development Control Resolution Number 1 and the Land Use Classification Guide and Schedule of Permitted Uses for Areas not included under the Zoning Bylaw.

**2.3** The following Development Scheme Bylaws are hereby repealed:

- 1) Bylaw No. 4761, Norwood Development Scheme Bylaw, as amended;
- 2) Bylaw No. 3975, Canora Neighbourhood Development Scheme Bylaw, as amended;
- 3) Bylaw No. 4640, Clarke Field Development Scheme Bylaw; and
- 4) Bylaw No. 2523, Industrial Ring Road Development Scheme Bylaw, as amended.

**3. Effective Date**

*Bylaw 6190  
September 9, 1980*

This Bylaw came into force and took effect on July 3, 1980.

**4. Transitional Provisions**

**4.1 District Equivalencies for the Purpose of Interpreting the Transitional Provisions**

Notwithstanding any differences in the regulations of the applicable District and for the sole purpose of interpreting the transitional provisions of this Section 4, the land use Districts of this Bylaw are deemed to be equivalent to the zoning districts of Bylaw No. 2135 and land use classifications of the Land Use Classification Guide as specified below:

- |      |                             |                       |
|------|-----------------------------|-----------------------|
| (1)  | RF1 is deemed equivalent to | RRA, RRB, RRC and R-1 |
| (2)  | RF2 is deemed equivalent to | R-1A                  |
| (3)  | RF3 is deemed equivalent to | RC-1                  |
| (4)  | RF4 is deemed equivalent to | R-2                   |
| (5)  | RF5 is deemed equivalent to | R-2A                  |
| (6)  | RA7 is deemed equivalent to | R-3 and R-4           |
| (7)  | RA8 is deemed equivalent to | R-5 and R-3A          |
| (8)  | RA9 is deemed equivalent to | R-6                   |
| (9)  | RR is deemed equivalent to  | AR and AS             |
| (10) | RMH is deemed equivalent to | RMH-1 and RMH-2       |
| (11) | CNC is deemed equivalent to | C-1                   |
| (12) | CSC is deemed equivalent to | C-2                   |
| (13) | CB1 is deemed equivalent to | C-2A                  |
| (14) | CB2 is deemed equivalent to | C-3 and C-9           |



**SECTION 1-10 OPERATIVE AND INTERPRETIVE CLAUSES**

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- |      |   |                |
|------|---|----------------|
| (15) | CHY is deemed equivalent to   | C-8            |
| (16) | IB is deemed equivalent to  | M-1            |
| (17) | IM is deemed equivalent to  | M-2            |
| (18) | IH is deemed equivalent to  | M-3            |
| (19) | AG is deemed equivalent to  | AG             |
| (20) | AGU is deemed equivalent to   | AG-UR and AG-U |
| (21) | AGI is deemed equivalent to   | AG-MR1         |
| (22) | A is deemed equivalent to   | A              |
| (23) | AP is deemed equivalent to  | AP             |
| (24) | US is deemed equivalent to  | P-1 and P-2    |
| (25) | PU is deemed equivalent to  | P-1            |
| (26) | MA is deemed equivalent to  | MA             |
| (27) | DC2 is deemed equivalent to   | CD1            |
| (28) | Residential Districts followed by a "p" designator are deemed equivalent to | P-3            |

*Bylaw 6626  
November 10, 1981*

**4.2 Special Provisions Respecting Conformity**

- 1) Notwithstanding its non-conformity with other provisions of this Bylaw regulating minimum site size or site dimensions, where a development permit has been issued in accordance with the regulations of a zoning district of Bylaw No. 2135 or a land use classification of the Land Use Classification Guide, the development shall be deemed conforming to the regulations governing site size and site dimensions of the equivalent land use District of this Bylaw. Where the dimensions of a site are larger than required under Zoning Bylaw No. 2135 or the Land Use Classification Guide, but less than required by the Land Use Bylaw developments on the site shall not be deemed conforming, if the dimensions of the site are reduced through subsequent consolidation or resubdivision.
- 2) Notwithstanding its noncompliance with the development regulations governing site size or site dimensions of the Land Use District applying to it on the date this Bylaw came into effect, the Development Officer may issue a development permit for a site which would have conformed with the regulations governing minimum site size and site dimensions of the equivalent zoning district of the Zoning Bylaw No. 2135 or land use classification of the Land Use Classification Guide, provided that the subdivision creating the site was approved prior to the date this Bylaw came into effect.
- 3) Notwithstanding its nonconformity with provisions of this Bylaw regulating maximum height, minimum setbacks, yards, separation spaces, the provision of amenity areas, design requirements relating to the integration of uses

*Bylaw 6190  
September 9, 1980*

within buildings, or the provision of access to building areas, where a development permit has been issued for a building in accordance with the regulations of a zoning district of Bylaw No. 2135 or a land use classification of the Land Use Classification Guide, the building shall be deemed conforming to the specified regulations of the equivalent land use District of this Bylaw. Where this allows such buildings to be enlarged or added to, any enlargement or addition shall conform to all of the provisions of this Bylaw.

- 4) If a development permit has been issued for a building in accordance with the development standards of a zoning district of Bylaw No. 2135 or a land use classification of the Land Use Classification Guide, the building shall be deemed conforming to the equivalent development standards of the equivalent Land Use District of this Bylaw where, in the opinion of the Development Officer, any difference in the standards is due solely to metric conversion and any arithmetic rounding-off associated with such conversion. Where this allows such buildings to be enlarged or added to, any enlargement or addition shall conform to the metric standards of this Bylaw.

*Bylaw 6610  
May 11, 1982*

**4.3 Deleted**

**4.4 Community and Neighbourhood Improvement Plans**

Wherever the regulations of this Bylaw require reference to the policies or provisions of a Statutory Plan, the Development Officer shall in the case of Calder, Canora, Groat Estate, Norwood and Riverdale also refer, for that purpose, to the policies and provisions of the applicable Community Plan or Neighbourhood Improvement Plan adopted prior to the effective date of this Bylaw. Where the provisions of plans refer to districts of Zoning Bylaw No. 2135 or the Land Use Classification Guide, the Development Officer shall have regard to them, insofar as they are applicable, with respect to equivalent Land Use Districts as specified in Section 4.1.

**4.5 Transitional Use of the DC3, Temporary Holding District**

Where the DC3 District is applied to land on the effective date of this bylaw, the term "previous land use designation" shall refer to the land use classification under the Land Use Classification Guide applying to the land immediately prior to the effective date of this Bylaw. Any regulations respecting use or

development previously applying to the land by virtue of this classification, whether contained in Bylaw No. 2135, Bylaw No. 4949, Development Control Resolution No. 1, the Land Use Classification Guide, or the Schedule of Permitted Uses for Areas not included under the Zoning Bylaw shall remain in force under this Bylaw in accordance with the provisions of the DC3 District.

*Bylaw 6472  
June 24, 1981*

Notwithstanding the maximum period of application and reversion provisions of Section 730.2 Clause (2); where land is districted DC3 on the effective date of this Bylaw No. 5996, the DC3 District shall remain in effect until this Bylaw is amended to apply another Land Use District.

**4.6 Development Application in Process**

An application for a development permit which is received in its complete and final form prior to the effective date of this Bylaw shall be processed and any permit issued shall be in accordance with Bylaw No. 2135 or Bylaw No. 4949 and the regulations thereto, as applicable.

**4.7 Rezoning and Reclassification Amendments in Process**

An application for amendment to Bylaw No. 2135, or to Resolutions adopted pursuant to Bylaw No. 4949 which has been:

- 1) received by the Municipal Planning Commission in a complete and final form in accordance with the requirements of Bylaw No. 2135 or Bylaw No. 4949, or
- 2) considered by the Municipal Planning Commission,

prior to the effective date of this Bylaw; may, notwithstanding any additional application or procedural requirements of this Bylaw, be considered and adopted by City Council, without reapplication or reconsideration by the Municipal Planning Commission, as an application to redistrict to the equivalent Land Use District of this Bylaw as specified in Section 4.1.

**5. Non-Conforming Buildings, Structures and Uses**

**5.1 Where**

- 1) on or before the day on which this Bylaw or any Bylaw for the amendment thereof comes into force, a development permit has been issued, and

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- 2) the enactment of the Bylaw would render the development in respect of which the permit was issued, a non-conforming use or non-conforming building,

the development permit continues in effect, notwithstanding the enactment of the Bylaw referred to in Clause (2).

**5.2** A non-conforming use of land or a non-conforming use of a building may be continued, but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw.

**5.3** A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a non-conforming building shall not be enlarged or added to and no structural alterations shall be made thereto or therein.

**5.4** A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.

**5.5** A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt or structurally altered except:

- 1) as may be necessary to make it a conforming building, or
- 2) as the Development Officer considers necessary for the routine maintenance of the building.

**5.6** If a non-conforming building is damaged or destroyed to the extent of more than 75 per cent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the provisions of this Bylaw.

**5.7** The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

**5.8** Where a development permit has been issued for a building in a District which specifies that development shall comply with development regulations of the most restrictive abutting District, it shall be interpreted as referring to the Land Use Districts which were abutting at the time the permit was issued. Notwithstanding a subsequent amendment to this Bylaw which results in a more restrictive abutting District, the building shall remain conforming and the more restrictive regulations shall apply only if the building is rebuilt or to any enlargement or addition.

*Bylaw 6626  
November 10, 1981*

- 5.9** A building which does not satisfy the regulations of this Bylaw may be deemed to conform to this Bylaw pursuant to Sections 11.5 and 11.6. Where this allows such buildings to be enlarged or added to, any enlargement or addition shall meet all of the requirements of this Bylaw.

## **6. The Land Use District Map**

- 6.1** The Land Use District Map is Part III of this Bylaw. It divides the City of Edmonton into Districts, and specifies the District or Overlay provisions applying to particular lands.

### **6.2 District Boundaries**

Should uncertainty or dispute arise relative to the precise location of the boundary of any Land Use District or Overlay, as depicted on the Land Use District Map, the location shall be determined by applying the following rules:

- 1) where a District boundary is shown as approximately following the centre of streets, lanes or other public thoroughfares, it shall be deemed to follow the centre line thereof;
- 2) where a District boundary is shown as approximately following the boundary of a site, the site boundary shall be deemed to be the boundary of the District for that portion of the District boundary which approximates the site boundary;
- 3) where a District boundary is shown approximately following City limits, it shall be deemed to be following City limits;
- 4) where a District boundary is shown as approximately following the centre of pipelines, railway lines, or utility easements, it shall be deemed to follow the centre line of the right-of-way thereof;
- 5) where a District boundary is shown as approximately following the edge or shore lines of the North Saskatchewan River, or other bodies of water, it shall be deemed to follow such lines, and in the event of change in such edge or shorelines, it shall be deemed as moving with the same;

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*Bylaw 7729  
March 12, 1985*

- 6) where a District boundary is shown as being parallel to or as an extension of features noted above, it shall be so construed;
- 7) where a District boundary is shown as approximately following a topographic contour line or a top-of-bank line, it shall be deemed to follow such line, and in the event of change in such line, it shall be deemed as moving with that line;
- 8) where features on the ground are at variance with those shown on the Land Use District Map or in other circumstances not mentioned above, the Development Officer shall interpret the District boundaries. Any such decision may be appealed to the Development Appeal Board; and
- 9) where a Land Use District boundary is not located in conformity to the provisions of Clauses (1) to (8) of this Section 6.2, and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Land Use District Map or by measurements directly scaled from that Map.

**6.3 Street and Highway Boundaries**

- 1) Notwithstanding anything contained in this Bylaw, no Land Use District shall be deemed to apply to any public roadway and any public roadway may be designed, constructed, widened, altered, redesigned and maintained in such manner as may be determined by the City Engineer.
- 2) Where any public roadway is closed pursuant to the provisions of the Municipal Government Act, being Chapter 246 of the Revised Statutes of Alberta, 1970, as amended, the land contained therein shall there upon be deemed to carry the same Land Use District as the abutting land.
- 3) Notwithstanding Clause (2) above, where such abutting lands are governed by different Land Use Districts, the centre line of the public roadway shall be deemed to be the Land Use District boundary.

## 7. Approval Required for Development

No person

- 1) shall commence, or cause or allow to be commenced, a development without a development permit therefor issued under the provisions of Section 14 of this Bylaw, or
- 2) shall carry on, or cause or allow to be carried on a development without a development permit therefor issued under Section 14 of this Bylaw.

## 8. Compliance With Other Legislation

A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:

- 1) the requirements of the Alberta Uniform Building Standards Act;
- 2) the Edmonton Building Permit Bylaw;
- 3) the requirements of any other appropriate federal, provincial or municipal legislation;
- 4) the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

## 9. Definitions

*Bylaw 6610*  
*May 11, 1982*

### 9.1 General Definitions

Terms and words in this Bylaw which are defined in the Planning Act have the meaning expressed in that Act. Other terms and words, unless the context otherwise requires, are defined as follows:

- 1) **Abut or abutting** means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site, or piece of land, and shares a property line or boundary line with it.
- 2) **Accessory** means, when used to describe a use or building, a use or building naturally or normally

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incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site.

- 3) **Act** means the Planning Act, 1977, as amended.
- 4) **Amenity Area** means:
  - a) with respect to Residential Use Classes, space provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common, subject to the regulations of this Bylaw; and
  - b) with respect to non-Residential Use Classes, space provided for the active or passive recreation and enjoyment of the public, during the hours which the development is open to the public, which shall be owned and maintained by the owners of the development, subject to the regulations of this Bylaw.
- 5) **Amenity Area, Private Outdoor** means required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular dwelling and which is immediately adjacent to and directly accessible from the dwelling it is to serve.
- 6) **Bachelor Suite** means a Dwelling in which the sleeping and living areas are combined and which, in the opinion of the Development Officer, is not reasonably capable of being developed as a unit containing one or more bedrooms.
- 7) **Basement** means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.85 m (6.07 ft.) of its clear height which lies below the finished level of the floor directly above.
- 8) **Blank Walls** means exterior walls containing no windows, doors or other similar openings.
- 8a) **Building Envelope** means, for the purpose of application through a Statutory Plan Overlay, a graphical illustration and accompanying regulations which define the maximum volume or extent of space within which a development may be designed relative to its site

*Bylaw 6502  
November 24, 1981*

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boundaries or a public roadway, and which indicates required design elements.

- 9) **City Engineer** means the City Engineer for the City of Edmonton.
- 10) **Commissioner** means a person appointed pursuant to Section 8 of the Municipal Government Act, 1970, as amended.
- 11) **Community** means, when used with respect to Housing, that the Housing is located on a site either owned by, or under long-term lease to, the Alberta Housing Corporation or the City of Edmonton to provide Housing under a social housing program.
- 12) **Conversion** means a change in use of land or a building or an act done in relation to land or a building that results, or is likely to result, in a change in the use of such land or building without involving major structural alterations.
- 13) **Council** means the Council of the Municipal Corporation of the City of Edmonton.
- 14) **Coverage, Site** means the total horizontal area of all buildings or structures on a site which are located at or higher than 1.0 m (3.28 ft.) above grade, including accessory buildings or structures, calculated by perpendicular projection onto a horizontal plane from one point located at an infinite distance above all buildings and structures on the site. This definition shall not include:
  - a) steps, eaves, cornices, and similar projections;
  - b) driveways, aisles and parking lots unless they are part of a parking garage which extends 1.0 m (3.28 ft.) or more above grade; or
  - c) unenclosed inner and outer courts, terraces and patios where these are less than 1.0 m (3.28 ft.) above.
- 15) **Curb Cutting** means the cutting or lowering of a curb, sidewalk or boulevard, or any of them, to provide a driveway for vehicular and pedestrian access to a site.
- 16) **District** means a Section contained in Part II of this Bylaw which regulates the use and development of land as

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November 10, 1981*

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depicted on the Land Use District Map comprising Part III of this Bylaw.

- 17) **Discretionary Uses** means those uses of land, buildings or structures for which permits may be issued only at the discretion of the Development Officer.
- 18) **Double Fronting Site** means a site which abuts two public roadways, except lanes as defined in the Highway Traffic Act, 1975, which are parallel or nearly parallel in the vicinity of the site.
- 19) **Dwelling** means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a Household and either up to two lodgers, roomers, or boarders; or four foster children.
- 20) **Dwelling, Family Oriented**, means a Dwelling suitable as a residence for a household with children and meeting the following criteria:
  - a) the lowest storey of the dwelling is no higher than the third storey of the building;
  - b) the dwelling has two bedrooms or more, and the average number of bedrooms per dwelling is not less than 2.25 for all such dwellings in a development;
  - c) the dwelling has individual and private access to grade, except that in the case of Stacked Row Housing access to dwellings above the first storey may be shared by two dwellings; and in the case of Apartment Housing, access to dwellings above the first storey may be shared, provided that entrances to not more than six dwellings are located on any one storey or landing;
  - d) the dwelling has direct access to a Private Outdoor Amenity Area.
- 21) **Floor Area, Gross** means the total floor area of the building or structure, contained within the outside surface of the exterior and basement walls, provided that in the case of a wall containing windows, the glazing line of windows may be used.
- 22) **Floor Area, Net** means the gross floor area of the building, structure, or part thereof measured from the

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glazing line or interior wall lines whether above, below, or at grade, excluding attics, stairwells, elevators, balconies, boiler rooms, electrical vaults, mechanical floors, penthouses or rooms, unfinished vertical service shafts, 75 percent of non-rental common corridors and toilets.

- 23) **Floor Area Ratio** means the numerical value of the gross floor area of the building or structure located upon a lot or building site, excluding: (a) basement areas used exclusively for storage or service to the building, (b) parking areas below grade, (c) walkways required by the Development Officer, and (d) floor areas devoted exclusively to mechanical or electrical equipment servicing the development, divided by the area of the site.
- 24) **Frontage** means, where used with reference to residential development, the lineal distance measured along the Front Lot Line; and where used with reference to non-residential development, the length of the property line of any side of a separate business development which is parallel to, and abuts, a public roadway, not including a lane, which is directly accessible from the development. The frontage of an individual business premise in a multiple occupancy business development shall be considered as the total width of the bays occupied by that business which have exposure parallel to any frontage of the multiple occupancy business development.
- 25) **Garage** means an accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.
- 26) **Grade** means the average level of finished grade calculated at the perimeter of a site, as determined by the Development Officer.
- 27) **Habitable Room** means any room in a Dwelling other than a Non-habitable Room.
- 28) **Height** means, when used with reference to a building or structure, the vertical distance between the horizontal plane through grade and a horizontal plane through:
- a) the highest point of the roof in the case of a building with a flat roof or a roof having a slope of less than 20 degrees;
  - b) the average level between eaves and ridges in the case of a pitched, gambrel, mansard or hipped roof, or a roof having a slope of more than 20 degrees;

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provided that in such cases the ridge line of the roof shall not extend more than 1.5 m (4.9 ft.) above the maximum permitted building height of the District.

**29) Household means:**

- a) a person; or
- b) two or more persons related by blood, marriage or adoption; or
- c) a group of not more than five persons who are not related by blood, marriage, or adoption, or
- d) a combination of (b) and (c), provided that the total of the combination does not exceed five;

all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants.

**30) Interior Site means any site other than a corner site.**

**31) Isolation means, when used with reference to a site, that the site is so situated with respect to a proposed development, and abutting existing development, proposed development for which a development permit has been issued, public roadways and natural features, that, in the opinion of the Development Officer, such site would not comply with the minimum requirements of this Bylaw. Isolate has a similar meaning.**

**32) Lane means an alley as defined in the Highway Traffic Act, 1975.**

**33) Living Room means any room in a Dwelling used for the common social activities of the occupants, and designed for general living, whether or not combined with specific activities such as dining, food preparation, or sleeping. Unless provided in such combination, a kitchen or dining room is not a Living Room.**

**34) Living Room Windows, Principal means the main or largest glazed area of a Living Room.**

**35) Lot, Corner means**

- a) a lot located at the intersection of two public roadways, other than lanes, or

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- b) a lot located abutting a public roadway, other than a lane, which changes direction at any point where it abuts the lot,

provided that in both cases the lot shall not be considered a Corner Lot where the contained angle formed by the intersection or change of direction is an angle of more than 135 degrees. In the case of a curved corner, the angle shall be determined by the lines tangent to the property line abutting the public roadways, provided the roadway is not a lane, at the point which is the extremity of that property line. In the case of a curved corner, the point which is the actual corner of the lot shall be that point on the property line abutting the public roadway, provided the roadway is not a lane, which is nearest to the point of intersection of the tangent lines.

- 36) **Lot Line, Front** means the property line separating a lot from an abutting public roadway other than a lane. In the case of a Corner Lot, the Front Line is the shorter of the property lines abutting a public roadway, other than a lane. In the case of a Corner Lot formed by a curved corner, the Front Lot Line shall be the shorter of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line.
- 37) **Lot Line, Rear** means either the property line of a lot which is furthest from and opposite the Front Lot Line, or, where there is no such property line, the point of intersection of any property lines other than a Front Lot Line which is furthest from and opposite the Front Lot Line.
- 38) **Lot Line, Side** means the property line of a lot other than a Front Lot Line or Rear Lot Line.
- 39) **Mobile Home Lot** means the space allotted for the installation of one Mobile Home in any Mobile Home Park or Mobile Home Subdivision.
- 40) **Mobile Home Park** means a parcel of land under one title which has been divided into Mobile Home Lots.
- 41) **Mobile Home Subdivisions** means an area designated RMH District under this Bylaw and subdivided by a registered plan into individual lots of Mobile Homes.
- 42) **Non-Habitable Room** means a space in a dwelling providing a service function and not intended primarily

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for human occupancy, including bathrooms, entry ways, corridors, or storage areas.

- 43) **Non-Required Habitable Room Windows** includes any windows in any Habitable Room not required to meet the ventilation and natural light requirements of the Regulations of the Alberta Uniform Building Standards Act.
- 44) **Nuisance** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.
- 45) **Offensive or objectionable** means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other particulate matter; odour; toxic or non-toxic matter; radiation hazards; fire or explosive hazards; heat; humidity or glare or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which in the opinion of the Development Officer may be or become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure.
- 46) **Overlay** means additional regulations superimposed on specific areas of the Land Use District Map, which supersede or add to the regulations of the underlying Land Use Districts.
- 47) **Parking Garage** means an accessory building or structure, or any portion of a principal building or structure, containing communal parking spaces used for the parking or temporary storage of motor vehicles, and which may include facilities for repairing or servicing such vehicles where such are permitted or discretionary in this Bylaw.
- 48) **Party Wall** means either a wall erected at, or upon, a line separating two parcels of land each of which is, or is capable of being, a separate legal parcel subdivided under the Planning Act, 1977, or a wall separating two dwellings each of which is, or is capable of being, a separate legal parcel divided under the Condominium Property Act, as amended.

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48a) **Pedestrian Way** means a right-of-way primarily intended for pedestrian traffic, located at, above or below grade which may or may not connect or pass through buildings.

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48b) **Recreational Facility** means, where referenced in an Area Redevelopment Plan, any open space or indoor area that has been developed for an Indoor Participant Recreation Service use or Outdoor Participant Recreation Service use, as defined in Section 10 of this Bylaw.

49) **Senior Citizen** means a person 65 years of age or over, or a person younger than 65 years who is married to, and living with, a person of 65 years of age or over, or a person of such other age as established by the Alberta Housing Corporation for the purposes of eligibility for senior citizens' housing.

50) **Separation Space** means open space around dwellings separating them from adjacent buildings or activities, and providing daylight, ventilation, and privacy. Separation Space is not a Yard.

51) **Setback** means the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space.

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52) **Site** means an area of land consisting of one or more abutting lots.

53) **Site, Depth** means the average horizontal distance between the front and rear lot lines of the site.

54) **Site, Width** means the horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum required front yard for the District.

55) **Sleeping Unit** means a Habitable Room, or a group of two or more Habitable Rooms, not equipped with self-contained cooking facilities, providing accommodation for not more than two persons.

56) **Storey** means that portion of a building which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey is the portion of the building which is situated between the top of any floor and the ceiling above it. If the top of the floor directly above a basement is more than 1.83 m (6 ft.) above grade,

such basement shall be considered a storey for the purpose of this Bylaw.

- 57) **Storey, Half** means a storey under a gable, hip, or gambrel roof, the wall plates of which, on at least two opposite walls, are not more than 0.66 m (2 ft.) above the floor of such storey.
- 58) **Student Generation** means the maximum projected number of persons of school age that a proposed neighbourhood, defined geographic area or a particular development is likely to generate for the purpose of estimating school space requirements.
- 59) **Tandem Parking** means two parking spaces, one behind the other, with a common or shared point of access to the maneuvering aisle.
- 60) **Temporary Development** means a development for which a development permit has been issued for a limited time only.
- 61) **Traffic Generation** means the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area.
- 62) **Use** means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.
- 63) **Yard** means required open space unoccupied by any portion of a building or structure 1 m (3.28 ft.) or more above grade, unless otherwise permitted in this Bylaw. A Yard is not a Setback, Amenity Area or Separation Space.
- 64) **Yard, Front** means the portion of a site abutting the Front Lot Line extending across the full width of the site, situated between the Front Lot Line and a line on the site parallel to it, at a specified distance from it, and measured at a right angle to it along its full length.
- 65) **Yard, Rear** means the portion of a site abutting the Rear Lot Line extending across the full width of the site, situated between the Rear Lot Line and a line on the site parallel to it, at a specified distance from it, measured at a right angle to it along its full length.
- 66) **Yard, Side** means that portion of a site abutting a Side Lot Line extending from the Front Yard to the Rear Yard.



The Side Yard shall be situated between the Side Lot Line and a line on the site parallel to it, at a specified distance from it, and measured at a right angle to it along its full length.

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May 11, 1982*

## 9.2 Sign Definitions

Terms and words used in this Bylaw regarding the regulations of signs, unless the context otherwise requires, are defined as follows:

- 1) **Abandoned Sign** means any sign which no longer correctly identifies a business or the products and services offered on the premises where the sign is located, or any sign which is not in a readable state.
- 2) **Animated Sign** means any sign or portion of a sign having moving parts or electronically controlled colour changes which depict action or give motion to the sign. Animated sign does not include flashing signs, rotating signs, signs with accessory running lights or flashing lights, or electronically controlled changeable copy signs such as those showing time and temperature displays.
- 3) **Awning Sign** means a non-illuminated sign painted or stenciled on the fabric surface of a temporary shelter supported entirely from the exterior wall of a building and designed to be collapsible, retractable or capable of being folded against the wall of the supporting building.
- 4) **Back-lite Panel** means a general advertising sign used to display copy printed on a translucent vinyl sheet which is mounted on a sign structure having an interior light source which provides back lighting for the sign copy.
- 4a) **Balloon Sign** means a cold air-inflated structure in the general form of a hot air balloon or other similar style.
- 5) **Bulletin Board** means a general advertising sign used to display copy painted on a number of plywood or light steel sections which are locked into a frame to form a single sign face measuring approximately 3 m (9.8 ft.) by 12 m (39.3 ft.).
- 6) **Business Identification Sign** means a sign identifying the name, dealer, franchise association, primary function, product or service of the commercial activity conducted on the premises, and may include local advertising and changeable copy.

*Bylaw 8324  
September 24, 1986*

- 7) **Canopy Sign** means a sign attached to, or forming part of, a permanent building projecting or fixed structural framework which extends outward from the exterior wall of a building and which may be roofed over or covered to provide protection over the entrance to a building. Canopy signs include marquees.
- 8) **Changeable Copy Sign** means a permanent on- premise sign or portion of such a sign on which copy can be readily changed manually through the utilization of attachable characters, or automatically through the electronic switching of lamp banks or illuminated tubes. Changeable copy signs include mechanically controlled time and temperature displays.
- 9) **Copy** means the letters, graphics or characters which make up the message on sign face.
- 10) **Copy Area** means the total area within one or more rectangles which enclose the entire limits of the copy.
- 11) **Directional Sign** means an on-premise sign providing direction to pedestrian or vehicular traffic without advertising copy, except a business logogram. Directional signs include such signs as exit and parking signs.
- 12) **Electric Sign** means any sign containing electrical wiring or lights built into the sign face which are intended for connection to an electrical energy source.
- 13) **Facia Sign** means any sign painted on or attached to an exterior building wall so that the sign does not extend more than 40 cm (16 in.) out from the wall nor beyond the horizontal limits of the wall.
- 14) **Flashing Sign** means any sign or portion of a sign which contains, or is externally illuminated by an intermittent or flashing light source such that when the sign is lit more than one-third of the light source producing the flashing or intermittent illumination is turned off at any one time. Flashing signs do not include electronically controlled changeable copy signs or animated signs.
- 15) **Free Standing Sign** means any sign supported independently of a building and permanently fixed to the ground.
- 16) **General Advertising Sign** means a sign which directs attention to a business, activity, product, service or

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entertainment which cannot be considered as the principal products sold nor a principal business, activity, entertainment, or service provided on the premises where the sign is displayed, and general advertising has a similar meaning. Typical general advertising signs include bulletin boards, poster panels, back-lite panels, junior panels and mall poster signs as defined in this Bylaw.

- 17) **Height (sign)** means the vertical distance measured from the finished ground surface directly under the sign to the highest point of the sign.
- 18) **Identification Sign** means a sign which contains only the name and address of a building, institution or person and the activity carried on in the building or institution, but does not include any other advertising copy.
- 19) **Illuminated Sign** means any sign having only steady illumination of the same intensity by artificial means, either from lighting directed on the sign face or from a light source located within the sign which is transmitted through a transparent or translucent sign face.
- 20) **Junior Panel** means a non-illuminated general advertising sign used to display copy printed on a number of paper sheets which are affixed to a sign structure to form a single sign face measuring approximately 1.9 m (6.2 ft.) by 3.7 m (12.1 ft.).
- 21) **Local Advertising Sign** means a sign or portion of a sign on which the copy refers only to products or merchandise produced, offered for sale or obtainable at the premises on which the sign is displayed and which are related to the principal function of such premises, and local advertising has a similar meaning.
- 22) **Logogram** means a readily identifiable symbolic representation used exclusively by an individual company or person to simplify product or business recognition which contains no additional advertising message.
- 23) **Mall Poster Sign** means a sign used to display general advertising copy printed on paper or mylar that is scaled for pedestrian viewing and located within a pedestrian environment such as outdoor malls and light rail transit station platforms. The standard dimensions of mall poster copy are 150 cm (59 in.) by 110 cm (43 in.).

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*Bylaw 7418  
January 24, 1984*

- 24) **Official Sign** means a sign required by, or erected pursuant to, the provisions of federal, provincial or municipal legislation.
- 25) **On-Premise Sign** means a sign identifying or advertising a business, activity, service or product located on the premises where the sign is erected. On-premise signs includes signs erected on a site to provide warning or direction to persons entering upon the site.
- 26) **Portable Sign** means a sign greater than 0.5 m<sup>2</sup> (5.4 sq. ft.) in area mounted on a trailer, stand or other support structure which is designed in such a manner that the sign can readily be relocated to provide advertising at another location or readily taken on and off a site, and may include copy that can be changed manually through the use of attachable characters, message panels or other means.
- 27) **Poster Panels** means a sign used to display general advertising copy printed on a number of paper sheets which are affixed to a sign structure to form a single sign face measuring approximately 3 m (9.8 ft.) by 6 m (19.7 ft.).
- 28) **Projecting Sign** means any sign, except a canopy sign, which is supported by an exterior building wall and projects outward from the building wall by more than 40 cm (16 in.).
- 29) **Roof Sign** means any sign erected upon, against, or above a roof, or on top of or above, the parapet of a building.
- 30) **Rotating Sign** means a sign or part of a sign which moves in a revolving manner.
- 31) **Running Lights** means a row of lights electronically controlled to create the appearance of motion or chasing action which is designed to accentuate the sign copy.
- 32) **Scintillating Lights** means a group of lights electronically controlled to blink on and off at random so as to give the effect of twinkling lights.
- 33) **Seasonal or Holiday Decorations** means temporary ornaments and displays erected in conjunction with seasonal or holiday activities such as Christmas or Canada Day where such ornaments and displays contain no local or general advertising of specific commercial services, merchandise or entertainment.

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- 34) **Sign** means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a motor vehicle intended for use on a public roadway.
- 35) **Sign Alteration** means any modification of a sign or supporting structure, excluding the routine maintenance or repainting of a sign or changing the copy on signs specifically designed for this purpose, such as bulletin boards, poster panels and changeable copy signs.
- 36) **Sign Area** means the entire area of the sign on which copy is intended to be placed. In the case of double-faced or multi-faced sign, only half of the area of each face of the sign used to display advertising copy shall be used in calculating the total sign area.
- 37) **Sign Structure** means any structure which supports a sign, including materials used to conceal or improve the visual appearance of the structural parts.
- 38) **Temporary Sign** means a sign which is not permanently anchored to a footing extending below grade or permanently affixed to, or painted on, a building and on which the copy has been painted or affixed in a permanent manner. The copy on the sign shall relate to an activity, use or event of a limited time duration not exceeding six months, unless otherwise provided for in Section 79.9 of this Bylaw. Temporary signs include such signs as political campaign signs, real estate signs, construction identification signs, signs identifying seasonal businesses, signs advertising specific community events, and signs providing temporary identification for developments awaiting installation of a permanent sign. For the purpose of this Bylaw, temporary signs shall not include portable signs.
- 39) **Under-Canopy Sign** means a double-faced sign suspended below the ceiling or roof of a canopy.

- 40) **Warning Sign** means an on-premise sign providing a warning to the public, including such signs as "no trespassing" or "private driveway" signs.
- 41) **Window Sign** means any sign painted on, or affixed to, the inside or outside of a window, or installed inside a window and intended to be viewed from outside the premises. Window sign does not include merchandise on display.

## 10. Use Class Definitions

- 1) The Use Classes group individual land uses into a specified number of classes, with common functional or physical impact characteristics.
- 2) The Use Classes of this Section are used to define the range of uses which are permitted or discretionary within the various Land Use Districts of this Bylaw.
- 3) The following guidelines shall be applied in interpreting the Use Class definitions:
  - a) The typical uses which may be listed in the definitions are not intended to be exclusive or restrictive. Reference should be made to the definition of the Use Class in determining whether or not a use is included within a particular Use Class.
  - b) Where a specific use does not conform to the wording of any Use Class definition or generally conforms to the wording of two or more Use Class definitions, the Development Officer may, in his discretion, deem that the use conforms to and is included in that Use Class which he considers to be the most appropriate in character and purpose. In such a case, the use shall be considered a Discretionary Use, whether or not the Use Class is listed as Permitted or Discretionary within the applicable District.
  - c) The Use Class headings such as Residential or Commercial do not mean that the Use Classes listed under these headings are permitted only in Residential or Commercial Districts of this Bylaw. Reference must be made to the lists of Permitted and Discretionary Use Classes within each District.

*Bylaw 6626  
November 10, 1981*

10.1 Residential Use Classes

- 1) **Apartment Housing** means development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other Residential Use Class.
- 2) **Duplex Housing** means development consisting of a building containing only two Dwellings, with one Dwelling placed over the other in whole or in part with individual and separate access to each dwelling.
- 3) **Linked Housing** means development consisting of Row Housing where each dwelling is joined to the adjacent Dwelling by a wall which is not a party wall between habitable rooms, but which is common with the basement, garage, carport, entryway, or enclosed patio of the adjoining Dwelling.
- 4) **Mobile Home** means development consisting of transportable Single-detached Housing which is suitable for permanent occupancy, designed to be transported on its own wheels, and which is, upon its arrival at the site where it is to be located, ready for occupancy except for incidental building operations such as placement on foundation supports and connection to utilities.
- 5) **Row Housing** means development consisting of a building containing a row of two or more Dwellings joined in whole or in part at the side only with no Dwelling being placed over another in whole or in part. Each Dwelling shall be separated from the one adjoining, where they are adjoining, by a vertical party wall which is insulated against sound transmission. Adjoining rooms may or may not be Habitable Rooms. Each Dwelling shall have separate, individual, and direct access to grade. This Use Class includes Linked Housing and Semi-detached Housing.
- 6) **Semi-detached Housing** means development consisting of a building containing Row Housing consisting of only two Dwellings. This Use Class includes Linked Housing consisting of only two Dwellings.
- 7) **Single detached Housing** means development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. This Use Class includes Mobile Homes which conform to Section 89 of this Bylaw.

- 8) **Stacked Row Housing** means development consisting of Row Housing, except that dwellings may be arranged two deep, either vertically so that Dwellings may be placed over others, or horizontally so that Dwellings may be attached at the rear as well as at the side. Each Dwelling shall have separate and individual access, not necessarily directly to grade, provided that no more than two Dwellings may share access to grade, and such access shall not be located more than 5.5 m (18.04 ft.) above grade. This Use Class includes Duplex Housing and Row Housing.

## 10.2 Residential-Related Use Classes

- 1) **Apartment Hotels** means development consisting of Dwellings contained within a building or a part of a building having a principal common entrance, in which the Dwellings are suitable for use by the same person or group of persons for more than five consecutive days, there are cooking facilities within each Dwelling, the Dwellings are furnished including dishes and linen, and either maid service, telephone service, or desk service is provided. Apartment Hotels shall not contain commercial uses, unless such uses are a Permitted or Discretionary Use in the District where the Apartment Hotel is located.
- 2) **Boarding and Lodging Houses** means a development consisting of a building containing Sleeping Units, which may be in addition to a dwelling, where lodging or sleeping accommodation with or without meals is provided for remuneration. This Use Class does not include Group Homes, or Fraternity and Sorority Housing. Typical uses include student co-operative housing and lodges for senior citizens.
- 3) **Foster Homes** means development consisting of the use of a Permitted or Discretionary Dwelling for more than four foster children.
- 4) **Fraternity and Sorority Housing** means development consisting of a building used for social or cultural purposes, which may include Sleeping Units all provided and maintained by a national or local student society formed chiefly for social or cultural purposes.
- 5a) **Group Home** means development consisting of the use of a building as a facility which is authorized, licensed or certified by a public authority to provide room and board for seven residents or more, excluding staff, for foster

*Bylaw 6220  
May 25, 1982*

*Bylaw 7229  
September 27, 1983*



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children or disabled persons, or for persons with physical, mental, social or behavioral problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. The Use Class does not include Extended Medical Treatment Services such as drug and alcohol addiction treatment centres. A typical use is a "half way house" of seven residents or more, excluding staff.

*Bylaw 7229  
September 27, 1983*

5b) **Limited Group Homes** means development consisting of the use of a building as a facility which is authorized, licensed or certified by a public authority to provide room and board for six residents or less, exclusive of staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioral problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary, with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This Use Class does not include Extended Medical Treatment Services such as drug and alcohol addiction treatment centres. A typical use is a "half way house" of six residents or less, excluding staff.

6) **Homecrafts** means development consisting of the use of a Permitted or Discretionary Dwelling for an occupation, trade, or craft, for gain or support, conducted entirely within the dwelling only by those persons occupying the dwelling, as a use secondary to the residential use. This use class does not include Personal Service Shops or Commercial Schools such as beauty parlors, barber shops, and dance schools, nor does it include homecooking and food preserving for gain or support. Typical uses include dressmaking, millinery, and similar domestic homecrafts, the manufacture of novelties and souvenirs, handicrafts, stamp and coin collecting and sales as an extension of a hobby, individual instruction to music students and the carrying out of minor repairs to household equipment normally used within Dwellings.

*Bylaw 7322  
September 16, 1983*

7) **Office-in-the-Home** means development consisting of the use of a Permitted or Discretionary dwelling as an office by a person who occupies the dwelling as his private residence.

8) **Temporary Shelter Services** means development sponsored or supervised by a public authority or non-profit agency for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance for a short period of time. Typical uses include hostels and overnight shelters.

*Bylaw 7322  
September 16, 1983*

9) **Residential Sales Centre** means a permanent or temporary building or structure used for a limited period of time for the purpose of marketing residential land or buildings.

### 10.3 Commercial Use Classes

1) **Aircraft Sales/Rentals** means development used for the sale, charter or rental of aircraft together with incidental maintenance services, and the sale of parts and accessories.

2) **Animal Hospitals and Shelters** means development used for the temporary accommodation and care or impoundment of small animals within an enclosed building. This Use Class does not include Small Animal Breeding and Boarding.

*Bylaw 7541  
December 11, 1984*

3) **Amusement Establishments, Major** means development providing facilities within any building, room or area having three or more table games or electronic games played by patrons for entertainment. This Use Class does not include Carnivals, Circuses or Indoor Participant Recreation Services.

*Bylaw 7541  
December 11, 1984*

3a) **Amusement Establishments, Minor** means development providing facilities within any building, room or area having two or less table games or electronic games played by patrons for entertainment. This use class does not include Carnivals, Circuses or Indoor Participant Recreation Services.

4) **Amusement Establishments, Outdoors** means permanent development providing facilities for entertainment and amusement activities which primarily take place out-of-doors, where patrons are primarily participants. This Use Class does not include Drive-in Motion Picture Theatres, Carnivals or Circuses. Typical uses include amusement parks, go-cart tracks and miniature golf establishments.

5) **Auctioneering Establishments** means development specifically intended for the auctioning of goods and

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equipment, including temporary storage of such goods and equipment.

- 6) **Automotive and Equipment Repair Shops** means development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This Use Class includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. This Use Class does not include body repair and paint shops.
- 7) **Automotive and Minor Recreation Vehicle Sales/Rentals** means development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of parts. This Use Class includes automobile dealership, car rental agencies and motorcycle dealerships. This Use Class does not include dealerships for the sale of trucks or motor homes with a gross vehicle rating of 4,000 kg (8,818.49 lbs.) or greater.
- 8) **Broadcasting and Motion Picture Studios** means development used for the production and/or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.
- 9) **Business Support Services** means development used to provide support services to businesses which are characterized by one or more of the following features; the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, the provision of office maintenance or custodial services, the provision of office security, and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.
- 10) **Carnivals** means temporary development providing a variety of shows, games and amusement rides, for a period of less than 30 days, in which the patrons take part.
- 11) **Commercial Schools** means development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This Use Class does not include schools defined as Public Education or Private Education. Typical uses

*Bylaw 6626  
November 10, 1981*

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include secretarial, business, hairdressing, beauty culture, dancing or music schools.

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November 10, 1981*

11a) **Contractor Services, General** means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal General Contractor Services Use only. This Use Class does not include Professional, Financial and Office Support Services.

12) **Contractor Services, Limited** means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles.

*Bylaw 6626  
November 10, 1981*

12a) **Convenience Vehicle Rentals** means development used for the rental of new or used automobiles and light trucks with a gross vehicle rating of 1,000 kg (2,204.6 lbs.) or less. This Use Class includes those establishments which are not strictly office in nature, but include, as an integral part of the operation, minor vehicle servicing, storing, fueling or car washing facilities. This Use Class does not include Professional, Financial and Office Support Services, Fleet Services or establishments for the rental of trailers.

13) **Cremation and Interment Services** means development used for the purification and reduction of the human body by heat and the keeping of human bodies, other than in cemeteries. Typical uses include crematories, mausoleums, cinerariums or columbariums.

14) **Custom Manufacturing Establishments** means development used for small scale on-site production of goods by hand manufacturing, primarily involving the use of hand tools and provided such developments have fewer than five production employees. Typical uses include jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.

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- 15) **Drive-In Food Services** means development used for eating and drinking which offer a limited menu produced in a manner that allows rapid customer service and include one or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.
- 16) **Drive-In Motion Picture Theatres** means development specifically designed for the showing of motion pictures on an outdoor screen for viewing by patrons from within their motor vehicles.
- 17) **Eating and Drinking Establishments, Major** means development where prepared food and beverages are offered for sale to the public from establishments which are characterized by one or more of the following features: the provision of theatre, dancing or cabaret entertainment; facilities primarily intended for the on-premise catering of food to large groups; and facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity for 100 or more persons. Typical uses include beverage rooms, cocktail lounge, cabarets, nightclubs, theatre restaurants and banquet facilities.
- 18) **Eating and Drinking Establishments, Minor** means development where prepared foods and beverages are offered for sale to the public, for consumption within the premises or off the site. This Use Class includes neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants. This Use Class does not include Drive-In Food Services, Mobile Catering Food Services, or Major Eating and Drinking Establishments.
- 19) **Equipment Rentals** means development used for the rental of tools, appliances, recreation craft, office machines, furniture light construction equipment, or similar items. This Use Class does not include the rental of motor vehicles or industrial equipment.
- 20) **Fleet Services** means development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. This Use Class includes ambulance services, taxi services, bus lines, messenger and courier services. This Use Class does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg. (6,613.87 lbs.).

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November 10, 1981*

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- 21) **Funeral Services** means development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This Use Class includes funeral homes and undertaking establishments. This Use Class does not include Cremation and Interment Services.
- 22) **Gas Bars** means development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories. This Use Class does not include Minor and Major Service Stations.
- 23) **Greenhouses and Plant Nurseries** means development used primarily for the raising, storage and sale of bedding, household and ornamental plants.
- 24) **Health Services** means development used for the provision of physical and mental health services on an out-patient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include medical and dental offices, health clinics and counselling services.
- 25) **Hotels** means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and are not equipped with individual kitchen facilities. Hotels may include accessory Eating and Drinking Establishments, meeting rooms, and Personal Services Shops.
- 26) **Household Repair Services** means development used for the provision of repair services to goods, equipment and appliances normally found within the home. This Use Class includes radio, television and appliance repair shops, furniture refinishing and upholstery shops. This Use Class does not include Personal Service Shops.
- 27) **Mobile Catering Food Services** means development using a fleet of three or more vehicles for the delivery and sale of food to the public.
- 28) **Motels** means development used for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. Motels may include accessory Eating and Drinking Establishments and Personal Service Shops.
- 29) **Parking, Non-Accessory** means development providing vehicular parking which is not primarily intended for the

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use of residents, employees or clients of a particular development. Typical uses include surface parking lots and parking structures located above or below grade.

- 30) **Personal Service Shops** means development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This Use Class includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats. This Use Class does not include Health Services.
- 31) **Professional, Financial and Office Support Services** means development primarily used for the provision of professional, management, administrative, consulting, and financial services, but does not include Health Services or Government Services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial uses.
- 31a) **Professional Offices** means development primarily used for the provision of professional services but does not include Professional, Financial and Office Support Services or Health Services. Typical uses include the offices of lawyers, accountants, engineers, architects, doctors, dentists and chiropractors.
- 32) **Rapid Drive-Through Vehicle Services** means development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within his vehicle or waits on the premises. Typical uses include automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments.
- 33) **Retail Stores, Convenience** means development used for the retail sale of those goods required by area residents or employees on a day to day basis, from business premises which do not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.) in gross floor area. Typical uses include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

*Bylaw 6626  
November 10, 1981*

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*Bylaw 7728  
March 12, 1985*

- 34) **Retail Stores, General** means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots are permitted within general retail stores. This Use Class does not include developments used for the sale of gasoline, heavy agricultural and industrial equipment, or second hand goods or developments defined as Warehouse Sales.
- 35) **Recycling Depots** means development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. Such establishments shall not have more than four vehicles for the pick-up and delivery of goods.

*Bylaw 7728  
March 12, 1985*

- 36) **Secondhand Stores, Major** means development used for the retail sale of secondhand or used major and minor household goods, including the refurbishing and repair of the goods being sold. Such establishments generally require a larger display, storage and loading space. This Use Class includes Minor Secondhand Stores. Typical uses include the resale of relatively bulky items such as antique or used furniture and major appliances. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment.

*Bylaw 7728  
March 12, 1985*

- 36a) **Secondhand Stores, Minor** means development used for the retail sale of secondhand or used personal and minor household goods, including the minor repair of such goods. Goods sold in such establishments are characterized by their relatively small demand for storage, display and loading space. Typical uses include the resale of clothing, jewelry, stereos and musical instruments.
- 37) **Service Stations, Major** means development used for the servicing, washing, and repairing of vehicles; and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories. Major Service Stations may include Minor Eating and Drinking Establishments. Typical uses include truck stops and highway service stations.
- 38) **Service Stations, Minor** means development used for the routine washing, servicing and repair of vehicles within a building containing not more than three service bays; and



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for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.

39) **Truck and Mobile Home Sales/Rentals** means development used for the sale or rental of new or used trucks, motorhomes, mobile homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and mobile home dealerships.

*Bylaw 6626  
November 10, 1981*

40) **Veterinary Services, Minor** means development used for the care and treatment of small animals where the veterinary services primarily involve out-patient care and minor medical procedures involving hospitalization for fewer than four days. All animals shall be kept within an enclosed building. This Use Class includes pet clinics, small animal veterinary clinics and veterinary offices. This Use Class does not include Animal Hospitals and Shelters.

*Bylaw 7016  
September 14, 1982*

41) **Warehouse Sales** means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This Use Class includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This Use Class does not include developments used for the retail sale of food or a broad range of goods for personal or household use.

**10.4 Industrial Use Classes**

*Bylaw 7016  
September 14, 1982*

- 1) **General Industrial Uses** means development used principally for one or more of the following activities:
- a) the processing of raw materials;
  - b) the manufacturing or assembling of semi- finished or furnished goods, products or equipment;
  - c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts

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that would make them incompatible in non-industrial districts;

- d) the storage or transhipping of materials, goods and equipment;
- e) the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to general retail stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or
- f) the training of personnel in General Industrial operations.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the General Industrial Use activities identified above. The floor area devoted to such accessory activities shall not exceed 33 percent of the total gross floor area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.

This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.

- 2) **Temporary Storage** means development used exclusively for temporary outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include pipe yards, or vehicle or heavy equipment storage compounds.

- 3) **Vehicle and Equipment Sales/Rentals, Industrial** means development used for the sale or rental of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and agricultural production. This Use Class does not include Truck and Mobile Home Sales/Rentals.

*Bylaw 6626  
November 10, 1981*

### 10.5 Agricultural and Natural Resource Development

- 1) **Farms** mean development for the primary production of farm products such as dairy products; poultry products; cattle, hogs, sheep and other animals; wheat or other grains; and vegetables or other field crops. This Use Class includes one Dwelling, and a second or additional Dwelling if developed in accordance with Clauses (2)(a) and (3) of Section 78 of the Planning Act.
- 2) **Farms, Non-Commercial** means development for small-scale, non-commercial agricultural pursuits ancillary to rural residential uses. This Use Class shall be developed so that it will not unduly interfere with the general enjoyment of adjacent property. Animals shall be kept for the use or enjoyment of the householder only.
- 3) **Natural Resource Development** means development for the on-site removal, extraction, and primary processing of raw materials found on or under the site, or accessible from the site. Typical uses in this class include gravel pits, sandpits, clay pits, oil and gas wells, coalmining, and stripping of topsoil. This Use Class does not include the processing of raw materials transported to the site.
- 4) **Small Animal Breeding and Boarding Establishments** means development used for the breeding, boarding or training of small animals normally considered as household pets. Typical uses are kennels and pet boarding establishments.

### 10.6 Basic Service Use Classes

- 1) **Cemeteries** means development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematories, cinerariums, columbariums, and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance.
- 2) **Detention and Correction Services** means development for the purpose of holding or confining, and treating or rehabilitating persons. Typical uses include prisons, mental institutions, jails, remand centres, asylums and correction centres.
- 3) **Essential Utility Services** means development which is part of the infrastructure of a principal utility

regulating stations, pumping stations, electrical power transformers, underground water reservoirs and wells.

- 4) **Extended Medical Treatment Services** means development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory staff residences. Typical uses include hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.
- 5) **Government Services** means development providing municipal, provincial or federal government services directly to the public. This Use Class does not include Protective and Emergency Services, Detention and Correction Services, Minor or Major Impact Utility Services, and public education Services. Typical uses include taxation offices, courthouses, postal distribution offices, manpower and employment offices, social service offices and airport terminals.
- 6) **Major Impact Utility Services** means development for public utility infrastructural purposes which are likely to have a major impact on the environment or adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, district heating plants, incinerators and waste recycling plants.
- 7) **Minor Impact Utility Services** means development for public utility infrastructural purposes which is likely to have some impact on the environment or adjacent land uses by virtue of its appearance, noise size, traffic generation or operational characteristics. Typical uses in this class include vehicle, equipment and material storage yards for utilities and services; telephone exchanges; wire centres; switching centres; snow dumping sites; light rail transit stations; transit bus terminals, depots and transfer facilities; surface reservoirs or storm water lakes; water towers; hydrospheres; water treatment plants; power terminal and distributing substations; communication towers and gate stations for natural gas distribution.
- 8) **Protective and Emergency Services** means development which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of emergency

development which is necessary for the local distribution of utility services. Typical uses in this class include gas equipment and vehicles. Typical uses include police stations, fire stations and ancillary training facilities.

**10.7 Community, Educational, Recreational and Cultural Service Use Classes**

- 1) **Community Recreation Services** means development for recreational, social or multi purpose use without fixed seats and an occupancy capacity of less than 500 persons, primarily intended for local community purposes. Typical uses include community halls, community centres, and community league buildings operated by a local residents' organization.
- 2) **Daytime Child Care Services** means development licensed by the province to provide daytime personal care and education to children, but does not include overnight accommodation. Typical uses include daycare centres, day nurseries, kindergartens, nursery schools and play schools.
- 3) **Exhibition and Convention Facilities** means a development which is owned and managed by a public authority or non-profit agency and provides permanent facilities for meetings, seminars and conventions; product and trade fairs; circuses; and other exhibitions. Typical uses include exhibition grounds and convention centres.
- 4) **Indoor Participant Recreation Services** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a non- recurring basis. Typical uses include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges bowling alleys and racquet clubs.
- 5) **Natural Science Exhibits** means development for the preservation, confinement, exhibition or viewing of plants, animals and other objects in nature. Typical uses include zoos, botanical gardens, arboreta, planetarium, aviaries and aquaria.
- 6) **Outdoor Participant Recreation Services** means development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. This Use Class does not include Community Recreation Services, Spectator Sports

**Establishments and Outdoor Amusement Establishments.** Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.

- 7) **Private Clubs** means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking and assembly.
- 8) **Private Education Services** means development for instruction and education which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home occupation. This Use Class includes dormitory and accessory buildings. This Use Class does not include Commercial Schools.
- 9) **Public Education Services** means development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This Use Class includes public and separate schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This Use Class does not include Private Education Services and Commercial Schools.
- 10) **Public Libraries and Cultural Exhibits** means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical uses include libraries, museums and art galleries.
- 11) **Public Park** means development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the

SECTION 1-10 OPERATIVE AND INTERPRETIVE CLAUSES

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public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds and water features.

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November 10, 1981*

- 12) **Religious Assembly** means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This Use Class does not include Private Education Services, Public Education Services and Commercial Schools, even as accessory uses.
- 13) **Spectator Entertainment Establishments** means development providing facilities within an enclosed building specifically intended for live theatrical, musical or dance performances; or the showing of motion pictures. This Use Class does not include entertainment developments associated with Major Eating and Drinking Establishments. Typical uses include auditoria, cinemas, theatres and concert halls.
- 14) **Spectator Sports Establishments** means development providing facilities intended for sports and athletic events which are held primarily for public entertainment, where patrons attend on a recurring basis. This Use Class does not include Indoor Participant Recreation Services or Outdoor Participant Recreation Services. Typical uses include coliseums, stadia, arenas, animal racing tracks and vehicle racing tracks.
- 15) **Tourist Campsites** means development of land which has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles, and is not used as year round storage, or accommodation for residential use. Typical uses include tourist trailer parks, campsites and tenting grounds.

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## **11. Authority and Responsibility of the Development Officer**

*Bylaw 6626  
November 10, 1981*

### **11.1 Establishment and Appointment**

*Bylaw 7729  
March 12, 1985*

1) The Office of the Development Officer is hereby established.

*Bylaw 8223  
May 13, 1986*

2) The Development Officer shall be:

- a) the General Manager of the City Planning and Building Department, or in his absence, the Acting General Manager of the City Planning and Building Department; and
- b) any person within the City Planning and Building Department occupying the position of Development Control Officer.

*Bylaw 7729  
March 12, 1985*

### **11.2 Deleted**

*Bylaw 6626  
November 10, 1981  
Bylaw 7729  
March 12, 1985  
Bylaw 8223  
May 13, 1986*

### **11.3 Deleted**

*Bylaw 7729  
March 12, 1985*

### **11.4 Duties with Respect to Development Applications**

The Development Officer shall receive all applications for development, and

*Bylaw 6626  
November 10, 1981*

1) shall review each development application to ascertain whether it is complete in accordance with the information requirements of this Bylaw, and shall, if the application complies with such requirements, enter the application in the Register of Applications in accordance with the provisions of Section 11.7 of this Bylaw;

*Bylaw 6626*

2) shall review each development application to ascertain its appropriate development class, and may require the applicant to apply for a permit for a different class;

3) shall approve, without conditions, or with such conditions

**SECTION  
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*November 10, 1981*

as are required to ensure compliance, an application for development of a Permitted Use provided the development complies with the regulations of this Bylaw, or shall refuse an application for development of a Permitted Use if the development does not comply with the regulations of this Bylaw unless he uses his discretion pursuant to Sections 11.5 and 11.6 of this Bylaw;

- 4) may relax a regulation in a Land Use District or other Section of this Bylaw in accordance with the regulations contained in that District or Section, or may relax regulations in accordance with Sections 11.5 and 11.6, and in such case, the use applied for shall be deemed a Discretionary Use;

*Bylaw 6626*

*November 10, 1981*

- 5) may refuse or may approve, with or without conditions, with or without changes in the design of the development, or with or without the imposition of regulations more restrictive than those required by the specific District or General Development Regulations of this Bylaw, an application for development of a Discretionary Use, having regard to the regulations of this Bylaw and the provisions of any applicable Statutory Plan;

- 6) may refuse, or may approve, with or without conditions, an application for a development in a Direct Control District, in accordance with the requirements of the District; and

*Bylaw 7729*

*March 12, 1985*

- 7) Deleted

- 8) shall give notice of his decision on applications for development as follows:

*Bylaw 6190*

*September 9, 1980*

a) where an application has been approved, public notification shall be given in accordance with Section 22 of this Bylaw and notice to the applicant shall be given in writing by ordinary mail;

b) where an application has been refused, notice in writing shall be given to the applicant, by ordinary mail, and such notice shall state the reason for refusal.

*Bylaw 6610*

*May 11, 1982*

- 9) shall, in the case of a development permit for a temporary sign or portable sign, specify the length of time that permit remains in effect in accordance with the time

limitations for such signs set out in Section 79.9 of this Bylaw.

### **11.5 Variance to Regulations**

The Development Officer may approve, with or without conditions, an application for development that does not comply with this Bylaw:

- 1) where the proposed development would not, in his opinion:
  - a) unduly interfere with the amenities of the neighbourhood; or
  - b) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- 2) the proposed development would, in his opinion, conform with the use prescribed for that land or building in this Bylaw.

### **11.6 Limitation of Variance**

In approving an application for a permit pursuant to Section 11.5 the Development Officer shall adhere to the following:

- 1) a variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the use, character, or situation of land or a building, which are not generally common to other land in the same District;
- 2) except as otherwise provided in this Bylaw, there shall be no variance from maximum height, floor area ratio and density regulations, and the regulations specified in the Airport Protection Overlay;
- 3) where the issuance of a development permit for any use involves the exercise of any specified discretion of the Development Officer to relax a regulation of a District or any other regulation of this Bylaw, he shall not permit any additional variance from that regulation pursuant to Section 11.5; and,
- 4) the General Purpose of the appropriate Districts.

### **11.7 Public Inspection of Applications**

The Development Officer shall ensure that a Register of Applications is maintained, and is made available to any interested person during normal office hours.

## 11.8 Maintenance and Inspection of Bylaw

The Development Officer shall:

- 1) make available to the public during normal office hours copies of this Bylaw and all subsequent amendments thereto; and
- 2) charge the specified fee for supplying to the public copies of this Bylaw.

## 12. Deleted

*Bylaw 7729  
March 12, 1985*

## 13. Authority and Responsibility of the Development Appeal Board

*Bylaw 6626  
November 10, 1981*

The duties and responsibilities of the Development Appeal Board with respect to this Bylaw are those established in the City of Edmonton Development Appeal Board Bylaw, Bylaw No. 6247, as amended.

## 14. Development Classes

The following classes of development are hereby established:

- 1) Class O - No Development Permit Required
- 2) Class A - Minor Permitted Use
- 3) Class B - Permitted Use
- 4) Class C - Discretionary Use
- 5) Class D - Design Review

### 14.1 Class O - No Development Permit Required

No development permit is required under this Bylaw for developments in this Class provided that such developments shall comply with the regulations of this Bylaw where applicable. If the Development Officer receives a development permit application for a development in this Class, he shall advise the applicant that no permit is required and return his submission, including any fees paid, except that he may issue a development permit when the applicant requests a permit to be issued to indicate compliance with this Bylaw.

The following developments are included in this Class:

- 1) Those uses and developments exempted under Section 3 of the Planning Act and regulations thereto.

- 2) Those uses and developments in the DC4 District, when they are governed entirely by superior legislation.
- 3) The following uses and developments:
  - a) farm buildings, other than those used as dwellings, attached garages, and attached carports;
  - b) flood control and hydroelectric dams;
  - c) a single storey accessory building not greater than 10 m<sup>2</sup> (107.64 sq. ft.) in floor area;
  - d) painting and decorating, or, subject to the provisions of Section 72 of the Planning Act, minor repairs and building operations not exceeding \$500.00 in value where matters affecting health or safety are not involved;
  - e) the use of a building or part thereof as a temporary polling station, Returning Officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;
  - f) the erection of any fence, wall or gate not exceeding 1.85 m (6.07 ft.) in height provided that the erection of such structure does not contravene any provision of this or any other bylaw of the City of Edmonton;
  - g) a temporary structure, the sole purpose of which is incidental to the erection, alteration or marketing of a building for which a permit has been granted under this Bylaw, provided that such structure complies with the Airport Protection Overlay;
  - h) the erection of towers and poles, television and other communications aerials, masts or towers in non-Residential Districts where such structures are freestanding and do not cause a load to be placed upon a building through their attachment or placement upon such buildings, provided that such structure complies with the Airport Protection Overlay;
  - i) the parking or storage, or both, of any uninhabited recreational vehicle in a Rear Yard or Side Yard,

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provided the Side Yard does not abut a public roadway other than a lane;

- j) the construction and maintenance of an Essential Utility Services development;
- k) landscaping, where the existing grade and natural surface drainage pattern is not materially altered, except where landscaping forms part of a development which requires a development permit;
- l) development information signs pursuant to Section 72 of this Bylaw;
- m) minor structures not exceeding 1.85 metres (6.07 ft.) in height which are ancillary to residential uses, such as a barbecue, dog house, lawn sculpture, or bird feeder;
- n) demolition of a building or structure where a development permit has been issued for a new development on the same site, and the demolition of the existing building or structure is implicit in that permit; and
- o) the temporary use of a portion of a building or structure for which a development permit has been granted under this Bylaw, for the marketing of the building or structure.

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May 11, 1982*

- 4) The following sign uses and developments:
  - a) official notices, signs, placards or bulletins required or permitted to be displayed pursuant to the provisions of federal, provincial or municipal legislation;
  - b) signs erected on the authorization of the City Engineer for the direction or control of traffic or pedestrian movement;
  - c) municipal address numbers or letters displayed on premises to which they refer;
  - d) seasonal or holiday decorations;
  - e) any sign inside any building intended for viewing from within the interior of the building;

- f) changing the copy of outdoor poster panels, theatre marquees or other changeable copy signs;
- g) non-illuminated fascia identification signs not exceeding one-half square metre (5.4 sq. ft.) in area;
- h) non-illuminated fascia warning signs not exceeding one-half square metre (5.4 sq. ft.) in area;
- i) illuminated or non-illuminated directional signs not exceeding a height of 1 m (3.3 ft.) when freestanding or a maximum area of 0.5 m<sup>2</sup> (5.4 sq. ft.) when located within a Residential District, and not exceeding a height of 1.5 m (4.9 ft.) when freestanding or a maximum area of 1 m<sup>2</sup> (10.8 sq. ft.) when located within a non-Residential District;
- j) non-illuminated temporary window business signs on non-residential buildings, located in windows at, or below, the second storey; and
- k) temporary signs as provided for in Section 79.9 when such signs are:
  - i) non-electric signs 2 m (6.6 ft.) or less in height; or
  - ii) non-electric signs 1 m<sup>2</sup> (10.76 sq. ft.) or less in area and greater than 2 m (6.6 ft.) in height.

#### 14.2 Class A - Minor Permitted Use

*Bylaw 6626  
November 10, 1981*

This Class includes minor Permitted Use developments where the applicant and the Development Officer can readily determine that the proposal meets the regulations of this Bylaw. The Development Officer shall not refuse a permit for developments in this Class upon receipt of an application for a development which meets the requirements of this Bylaw and which contains the submission requirements for this Class. If, in the opinion of the Development Officer, there is a doubt as to whether the application meets the requirements of this Bylaw, and he determines that conditions of approval, or additional information, or both are necessary, he may require the applicant to apply for a permit for a more appropriate class and make any necessary adjustment of fees.

The following developments are included in this Class:

- 1) Subject to the provisions of Section 72 of the Planning Act, the carrying out of work or maintenance or repair

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exceeding a value of \$500.00 to any building or structure either lawfully in existence at the effective date of this Bylaw or lawfully constructed thereafter, if the work does not include structural alterations or major works or renovation which will materially alter the structural appearance of the building or structure;

*Bylaw 6626  
November 10, 1981*

- 2) The following residential uses and developments, except in areas where there is potential for riverbank or ravine slope instability or where a proposed development may aggravate riverbank or ravine slope instability:
  - a) erection of, or addition to, a Single Detached House, with or without an attached garage or carport, except in the RPL District;
  - b) the placement of a Mobile Home;
  - c) accessory residential uses and developments including but not restricted to:
    - i) a single or double garage or carport;
    - ii) a pigeon loft or pigeon house;
    - iii) a deck, an enclosed patio or breezeway;
    - iv) a greenhouse or tool shed;
    - v) a fireplace;
    - vi) additional space solely for the use of the household within a basement or elsewhere in an existing building that will not result in the development of an additional Dwelling or Sleeping Unit; or
    - vii) an open or enclosed, attached or detached swimming pool;
- 3) The development of a minor accessory commercial or industrial building or structure, including a loading and unloading facility or a similar accessory use except where there is potential for riverbank or ravine slope instability or where a proposed development may aggravate riverbank or ravine slope instability;
- 4) The demolition of an existing building or structure except:
  - a) where such building or structure has been designated as an historic site under the Alberta Historical Resources Act, as amended; or
  - b) where a development permit for a demolition is not required in accordance with Section 14.1(3)(n) of this Bylaw;



- 5) A pedestrian way which is covered or otherwise enclosed at, below or above grade; or
- 6) The erection of towers, poles, television and other communications aerials or masts:
  - a) in a Residential District, or
  - b) in non-Residential Districts where such a structure may cause a load to be placed upon a building through its attachment or placement upon such building;

*Bylaw 6610  
May 11, 1982*

- 7) The following sign uses and developments:
  - a) awning signs;
  - b) temporary signs provided for in Section 79.9 when such signs are:
    - i) more than 2 m (6.6 ft.) in height; or
    - ii) more than 1 m<sup>2</sup> (10.76 sq. ft.) in area and greater than 2 m (6.6 ft.) in height;
  - c) portable signs; and
  - d) permanent on-premise facia identification or business identification signs and logograms which do not include changeable copy features, are not submitted in combination with Class B or Class C sign development, and are not erected on a building used for or intended to be used for multiple business occupancy at the ground floor level.

### **14.3 Class B - Permitted Use**

The developments included in this Class are those Permitted Uses where the regulations of this Bylaw are more complex and where the development application must be reviewed to determine its compliance with this Bylaw, or where conditions of approval or agreements to ensure compliance are considered necessary. The Development Officer shall issue a permit, with or without conditions for the development of Permitted Uses after reviewing the application and the submission requirements of this Class to ensure compliance with the regulations of this Bylaw. This Class shall include all Permitted Use developments, including those affected by an Overlay, except those identified in Class O or Class A.

*Bylaw 6610  
May 11, 1982*

Class B shall also include the following sign uses and development:

- 1) canopy, under-canopy, fascia, freestanding and projecting on-premise identification or business identification signs including or not including the use of manual animation, running lights, scintillating lights, manual changeable copy and time and temperature displays;
- 2) fascia and freestanding general advertising signs; except that where such signs are to be erected in CNC, CSC, IB or AGI District or within the civic centre area defined in Sign Schedule 79G, they shall be a Class C development; and
- 3) fascia and freestanding mall poster signs, except that where such signs are located in an outdoor mall, pedway or City-owned land developed for public recreational use they shall be deemed a Class C development.

#### **14.4 Class C - Discretionary Use**

*Bylaw 6190  
September 9, 1980*

The developments included in this Class are those involving the exercise of discretion by the Development Officer. Upon receipt of an application in its final form for development within this Class, the Development Officer shall examine the application to determine its conformity with the regulations of this Bylaw and the provisions of any applicable Statutory Plan. He may, at his discretion, refuse or approve, permanently or for a limited time period, with or without conditions, an application for development within this Class. This Class shall include all Discretionary Use developments and all developments within Direct Control Districts except those defined as Class D.

*Bylaw 6610  
May 11, 1982*

Class C shall also include the following sign uses and developments:

- a) comprehensive Sign Design Plans, as defined in Section 79.6 of this Bylaw;
- b) electronically controlled changeable copy signs, other than those used only for time and temperature displays;
- c) fascia and freestanding general advertising signs within the CNC, CSC, IB and AGI Land Use Districts, and within the civic centre area defined in Sign Schedule 79G;
- d) mall poster signs located in an outdoor mall, pedway or City-owned land developed for public recreational use;

*Bylaw 8324  
September 24, 1986*

- e) roof signs;
- f) signs painted on exterior building walls;
- g) balloon signs; and
- f) any other sign that is not deemed a Class O, Class A or Class B development.

**14.5 Class D - Design Review**

*Bylaw 6626  
November 10, 1981*

The developments included in this Class are those Discretionary Uses and Direct Control District developments which may have a major impact on surrounding uses and development, or which may involve the exercise of discretion based primarily on the acceptability of the physical design of the development in meeting Statutory Plan objectives and the regulations of this Bylaw.

*Bylaw 7729  
March 12, 1985*

Upon receipt of an application, the Development Officer shall examine the design of the development to determine its conformity with the regulations of this Bylaw and the provisions of any applicable Statutory Plan. The Development Officer shall render a decision on the application and prepare a report outlining the factors considered, compliance with Plans, and justification for the decision, such report to become part of the record of the development permit application and decision.

This Class shall include the following Discretionary Use and Direct Control District developments, except developments in the DC2 District:

- 1) developments on historic sites designated under the Alberta Historical Resources Act, as amended;
- 2) new developments or additions to existing developments where the proposed development or addition will exceed a height of 23 m (75.46 ft.) or six storeys, or will contain more than 10,000 m<sup>2</sup> (107,639.0 sq. ft.) of gross floor area or more than 100 dwellings or where the proposed addition would cause the resulting development to exceed a height of 23 m (75.46 ft.) or six storeys, or contain more than 10,000 m<sup>2</sup> (107,639.0 sq. ft.) of gross floor area or more than 100 dwellings when it would not do so without the addition;
- 3) developments where the Bylaw in any provision requires them to be considered to be Class D and subject to the provisions of this Section 14.5; and

*Bylaw 7729  
March 12, 1985*

- 4) developments in the DC1 District and any other developments which, in the opinion of the Development Officer would have a major impact or involve considerable discretion by the Development Officer with respect to design, including those which might otherwise have been included in Class C.

## 15. Development Application Submissions

### 15.1 General Conditions

*Bylaw 6626  
November 10, 1981*

- 1) For the purposes of Section 18(1) of this Bylaw, a November 10, 1981 application for a development permit shall not be considered to have been received until the applicant has submitted all information required pursuant to Sections 15 and 16 of this Bylaw, and any information specifically required pursuant to the regulations of the applicable land use District or any other Section of this Bylaw and until the applicant has paid the appropriate fee specified in Section 21 of this Bylaw.
- 2) Notwithstanding Clause (1) above, the Development Officer may consider an application if, in his opinion, the development is of such a nature as to enable a decision to be made on the application without all of the information required in this Section.
- 3) The Development Officer may require an applicant to submit such additional information as he considers necessary to verify the compliance of the proposed use or development with the regulations of this Bylaw.
- 4) The approval of any application, drawing, or the issuing of a development permit shall not prevent the Development Officer from thereafter requiring the correction of errors, nor from prohibiting the development being carried out when the same is in violation of this Bylaw.
- 5) In the event of a discrepancy between any written description and the drawings, the written description shall prevail.
- 6) Where an application for a development permit is determined to contain incorrect information, no development permit shall be issued until such information is corrected by the applicant.
- 7) Any development permit issued on the basis of incorrect information contained in the application shall be invalid.

- 8) Unless otherwise specified in this Bylaw, all drawings submitted shall be drawn on substantial standard drafting material to a scale of not less than 1:100 (metric) or such other scale as the Development Officer may approve, and shall be fully dimensioned, accurately figured, explicit and complete.

**15.2 Class A Development Excluding Signs**

*Bylaw 6610  
May 11, 1982*

Two copies of the following information shall be submitted with an application for a Class A development, and the appropriate application form fully and accurately completed in accordance with the following requirements:

- 1) The municipal address of land and buildings presently occupying the site, if any;
- 2) A legal description of the land on which the proposed development is to occur, by lot, block, subdivision and registered plan numbers;
- 3) The applicant's name, address and interest in the land;
- 4) A sketch plan of the site, showing the location of the proposed development relative to the boundaries of the site;
- 5) Description of the work to be performed with respect to:
  - a) change in current occupancy or land use;
  - b) description of proposed development or building operations;
- 6) Identification of the scale of the development with respect to:
  - a) gross floor area of the development, in square metres;
  - b) area of the site covered, in square metres;
  - c) height of the structure, in metres;
  - d) number of floors or storeys;
- 7) The estimated value, in dollars, of the proposed work;
- 8) If required by the Development Officer, a site plan, at a minimum scale of 1:500 (metric), showing the following:

*Bylaw 6190  
September 9, 1980*

- a) a directional true north arrow with the north point located in such a manner that the true north is in the upper position of the drawing;
- b) setbacks and yard dimensions;
- c) the location of all buildings or structures in relation to property lines; and
- d) dimensioned layout of existing and proposed parking areas, driveways, entrances and exits, abutting public roadways, median breaks and auxiliary lanes.

### **15.3 Class B Development Excluding Signs**

*Bylaw 6610  
May 11, 1982*

In addition to the information required for Class A Development, the applicant shall submit two copies of the following:

- 1) Identification of the scale of the development with respect to the number of dwellings, or establishments for commercial, industrial or other purposes;
- 2) A site plan at a minimum scale of 1:500 (metric), showing location of sidewalks, walkways, separation spaces, transit stops; and, where applicable, garbage storage and collection areas; parking, loading, storage, outdoor service and display areas; the location of fences, screening, retaining walls, trees, landscaping, Amenity Areas and other physical features both existing and proposed on the site and adjoining boulevard, if any;
- 3) Floor plans at minimum scale of 1:100 (metric), indicating all uses or occupancies, storage and garbage holding areas;
- 4) Elevations and drawings, indicating sections and the bulk of buildings, at a minimum scale of 1:100 (metric);
- 5) Number of parking and loading spaces required and provided.

*Bylaw 6190  
September 9, 1980*

### **15.4 Class C Development Excluding Signs**

*Bylaw 6610  
May 11, 1982*

In addition to four copies of the information required for Class A and B development, the applicant shall submit four copies of the following:

- 1) A plan showing the location of adjacent buildings and structures indicating the approximate height and number of storeys;
- 2) A description of the exterior finishing materials to be used;
- 3) A written statement and other supportive material by the applicant that his proposal conforms to the policies of any applicable Statutory Plan.

### **15.5 Class D Development**

In addition to four copies of the information required for Class A, B, and C development, the applicant shall submit four copies of the following, except where the application is for those developments determined to be a Class D Development by reason only of Section 14.5, Clause (3) of this Bylaw:

- 1) An urban design context plan and vicinity map at a minimum scale of 1:500 (metric) showing the proposed development and its relationship to on-site and surrounding natural physical features, existing development and other factors affecting the design of the proposed development, and a statement describing how the design of the proposed development has responded to the following:
  - a) the uses and amenities of surrounding properties within 100 m (328.08 ft.) of the boundaries of the project site;
  - b) the physical characteristics and human activity patterns characteristic of the site, surrounding land uses and development;
  - c) the urban design statements of any Statutory Plan which are applicable to the site;
  - d) the context of the development, in relation to the type of structure, architectural detailing, and finishing materials prevalent in surrounding development.
- 2) A traffic impact assessment for residential developments exceeding 1,000 dwellings and non-residential developments exceeding 10,000 m<sup>2</sup> (107,639.10 sq. ft.) which shall indicate the effect of the proposed development on the existing and proposed roadway network in terms of additional traffic, and may suggest

those roadway improvements necessary to accommodate the development. It shall be prepared by a qualified, registered Professional Engineer, and shall contain the following information:

- a) trip generation of the development
- b) trip distribution of traffic bound to and from the development;
- c) trip assignment of traffic bound to and from the development;
- d) detailed site plan(s) showing vehicular circulation, location and geometrics of access points and existing and proposed geometrics for adjacent roadways.

*Bylaw 7729  
March 12, 1985*

3) Deleted

## **15.6 Sign Developments**

*Bylaw 6610  
May 11, 1982*

1) Class A Sign Developments Excluding Portable Signs

The following information shall be submitted, in duplicate, with an application for a Class A Sign development, and the appropriate application form shall be fully and accurately completed:

- a) the municipal address of the land or building where the sign is to be erected, if any;
- b) the legal description of the land on which the proposed sign is to be erected;
- c) the applicant's name, address, telephone number and interest in the land;
- d) the name of the business or development where the sign is to be erected;
- e) whether the development where the sign is to be erected is a single business occupancy or multiple business occupancy development;
- f) a letter from the owner of the property on which the sign is to be erected, or his agent, authorizing the applicant's sign development;

*Bylaw 7418  
January 24, 1984*



- g) the following additional information for a permanent on-premise facia sign development:
  - i) a photograph of each building facade on which a sign is to be erected that shows the building facade for a distance of at least 15 m (49.2 ft.) on either side of the location of the proposed sign;
  - ii) two sets of working drawings for the proposed sign showing:
    - A) the overall dimensions of the sign, including all sign boxes and cabinets;
    - B) a description or illustration of the copy to be displayed on the sign;
    - C) the method of illumination, if any;
    - D) the materials from which the sign is to be constructed;
    - E) method used to support the sign and the type of wall construction if the sign is anchored to a building; and
  - iii) two sets of a sketch plan showing:
    - A) the location of the sign on the building;
    - B) the clearance from grade from the lowest portion of the sign;
    - C) maximum extension of the sign above the building roof or parapet wall;
    - D) the distance of the maximum projection of the sign beyond the building wall; and
    - E) any sidewalks, pedestrian passageways, or public roadways that the proposed sign will extend over.

*Bylaw 7418  
January 24, 1984*

1A) Class A Portable Sign Developments

The following information shall be submitted on the appropriate application form for a portable sign development:

- a) the municipal address of the land or building where the sign is to be located;
- b) the name and address of the business advertising on the sign;
- c) the applicant's name, address and telephone number and where the applicant is not the owner of the sign, the name, address and telephone number of the sign owner;

- d) an indication of whether the site where the sign is to be located is a single business occupancy or multiple business occupancy development;
- e) the length of time the sign is to be displayed at the location address; and
- f) where a sign is to be used for general advertising, a letter from the owner of the property where the sign is to be located or his agent authorizing the placement of the sign.

Applications for the use of a portable sign on sites districted A or AP or on school sites districted US shall be submitted by the user of the sign, and shall be accompanied by a letter of authorization from the applicable District Parks and Recreation Director or School Principal.

A separate permit must be obtained for each time a sign is placed at a location and for each change of business or person advertising at a sign location. A completed permit application, together with the required fee must be submitted to the City prior to the placement of the sign and a grace period of two working days will be provided during which time the City will ascertain the compliance or non-compliance of the application. Where the application contravenes the regulations of this Bylaw, the company or person responsible for the placement of the sign shall remove the sign or relocate the sign such that it complies with this Bylaw within one day of receiving verbal notification from the City.

2) Class B and Class C Sign Developments

The following information shall be submitted in duplicate with an application for a Class B or Class C sign development, and the appropriate application form shall be fully and accurately completed:

- a) the information listed in Clauses (a) to (f) for Class A sign development;
- b) a photograph of each building facade on which a sign is to be erected that shows the building facade for a distance of at least 15 m (49.2 ft.) on either side of the location of the proposed sign;

- c) in the case of freestanding signs, a photograph that shows the entire frontage of the site where the sign is proposed;
- d) two sets of working drawings for the proposed sign showing:
  - i) the overall dimensions of the sign, including all sign boxes and cabinets;
  - ii) the dimensions of individual sign panels on a multiple business identification sign;
  - iii) a description or illustration of the copy to be displayed on the sign;
  - iv) the dimensions of any changeable copy panels;
  - v) the method of illumination, including the use of any animated graphics, running or scintillating lights;
  - vi) any rotating parts of the sign;
  - vii) the materials from which the sign is to be constructed;
  - viii) the method used to support the sign including the size and depth of all concrete footings for freestanding signs and for any signs anchored to a building, the type of construction of the wall to which the sign will be affixed;
- e) two copies of a sketch showing:
  - i) the location of the sign on the building;
  - ii) the total height of the sign above grade;
  - iii) the clearance from grade the lowest portion of the sign;
  - iv) the maximum extension of the sign above the building roof or parapet wall;
  - v) the distance of the maximum projection of the sign beyond the building wall;
- f) in addition to the requirements listed above, for canopy, projecting and freestanding signs, three copies of a site plan showing:
  - i) a north arrow;
  - ii) the curb line, property line and location of any existing or proposed buildings on which signs are to be displayed;
  - iii) the perpendicular distance from curb line to property line;

- iv) the perpendicular distance from property line to building;
  - v) the location of the proposed sign on the building or site;
  - vi) the location of any existing freestanding, projecting or canopy signs on the building or site, and whether such signs will be replaced by the proposed sign;
  - vii) for freestanding business identification signs, the length of the frontage of the site where the sign is to be erected, and for a multiple occupancy business development, the length of the frontage of the business which the sign is intended to serve;
  - viii) for freestanding business identification signs, the horizontal separation distance between the proposed sign and other freestanding business identification signs located along the same frontage;
  - ix) for freestanding general advertising signs, excluding mall poster signs, the horizontal distance to the nearest building wall which serves as a back-drop for the display, where applicable;
  - x) for general advertising signs, excluding mall poster signs, the horizontal distance from the proposed sign to the nearest existing general advertising sign visible from the same traffic direction from which the proposed sign is intended to be viewed;
  - xi) for canopy or projecting signs the horizontal distance from the limits of the business frontage where the sign is displayed to the part of the sign nearest the limits of the business frontage;
  - xii) for signs which project beyond the property line, the horizontal distance from the curb to the part of the sign nearest the curb; and
- g) in addition to the requirements listed above, for Comprehensive Sign Design Plans the information required in Section 79.6.

## 16. Special Information Requirements

### 16.1 Slope and Soil Information

*Bylaw 7187  
February 26, 1985*

- 1) When an application for a development permit is submitted to the Development Officer for the development of a site abutting, or partially or wholly contained within,

the North Saskatchewan River Valley or its ravine system as defined on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule, the application may include, at the discretion of the Development Officer in consultation with the Parks and Recreation Department, information regarding the existing and proposed grades at 0.5 m contour intervals. The final grades shall be to the satisfaction of the Development Officer, the said application having been first reviewed by the Parks and Recreation Department.

- 2) Notwithstanding anything contained herein, the Development Officer may require a detailed engineering study of the soil conditions prepared by a certified professional engineer prior to the issuance of a development permit or the construction of any development abutting, or partially or wholly contained within, the North Saskatchewan River Valley or its ravine system as defined on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule. The engineering study shall contain evidence of:
- a) test borings;
  - b) ground water piezometer test;
  - c) slope indicators where necessary;
  - d) identification of any sub-surface mining operations;
  - e) river erosion analysis; and
  - f) surface erosion analysis.

The detailed engineering study shall conclude by the registered professional engineer certifying that the foundations proposed for the development were designed with full knowledge of the soil conditions and the proposed siting of the development upon this site.

- 3) The Development Officer may require the submission of a detailed engineering study as outlined in Section 16.1(2) of this Bylaw prior to the issuance of a Development Permit at any location within the City which in the opinion of the Development Officer has unstable soil conditions.
- 4) The Development Officer, having required a detailed engineering study of the soil conditions may, acting on the advice of the City Engineer, apply conditions to the approval of the development permit to prevent erosion and to stabilize soil conditions.

**16.2 Wind Impact Statement and Study**

Where warranted, the Development Officer may require an applicant for a development permit to submit a preliminary wind impact statement or a detailed wind impact study, or both, for the proposed development.

- 1) A preliminary wind impact statement shall be prepared by a qualified registered Professional Engineer, and shall state:
  - a) whether the proposed massing of the development would likely cause an increase in local wind velocities, which would affect nearby public pedestrian level open spaces, or would exceed the guidelines established for such spaces in an applicable Statutory Plan;
  - b) the basis for this judgement, including the results of any massing model simulation study which may have been conducted; and
  - c) how the massing of the proposed development reflects consideration of pedestrian level wind conditions and to what extent further improvement or the achievement of Statutory Plan guidelines may be attained by further consideration of the design of the development.
  
- 2) A detailed wind impact study shall be prepared by a qualified, registered Professional Engineer, and shall be based on a scale model simulation analysis, and for each design alternative considered shall identify on, or relative to, a plan at a minimum scale of 1:200 (metric), the following:
  - a) the proposed development and existing development in the surrounding area, including parks, plazas, walkways and other open spaces intended for the use and enjoyment of the general public;
  - b) an estimate of the distribution of wind speeds which can be anticipated to occur on a weekly, monthly and seasonal basis in summer and winter, for each of the affected public open spaces identified in Clause (a) above, through an analysis of local wind data, a simulation of atmospheric wind flows and a comparison with acceptable wind comfort criteria

*Bylaw 6626  
November 10, 1981*

which will indicate the frequency and extent to which the wind comfort criteria are exceeded;

- c) the Beaufort Scale number which is most representative of the projected wind conditions in spring, summer, fall and winter, for each of the affected public open spaces identified in Clause (a), above;
- d) the method employed in estimating the wind speeds;
- e) a description of how the design of the development has been altered to reduce wind speed impact and further recommendations in this regard; and
- f) any other information which the applicant considers relevant to the decision of the Development Officer under Section 71 of the General Development Regulations.

### 16.3 Sun Shadow Impact Study

- 1) A preliminary sun shadow impact study shall be provided as part of the initial submission for a development permit where such a study is required by a Statutory Plan, including the Downtown Area Redevelopment Plan, for buildings which exceed four stories or 14 m (45.9 ft.) in height.
- 2) This study shall be prepared by a qualified, registered Professional Engineer or Architect, and for each design alternative of the proposed development, shall identify to scale on a plan at a minimum scale of 1:200 (metric), the following:
  - a) the proposed development and existing development in the surrounding area, including public roadways, parks, plazas, walkways, and other open spaces intended for the use and enjoyment of the general public;
  - b) for the following situations by both the proposed development both on its site and on surrounding areas, and by surrounding existing and approved development on the subject site, showing where there is an overlap with that resulting from the proposed development;

- i) the shadows cast at 09:34, 12:34 and 15:34 Mountain Standard Time (MST) on March 21, June 21 and September 21;
  - ii) the shadows cast at 12:34 MST on December 21;
  - iii) the area which is continually in a shadow cast during the entire period from 09:34 to 15:34 MST on March 21, June 21 and September 21; and
  - iv) the total area which is subject to shadow at any time during the period from 09:34 to 15:34 MST on March 21, June 21 and September 21.
- 3) The sun shadow impact study shall contain any other information which the Development Officer considers relevant to his decision under Section 71 of the General Development Regulations of this Bylaw.

*Bylaw 7971  
March 25, 1986*

#### **16.4 Floodplain Information**

- 1) When an application for a development permit is submitted to the Development Officer for the development of a parcel of land partially or wholly contained within a Floodplain Protection Overlay Schedule, the Development Officer may require that the application contain information regarding the grade elevation of the proposed building site, the building and all openings, to be referenced to geodetic elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level surface of datum.
- 2) Notwithstanding anything contained herein, before a development permit is issued for the construction of any development within a Floodplain Protection Overlay Schedule, the Development Officer may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been considered in the design of the building:
  - a) Canadian Mortgage and Housing Corporation guidelines for building in flood-susceptible areas;
  - b) the flood-proofing of habitable rooms, electrical panel and heating units, and openable windows;
  - c) basement drainage; and



- d) site drainage.

## 17. Conditions Attached to Development Permit

- 1) The Development Officer may impose, with respect to a Permitted Use, such conditions as are required to ensure compliance with this Bylaw.
- 2) The Development Officer may, with respect to a Discretionary Use or a Development in a Direct Control District, impose such conditions as he deems appropriate, having regard to the regulations of this Bylaw and the provisions of any Statutory Plan.
- 3) The Development Officer may, as a condition of issuing a development permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such utility or facility by the applicant.
- 4) The Development Officer may, as a condition of issuing a development permit require that an applicant enter into an agreement or an interim agreement, which shall be attached to and form part of such development permit, to do all or any of the following:
  - a) to construct, or pay for the construction of, a public roadway required to give access to the development;
  - b) to construct, or pay for the construction of:
    - i) a pedestrian walkway system to serve the development, or
    - ii) pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
  - c) to specify the location and number of vehicular and pedestrian access points to sites from public roadways;
  - d) to install, or pay for the installation of, utilities that are necessary to serve the development;

- e) to construct or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or
  - f) to repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site.
- 5) The Development Officer may, as a condition of issuing a development permit, require that an applicant enter into an agreement or an interim agreement which shall be attached to and form part of such permit, to pay an off-site levy or redevelopment levy or both, imposed by a bylaw adopted pursuant to Section 75 and 76 of the Planning Act, as amended.
  - 6) The Development Officer may require any agreement entered into pursuant to Clauses (4) and (5) above to be caveated against the title to the site at the Land Titles Office.

## 18. Decisions on Development Applications

*Bylaw 6626  
November 10, 1981*

- 1) An application shall, at the option of the applicant, be deemed to be refused if a decision of the Development Officer has not been made within forty (40) days of the receipt of the application.
- 2) The applicant may request confirmation in writing from the Development Officer that his application has been received.

## 19. Validity of Development Permit

*Bylaw 6610  
May 11, 1982*

### 19.1 General Provisions

- 1) When an application for a development permit has been approved by the Development Officer, the development permit shall not be valid unless and until:
  - a) any conditions of approval, save those of a continuing nature, have been fulfilled; and
  - b) no notice of appeal from such approval has been served on the Development Appeal Board within the time period specified in Section 23, Clause (1).

- 2) When an application for a development permit has been approved by the Development Appeal Board, it shall not be valid unless and until:
  - a) the Board has adopted the minutes of its meeting at which the application was approved; and
  - b) any conditions of approval, save those of a continuing nature, have been fulfilled.
- 3) If the Development Appeal Board is served with notice of an application for leave to appeal its decision under Section 152 of the Planning Act, such notice shall operate to suspend the development permit.
- 4) The final determination of an appeal under Section 152 of the Planning Act shall operate to validate, amend or revoke, as the case may be, a development permit suspended under Clause (3), above.

*Bylaw 6610  
May 11, 1982*

### **19.2 Development Permit Certification for Signs**

- 1) Every sign, other than a temporary sign or portable sign, requiring development permission, shall display the label issued with the Development Permit at a visible location on the sign in accordance with such guidelines as the Development Officer may establish.
- 2) Any individual or company leaving or removing a Development Permit Label shall be deemed to have committed an offence and subject to the penalty provisions of this Bylaw.

### **20. Resubmission Interval**

*Bylaw 6934  
June 14, 1982*

- 1) When an application is refused by the Development Officer, and in the case of an appeal, refused by the Development Appeal Board, another application on the same site for a use or occupancy within the same Use Class of this Bylaw shall not be submitted by the same or any other applicant at least six (6) months after the date of the previous refusal, except that another application may be submitted if such application is one for a Permitted Use which complies with the Regulations of this Bylaw.
- 2) When another application is submitted pursuant to Clause (1) above, it shall be accompanied by the required fee prescribed in this Bylaw.

- 3) If, upon review of another application submitted pursuant to Clause (1) above, the Development Officer determines that the application is not for a Permitted Use or does not meet the regulations of this Bylaw, he shall return the application and any fees paid to the applicant without decision, and it shall be deemed not to have been submitted.

## 21. Development Permit and Agreement Fees

*Bylaw 6627*

*October 27, 1981*

### 21.1 Development Application Fees

- 1) Every application shall be accompanied by the required fee set out in Schedule 21A;
- 2) For developments which include groups of Use Classes with different fee structures, the required fee shall be the sum of the fees calculated separately for each group. Where a maximum fee for a particular group of Use Classes is specified, it shall be applied to that portion of the development involving those Use Classes;
- 3) Where the required fee is not listed in Schedule 21A, the required fee shall be determined by the Development Officer, and shall be consistent with those fees listed in Schedule 21A for similar uses and developments within the same or similar Use Class;
- 4) Where the decision on the application will require notification of adjoining property owners by mail, the applicant shall pay a fee of \$35.00 in addition to the fee specified in Schedule 21A;
- 5) Where, in the opinion of the Development Officer, an application is substantially revised, the applicant, prior to reconsideration of the application, shall pay a fee equal to 50% of the initial application fee, in addition to the fee specified in Schedule 21A and any fee required by Clause (4), above, except that such additional fee shall not be required in instances where improvements suggested by the Development Officer result in substantial revision;
- 6) The issuance of a Development Permit is conditional upon payment of the fees required by Section 21.

*Bylaw 6375*

*March 10, 1981*

### 21.2 Development Agreement Fees

*Bylaw 6627*

*October 27, 1981*

- 1) When a Development Agreement is to be entered into between the City and the applicant as a condition of issuing a development permit pursuant to Section 17 of this Bylaw, other than a Development Agreement entered into solely for the purpose of collecting a redevelopment levy, the applicant shall pay to the Development Officer upon execution of the Development Agreement, in addition to any other fee required pursuant to this or any other Bylaw, a Development Agreement fee as set out in Schedule 21B.

**Schedule 21A  
Development Application Fees**

*Bylaw 8376  
January 27, 1987*

1. Residential and Some Residential - Related Use Classes	Fee
a) i) Accessory Buildings, Minor Interior and Exterior Alterations, Additions with a Gross Floor Area of not more than 10 m <sup>2</sup> (107.64 sq. ft.)	\$10.00
ii) Single detached House, Mobile Homes, Conversion of Single detached House to Duplex House, Foster Homes, Group Homes, Additions with a Gross Floor Area of more than 10 m <sup>2</sup> (107.64 sq. ft.)	\$42.00
iii) Semi-detached and Duplex Housing	\$62.00
iv) Linked Housing, Row Housing, Stacked Row Housing, Apartment Housing and Boarding and Lodging Houses plus, for	\$83.00
Each additional Dwelling Unit or Sleeping Unit over 4,	\$10.00
Maximum Fee	\$3,120.00

*Bylaw 7428  
February 28, 1984*

*Bylaw 8376  
January 27, 1987*

2. Commercial Use Classes
- a) For New Building or Additions to Existing Buildings
- i) Class B and C Development

**SECTION  
11-26**

**GENERAL  
ADMINISTRATIVE CLAUSES**

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		For Gross Floor Area up to 500 m <sup>2</sup> (5,381.95 sq. ft.)	\$208.00
		plus, For each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of Gross Floor Area or part thereof	\$21.00
	ii)	Class D Development	
		For Gross Floor Area up to 500 m <sup>2</sup> (5,381.95 sq. ft.)	\$312.00
		plus, For each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of Gross Floor Area or part thereof	\$21.00
		Maximum Fee	\$4,160.00
<i>Bylaw 8068 January 28, 1986</i>	b)	Interior and Exterior Alterations or Renovations to Existing Buildings	\$52.00
<i>Bylaw 8376 January 27, 1987</i>	3.	Industrial Use Classes	
	a)	For New Buildings or Additions to Existing Buildings	
	i)	Class B and C Development	
		For Gross Floor Area up to 500 m <sup>2</sup> (5,381.95 sq. ft.)	\$156.00
		plus, For each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of Gross Floor Area or part thereof	\$10.00
	ii)	Class D Development	
		For Gross Floor Area up to 500 m <sup>2</sup> (5,381.95 sq. ft.)	\$312.00
		plus, For each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of Gross Floor Area or part thereof	\$10.00
		Maximum fee	\$4,160.00
<i>Bylaw 8068 January 28, 1986</i>	b)	Interior and Exterior Alterations or Renovations to Existing Buildings	\$52.00

*Bylaw 7428  
February 28, 1984  
Bylaw 8376  
January 27, 1987*

**4. Basic Service Use Classes**

- a) For new buildings or additions to existing buildings
  - i) Class B and C Development
 

For gross floor area up to 500 m <sup>2</sup> (5,381.95 sq. ft.)	\$208.00
plus, for each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of gross floor area or part thereof	\$21.00
  - ii) Class D Development
 

For gross floor area up to 500 m <sup>2</sup> (5,381.95 sq. ft.)	\$312.00
plus, for each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of gross floor area or part thereof	\$21.00
Maximum Fee	\$4,160.00
- b) Interior and exterior alterations or renovations to existing buildings
 

	\$52.00
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*Bylaw 7428  
February 28, 1984  
Bylaw 8376  
January 27, 1987*

**5. Community, Educational, Recreational and Cultural Service Use Classes**

- a) For new buildings or additions to existing buildings
  - i) Class B and C Development
 

For gross floor area up to 500 m <sup>2</sup> (5,381.95 sq. ft.)	\$156.00
plus, for each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of gross floor area or part thereof	\$10.00
  - ii) Class D Development
 

For gross floor area up to	
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**SECTION  
11-26**

**GENERAL  
ADMINISTRATIVE CLAUSES**

		500 m <sup>2</sup> (5,381.95 sq. ft.)	\$312.00
		plus, For each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of gross floor area or part thereof	\$10.00
		Maximum Fee	\$4,160.00
<i>Bylaw 8068 January 28, 1986</i>	b)	Interior and exterior alterations, or renovations, to existing buildings	\$52.00
<i>Bylaw 8068 January 28, 1986</i>	6.	Agricultural and Natural Resource Development	\$52.00
<i>Bylaw 8376 January 27, 1987</i>	7.	Other	
<i>Bylaw 7428 February 28, 1984</i>	a) i)	Class A Occupancy Applications	\$31.00
<i>Bylaw 8068 January 28, 1986</i>	ii)	Change of use class or occupancy within an existing building, other than Class A Occupancy applications	\$104.00
<i>Bylaw 8376 January 27, 1987</i>	b)	Parking lots (individual appli- cations)	\$104.00
	c)	Office-in-the-home	\$52.00
	d)	Home crafts	\$52.00
	e)	Daytime child care service within a Residential District	\$52.00
<i>Bylaw 6626 November 10, 1981</i>	f)	Demolition of buildings accessory to Residential Uses	\$10.00
	g)	Other Demolitions	\$21.00
	h)	Fences	\$16.00
<i>Bylaw 8068 January 28, 1986</i>	i)	Carnivals	\$31.00
	j)	Installation of underground or above ground storage tanks	\$26.00
	k)	Class A Developments not listed above	\$21.00



*Bylaw 6610*  
*May 11, 1982*  
*Bylaw 8376*  
*January 27, 1987*

8. Sign Developments

- a) Class A Sign Developments:
  - i) Temporary Signs \$16.00
  - ii) Portable Signs \$31.00
  - iii) Other Class A Signs \$31.00
  
- b) Class B Sign Developments:
  - i) First Sign \$47.00
  - ii) Each Additional Sign \$16.00
  
- c) Class C Sign Developments:
  - i) Comprehensive Sign Design Plans \$156.00
  - ii) Roof Signs \$156.00
  - iii) Balloon Sign \$31.00
  - iv) Other Class C Signs:
    - A) First Sign \$78.00
    - B) Each Additional Sign \$16.00

*Bylaw 8324*  
*September 24, 1986*

<i>Bylaw 6627 October 27, 1981 Bylaw 8376 January 27, 1987 Bylaw 6721 December 8, 1981</i>	<b>Schedule 21B Development Agreement Fees</b>	<b>Fee</b>
	1. For Class D Developments	\$5,928.00
<i>Bylaw 7144 April 13, 1983 Bylaw 7428 February 28, 1984</i>	2. For Class B and C Developments which involve a gross floor area in excess of 4,645.16m <sup>2</sup> (50,000 sq. ft.) or a value of improvements in excess of \$1,000,000.00	\$2,912.00
<i>Bylaw 7728 March 12, 1985</i>	3. For other Class B and C Developments	NIL
<i>Bylaw 8068 January 28, 1986</i>	4. For Class A Developments	NIL

## **22. Notification of Issuance of Development Permits**

### **22.1 Class A Development**

No notification of the issuance of a development permit for Class A Development shall be issued or shall be required.

### **22.2 Class B Development**

Within 10 days of the issuance of a development permit for Class B Development, the Development Officer shall cause to be published in a daily newspaper circulating within the City, a notice describing the development and stating his decision, and the right to appeal therefrom.

### **22.3 Class C Development**

1) Within 7 days of the issuance of a development permit for Class C Development, the Development Officer shall dispatch a notice by ordinary mail to:

- a) each assessed owner of the site or a part of the site of the development;
- b) each assessed owner of land, wholly or partly within a distance of 60 metres (196.85 ft.) of the boundary of the site; and
- c) the President of the Community League operating within the notification boundaries described in (b), above.
- d) deleted.

*Bylaw 6190  
September 9, 1980*

- 2) The notice shall describe the development and state the decision of the Development Officer, and the right of appeal therefrom.
- 3) In addition, the Development Officer shall publish the notice in a daily newspaper circulating within the City in the manner prescribed in Section 22.2
- 4) During any cessation of ordinary mail delivery, the notice to those described in Clauses (1), (2) shall be given to those described in Clauses (1)(a) and (1)(c) by such other alternative means as the Development Officer may specify, and the notice to those described in Clause (1)(b) shall be provided as described in Clause (3) only.

*Bylaw 6626  
November 10, 1981*

*Bylaw 7729  
March 12, 1985*

#### **22.4 Class D Development Permit**

In addition to the notification specified in Section 22.3, the Development Officer may notify owners of land beyond 60 m (196.8 ft.) at such additional distance and direction from the site as, in his opinion, may experience any impact attributable to the proposed development.

### **23. Appeals**

- 1) Subject to the provisions of the Planning Act any person applying for a development permit or affected by a permit issued by the Development Officer may appeal the decision of the Development Officer to the Development Appeal Board by serving a written notice of appeal on the Development Appeal Board within 14 days after notice of the decision or issuance of the Development Permit was given.
- 2) An application for a development permit may, at the option of the applicant, be deemed to be refused in accordance with the provisions of Section 18 of this Bylaw, and the applicant may appeal in writing to the Development Appeal Board as provided in Clause (1), above, as though the application has been refused at the end of the period in Section 18.

### **24. Expiry of Permit**

- 1) Except as provided in the DC2 District, if development authorized by a development permit is not commenced within twelve months from the date of its issue, such permit ceases to be valid, provided that, if the permit holder is unable to proceed pending a court decision

involving the proposed development, time shall not run until such proceedings are finally completed.

- 2) Notwithstanding Clause (1) above, if a Building Permit is issued for the development within the twelve month period, the Development permit issued therefore shall not lapse unless and until the Building Permit so issued is cancelled or allowed to lapse by virtue of work not having commenced within the statutory minimum period.
- 3) Where a development permit is issued for a site where any other valid development permit has been issued, it shall invalidate any previous permit if the physical aspects of the developments conflict, or both could not occur simultaneously upon the site in conformity with the regulations of this Bylaw.

## 25. Enforcement and Penalties

### 25.1 Offences

- 1) Any owner, lessee, tenant or occupant of land, or a building or a structure thereon, who, with respect to such land, building or structure,
  - a) contravenes, or
  - b) causes, suffers or permits a contravention of, any provision of this Land Use Bylaw,commits an offence.
- 2) Any contractor, worker, or other person who constructs a building or structure, or makes an addition or alteration thereto,
  - a) for which a development permit is required but has not been issued or is not subsisting under this Bylaw, or
  - b) in contravention of a condition of a development permit issued under this Bylaw,commits an offence.

### 25.2 Penalties

- 1) Any person who commits an offence under Section 25.1 is, upon summary conviction, liable to a fine of not less than **one hundred (\$100.00) dollars** and not more than **five hundred (\$500) dollars** and, in addition, to a fine of not more than **one hundred (\$100) dollars** for every day the

offence continues, exclusive of costs, and in case of non-payment of the fine and costs imposed, to **imprisonment for a period not exceeding six months**, unless the fine and costs, including the costs of committal, are sooner paid.

- 2) The above offences and penalties are supplementary to Section 154 and 155 of the Planning Act, under which any person who commences a development and fails or neglects to obtain a development permit or comply with a condition of a permit, is guilty of an offence.

### 25.3 Suspension or Revocation of Permit

- 1) The Development Officer may suspend or revoke a development permit where:
  - a) the applicant fails to comply with the conditions of issuance of a permit; or
  - b) any person undertakes or causes or permits any development on a site contrary to the terms or conditions of a permit.
- 2) Any person who undertakes or causes or permits any development on a site without a permit, or after a permit has been suspended or revoked, shall discontinue such development forthwith upon notice in writing issued by the Development Officer so requiring, and shall not resume such development unless a permit has been issued or the permit reinstated.

*Bylaw 6610  
May 11, 1982*

### 25.4 Offence Ticket

- 1) A Bylaw Enforcement Officer may issue an offence ticket to any person who has committed or is committing an offence under this Bylaw.
- 2) The offence ticket shall:
  - a) specify the alleged offence committed by the person to whom the offence ticket is issued; and
  - b) require payment within fifteen (15) days from the date of issue of a fine of **fifty (\$50) dollars** for the first offence and a fine of **one hundred (\$100) dollars** for second and subsequent offences, such fine to be paid to the City Treasurer or any other person designated by Council.

*Bylaw 7418  
January 24, 1984*

- 3) The offence ticket shall be served upon the alleged offender personally or by single registered mail.
- 4) Except as otherwise provided in this Subsection the provisions of Bylaw No. 2101, as amended, shall apply to the issuing and payment of offence tickets under this Subsection, insofar as the provisions relate to the issuing of offence tickets as an alternative and in lieu of punishment by way of prosecution.
- 5) If the person who was served with the offence ticket fails to pay the fine specified therein and is thereafter prosecuted and convicted of the offence specified in the offence ticket, the fine imposed shall not be less than one hundred twenty five (\$125) dollars in addition to court costs.

### **25.5 Alternative Enforcement**

- 1) In addition to, or as an alternative to any other remedy, the Development Officer, if he is satisfied there is a contravention of this Bylaw, may report such contravention to a Commissioner.
- 2) A Commissioner, if informed of the contravention of this Bylaw, or on his own initiative without such information, may authorize that action be taken to enforce this Bylaw, which action may include an application to the Court of Queen's Bench of Alberta for an Injunction or other Order to restrain the contravention.

## **26. Amendments**

### **26.1 Text Amendments**

*Bylaw 7729  
March 12, 1985*

- 1) Any person applying to amend Parts I and II of this Bylaw shall apply in writing to the Development Officer, furnishing reasons in support of the application and requesting that the Development Officer submit the application to the Council.
- 2) If a person applies to the Council in any manner for an amendment to Parts I and II of this Land Use Bylaw, the Council shall require him to submit his application to the Development Officer in accordance with the provisions of this Section before it considers the amendment proposed by such person.

*Bylaw 6626  
November 10, 1981*

- 3) Notwithstanding anything contained in this Section 26, an application for a proposed amendment to Part I or Part II of this Bylaw which has been rejected by the Council within the previous 12 months shall not be accepted unless otherwise directed by Council.

**26.2 Redistricting Applications**

*Bylaw 7729  
March 12, 1985*

- 1) Any person applying to amend Part III of this Bylaw to change the land use District governing any land shall apply in writing to the Development Officer and submit the following to the Development Officer:
  - a) a Certificate of title which has been issued not later than thirty days prior to the receipt of the amendment application by the Development Officer;
  - b) the applicant's name, address and interest in the property;
  - c) a signed statement by the applicant stating that he is willing to pay for all costs incurred by the City in processing the proposed amendment, whether it be enacted or not, including, but not limited to, all mapping, printing, reproduction, surveys and advertising costs;
  - d) the appropriate application fee required in Section 26.3; and
  - e) a brief written statement by the applicant in support of his application, and his reasons for applying.
- 2) Upon receipt of an application for a redistricting amendment, the Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed District. The analysis shall be based upon the full development potential of the uses and development regulations specified in the proposed District and not on the merits of any particular development proposal, except where the DC2 District is proposed. The analysis shall, among other things, consider the following impact criteria:
  - a) relationship to and compliance with approved Statutory Plans and Council policy;
  - b) relationship to and compliance with authorized Statutory Plans, or Replotting Schemes in preparation;
  - c) compatibility with surrounding development in terms of land use function and scale of development;
  - d) traffic impacts;

- e) relationship to, or impacts on, services such as water and sewage systems, public transit and other utilities and public facilities such as recreational facilities and schools;
- f) relationship to municipal land, right-of-way or easement requirements;
- g) effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
- h) necessity and appropriateness of the proposed land use District in view of the stated intentions of the applicant;
- i) relationship to the documented concerns and opinions of area residents regarding the application.

*Bylaw 6626  
November 10, 1985  
Bylaw 7729  
March 12, 1985*

- 3) Notwithstanding anything contained in this Section 26, an application for a proposed amendment to Part III of this Bylaw which has been rejected by the Council within the previous 12 months shall not be accepted unless otherwise directed by Council.

### **26.3 Review and Processing of Amendments**

*Bylaw 7729  
March 12, 1985*

- 1) The Development Officer shall:
  - a) examine the proposed amendment;
  - b) prepare a written report on the proposed amendment; and
  - c) advise the applicant in writing that:
    - i) he is prepared to recommend the amendment to the Council without further investigation, or
    - ii) he is not prepared to recommend the amendment, or
    - iii) he requires further investigation to make a recommendation, or
    - iv) he is prepared to recommend an alternative amendment.
- 2) Upon receiving the advice of the Development Officer, the applicant shall advise the Development Officer if:



**SECTION  
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- a) he wishes the proposed amendment to proceed to City Council, in which case he must prepay the advertising costs referred to in Section 26.2(1)(c) prior to the amendment proceeding to City Council, or
- b) he does not wish to proceed to City Council with the proposed amendment, in which case the application is considered abandoned.

3) If requested by the applicant, the Development Officer shall submit the proposed amendment to Council, accompanied by the report of the Development Officer.

*Bylaw 6626  
November 10, 1981  
Bylaw 7729  
March 12, 1985*

4) The Development Officer, in his discretion, may present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Development Officer.

*Bylaw 6626  
November 10, 1981  
Bylaw 7729  
March 12, 1985*

5) Council, in its discretion, may initiate any amendment to this Bylaw, and prior to the approval of any amendment, Council may refer the proposal to the Development Officer for his report and recommendation.

6) Every redistricting application shall be accompanied by the required fee set out in Schedule 26A. Where an application involves redistricting from or to more than one abutting district, the fee shall be the highest of the single redistricting fees specified in Schedule 26A.

7) When a Development Agreement is to be entered into between the City and the applicant pursuant to Section 720.2(4) of this Bylaw, the applicant shall pay to the Development Officer, in addition to any other fee required pursuant to this or any other Bylaw, a Development Agreement fee of \$5,500.00.

*Bylaw 6358  
February 10, 1981  
Bylaw 7729  
March 12, 1985*

8) Deleted

*Bylaw 6627  
October 27, 1981  
Bylaw 6721  
December 08, 1981  
Bylaw 7729  
March 12, 1985*

9) Deleted

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*Bylaw 7138  
January 26, 1983  
Bylaw 8068  
January 28, 1986  
Bylaw 8376  
January 27, 1987*

**Schedule 26A Redistricting Fees**

	<u>From:</u>	<u>New District</u>								
		<u>To:</u> 1	2	3	4	5	6	7	8	9
Existing District	1	405	540	806	988	1076	540	930	405	2236
	2	540	405	806	806	1076	540	1310	676	2236
	3	540	540	540	540	1076	540	1310	676	2236
	4	540	540	540	540	806	676	1492	676	2236
	5	540	540	540	540	676	806	1492	540	2236
	6	540	540	676	676	1076	1076	1310	540	2236
	7	540	540	806	806	1076	540	930	540	2236
	8	540	540	806	806	1076	540	930	405	2236
	9	540	540	540	540	1076	540	930	405	2236

Category	Land Use District
1	A, AG, AGI, AGU, AP, RR, US
2	RF1, RF2, RPL, RF3, RF4, RMH
3	RF5, RF6
4	RA7, RA8
5	RA9, RMX
6	CNC, CSC
7	CB1, CB2, CMX, CO, CHY DC1, DC3, DC4
8	IB, IM, IH, MA, PU
9	DC2, DC5

Note: The applicant shall pay the difference in fees, prior to third reading of the amending bylaw, for any application resulting in a District in a higher fee category than that initially applied for, whether the application was amended by the applicant, the Planning and Building Department, or City Council. If the resulting district is in a lower fee category no refund shall be made.

**26.4 Notification of Amendments**

*Bylaw 7729  
March 12, 1985*

- 1) Prior to consideration by Council of a proposed redistricting amendment, the Development Officer shall place a notice, complying with Section 139 of the Planning Act, in two separate issues of a newspaper circulating within the City, and dispatch a notice by ordinary mail to:
  - a) the applicant;
  - b) the owners of the land subject to the proposed redistricting amendment;

*Bylaw 7322*  
*September 16, 1983*  
*Bylaw 7729*  
*March 12, 1985*

- c) each assessed owner of land, wholly or partially within a distance of 60 m (196.84 ft.) of the boundaries of the site which is the subject of the redistricting amendment, except that the Development Officer may exempt notification for City-initiated redistricting amendments:
  - i) for lands incorporated into the City through annexation, when such lands are redistricted from the pre-annexation municipality's Land Use Bylaw to an equivalent land use district in the Edmonton Land Use Bylaw; or
  - ii) to replace existing districts with new Land Use Bylaw districts which are generally consistent with the uses and regulations of the district being replaced;
- d) the President of a Community League operating within the notification boundaries described in (c) above.

During any cessation of ordinary mail delivery, the notice to those described in Clauses (1)(a), (1)(b) and (1)(d) shall be given by such other alternative means as the Development Officer may specify, and the notice to those described in Clause (1)(c) shall be provided in the newspaper only.

- 2) Where, in the opinion of the Development Officer, any proposed redistricting amendment is likely to affect other owners of land, he shall notify owners of land beyond 60 m (196.85 ft.) at such additional distance and direction from the site as, in his opinion, may experience any impact attributable to any development allowed under the proposed land use District.
- 3) Prior to consideration by Council of an amendment to Parts I and II of this Bylaw, the Development Officer shall give such notice as is required by Section 139 of the Planning Act.
- 4) a) Except as provided hereafter, the owner or applicant shall erect a Redistricting Application Information sign within 14 days of making an application to amend Part III of this Bylaw to change the Land Use District governing any land. A Redistricting Application Information sign is not required for applications which are in conformity with an Area Redevelopment or Area Structure Plan, or those applications which are adopted in order to ensure conformity of an Area

*Bylaw 7322*  
*September 16, 1983*  
*Bylaw 7729*  
*March 12, 1985*

Redevelopment Plan, Area Structure Plan or other comprehensive land use study with the Land Use Bylaw, or for City-initiated redistricting amendments for land brought into the City through annexation, or for amendments to place lands within the DC3 District. Where a sign is required, redistricting applications shall not be presented to City Council until the required Redistricting Application Information sign has been in place for at least 21 days.

- b) The Redistricting Application Information sign shall be erected at a prominent location on the site, or within 4.5 m (14.8 ft.) of the site between the site and a public roadway, other than a lane, shall be readable from a distance of 15 m (49.2 ft.) and shall be maintained in a reasonable and legible condition until such time as the application to amend Part III is approved by Council struck from Council's agenda, or withdrawn. If a site is bounded by more than one public roadway, other than a lane, one or more Redistricting Application Information signs shall be erected in a manner so as to be visible from each public roadway, other than a lane.
- c) Redistricting Application Information signs, as erected, shall be of a maximum height above ground of 3 m (9.8 ft.), a minimum area of 1 m<sup>2</sup> (10.8 sq. ft.) and a maximum area of 3 m<sup>2</sup> (32.3 sq. ft.).
- d) Redistricting Application Information signs shall contain the following information:
  - i) the present land use District applicable to the site;
  - ii) the land use District proposed by the applicant;
  - iii) a general description of the uses which could develop within the land use District proposed by the applicant, together with a notice that the description is not exhaustive;
  - iv) the maximum permitted height, density and floor area ratio within the land use District proposed by the applicant;
  - v) the site's total area; and
  - vi) the telephone number of the City's Land Use Bylaw Amendment Officer, and an indication that at that telephone number, more information respecting the application may be sought.

- e) In addition to the information requirements listed in Clause (1) of this Section 26.4, the applicant shall, within 7 days of the erection of the Redistricting Application Information sign, submit to the Development Officer a letter indicating that the sign has been erected in accordance with the requirements of the Land Use Bylaw.
- f) Where the applicant is not the owner of the subject site, the Development Officer may authorize an alternative notification, which does not meet all of the requirements of Clause 4 of Section 26.4, on public property adjacent to the subject site.

### **26.5 Conformity with the Regional Plan**

*Bylaw 7729  
March 12, 1985*

- 1) Notwithstanding anything contained in this Bylaw, no amendment to the Land Use Bylaw shall be enacted which would cause this Land Use Bylaw to be, or become, at variance with, or in contravention of, an adopted Regional Plan.
- 2) If, in the opinion of the Development Officer, a proposed amendment is at variance with, or in contravention of, a Regional Plan, the Development Officer shall advise the applicant that before the proposed amendment can be enacted, the Regional Plan must be amended so that the proposed amendment to the Land Use Bylaw, if enacted, will not be at variance with, or in contravention of, the Regional Plan.



**SECTION GENERAL  
50-79 DEVELOPMENT  
REGULATIONS**

## 50. Applicability

The General Development Regulations apply to any development on any site, irrespective of the District in which it is located. Where these Regulations appear to be in conflict with the regulations in the District or Overlay in which the use is either a Permitted or Discretionary Use, the General Development Regulations shall take precedence, except in the case of the Airport Protection Overlay and provided that a District or Overlay may, in its regulations, specifically exclude or modify these provisions with respect to any use.

## 51. Lot Dimensions and Areas

### 51.1 Subdivision

*Bylaw 7729  
March 12, 1985*

The Municipal Planning Commission shall not approve the subdivision of land within any District, or on any site for which the Development Officer will support a redistricting application to that District, into lots of lesser dimensions and areas than the regulations of that District prescribe, except as provided in Clauses (1), (2), (3) and (4) below.

- 1) The Municipal Planning Commission shall not approve the subdivision of land in already subdivided and developed RF1 Districts into lots of lesser dimensions and areas than, in its opinion, is consistent with the general character of the area, including parcel size and dimensions, regardless of the minimum permitted in that District.
- 2) The Municipal Planning Commission may approve the subdivision of land in all already subdivided and developed areas into lots of lesser dimensions and areas than the minimum required in the applicable District if, in its opinion, the lot dimensions and areas would be consistent with the general character of the area determined by parcel size and dimensions and would satisfy the Subdivision Regulations made under Section 145(1) of the Planning Act, 1977.
- 3) The Municipal Planning Commission may approve the subdivision of land in the AG District to subdivide from a quarter section
  - a) parcels which are too small for economic agricultural development because of isolation by natural features such as ravines or water bodies or

*Bylaw 6626  
November 10, 1981*



by man-made features such as roadways or railways; or

*Bylaw 6626  
November 10, 1981*

- b) parcels which are to be used for Essential Utility Services.
- 4) The Municipal Planning Commission may approve a subdivision of land which includes parcels of a size less than the minimum site size required in the AGU District and in the AGI District, if these parcels are to be used for Essential Utility Services, if these parcels are remnants or other parcels which result from the planned subdivision or replotting process where, in the opinion of the Municipal Planning Commission, such parcels are likely to be created for a temporary period and will subsequently be incorporated into a consolidation or another subdivision or development pattern, and districted in a manner consistent with proposed Land Use Districts prior to development, or if, in the opinion of the Municipal Planning Commission, the AGU or AGI districting is to be temporary and is soon to be replaced with another Land Use District.

*Bylaw 6934  
June 14, 1982*

**51.2**

**Minimum Site Area Exceptions for Single Detached, Semi-detached, Semi-detached and Duplex Housing**

- 1) The Development Officer shall not refuse an application for a development permit for single detached housing on a site with a depth of at least 30 m (98 ft.) and a width of at least 10 m (32.8 ft.), or semi-detached housing or duplex housing on a site with a site area of at least 470 m<sup>2</sup> (4,951 sq. ft.) and a width of at least 13.5 m (44.3 ft.) only for the reason that the site does not meet the minimum area and dimensions set out in this Bylaw, if:
  - a) the site in question is a lot which was created prior to the effective date of Bylaw 2135; or
  - b) the site in question is a lot approved by the Municipal Planning Commission in an area where the surrounding lands were generally subdivided pursuant to Section 51.1 of this Bylaw; or
  - c) in the case of single detached housing within the RF4 District, the site is within a district outline plan area or Area Structure Plan Bylaw area and the subdivision creating the site was approved by the Municipal Planning Commission prior to the effective date of Bylaw 6934.

## 52. General Regulations for Yards, Separation Space, Amenity Area and Setbacks

- 1) Other than in the RPL District, no portion of any required Yard, Amenity Area, Private Outdoor Amenity Area, Separation Space, or Setback shall be provided by an adjacent site.
- 2) In the RPL District, the required Separation Space for any development may be provided in part by open space on an adjacent site, provided that a required Separation Space shall in all cases be subject to the regulations for Separation Space as contained in Section 58 of this Bylaw and therefore shall, where Section 58 requires, be free of those buildings or structure, or portions of them which may otherwise be allowed in a Yard.
- 3) A required Yard, Separation Space, or Setback shall not be required below grade, except that the Development Officer may require that a Yard, or any portion of it be unobstructed and undisturbed below grade in order to preserve existing vegetation, or to provide an adequate growing environment for any proposed or required landscaping.
- 4) Yard requirements in any District apply to accessory buildings or structures, except those in Residential Districts, in which case Section 61.3 applies.

## 53. Yards on Corner Sites and Double Fronting Sites in Residential Districts

- 1) In the case of a corner site, the Front Yard shall be the Yard abutting the Front Lot Line, except:
  - a) In the case of a corner site comprised of more than one lot, the Front Yard of the site shall be taken on the same public roadway, other than a lane, as the Front Yard of the Corner Lot, or
  - b) Where the two boundaries of a corner site are equal, the location of the Front Yard of the site shall be determined by the Development Officer.

- 2) Notwithstanding Clause (1) above, the Development Officer may require any corner site to provide an additional Front Yard or Yards other than that required, having regard to the orientation and access of any development, and the Front Yard requirements of adjacent properties.
- 3) The Development Officer may require a Double Fronting Site to provide a Front Yard on each public roadway, other than a lane, in accordance with the Front Yard requirements of the District in which the site is located, provided that at least one Front Yard shall be provided.

#### **54. Projection into Yards and Separation Spaces**

The following features may project into a required Yard or Separation Space as provided for below:

- 1) Verandas, porches, eaves, shade projections, unenclosed steps, chimney breasts or parts of a chimney, belt courses, sills, together with any other architectural features which, in the opinion of the Development Officer, are of a similar character, provided such projections do not exceed 0.60 m (1.97 ft.) in the case of required Yards or Separation Spaces 1.2 m (4 ft.) and over, and 0.46 m (1.5 ft.) for required Yards or Separation Spaces less than 1.2 m (4 ft.).
- 2) Bay, oriel, or similar windows, provided that such projections do not exceed 0.60 m (1.97 ft.) in the case of required Yards 1.2 m (4 ft.) and over, and 0.46 m (1.5 ft.) for required Yards less than 1.2 m (4 ft.). Such windows shall not project into a required Separation Space.
- 3) Balconies, provided with such projections do not exceed 2 m (6.6 ft.) into Yards or Separation Spaces with a depth of at least 4 m (13.1 ft.), and 0.60 m (1.97 ft.) for Yards or Separation Spaces less than 4 m (13.1 ft.).
- 4) An open, hard surfaced and uncovered terrace or patio in any Yard or Separation Space in a Residential District, if such terrace is completely unenclosed except by a guard rail or parapet wall which do not exceed the maximum height permissible for a fence in the same location. No such terrace shall project into any required Front Yard more than 2.5 m (8.2 ft.). The provision of an awning or similar temporary covering for such a terrace shall be permitted.

- 5) Swimming pools, fish ponds, ornaments, flagpoles, or the like provided that swimming pools shall not be constructed within any required Front Yard.
- 6) Any loading space required under the provisions of this Bylaw, provided it shall not be in a required Front Yard.
- 7) A parking area when comprised of parking spaces required under this Bylaw, provided that no parking area in any District shall be located within the required Front Yard. This shall not prohibit the use of a required Front Yard for such walkways and driveways as the Development Officer considers necessary.

## 55. Objects Prohibited or Restricted in Residential Districts

No person shall keep in any part of a site in any Residential District:

- 1) any commercial vehicle, loaded or unloaded, of a maximum weight exceeding 4,000 kg (8,818 pounds);
- 2) more than one commercial vehicle of a maximum weight of 4,000 kg (8,818 pounds) or less, for longer than is reasonably necessary to load or unload such vehicle;
- 3) any dismantled or wrecked vehicle for more than fourteen consecutive days; or
- 4) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area.

## 56. Amenity Area

- 1) Where required in any District, a development shall provide Amenity Area in accordance with the requirements of the District.
- 2) Amenity Area shall:
  - a) with respect to Residential Use Classes, be located and designed to serve as space for the active or passive recreation and enjoyment of the occupants of a Residential development; and
  - b) with respect to Non-Residential Use Classes, be located and designed to serve as space for the active

*Bylaw 6502  
November 24, 1981*

**SECTION 50-79 GENERAL DEVELOPMENT REGULATIONS**

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or passive recreation and enjoyment of the public so as to maximize the accessibility and use of the Area by the public during the hours which the development is open to the public. Access to the Amenity shall be at no cost to the public.

*Bylaw 6502  
November 24, 1981*

- 3) Amenity Area may include:
  - a) with respect to Residential Uses Classes, patios, balconies with a minimum depth of 2 m (6.6 ft.), roof terraces, communal lounges and recreational facilities and other areas within the site which, in the opinion of the Development Officer, are of the nature described in Clause (2)(a) above; and
  - b) with respect to Non-Residential Use Classes, courtyards, interior landscaped open spaces, arcades, plazas, atriums, public seating areas and other areas within the site which, in the opinion of the Development Officer, are of the nature described in Clause (2)(b) above.

*Bylaw 6502  
November 24, 1981*

- 4) Required Amenity Area may be located:
  - a) with respect to Residential Use Classes, within any required Yard, other than a Front Yard; and,
  - b) with respect to Non-Residential Use Classes, within any required Yard.
- 5) Required Amenity Area may be located within a required Separation Space, but only if it is intended for the private use of the Dwelling for which the Separation Space is provided.

*Bylaw 6502  
November 24, 1981*

- 6) Where landscaped space at grade on the site is in excess of 30% of the site area, the excess may be included in the required Residential Amenity Area.

## **57. Private Outdoor Amenity Area**

- 1) Where required in any District, a development shall provide Private Outdoor Amenity Area in accordance with the requirements of the District.
- 2) Private Outdoor Amenity Area shall be designed for the occupants of a specific Dwelling, and shall be provided immediately adjacent to, and with direct access from, the

Dwelling it is to serve. It shall be landscaped and surfaced for convenient use for outdoor activities.

- 3) Private Outdoor Amenity Area shall be screened in a manner which prevents viewing into a part of it from any adjacent areas at a normal standing eye level. When such screening would impair a beneficial outward and open orientation of view, and there is no adverse effect on the privacy of the Private Outdoor Amenity Area, the extent of screening may be reduced.
- 4) Private Outdoor Amenity Area may be provided above grade, and may be located within any required Yard other than a required Front Yard.
- 5) Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 4 m (13.2 ft.), except that if it is provided above the first storey the minimum dimensions shall be 3 m (9.8 ft.).
- 6) Private Outdoor Amenity Area may be located within a required Separation Space, but only if the Amenity Area is intended for the use of the Dwelling for which the Separation Space is provided.

*Bylaw 6626  
November 10, 1981*

## **58. Separation Space**

### **58.1 Separation Space: General**

*Bylaw 6626  
November 10, 1981*

- 1) Where required in any District, any Residential or Residential-Related development shall provide Separation Space in accordance with this Section 58.
- 2) Except as provided for elsewhere in this Section 58, the Separation Space shall be contained fully within the site of the proposed development unless otherwise specified in the applicable Land Use District.
- 3) The minimum Separation Space in front of any windows, entry or similar opening shall be applied along the full length and height of the exterior wall of the room in which the particular opening or window is located, and it shall be measured horizontally outward from, and at right angles to, that exterior wall.
- 4) Except as provided for elsewhere in this Section, the specified Separation Space shall be free of buildings and public roadways.

- 5) For the purposes of this Section 58, Privacy Zone shall mean an area within the minimum Separation Space which shall be free of buildings, public roadways, walkways, on-site roadways, communal parking areas and communal Amenity Areas.
- 6) The minimum separating distance between two Dwellings shall be equal to the sum of the minimum Separation Spaces for the opposite windows and openings, except as provided in Section 58.3, Clause (2) and Section 58.4, Clause (2).
- 7) In the event that buildings are not parallel, or diagonal views between opposite windows and openings in different Dwellings become critical, the Separation Space requirements may be increased or reduced by the Development Officer.
- 8) Notwithstanding these regulations, the Development Officer may require a lesser Separation Space where other design solutions offer equivalent daylight, sunlight, ventilation, quiet, visual privacy and views.
- 9) A required Separation Space may be provided wholly or partly within a required Yard.

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## **58.2**

### **Principal Living Room Window**

- 1) In front of a Principal Living Room Window, a Separation Space, with a minimum depth of 7.5 m (24.6 ft.) or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 10 m (32.8 ft.) shall be provided.
- 2) Where a Principal Living Room Window faces directly onto a local public roadway other than a lane, communal walkway, on-site communal roadway or communal parking area, communal Amenity Area or accessory building or structure, these facilities or activity areas may be located within the minimum Separation Space where a Privacy Zone of at least 4.5 m (14.8 ft.) is provided. This Privacy Zone shall be measured from the window to the nearest edge of the specified activity area. For local public roadways, the Privacy Zone shall be measured from the Window to the edge of the sidewalk or to the space reserved for a future sidewalk.
- 3) Where the sill of a Principal Living Room window is at least 2 m (6.6 ft.) above the elevation of the exterior area immediately outside the Window for a distance of at least

4.5 m (14.8 ft.) out from the Window, no minimum Privacy Zone is required.

*Bylaw 6626  
November 10, 1981*

**58.3 Habitable Room Window**

- 1) In front of a required Habitable Room Window other than the Principal Living Room Window, a Separation Space, with a minimum depth of 5 m (16.4 ft.) or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 7.5 m (24.6 ft.) shall be provided.
- 2) Where a Habitable Room Window on a building of two storeys or less directly faces a Blank Wall of an adjacent building also of two storeys or less, the minimum separating distance may be reduced to 3 m (9.8 ft.).
- 3) Where a Habitable Room Window faces onto a local public roadway other than a lane, communal walkway, on-site communal roadway or communal parking area, communal Amenity Area or accessory building or structure, these facilities or activity areas may be located within the minimum Separation Space where a Privacy Zone of at least 3 m (9.8 ft.) is provided. This Privacy Zone shall be measured from the Window to the nearest edge of the specified activity area. For local public roadways, the Privacy Zone shall be measured from the Window to the edge of the sidewalk or to the space reserved for a future sidewalk.
- 4) Where Habitable Room Windows face onto exterior corridors or access ways for Dwellings located above grade, the Development Officer may modify the Privacy Zone requirements of Clause (3) above.
- 5) Where the sill of a Habitable Room Window is at least 2 m (6.6 ft.) above the elevation of the exterior area immediately outside the Window for a distance of at least 3 m (9.8 ft.) out from the Window, no minimum Privacy Zone is required.

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November 10, 1981*

**58.4 Non-Habitable Room Windows, Non-Required Habitable Room Windows, Entries and Blank Walls**

- 1) In front of a Non-Habitable Room Window, a Non-Required Habitable Room Window, an Entry or a Blank Wall, a Separation Space, with a minimum depth of 1.2 m (3.9 ft.) plus 0.3 m (1 ft.) for each additional storey above

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the first storey to a maximum of 3 m (9.8 ft.) shall be provided.

- 2) Where two Blank Walls face one another, the required minimum Separation Space shall be calculated from only one of the Blank Walls. Where the two Blank Walls are of different heights, the Separation Space shall be calculated from the Blank Wall having the greater height.

## 60. Fences in Residential Districts

- 1) Except in the case of the RPL District, a fence on a site in a Residential District shall not be higher, measured from the general ground level 0.5 m (1.6 ft.) back of the property line of the site on which the fence is to be constructed, than:
  - a) 1.85 m (6.1 ft.) for the portion of a fence that does not extend beyond the foremost portion of the principal building abutting the Front Yard, nor beyond the foremost portion of the principal building where it abuts a Side Yard abutting a flanking public roadway other than a lane, and
  - b) 1 m (3.3 ft.) for the portion of a fence that does extend beyond the foremost portion or portions of the principal building on the site, provided that the Development Officer may allow a fence to be erected to not more than 1.85 m (6.1 ft.) in height if, in his opinion, it will not prejudice the amenities of the District.
- 2) On a site in the RPL District, a fence shall not be higher than:
  - a) 1.85 m (6.1 ft.) for the portion of a fence that does not extend into a required Front Yard, the required Side Yard where it abuts a flanking public roadway other than a lane, and the portion of the required Rear Yard which abuts a flanking public roadway other than a lane and has a depth from the flanking public roadway other than a lane equal to the width of the required Side Yard; and
  - b) 1 m (3.3 ft.) for the portion of a fence which extends into the required Front Yard, the required Side Yard where it abuts a flanking public roadway

other than a lane, and the portion of the required Rear Yard described in Clause 2(a) above.

- 3) In the case of Double Fronting sites, fences shall be of a height which is satisfactory to the Development Officer having regard to the location of fences in the surrounding area and the requirement for screening.

## 61. Accessory Uses and Building

### 61.1 Accessory Uses and Building: General

*Bylaw 6626  
November 10, 1981*

- 1) A use listed in any Use Class, or any other use, may be an Accessory Use to a Permitted or Discretionary Use which is a principal use on the site, if such use complies with the definition of Accessory in this Bylaw. Notwithstanding the foregoing, accessory parking may be on the same site as the principal use or comply with Section 66.5 of this Bylaw.
- 2) Accessory Uses and Buildings are permitted in a District when accessory to a principal use which is a Permitted Use in that same District and for which a development permit has been issued.
- 3) Accessory Uses and Buildings are discretionary in a District when accessory to a principal use which is a Discretionary Use in that same District and for which a development permit has been issued.
- 4) Where any building or structure on a site is attached to a principal building on the site by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is a part of the principal building and is not an Accessory Building.
- 5) An Accessory Building or Structure on a Corner Site or a Double Fronting Site, in any District, shall be subject to the Front Yard requirements for the site as determined by Section 53 of this Bylaw.

### 61.2 Accessory Buildings in Non-Residential Districts

- 1) In any District other than a Residential District, an Accessory Building or Structure is subject to the Development Regulations for that District.

- 2) Notwithstanding Clause (1), an Accessory Building or Structure on a site in a Non-Residential District which abuts a site in a Residential District shall not be less than 1.5 m (4.7 ft) from the boundary of the site in the Residential District.

### **61.3 Accessory Buildings in Residential Districts**

In a Residential District:

- 1) An Accessory Building or Structure shall not be used as a Dwelling.
- 2) An Accessory Building or Structure shall not exceed 3.7 m (12.0 ft.) nor one storey in height.
- 3) The site coverage of Accessory Buildings or Structures shall not exceed 12%, except for the RPL District, where the site coverage shall not exceed 15%.
- 4) Accessory Buildings and Structures shall be located on an Interior Site as follows:
  - a) An Accessory Building shall be located not less than 18 m (59.0 ft.) from the Front Lot line, unless it complies with the Yard requirements for a principal building.
  - b) An Accessory Building or Structure shall be located not less than 0.9 m (3.0 ft.) from the Side Lot line, except where it is a mutual garage erected on the common property line to the satisfaction of the Development Officer, or where a garage is placed on the common property line in accordance with the provisions of the RPL District, or where the Accessory Building does not exceed the permitted fence height.
  - c) An Accessory Building or Structure shall be located not less than 0.9 m (3.0 ft.) from a principal building.
  - d) Subject to Clauses (e) and (f) below, an Accessory Building or Structure which exceeds 1.85 m (6.1 ft.) in height shall be located at not less than 0.6 m (2.0 ft.) from the Rear Lot line.

*Bylaw 7728  
March 12, 1985*

*Bylaw 7728  
March 12, 1985*

- e) Except in the RPL District, where the Accessory Building is a detached garage and where the vehicle doors of the detached garage face a lane abutting the site, no portion of the garage shall be located less than 5 m (16.4 ft.) from the lane, provided that, if the principal building was developed before October 2, 1961, the distance may be less but shall be such as, in the opinion of the Development Officer, is consistent with the location of other garages in the same block.
  - f) On any site governed by the RPL District, the minimum distance from the lane for a detached garage where the vehicle doors face the lane shall be that required in that District for a principal building.
- 5) Accessory Buildings and Structures shall be located on a Corner Site as follows:
- a) On a corner site, in addition to the provisions of Clause (4)(b) above, and subject to Clause (b) below, the distance between an Accessory Building and any public roadway other than a lane flanking the site, shall be not less than the side yard required for the principal building.
  - b) Where an Accessory Building is a detached garage, and where the vehicle doors of the detached garage face any flanking public roadway other than a lane, the distance between the garage and the flanking public roadway shall not be less than 4.5 m (14.8 ft.), provided that if the principal building was developed before October 2, 1961, the distance may be less but shall be such as, in the opinion of the Development Officer, is consistent with the location of other garages in the same block.

## 62. Lighting of Sites

Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices.

## 63. Height

In determining whether a development conforms to the maximum height permissible in any district, the following regulations shall apply:

- 1) In any District other than a Residential District, the following features shall not be considered for the purpose of height determination: chimney stacks, steeples, belfries, domes or spires, monuments, elevator housings, roof stairway entrances, water or other tanks, ventilating equipment, skylights, fire walls, parapet walls, receiving or transmitting structures, masts, flag poles, clearance markers or other erections which are considered to be similar by the Development Officer.
- 2) In any Residential District, those features specified in Clause (1) shall not be considered for the purpose of height determination, except that receiving or transmitting structures, other than those which may be normally required for adequate local television reception, shall be considered. The maximum height for such structures shall be the maximum height in the District, and not the maximum height specified in Section 61.3, Clause (2).
- 3) Notwithstanding (1) and (2) above, any developments shall comply:
  - a) with the requirements contained in the Airport Protection Overlay Schedules governing the height of buildings and structures, and
  - b) with the requirements for operation of the Alberta Government Telephones microwave beams, as determined by the Development Officer.

## 64. Access to Sites

- 1) All access locations and curb crossings shall require the approval of the City Engineer.
- 2) No person shall construct a driveway for motor vehicles from a site to a public roadway, if the public roadway, in the opinion of the City Engineer, carries or will carry a heavy traffic volume or such driveway would create an unnecessary traffic hazard, unless there is no other practical method of vehicular access to the site and a turning space is provided on the site connected to the driveway so that every motor vehicle leaving the site by

the driveway will face the public roadway which the driveway enters.

- 3) Where the site abuts a lane, vehicular access to the loading space shall be provided from the lane unless otherwise authorized by the City Engineer.

**65. Off-Street Vehicular Loading and Unloading Facilities**

**65.1** When any new development is proposed including a change of use of existing development, or when any existing development is, in the opinion of the Development Officer, substantially enlarged or increased in capacity, off-street vehicular loading and unloading spaces shall be provided in accordance with Schedule 65A below:

**Schedule 65A - Loading and Unloading Spaces**

<b>USE OF BUILDING OR SITE</b>	<b>TOTAL GROSS FLOOR AREA OF BUILDING</b>	<b>SPACES REQUIRED</b>
Any development within the Commercial or Industrial Use Classes, excluding Professional, Financial and Office Support Services	Less than 465m <sup>2</sup> (5,005.2 sq. ft.)  465m <sup>2</sup> (5,005.2 sq. ft.) to 2,300m <sup>2</sup> (24,757.0 sq. ft.)  Each additional 2,300m <sup>2</sup> (24,757.0 sq. ft.), or fraction thereof	1  2  1 additional
Any development within the Residential Related, Basic Service or Community, Educational, Recreational and Cultural Service Use Classes and Professional, Financial and Support Service	Up to 2,800m <sup>2</sup> (30,138.9 sq. ft.)  Each additional 2,800m <sup>2</sup> (30,138.9 sq. ft.)	1  1 additional up to a maximum of 5 additional

**65.2 Mixed Use Developments**

For mixed uses, the total requirements for loading and unloading spaces shall be the sum of the requirements of the uses computed separately unless the applicant can demonstrate to the satisfaction of the Development Officer that there is a complementary or non-overlapping use of the loading or unloading facilities which would warrant a reduction of the requirements.

**65.3 Location of Loading and Unloading Space**

All loading and unloading spaces shall be located on the site so that all materials and commodities loaded or unloaded can be easily collected or distributed within the site, to and from all tenants or occupants. Access shall be so arranged that no backing or turning movements of vehicles going to or from the site causes interference with traffic on the adjoining or abutting public roadways, lanes, sidewalks, or boulevards.

**65.4 Size of Loading and Unloading Space**

Loading and unloading spaces shall be of adequate size and with adequate access, both to the satisfaction of the Development Officer, to accommodate the types of vehicles which will be loading and unloading, without those vehicles projecting into a public roadway. In no case shall the space be less than 28 m<sup>2</sup> (301.4 sq. ft.), or less than 2.6 m (8.4 ft.) wide, or have less than 3.7 m (12.0 ft.) overhead clearance.

**66. Required Off-Street Vehicle Accessory Parking**

**66.1 General Operation**

- 1) In any District, when any new development is proposed including a change of use of existing development, or when any existing development is, in the opinion of the Development Officer, substantially enlarged or increased in capacity, then provision shall be made for off-street vehicular parking or garage spaces in accordance with the regulations and standards contained in this Section 66.
- 2) Where the applicant for a development permit can demonstrate to the satisfaction of the Development Officer, through a demand study prepared and submitted with respect to the proposed development, that by virtue of the use, character, or location of the proposed development, and its relationship to public transit facilities and other available parking facilities, the

*Bylaw 7802  
August 13, 1985*

parking requirement for the proposed development is less than any minimum or more than any maximum set out in the Parking Schedule, the Development Officer may allow a reduction from the minimum or an increase from the maximum in the number of parking spaces. The Development Officer shall submit the demand study to the City Engineer for his analysis, and the proposed reduction or increase may be approved by the Development Officer only with the City Engineer's concurrence or conditional concurrence. In no case shall the resulting number of parking spaces be less than one per dwelling in the case of Residential Uses.

**66.2 Number of Spaces**

- 1) The number of off-street parking spaces required for any development shall be in accordance with Schedule 66A below.
- 2) The Parking Schedule shall be used to calculate the number of off-street parking spaces required for all uses. Where a proposed use is not listed in Schedule 66A, the off-street parking requirement shall be determined by the Development Officer, who may either determine that the proposed use is similar to one which is listed, or, if that is not the case, he shall make his own determination as to the requirement.
- 3) Where the total number of parking spaces is determined by reference to a unit such as the number of seats or floor area, the next higher number shall be required where the calculation results in a fractional number of parking spaces.
- 4) The parking requirements of Schedule 66A may be altered in accordance with the provisions of a Schedule to a Statutory Plan Overlay.
- 5) In the case of the multiple use of a site, the Development Officer shall calculate the parking required for each individual use and the total shall be deemed to be the required parking for the site, unless the applicant can demonstrate to the satisfaction of the Development Officer that there is a complementary use of the parking facilities which would warrant a reduction in the parking requirements. Where such reduction is made, the Development Officer shall state the reduction, and the reasons for it on the Development Permit.



**Schedule 66A - Parking Spaces**

USE OF BUILDING OR SITE	MINIMUM NUMBER OF PARKING SPACES OR GARAGE SPACES REQUIRED
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*Bylaw 6502  
November 24, 1981*

**Residential and Residential-Related (Except for Residential Related Under Downtown Area Redevelopment Plan)**

- |   |  |
|---|--|
| <p>1) Single detached, Semi-detached, Duplex Housing and Mobile Homes (excluding Mobile Home Parks)</p> | <p>1 parking or garage space per dwelling. Provision shall be made for 1 additional space on the site, with suitable access. This additional space may be in tandem.</p> <p>Where a front yard driveway provides access to a parking space that is not within the front yard, the Development Officer may consider this driveway as the provision of a second car parking space that is in tandem.</p>   |
| <p>2) Apartment Housing, Row-Housing, and Stacked Row-Housing</p>                                       | <p>1 parking space per bed-sitting room dwelling. 1 parking space per 1 bedroom dwelling. 1.5 parking spaces per 2 bedroom dwelling. 1.75 parking spaces per 3 bedroom dwelling or larger.</p> <p>Of the total number required, 1 guest parking space per every 7 dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.</p> <p>The Development Officer may accept tandem parking spaces of a number that is equivalent to the total required parking minus the total number of dwellings and minus guest parking. Guest parking spaces shall not be in tandem.</p> |

**SECTION 50-79 GENERAL DEVELOPMENT REGULATIONS**

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|---|--|
| 3) Mobile Home Parks  | There shall be at least 1 parking space provided on each mobile home lot, and provision shall be made for visitor parking at the ratio of 1 space to every 2 mobile home lots. The visitor parking shall be dispersed, to be conveniently located for all sites. |
| 4) Boarding and Lodging Houses, including Fraternity and Sorority Housing                                     | 1 per 2 Sleeping Units, plus the number of parking spaces required for the dwelling, if applicable.  |
| 5) Housing for Senior Citizens (notwithstanding that it is Apartment Housing or a Boarding and Lodging House) | 1 per 4 dwellings, or 1 per 4 Sleeping Units   |
| 6) Community Housing (which is not for Senior Citizens and notwithstanding the Use Class)                     | 1.25 per dwelling  |

*Bylaw 6502  
November 24, 1981*

**Residential and Residential-Related (Within the Boundaries of the Downtown Area Redevelopment Plan)**

- |   |  |
|---|--|
| 7a) Single Detached Housing, Semi-detached Housing and Duplex Housing | 1 parking or garage space per dwelling. Provision shall be made for 1 additional space on the site with suitable access. This additional space may be in tandem.<br><br>Where a front yard driveway provides access to a parking space that is not within the front yard, the Development Officer may consider this driveway as the provision of a second car parking space that is in tandem. |
|---|--|

- |   |   |
|---|---|
| 7b) Apartment Housing, Linked Housing, Row Housing, Stacked Row Housing, Apartment Hotels, Community Housing (which is not for Senior Citizens) | 0.5 parking space per bed-sitting room dwelling, 0.75 parking space per 1 bedroom dwelling, 1.25 parking spaces per 2 bedroom dwelling or larger. |
|---|---|

Of the total number required, 1 guest parking space per every 7 dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

The Development Officer may accept tandem parking spaces of a number that is equivalent to the total required parking minus the total number of dwellings and minus guest parking. Guest parking spaces shall not be in tandem.

**Non-Residential Use Classes (Outside the Boundaries of the Downtown Area Redevelopment Plan)**

- |  |  |
|--|--|
| 8) Professional, Financial and Office Support Services   | 3.4 per 100m <sup>2</sup> (3.2 per 1,000 sq. ft.) of gross floor area in the building. |
| 9) Any development within a Commercial Use Class not listed separately in this Schedule, with a gross floor area of: |  |
| a) less than 2,000m <sup>2</sup> (21,527.8 sq. ft.)  | 2.2 per 100m <sup>2</sup> (2 per 1,000 sq. ft.) of gross floor area in the building.   |
| b) 2,000m <sup>2</sup> (21,257 sq. ft.) to 20,000m <sup>2</sup> (215,278.2 sq. ft.)                                  | 3.2 per 100m <sup>2</sup> (3 per 1,000 sq. ft.) of gross floor area in the building.   |
| c) greater than 20,000 m <sup>2</sup> (215,278.2 sq. ft.)  | 4.3 per 100m <sup>2</sup> (4 per 1,000 sq. ft.) of gross floor area in the building.   |

**SECTION 50-79 GENERAL DEVELOPMENT REGULATIONS**

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10) Eating and Drinking Establishments 1 per 4 seats.

11) Apartment Hotels, Hotels and Motels 1 per guest room or sleeping unit.

*Bylaw 6502  
November 24, 1981*

12) Deleted

**Industrial**

*Bylaw 7802  
August 13, 1985*

13) Any development within the Industrial Use Classes 1 per 100m<sup>2</sup> (0.93 per 1,000 sq. ft.) of gross floor area provided this is not less than 3 per tenant or establishment.

**Spectator Assembly**

14) Exhibition and Convention Facilities, Indoor Participant Recreation Services, Natural Science Exhibits, Outdoor Participant Recreation Services, Private Clubs, Public Libraries and Cultural Exhibits, Spectator Entertainment and Sports Establishments 1 per 3.5 seating spaces, or 3.1 per 10m<sup>2</sup> (1 per 35 sq. ft.) of gross floor area used by the patrons, whichever is greater.

*Bylaw 8206  
June 10, 1986*

15) Religious Assembly 1 per 10 seating spaces.

1 per 15 seating spaces where a valid development permit is issued or a development application is received prior to January 1, 1987.

16) Funeral Services, Cremation and Interment Services 1 per 5 seats of public seating provided, plus 1 space per funeral home vehicle. (The Development Officer may allow any suitable arrangement of the required parking spaces without the normally required provision of maneuvering aisles.)

**17) Community Recreation Services**

- i) 16 spaces for each Community Recreation Service facility, subject to the additional requirements of Clause (ii). Such requirements shall not be reduced by including parking required or provided on an adjacent site, except as provided in Clause (iii).**
- ii) Where there is a multiple purpose area, room, or space within the Community Recreation Service facility, which can be used for general assembly purposes, and where such room or space exceeds 92.9m<sup>2</sup> (1,000 sq. ft.) in gross floor area, 2.2 stalls shall be provided for each additional 10m<sup>2</sup> (1 per 50 sq. ft.) of gross floor area or fraction thereof in excess of 92.9m<sup>2</sup> (1,000 sq. ft.) provided that such multiple purpose areas shall not include dressing rooms, change rooms, washrooms, storage areas, and cooking or kitchen areas which are normally incidental to the primary function of the Community Recreation Service.**
- iii) Where the Community Recreation Service facility parking area immediately abuts a parking area for a school, a minimum of fifty percent (50%) of the additional parking spaces required pursuant to Clause (ii) may be provided by including the parking facilities on the abutting school parking area.**

**Educational and Extended Medical Treatment Services**

- |  |   |
|--|---|
| 18) Public or Private Elementary and Junior High Schools   | 1 space for each classroom.   |
| 19) Public or Private Senior High Schools which DO NOT include an auditorium, gymnasium or swimming pool   | 1 space for each classroom plus 1 space for every 33 students.  |
| 20) Public or Private Senior High which DO include an auditorium, gymnasium or swimming pool, either (i) or (ii) or (iii) shall apply, whichever is greatest | i) 1 for each classroom plus 1 space for every 33 students, or<br>ii) 1 per 3.5 seating spaces used for assembly in an auditorium, gymnasium or swimming pool, or<br>iii) 3.1 per 10m <sup>2</sup> (1 per 35 sq. ft.) of gross floor area used for assembly in an auditorium, gymnasium or swimming pool. |
| 21) Colleges, Universities, Business or Commercial or Technical Schools  | 1 per 10 seats, plus auditorium requirements where applicable.  |
| 22) Extended Medical Treatment Services  | 1.1 per 100m <sup>2</sup> (1 per 1,000 sq. ft.) of gross floor area.  |

*Bylaw 7802  
August 13, 1985*

**Non-Residential Use Classes (Within the Boundaries of the Downtown Area Redevelopment Plan)**

- |                                 |  |
|---------------------------------|--|
| 23) Non-Residential Use Classes | 1 space per 300m <sup>2</sup> (1 per 3,229 sq. ft.) of gross floor area; notwithstanding this minimum, the maximum shall be 1 space per 100m <sup>2</sup> (1 per 1,076 sq. ft.) of gross floor area. |
|---------------------------------|--|

**66.3 Size of Spaces and Aisles**

- 1) Except as provided in Clause (2) below, each required off- street parking space shall be a minimum of 2.6 m (8.5 ft.) in width, and a

**SECTION 50-79 GENERAL DEVELOPMENT REGULATIONS**

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minimum of 5.5 m (18.0 ft.) in length, exclusive of access drives or aisles, ramps, columns, or office work areas. Such spaces shall have a vertical clearance of at least 2 m (6.6 ft.). For parallel parking, the length of the parking spaces which shall be increased to 7 m (23.0 ft.), except that an end space with an open end shall be a minimum of 5.5 m (18.0 ft.).

- 2) For parking spaces other than parallel parking spaces, up to 15% of the required parking spaces may be of a length shorter than that required under Clause (1) above, to a minimum of 4.6 m (15.1 ft.).
- 3) Aisles shall be a minimum of 7 m (23.0 ft.) wide for 90 degree parking, 5.5 m (18.0 ft.) wide for 60 degree parking, and 3.6 m (11.8 ft.) wide for 45 degree and parallel parking.
- 4) Where parking spaces are located with access directly off a lane, the required width of the aisle may be reduced by the width of the lane, but the entire parking space must be provided on the site.
- 5) Where the use of a parking space is limited on both sides by a wall or a column, the unobstructed width from face to face of the obstructions shall be 3 m (9.8 ft.), and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.3 m (10.8 ft.).
- 6) Where the use of a parking space is limited on one side by a wall or a column, the unobstructed width of the parking space shall be 2.7 m (8.9 ft.), and if in this case a building door opens into the parking space on its long side, the unobstructed width shall be 3 m (9.8 ft.).

**66.4 Access to Spaces**

Adequate access to and exit from individual parking spaces shall be provided to the satisfaction of the Development Officer by means of unobstructed maneuvering aisles except where tandem parking is permitted by this Bylaw.

**66.5 Location of Parking Facilities**

- 1) For residential buildings the required parking spaces shall be wholly provided on the same site as the building.
- 2) For all other uses, the parking spaces shall be not more than 120 m (393.7 ft.) from the building, unless otherwise approved by the Development Officer. Such distance shall be measured along an accessible public roadway from the nearest point of the parking area to the nearest point of the site where the building or use is

located. In addition, notwithstanding the definition of Accessory in this Bylaw, Accessory parking spaces for non-Residential Uses may be located on another site where:

- a) the principal use class to which the parking is an accessory use is a permitted or a discretionary use on the site to be used for parking; or
  - b) non-accessory parking is a permitted or a discretionary use on the site to be used for parking.
- 3) Where required parking spaces are not on the same site as the building, the owner shall covenant with the City by agreement that the parking spaces shall be used for such purposes as long as required under this Bylaw.
  - 4) The location of parking spaces on a school site shall be to the satisfaction of the Development Officer.
  - 5) Except as otherwise provided for in this Bylaw, no parking spaces shall be within a required Front Yard. Where parking spaces are located in a Residential District, a Side Yard shall be provided abutting the flanking public roadway, other than a lane, of a corner site. The distance between the parking area and the property line abutting that Side Yard shall be not less than the Side Yard required for the principal building adjacent to the flanking public roadway, provided, however, that such Side Yard shall not be required to exceed 4.5 m (14.8 ft.). The parking area shall be landscaped or screened in accordance with the requirements of Section 69 of this Bylaw.

## **67. Hardsurfacing and Curbing of Parking, Loading, and Unloading Spaces**

### **67.1 Residential Districts**

- 1) Every off-street parking, loading, and unloading space, and access provided or required in any Residential District, including the area contained within City-owned land to which a curb crossing permit applies, shall be hardsurfaced if access is from a public roadway which is hardsurfaced or gravelled. If there are two or less parking or loading spaces, this is not required.
- 2) For an on-site driveway in any Residential District, the area required to be hardsurfaced may be constructed on the basis or design of separated tire tracks, with natural



soil, grass, or gravel between the tracks, but shall be constructed so that the tires of a parked or oncoming vehicle will normally remain upon the hard surface.

**67.2 Commercial and Industrial Districts**

- 1) Every off-street parking, loading, and unloading space provided or required in any Commercial District, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applies, shall be hardsurfaced if the access is from a public roadway which is hardsurfaced.
- 2) Every off-street parking, loading, and unloading space provided or required in an Industrial District, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applies, shall be hardsurfaced if such area lies in front of the principal building. Any area at the rear or the side of the principal building provided or required for off-street parking, loading, or unloading space need not be hardsurfaced, but shall be of such a surface that will minimize the carrying of dirt or foreign matter upon the highway.

**67.3 General Requirements**

- 1) Where hardsurfacing is provided or required, such shall mean the provision of a durable, dust-free, hardsurface, constructed of concrete, asphalt or similar pavement, and the same shall be drained with a sufficient number of catch basins, all developed and maintained to the satisfaction of the Development Officer and City Engineer.
- 2) Where the street or lane from which access is available to any loading, or unloading, or required parking space is hardsurfaced after the time at which the parking space is provided or required, the person responsible for the construction or maintenance of such parking, loading, or unloading space shall forthwith hardsurface such spaces and the access thereto, and the whole area contained within the City-owned land to which a curb crossing permit applies.
- 3) Notwithstanding anything contained in the Clause (2), where hardsurfacing has been provided on a site to the minimum required, then the type of surface permitted on the balance of the site shall be of such material at the City Engineer approves.

- 4) In parking areas and similarly congested locations, curbs and other protective measures shall be used to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site or an adjacent site.
- 5) Barriers are to be installed and maintained on the periphery of parking lots and access aisles to physically restrict vehicle encroachment or overhang on roadways.

## 68. Parking Garages

Parking garages shall be developed in accordance with the following:

- 1) In any Commercial District, commercial uses other than parking shall be provided at grade along the street frontage of parking garages when required by the Development Officer to provide continuity of commercial frontage along the street. In the case of a corner site the Development Officer shall pay due regard to the nature of the adjacent uses on the flanking public roadway.
- 2) In any Commercial District, a parking garage with queuing access shall provide a minimum of 30 m (98.4 ft.) for queuing of motor vehicles on site before any control device is reached.
- 3) No dangerous goods, or flammable or combustible liquids, shall be permitted within a parking garage, other than as contained within, or permanently installed or connected to the fuel system of a motor vehicle using the parking garage.

## 69. Landscaping

### 69.1 Applicability

- 1) When any new development takes place, or when any existing development is, in opinion of the Development Officer, substantially enlarged or increased in capacity, then provision shall be made for landscaping of the site in accordance with the regulations contained in this Section.
- 2) In any District of this Bylaw, including the Districts specified in Section 69.2, Clause (1), wherever any development is approved, existing vegetation shall be preserved and protected, or replaced, unless the development will require space containing existing vegetation in such a location that existing vegetation

must be removed. Trees which are severely damaged by development or building operations elsewhere upon the site shall be replaced with a tree of similar species and size, up to a maximum caliper of 100 mm (3.94 in.) if deciduous, or a maximum height of 3 m (9.84 ft.) if evergreen.

**69.2 General Site Landscaping**

- 1) Landscaping shall be provided in conjunction with, and shall be part of, any development proposed in any application for a Development Permit in accordance with the requirements of this Section, except:
  - a) the requirements of this Section shall not apply to Development Permits for Single detached Housing, except in the RPL District;
  - b) the requirements of this Section shall not apply to any development within the A, AG, AGI, AGU, RF1, RF3, RF4 and RR Districts; and
  - c) landscaping in the RPL District shall be provided in accordance with Clauses (4), (5), (6), (7), (8), (9) and (13) of this Section.
- 2) Subject to the exceptions noted in Clause (1), every application for a Development Permit shall be accompanied by landscaping plans containing the following information:
  - a) all physical features, existing or proposed, including shrubs, trees, flower beds, berm contours, walls, fences, outdoor furniture and decorative paving;
  - b) shrubs and trees, whether existing or proposed, labeled by their common name, botanical name, and size;
  - c) all plant material, distinguishing between existing and proposed, and indicating those trees to be removed as a result of the proposed construction; and
  - d) the location of overhead and underground utilities, parking structures, fire hydrants, and boulevard trees.

**SECTION 50-79 GENERAL DEVELOPMENT REGULATIONS**

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- 3) Notwithstanding the provisions of Clause (2) above, the Development Officer may consider an application if, in his opinion, the development is of such a nature as to enable the decision to be made on the application without all of the information required in that Clause.
- 4) Every application for a Development Permit in the RPL District shall include the following information on the site plan:
  - a) within the required front yard, the location, species and size of landscaping required by Section 69.2, Clause (13);
  - b) the proposed landscaping and screening for any private yard area required by Section 130.4, Clause (7) of the RPL District which is not provided with external access from a lane, side yard, or passageway through a garage. The proposed landscaping and screening shall be consistent with the requirements of Section 69.2, Clauses (10), (11) and (12).
- 5) In the event that planting material required in an approved development is inappropriate or fails to survive, the Development Officer may allow or require alternative materials to be substituted.
- 6) When considered appropriate by the Development Officer, he will consult with the General Manager of Parks and Recreation in regard to the landscaping plans.
- 7) the owner of the property, or his successors or assignees, shall be responsible for landscaping and proper maintenance. The Development Officer may require, as a condition of approval, that the applicant provide an irrevocable letter of credit or a performance bond, in the amount of 100% of the estimated landscaping cost, the condition of the security being that, if the landscaping is not completed in accordance with this Bylaw and the plan within one growing season after the completion of the development, then the amount fixed shall be paid to the City, for its use absolutely.
- 8) Wherever landscaping required by this Section is continued onto or over City-owned lands, the landscaping and planting shall be carried out in accordance with the Boulevard Bylaw No. 2107, as amended.

- 9) Any planting required or provided shall be installed in the finished grade. Where, in the opinion of the Development Officer this is not practical, planters may be used, provided that such planters shall have sufficient soil and insulation, and shall be of adequate design, to support the proposed landscaping.
- 10) All open space on the site of a Residential Use, including Yards, Amenity Area provided at grade, Private Outdoor Amenity Area, and Separation Space, but excluding parking spaces and on-site circulation, shall be landscaped with trees, shrubs, sod or suitable hard landscaping, and shall comply with Clauses (11) and (12) below. Provision shall be made for adequate on-site pedestrian circulation, by means of sidewalks or walkways, to connect with sidewalks or walkways provided on public roadways or rights-of-way abutting the site.
- 11) Any Amenity Area or Private Outdoor Amenity Area, required in any District for a Residential Use, shall be landscaped in a manner which, in the opinion of the Development Officer serves the requirements of Section 56 or Section 57 of this Bylaw as applicable.
- 12) Where landscaping is required to be provided on a site in any Residential, Commercial, or Industrial District, except for the RPL District, trees shall be provided in accordance with Section 69.4 with the number determined on the basis of one tree for each 46 m<sup>2</sup> (495.1 sq. ft.) of any required Yard or Setback at grade.
- 13) In the RPL District, two deciduous or evergreen trees are required for each dwelling, in accordance with specifications of Section 69.4.
- 14) All required yards and all open spaces on the site of Industrial or Commercial development excluding parking spaces; on-site circulation, outdoor storage, display and service areas shall be landscaped with trees, shrubs, sod or suitable hard landscaping.

### **69.3 Landscaping for Parking and Storage Areas**

- 1) The regulations of this Section 69.3 apply to any District of this Bylaw, notwithstanding the requirements of Section 69.2 and are in addition to the requirements of Section 69.2. No landscaping provided in accordance with this Section may be provided as a replacement for that required under Section 69.2.

- 2) Where off street parking for 50 or more vehicles is required, and is being provided at grade, there shall be landscaped open space within the interior of the parking area. This landscaped open space is in addition to the screening requirements of Section 69.3, Clause (3) and the General Site Landscaping requirements of Section 69.2 with respect to yards and setbacks. Landscaped open space in the parking areas shall be provided in the minimum amount of 1.7 m<sup>2</sup> (18.3 sq. ft.) for each parking space. The required landscaping shall not be located in one area, and shall be placed within the parking area so as to provide visual relief and break- up large areas of parking into smaller cells.
- 3) A parking lot having eight or more parking spaces and which is visible from an adjoining site in a Residential or Commercial District, or from a public roadway other than a lane, or from a light rail transit line, shall have a screen planting. The location, length, thickness, and height of such screen planting shall, in conjunction with a change in grade, or other natural or man-made features, be sufficient to provide substantial interruption of view from the adjoining Residential or Commercial site, or from the public roadway or light rail transit line.
- 4) A trash collection area; an open storage area; or an outdoor service area, including any loading, unloading and vehicular service area; which is visible from an adjoining site in a Residential or Commercial District, or from a public roadway other than a lane, or from a light rail transit line, shall have a screen planting. The location, length, thickness and height of such screen planting shall in conjunction with a change in grade, or other natural or man-made features, be provided and maintained to block the view from the adjoining Residential or Commercial District, or from the public roadway or light rail transit line. Such screen planting shall be maintained to provide effective screening from the ground to a height of 1.85 m (6.1 ft.).
- 5) Notwithstanding Clause (4) above, in the case of bulk outdoor storage, including but not limited to auto wrecking, lumber yards, pipe storage and like uses, where, because of height of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof, with sufficient height to block the view, shall be substituted for the requirements of Clause (4).
- 6) Where, because of conditions not conducive to good horticultural practices, a screen planting cannot

reasonably be expected to survive, the Development Officer shall require a masonry wall, wood fence or earth berm, or combination thereof, to be substituted for the requirements of Clause (4) above.

- 7) Any screen planting required by this Section shall consist of evergreen trees or shrubs, or flowering trees or shrubs, or both, provided according to the specifications contained in Section 69.4(1), or evergreen plants at least 40 cm (15.7 in.) in height when planted, or deciduous plants at least 60 cm (23.6 in.) in height when planted. All screen plantings required by this Section shall be maintained to provide an effective screening from the ground to a height of 1.85 m (6.1 ft.).

#### **69.4 Specifications for Plant Materials**

- 1) All planting material required by Sections 69.2 and 69.3 shall be hardy to the Edmonton Region, and to the location on the site where they are planted. The Alberta Horticultural Guide shall be used as a reference in selecting plants.
- 2) All trees and tree planting required by Sections 69.2 and 69.3 shall conform to the following:
  - a) the proportion of deciduous to evergreen trees shall be approximately 60:40, unless the landscaping land is designed by a registered professional Landscape Architect;
  - b) trees required by this Section shall be at least 4.5 cm (1 3/4 in.) caliper for deciduous trees, and at least 2 m (6.6 ft.) in height for evergreen trees; and
  - c) where new tree planting is required, existing trees having a height of 1.85 m (6.1 ft.) or more may be used, if the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the trees) remains undisturbed during construction.

### **70. Excavation, Stripping and Grading**

- 1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposes, including but not limited to, sand and gravel mining, top soil stripping, and construction of artificial bodies of water.

- 2) A person wishing to excavate, strip or grade land shall provide the following details in his application:
  - a) the location and area of the site on which the excavation, stripping or grading is to take place;
  - b) the existing land use and vegetation;
  - c) the type and dimensions of the excavation to be made, and the effect on existing drainage patterns; and
  - d) the condition in which the excavation is to be left when the operations is complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening the creation of erosion or dust from the land.
  
- 3) The Development Officer shall consider every application for a permit to excavate land, and shall not issue a permit unless he is satisfied that:
  - a) the operation will be carried out so as to create a minimum of dust and environmental disturbance;
  - b) the operation is one which, in the opinion of the Development Officer, is reasonably necessary for the use and development of the land in question, considering the need for preservation of prime agricultural land, the need for natural preservation, and the future need for soil on the site; and
  - c) the operation will not destroy, disturb, or alter any historic resource designated in accordance with the Alberta Historic Resources Act (1973), as amended.
  
- 4) The Development Officer may require as a condition of issuing a permit to excavate land, that the applicant take the precautions and follow the methods prescribed by the Development Officer for the prevention or control of dust or any other nuisance caused by the proposed operation, and for the reclamation of the site if required.



## **71. Microclimate**

Based upon a wind speed or sun shadow impact study, prepared in accordance with Sections 16.2, or 16.3, the Development Officer may require that the siting, orientation, massing, height, facade, landscaping or other design elements of the proposed development shall be altered to reduce the microclimatic impact or to achieve the microclimatic guidelines established in the applicable Statutory Plan for affected parks, plazas, walkways, or other pedestrian-oriented open spaces intended for the use and enjoyment of the public. When a microclimatic impact study indicates that strict adherence to the Statutory Plan is not feasible, or would result in a design which would conflict with:

- a) other regulation of this Bylaw or the General Purpose of the applicable Land Use District; or
- b) other applicable Statutory Plan objectives; or
- c) the use or enjoyment of private open spaces, the Development Officer may relax this requirement accordingly.

## **72. Development Information Signs**

### **72.1 Applicability**

- 1) Within 30 days of approval and application of:
  - a) an RF5, RF6, RA7, RA8, RA9, RMX, CNC, CSC and CMX District to a site in a new suburban area, and
  - b) a DC2 District to any site,the owner or applicant shall erect a Development Information sign or signs.
- 2) Such sign, or signs, shall be erected at a prominent location upon the site and shall be maintained in a reasonable and legible condition until such time as the site is fully developed. The sign, prior to its being erected, shall be approved by the Development Officer.

### **72.2 Dimensions**

Public Information signs, as erected, shall be of a maximum height above ground of 3 m (9.8 ft.) with a maximum area of 3 m<sup>2</sup> (32.3 sq. ft.).

**72.3 Information**

Development Information signs shall contain the following information, where available:

- 1) the applicable Land Use District for the site;
- 2) the name of the site owner or the developer, or both;
- 3) the type of project to be developed; together with the allowable number of dwellings, the allowable commercial floor area; and the allowable height of the proposed structures;
- 4) in the case of the DC2 District;
  - a) the specific nature of the uses proposed, and their locations on the site,
  - b) the total floor area, and the non-residential floor area and the number of residential units proposed for each location on the site,
  - c) the floor area ratio and the residential density proposed, and
  - d) the building heights proposed for each location on the site;
- 5) the estimated date of commencement of the project, and where applicable for each phase of the development;
- 6) the boundaries of the site, the area of the site, and a representation of adjacent and proposed public roadway, rights-of-way and similar features, so that quick orientation is made possible to the reader of the sign; and,
- 7) the legal description of the parcel.

*Bylaw 7726  
April 23, 1985*

**72.4 Amendments**

The applicant or owner of the site shall be solely responsible for amending the sign if redistricting amendments occur.

## **73. Performance Standards for Industrial Developments**

### **73.1 Applicability**

Any development or site used for any Permitted or Discretionary Use in the IB, IM or IH Districts shall comply with the performance standards of this Section. Where in the opinion of the Development Officer, a use may not comply with the performance standards of this Section, he may require that the applicant submit an approved permit from the Standards and Approval Division of Alberta Environment or require a statement from a qualified, registered Professional Engineer certifying that the proposed use can meet the performance standards of the appropriate district or both.

### **73.2 Performance Standards**

#### **1) Emission of Air and Water Contaminants**

No operation or activity in any Industrial District shall emit air and water contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the Clean Air Act and the Clean Water Act and the regulations pertaining thereto.

#### **2) Noise**

a) No activity or operation in an Industrial District shall cause, or permit to be caused, a noise level at or inside the boundary line of a Residential District which exceeds the regulations of Part 5 of Noise Abatement Bylaw No. 4110.

b) No activity or operation within an Industrial District shall cause, or permit to be caused, a noise level which exceeds the regulations of Part 6 of Noise Abatement Bylaw No. 4110.

c) All noise levels shall be measured in accordance with the procedures of Noise Abatement Bylaw No. 4110.

#### **3) Fire and Explosion Hazards**

In any Industrial District, activities or operations involving the storage, utilization or manufacture of materials which decompose by detonation, shall be located, conducted and housed in accordance with the Alberta Fire Prevention Act, the City of Edmonton Fire

Prevention Bylaw and the Alberta Uniform Building Standards Act.

**4) Appearance**

a) Any use or activity in the IB District shall comply with the following appearance standards:

*Bylaw 7016  
December 14, 1982*

- i) All uses and activities, except those noted in Clauses (ii) and (iii) below, shall be located and carried on within an enclosed building and there shall be no outdoor display areas, except for Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals.
- ii) All loading, service, trash collection and accessory storage areas, and trucking yards shall be located to the rear or sides of the principal building, and shall be screened from view from any public roadway other than a lane, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.
- iii) The Development Officer may require that exposed projections outside the building such as mechanical and electrical equipment, transformer ducts, cooling towers, and materials handling equipment be screened from view from any public roadway other than a lane, or from adjacent sites if, in his opinion, such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of this District.
- iv) All buildings shall be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Officer may require that the appearance of metal, or concrete block walls exposed to public view from beyond the site be improved where, in his opinion, such walls are inconsistent with the finishing materials or appearance characteristic of surrounding development.

b) Any use or activity in the IM and IH Districts shall comply with the following appearance standards:

*Bylaw 6190  
September 9, 1980*

i) All outdoor service, assembly, trash collection and storage areas including the trucking yards associated with such activities shall be located to the rear or sides of the principal building. Loading and trash collection facilities serving office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building, shall be allowed to the rear, sides or front of the principal building. The areas and facilities referred to in this Clause shall be screened from view from any public roadway other than a lane, and from adjacent sites, unless the public roadway is a local road serving only sites in an IM or IH District, or the adjacent site is designated IM or IH. Notwithstanding the above, trash collection areas located to the front of the principal building shall be screened from view any public roadway, including a lane and from any adjacent site.

*Bylaw 6190  
September 9, 1980*

ii) Outside display areas are permitted to the side or front of the principal building, provided that such displays are limited to examples of equipment or material related to the industry or business located on the site.

## **74. General Performance Standards for Non-Industrial Development**

*Bylaw 6626  
November 10, 1981*

In all non-industrial developments, the design, use of exterior finishing materials and construction shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials will be used which ensure that the standard of the buildings will be similar to, or better than, the standard of surrounding development. The Development Officer may require that the appearance of walls exposed to public view from beyond the site be improved where, in his opinion, the appearance of such walls is inconsistent with the finishing standards of surrounding development.

## **75. Pedestrian Ways**

*Bylaw 6502*

*November 24, 1981*

- 1) Above-grade pedestrian ways shall be located a minimum of 120 m (393.7 ft.) apart, measured centre line to centre line, and shall be located no closer than 54 m (177.1 ft.) to an intersection, measured from the centre line of the public roadway to the centre line of the pedestrian ways.
- 2) The minimum height of an above-grade or below-grade pedestrian way, excluding lighting, directional signs and other fixtures, shall be 2.74 m (9 ft.).
- 3) The maximum gradient of an above-grade or below-grade pedestrian way shall be 5%.

**SECTION SIGN**  
**79 REGULATIONS**

## 79. SIGN REGULATIONS

*Bylaw 6610  
May 11, 1982*

### 79.1 Applicability

Any person applying to erect any one sign, or to change or relocate any existing sign shall comply with the provisions of Section 79, unless exemption from the regulations of this Section have been granted elsewhere in this Bylaw.

### 79.2 Prohibited Signs

No sign shall be erected, operated, used or maintained which:

- a) due to its position, shape, color, format or illumination obstructs the view of, or may be confused with, an official traffic sign, signal or device, as determined by the Development Officer in consultation with the City Engineer;
- b) display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;
- c) operates or employs any stereo-optcion or motion picture projection, or the use of holography; and
- d) due to its method of erection or attachment allows a swinging motion, except that swinging motion shall be allowed on a freestanding sign which does not exceed 2 m (6.6 ft.) in height and 0.5 m<sup>2</sup> (5.4 sq. ft. in area).

### 79.3 Abandoned and Unlawful Signs

- 1) Where the Development Officer finds a sign to be abandoned he may, by notice in writing or by registered mail, order the registered owner, the person in possession of the land or building or the person responsible for the abandoned sign to:
  - a) remove the sign within ten days after receipt of the notice, or
  - b) take such measures as are specified in the notice to alter and refurbish the sign so that it correctly identifies the business, or the products and services offered on the site where the sign is displayed.



- 2) Failure to remove the sign or to comply with the measures specified in the notice shall result in the issuance of an offense ticket pursuant to Section 25.4 of this Bylaw.
- 3) Where the Development Officer finds that a sign contravenes the provisions of this Bylaw he may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravening sign to:
  - a) take such measures as are specified in the notice to alter the sign so that it complies with the provision of this Bylaw, or
  - b) remove the sign.

#### **79.4 Establishment of Sign Schedules**

Signs shall be allowed in Land Use Districts as stated in Sign Schedules 79A to 79J inclusive, and according to the assignment of Land Use Districts to those Schedules as set out in this Section 79.4.

- 1) Sign Schedule 79A  
Land Use Districts: RF1, RF2, RPL, RF3, RF4, RR, RMH, AG, AGU, AP, and A
- 2) Sign Schedule 79B  
Land Use Districts: RF5, RF6, RA7, and RA8
- 3) Sign Schedule 79C  
Land Use Districts: RA9 and RMX
- 4) Sign Schedule 79D  
Land Use Districts: CNC and CSC
- 5) Sign Schedule 79E  
Land Use Districts: CB1, CB2, and CHY
- 6) Sign Schedule 79F  
Land Use Districts: CMX and CO Located Outside the Downtown Area Redevelopment Plan Area
- 7) Sign Schedule 79G  
Land Use Districts: CMX and CO Located Within the Downtown Area Redevelopment Plan Area
- 8) Sign Schedule 79H  
Land Use Districts: AGI, MA, IB, IM, and IH

- 9) Sign Schedule 79I  
Land Use Districts: US, PU, and DC4
- 10) Sign Schedule 79J  
Land Use Districts: DC1 and DC2

**79.5 Special Regulations for Highway Entrance Routes and Limited Access Routes**

- 1) Where a site is located along a Highway Entrance Route or Limited Access Route described in Subsection (2) below, the following sign regulations shall apply in addition to, and take precedence over, the provision of the Sign Schedule applicable to the site.
  - a) Where a building faces a public roadway designated as a Highway Entrance Route or Limited Access Route but does not have direct access to that roadway or access via a service road, only an on-premise facia identification sign or logogram may be allowed on the side of the building which faces the roadway. Such signs may be illuminated.
  - b) No general advertising signs shall be permitted along designated Highway Entrance Routes or Limited Access Routes on parcels of land which do not have direct access to that route or access via an abutting service road. On parcels having the required access, general advertising signs shall comply with the building setback line of the district.
  - c) The minimum radial distance between general advertising signs facing the same traffic direction along a Highway Entrance Route or Limited Access Route shall be 250 m (820 ft.) if located parallel to, and within, 8 m (26.2 ft.) of a building wall, the minimum radial distance between signs facing the same traffic direction shall be 500 m (1,640 ft.).
- 2) Highway Entrance Routes and Limited Access Routes subject to the additional regulations of this Section 79.5.
  - a) Highway 2 South - Calgary Trail north and south from 51 Avenue to City limits.
  - b) Highway 2 North - St. Albert Trail north from 125 Avenue to City limits.

- c) Highway 16 West - West from 170 Street to City limits.
  - Mayfield Road from 170 Street to 111 Avenue.
  - 111 Avenue from Mayfield Road to 149 Street.
- d) Highway 16 East - East from 34 Street to City limits.
  - The entire length of 125 Avenue within City limits.
- e) Highway 16A East - 101 Avenue east from 50 Street to City limits.
- f) Highway 14 East - 82 Avenue and Sherwood Park Freeway east from 75 Street to City limits.
- g) Highway 15 - Fort Road north from 137 Avenue to City limits.
- h) 45 Avenue - East from Calgary Trail to City limits.
- i) 91 Street - South from 51 Avenue to City limits.

### **79.6 Comprehensive Sign Design Plan**

- 1) An applicant may, at his discretion, submit a Comprehensive Sign Design Plan for special approval by the Development Officer for sign developments which do not comply with the provisions of the Sign Schedule applicable to the Land Use District where the sign or signs are proposed, subject to the provisions of this Subsection. A Comprehensive Sign Design Plan may be applied for in any Land Use District.
- 2) Comprehensive Sign Design Plans shall be consistent with the overall intent of this Bylaw and the provisions of the applicable Sign Schedule with respect to the type of signs allowed and the maximum sign area regulations.
- 3) In addition to the normal sign application requirements, a Comprehensive Sign Design Plan shall also include a colored rendering of the sign development and a narrative outlining the following information:

- a) the exception(s) to the Sign Schedule required by the Comprehensive Sign Design Plan; and
  - b) an explanation of how these exceptions achieve a greater degree of visual harmony between the proposed sign and the building or site than would be possible through the provisions of the Sign Schedule having regard for:
    - i) the compatibility of the design, scale and location of the sign in relation to the scale and architectural character of the building upon which the sign is to be erected and the type, scale and location of other signs on the building;
    - ii) the compatibility of the materials from which the sign is constructed and the illumination of the sign in relation to the architectural character and the exterior finish of the building; and
    - iii) the compatibility of the proposed sign which land use and landscape and architectural character of surrounding development.
- 4) The Development Officer shall assess the merits of the Comprehensive Sign Design Plan and may grant exceptions to the Sign Schedule to permit the Comprehensive Sign Design Plan, if, in his opinion, the Plan complies with the following requirements:
- a) the Comprehensive Sign Design Plan is consistent with the sign developments intended in the Sign Schedule which applies to the District in which it is proposed; and
  - b) the Comprehensive Sign Design Plan results in a greater degree of visual harmony between the proposed sign and the building or site than would be possible through the provisions of the applicable Sign Schedule having regard for the factors listed in Clause (3)(b) above.

### **79.7 General Regulations for On-Premise Signs**

This Section contains the general regulations with which the various types of permanent on-premise identification and business identification signs must comply, subject to any exceptions or additional regulations specified in a Sign Schedule.

The regulations apply to awning, canopy, under-canopy, fascia, freestanding, projecting, roof and window signs. In addition, this Section contains regulations for on-premise signs relating to lighting, changeable copy, local advertising and signage coordination on multiple occupancy business developments.

**1) General Provisions**

- a) Any sign which projects more than 15 cm (6 in.) over a lane, loading area or parking lot aisle shall maintain a minimum vertical clearance of 4.4 m (14 ft.).
- b) All roof, canopy and projecting signs or any combination of these signs shall be erected in such manner that the structural support elements are designed or concealed so as to appear as an integral part of the overall sign design and such that no angle iron bracing, guide wires or similar support elements are visible from a public roadway or other public right-of-way.

**2) Lighting**

The following regulations shall apply to the lighting of all on-premise signs, with the exception of the lampbanks used in electronically controlled changeable copy signs:

- a) No flashing, scintillating or running lights, or lighting used to produce animation shall be used on a sign unless specifically allowed by a Sign Schedule.
- b) Electronically animated signs or signs with scintillating or running lights shall be located or constructed such that the illumination from these light sources does not project onto any surrounding residential premises so as to cause variations in light intensity in or on those premises. The intensity of exposed bulbs on a sign shall not exceed 75 watts.
- c) The use of spot or reflector lights directed at on-coming traffic is prohibited on a sign. The addition of running or scintillating lights to an existing sign shall require a development permit.
- d) subject to Clauses (a) and (b) above, the use of flashing, scintillating or running lights shall be

used only in a manner that is accessory and decorative to the principal portion of the sign.

- e) Signs having animation, scintillating or running lights shall, when the sign is lit, not have more than one third of the light source producing the intermittent illumination turned off at any one time.
- f) Signs placed inside a window and intended to be viewed from the street are prohibited from having flashing, scintillating or running lights or any other means not providing steady illumination.

**3) Changeable Copy**

Changeable copy shall be used only where allowed by a Sign Schedule, and shall comply with the following provisions:

- a) For a theatre marquee the entire area of the sign faces of the marquee may be used to display changeable copy.
- b) For Spectator Entertainment Establishments or Spectator Sports Establishments having a seating capacity of at least 5,000 persons, the area for a changeable copy sign shall be subject to the approval of the Development Officer. In determining the allowable area for a changeable copy sign, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development.
- c) Except as provided for in Clauses (a) and (b) above, the area of changeable copy on an identification sign or business identification sign shall not exceed 50 percent of the area of the sign on which it is displayed, subject to the maximum area of changeable copy, per sign face specified below:
  - i) Where the changeable copy is intended to be viewed from a public roadway with a posted traffic speed less than 70 km/hr (43.5 mph), the maximum allowable area for changeable copy per sign face shall be:

Length of Business Frontage	Maximum Area Manual Changeable Copy	Maximum Area of Electronic Changeable Copy
30m (98.4 ft.) or less	4m <sup>2</sup> (43.0 sq. ft.)	5.5m <sup>2</sup> (59.2 sq. ft.)
More than 30 m (98.4 ft.) but less than 60m (196.8 ft.)	6m <sup>2</sup> (64.6 sq. ft.)	7.5 m <sup>2</sup> (80.7 sq. ft.)
More than 60m	7.5m <sup>2</sup> (80.7 sq. ft.)	12m <sup>2</sup> (129.2 sq. ft.)

- ii) Where changeable copy is intended to be viewed from a public roadway with a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum allowable area of changeable copy referred to in Clause (c)(i) above shall be increased by 35 percent.
- d) Changeable copy signs shall be designed as an integral component of the business identification signage for the development, and the scale and placement of changeable copy shall not appear to visually dominate the business identification signage. Where changeable copy is not part of a permitted business identification sign, the proposed changeable copy sign shall be applied for through the Comprehensive Sign Design Plan provisions of this Bylaw.
- e) One changeable copy area shall be allowed for each business premise, except that:
  - i) on the site of a Service Station or Gas Bar an additional changeable copy sign shall be allowed on the canopy located over the pump islands, when such sign is used only to advertise the price of gasoline or other motor vehicle fuels;
  - ii) one additional changeable copy sign shall be allowed for the second frontage of a business premise, provided that the changeable copy is located for viewing from that frontage; and
  - iii) an additional changeable copy sign, not exceeding 0.5 m<sup>2</sup> (5.4 sq. ft.) in area may be

placed inside a window located within the first storey.

- f) For multiple occupancy business developments, the use of changeable copy on freestanding signs shall comply with the following additional regulations:
  - i) not more than one changeable copy sign shall be allowed for each frontage of the site; and
  - ii) the changeable copy sign shall be located on a permitted freestanding business identification sign.
- g) The area of changeable copy shall be included in calculating the allowable area for a specific sign type.
- h) Changeable copy shall not be used on the face of a sign which rotates, except that a changeable copy sign which is used to alternately display only time and temperature may rotate.
- i) If, in the opinion of the City Engineer, a proposed changeable copy sign which displays travelling or flashing messages is likely to create a hazard to traffic on a public roadway from which the sign is visible, the Development Officer shall refuse the permit, upon recommendation from the City Engineer.

**4) Local Advertising**

- a) Local advertising signs which exceed 0.5 m<sup>2</sup> (5.4 sq. ft.) in area and which are not part of a business identification sign allowed by this Bylaw are prohibited.
- b) Local advertising on business identification signs shall not exceed 50 percent of the area of the face of the sign on which it is displayed, except that local advertising which consists only of a single logogram or trademark which represents the business' primary dealership or franchise association may exceed 50 percent of the area of the face of the sign on which it is displayed.
- c) The changeable copy portion of a business identification sign shall be deemed to be local advertising.



- d) The local advertising portion of a sign shall be included in calculating the allowable area for a specific sign type.

**5) Awning Signs**

- a) Awning signs shall be painted on, or directly affixed to, the awning covering. No sign shall be suspended from an awning covering or support structure.
- b) Copy on awning signs shall be restricted to the name or logogram of the business conducted within the premises, and shall not include local advertising.
- c) Awning signs shall not be permitted above the window sill level of the second storey.

**6) Canopy Signs**

- a) Where a canopy, marquee or similar architectural projection is constructed solely as a support structure for signs, such structures, and the signs erected upon them, shall comply with the following regulations for canopy signs:
  - i) On a one-storey building the top of a canopy sign shall not extend more than 30 cm (12 in.) above the building roof or parapet wall.
  - ii) On a building of two or more storeys the top of a canopy sign shall not extend more than 75 cm (2.5 ft.) above the floor of the second storey nor higher than the window sill level of the second storey.
  - iii) The bottom of a canopy sign shall be not less than 2.4 m (7.9 ft.) above grade.
  - iv) The vertical dimension of a canopy sign shall not exceed 1.5 m (4.9 ft.).
  - v) A canopy sign may project 30 cm (12 in.) for each lineal metre (3.3 ft.) of frontage measured from the horizontal limit of the frontage where the sign is to be erected to the face of the sign nearest the limits of the frontage except that:

- A) the horizontal separation between a canopy sign and the curb lane of a public roadway shall be not less than 0.6 m (1.97 ft.);
- B) the maximum projection of a canopy sign shall be 2.5 m (8.2 ft.); and
- C) subject to (A) and (B) above, the maximum projection for a corner canopy sign shall not exceed one hundred and twenty percent (120%) of the projection allowed for a canopy sign located at the centre of the shorter of the two building frontages.

b) Where a canopy, marquee or similar architectural projection has been included as an integral component of the overall architectural design of a building or designed to provide protection from the weather over an entrance or sidewalk, and has been constructed in accordance with the provisions of Bylaw 5023, being the Edmonton Building Permit Bylaw and the Alberta Uniform Building Standards Act, 1973, the following canopy sign regulations shall apply:

- i) Any sign erected upon the vertical surfaces of the canopy shall not extend horizontally beyond the limits of the vertical surfaces.
- ii) Any sign erected upon the vertical surfaces of the canopy shall not extend more than 30 cm (12 in.) above the top of the vertical surface of the canopy.
- iii) No sign suspended under a canopy shall exceed a vertical dimension of 30 cm (12 in.) nor shall it extend beyond the horizontal limits of the canopy. Signs suspended under a canopy shall have a clearance of at least 2.4 m (7.9 ft.).

**7) Facia Signs**

- a) A facia sign shall not extend higher than the window sill of the second storey or, in the absence of such a window, 75 cm (2.5 ft.) above the floor of the second storey. The top of a facia sign on a one-storey building shall not extend more than 30 cm (12 in.) above the building roof or parapet wall. Any facia sign which extends over a public right-of-way

or a passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m (7.9 ft.).

- b) A fascia sign shall not extend more than 40 cm (16 in.) beyond a building wall.
- c) Notwithstanding (a) above, fascia signs which consist only of a company logogram, or an identification sign formed of individual letters, shall be allowed above the first floor level. Not more than one such sign shall be allowed per building face and the sign shall only be used to identify the principal tenant of the building.

**8) Freestanding Signs**

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- a) Freestanding signs shall be allowed for the first frontage of a business premise or multiple occupancy development, provided that such frontage is at least 30 m (98.4 ft.) in length. Where such frontage is less than 30 m (98.4 ft.), a freestanding sign shall be allowed in accordance with Clause (f) of this Subsection.
- b) Freestanding signs shall be allowed for each additional frontage of the same business premise or multiple occupancy development, provided that the said frontage is not less than 45 m (147.6 ft.) in length.
- c) Freestanding signs shall be allowed for each 45 m (147.6 ft.) of frontage that is in addition to the frontages set out in Clauses (a) and (b) above.
- e) The allowable sign area for a freestanding sign shall be 0.3 m<sup>2</sup> (3.2 sq. ft.) for each lineal metre (3.3 ft.) of the frontage where the sign is to be erected, subject to the maximum sign area for freestanding signs specified in the Sign Schedule applicable to the site. Where more than one freestanding sign is to be erected along the same frontage, the combined area of all freestanding signs shall not exceed the maximum area allowed by the ratio of this Clause.
- f) For a business premise or multiple occupancy development with a frontage of less than 30 m (98.4 ft.) but not less than 15 m (49.2 ft.), one freestanding sign not exceeding 3 m (9.8 ft.) in

height and not exceeding 3 m<sup>2</sup> (32.3 sq. ft.) in area shall be allowed. A freestanding sign shall not be allowed for a business premise or site with a frontage of less than 15 m (49.2 ft.).

- g) Unless otherwise allowed by a Sign Schedule, no part of a freestanding sign shall extend beyond the property line of the site which the sign is intended to serve.
- h) Where two or more freestanding signs are located on the same business premise or site, or along the same frontage; a minimum horizontal separation distance of 30 m (98.4 ft.) shall be provided between signs, except that the minimum separation distance between signs complying with the maximum height and area regulations of Clause (f) of this Subsection shall be 15 m (49.2 ft.).
- i) A freestanding sign may rotate to expose different copy where permitted by a Sign Schedule. Not more than one rotating freestanding business identification sign shall be erected for each frontage and no other freestanding business identification sign shall be erected along the same frontage.
- j) Where a freestanding sign and a projecting sign are located along the same frontage of a site, a minimum horizontal separation distance of 10 m (32.8 ft.) shall be maintained between the freestanding sign and the projecting sign.

**9) Projecting Signs**

- a) A projecting sign shall not be used to identify businesses which are located entirely at or above the second storey level.
- b) A projecting sign shall have a vertical clearance of at least 2.4 m (7.9 ft.).
- c) The top part of a projecting sign on a one-storey building shall not extend more than 30 cm (12 in.) above the building roof or parapet wall.
- d) The top of a projecting sign on a building two stories or higher shall not extend more than 75 cm (2.5 ft.) above the floor of the second storey nor higher than the window sill level of the second floor.

- e) A projecting sign may project 30 cm (12 in.) for each lineal metre (3.3 ft.) of frontage measured from the horizontal limit of the frontage where the sign is to be erected to the face of the sign nearest the limits of the frontage, except that:
  - i) the horizontal separation distance between a projecting sign and the curb line of a public roadway shall be not less than 0.6 m (1.97 ft.);
  - ii) the maximum projection from the building face shall not exceed 2.5 m (8.2 ft.); and
  - iii) subject to (i) and (ii) above, the maximum projection for a corner projecting sign shall not exceed one hundred and twenty percent (120%) of the projection allowed for a projecting sign located at the centre of the shorter of the two building frontages. Such corner signs shall be placed at equal angles to the two frontages at the corner of the building.
- f) No projecting sign shall be located closer than 1.5 m (4.9 ft.) to the horizontal limits of the frontage of an adjacent business.
- g) No projecting sign shall be placed such that the distance between the nearest edge of the sign and the building wall to which it is attached is more than 30 cm (12 in.).
- h) Except in the case of corner signs, a projecting sign shall be placed at right angles to the building face to which it is attached.
- i) Not more than one projecting sign shall be allowed for each frontage of a business premise.
- j) No projecting sign shall be allowed where the building set back from the curb line of a public roadway exceeds 10 m (32.8 ft.).
- k) Where a projecting sign and freestanding sign are located along the same frontage of a site, a minimum horizontal separation distance of 10 m (32.8 ft.) shall be provided between such signs.

**10) Roof Signs**

- a) Roof signs may only be allowed where, in the opinion of the Development Officer, they are a common feature of signage on surrounding developments and provided that the sign is framed by a higher building wall such that the display does not break the skyline when viewed at a distance of 150 m (492 ft.) from any public roadway, other than a lane.
- b) The maximum vertical dimension of a roof sign, including the support structure, shall not exceed one-fifth of the height of the building to a maximum vertical dimension of 4 m (13.1 ft.).
- c) The maximum area of a roof sign shall not exceed the allowable area for a freestanding sign specified in the Sign Schedule applicable to the site.
- d) Roof signs may be illuminated, but may not have flashing, scintillating or running lights.
- e) Business identification roof signs shall not have changeable copy and local advertising.

**11) Window Signs**

- a) Only one permanent window business identification sign shall be allowed per window and the area of the sign shall not exceed twenty five percent (25%) of the window in which it is located.
- b) A business may display permanent window signs at the first or second storey level, but not both.

**12) Regulations for Sign Coordination on Multiple Occupancy Business Developments**

The following additional regulations shall apply to signage for developments which are purposely designed for multiple business occupancy at the ground floor level such as shopping centres, business parks, industrial malls and commercial plazas:

- a) Where the architectural design and appearance of a building facade are uniform, individual business identification signs located on the facade shall, in the opinion of the Development Officer, be similar as to proportion, construction materials and

placement. The design and placement of the signs shall also be compatible with any architectural guidelines for signage contained in the approved development permit for the building upon which the signs are to be erected.

- b) On buildings where facia signs have been used for, or are intended as, the principal means of individual business identification, a projecting sign or a canopy sign not having a removable cloth cover shall be allowed only if it is used to identify the building or development as a whole. The copy on such signs shall not include the name of any individual business nor local advertising or changeable copy.
- c) Not more than four businesses may be identified on a free-standing sign, except that in the case of a multi-faced sign, four businesses may be identified on each face, to a total of sixteen businesses.
- d) The minimum height for individual business identification panels on a freestanding sign shall be 1 m (3.3 ft.) and the minimum length shall be 2 m (6.6 ft.). The copy on such signs shall be limited to the name of the business and its logogram.
- e) Where more than two businesses are identified on the same freestanding sign, the business identification panels shall be of uniform proportion and character.
- f) The minimum separation distance between freestanding signs used for multiple business identification on the same site or along the same frontage shall be 45 m (147.6 ft.).
- g) Where freestanding signs allowed by Clause (8)(f) of Section 79.7 are used to identify individual businesses in a multiple occupancy business development, the sign shall be designed such that the total width of the support structure for the sign is equal to, or greater than, 50 percent of the width of the sign face or sign cabinet when viewed from any side.

**79.8 General Regulations for General Advertising Signs**

This Section contains the general regulations with which the various types of general advertising signs must comply, subject to any exceptions or additional regulations specified in a Sign Schedule.

**1) General Provisions**

The following regulations shall apply to all general advertising signs, excluding mall poster signs located on City-owned land intended for public use and general advertising on street furniture.

- a) General advertising signs shall be purposely designed to display painted bulletins, poster panels, vinyl back-lite panels or mall poster panels.
- b) Not more than one double-faced bulletin board or two double-faced standard, or junior, poster panels shall be allowed in any sign location. The total sign area per location shall not exceed 130 m<sup>2</sup> (1,399.3 sq. ft.) for bulletin boards, 76 m<sup>2</sup> (818.1 sq. ft.) for standard poster panels and 27 m<sup>2</sup> (290.6 sq. ft.) for junior poster panels.
- c) The minimum radial distance between any two general advertising sign locations visible from the same traffic direction shall be 100 m (328.1 ft.).
- d) No part of any freestanding general advertising sign shall be closer to any public roadway than the building set-back line of the Land Use District in which the sign is located.
- e) General advertising signs mounted on a wall shall not extend more than 30 cm (12 in.) above the building parapet nor exceed a maximum height of 8 m (26.2 ft.), except as provided for in Clause (h) of this Section.
- f) Freestanding general advertising signs shall not exceed a maximum height of 8 m (26.2 ft.). Where a sign is located within 6 m (19.7 ft.) of a single storey building, the top of the sign shall not extend more than 2 m (6.6 ft.) above the building roof or parapet wall.



- g) The Development Officer may require freestanding general advertising signs to be landscaped, if:
    - i) the expected duration of the sign display is at least two years;
    - ii) the sign is not backed by a building wall located within 6 m (19.7 ft.) of the sign; and
    - iii) the adjacent developments and properties are landscaped.
  - h) General advertising roof signs shall comply with the following regulations:
    - i) The sign shall be mounted on, or framed by, a higher building wall such that the display does not break the skyline when viewed from a distance of 150 m (492 ft.) from any public roadway, not including a lane.
    - ii) Wall-mounted signs shall be mounted parallel to and within 0.5 m (1.6 ft.) of the building face. The support elements for a roof sign shall be concealed where visible from any public roadway, not including a lane.
    - iii) General advertising roof signs shall not contain time and temperature units, electronically controlled changeable copy or any animation devices.
  - j) General advertising signs may be illuminated provided that the lighting is concealed or shielded to minimize glare.
- 2) **Mall Poster Signs on Street Furniture and City-owned Land Developed for Public Recreational Use**
- a) Mall poster signs shall not be allowed on the exterior of public buildings but may be permitted in outdoor malls, pedways, or City-owned land developed for public recreational use. The location, siting and design of mall poster signs shall comply with the guidelines for such signs specified in the mall or pedway plan applicable to the location where the signs are to be erected.

- b) The maximum allowable sign area for a mall poster sign integrated with street furniture elements shall be 1.5 m x 2.5 m (4.5 ft. x 8.2 ft.).
- c) The maximum area of a fascia or freestanding mall poster sign shall not exceed 1.5 m x 2.5 m (4.5 ft. x 8.2 ft.). The maximum height for a freestanding mall poster sign shall be 2.5 m (8.2 ft.). Freestanding mall poster signs may be multi-faced.

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**79.9**

**General Regulations for Temporary Signs,  
Portable Signs and Balloon Signs**

This Section contains the general regulations and use regulations with which temporary signs, portable signs and balloon signs must comply, subject to any exceptions or additional regulations specified in a Sign Schedule. The regulations govern temporary signs, portable signs and balloon signs used for such purposes as political campaigns, business identification, local advertising, real estate advertising, building construction identification and land development information.

**1) General Provisions**

- a) Any portable sign, temporary sign or balloon sign that requires a Development Permit shall be located within the property lines of the site as identified by the legal or municipal description indicated in the permit.
- b) No portable sign, temporary sign or balloon shall be located closer than 1 m (3.3 ft.) to any property line. Where a sign is located at a site on a corner formed by the intersection of two or more public roadways, not including a lane, the sign shall not be located within a 10 m (32.8 ft.) radius of the corner measured from the midpoint of the curved portion of the curb line.
- c) A portable sign, temporary sign or balloon sign shall not interfere with access to or from a site.
- d) Portable signs, temporary signs or balloon signs may be illuminated but may not contain flashing, scintillating or running lights or animation devices, and any device designed to intensify or vary the illumination of lighting. Illumination shall be from a steady light source located within the interior of the sign, or from an exterior light source directed at the face of the sign and shielded to eliminate glare

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when viewed by on-coming traffic. No exterior accessory lighting may be attached to any portion of a portable sign, including the trailer or support structure, except that lights required by the Highway Traffic Act shall be allowed.

- e) The trailer frame excluding the hitch and the support legs, or structure used to support a portable sign shall not exceed 3.5 m (11.5 ft.) in length nor 2.2 m (7.2 ft.) in width.
- f) All portable signs shall be double-faced. The horizontal dimension of the sign face shall not exceed 3.1 m (10.2 ft.) and the vertical dimension of the sign face shall not exceed 1.7 m (5.6 ft.). The frame surrounding the sign face shall not include embellishments and animation devices.
- g) The background face of a portable sign shall be of a single uniform color.
- h) A portable sign shall not exceed a maximum height of 3 m (9.8 ft.) above grade.
- i) A temporary sign on a single storey building shall not be located above the roof or parapet wall. A temporary sign, other than a temporary window sign, on a building of two or more storeys shall not be located higher than the sill of the windows on the second storey.
- j) Where the use regulations of Subsection (3) below make reference to Commercial and Industrial Districts, such reference shall include sites within the DC1, DC2, DC4, DC5, MA, US or PU Districts which, in the opinion of the Development Officer, are contained within a larger area of commercially or industrially districted land.
- k) The maximum height and maximum copy size of a balloon sign shall be determined at the discretion of the Development Officer, but in accordance with and relevant to the standard model sizes and dimensions available from the balloon sign manufacturer.

**2) Removal of Temporary Signs, Portable Signs and Balloon Signs**

- a) A temporary sign, a portable sign or a balloon sign shall be removed on or before the expiry date specified in the Development Permit.
- b) Temporary signs not requiring a Development Permit shall be removed within five (5) days after the close of the event or activity to which they refer, unless otherwise specified in Section 79.9 of this Bylaw.

**3) Regulations for Specific Uses of Temporary Signs, Portable Signs, and Balloon Signs**

The following regulations shall apply in addition to the general provisions of Subsection (1) above.

**a) Use of Temporary Signs, Portable Signs and Balloon Signs for Political Campaigns**

- i) Political election signs shall not be placed upon public property except on public service kiosks or unless permitted by the provision of any Election Act.
- ii) Political signs shall be removed within ten days after the election to which they refer.
- iii) The maximum height of a freestanding political sign, when erected on a site, shall not exceed 3 m (9.8 ft.). The maximum area for a political sign located within a Residential District shall be 1 m<sup>2</sup> (10.7 sq. ft.).
- iv) The use of a portable sign or a balloon sign for political campaign advertising shall be allowed on properties located within a Commercial or Industrial District only in accordance with the provisions of Subclause 79.9(3)(b)(iii).

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**b) Use of Temporary Signs, Portable Signs and Balloon Signs for Business Identification and Local Advertising and General Advertising within Commercial and Industrial Districts**

- i) The use of on-premise banners, pennants or similar signs announcing the opening of a

new business, closing of a business, or change in management, shall be allowed for a period not exceeding 30 days. The owner or manager of the business to which the sign refers shall notify the Development Officer in writing of the property address of the sign and the date on which it was erected. Where no such written notification is provided, the owner or manager shall remove the sign within 5 days of receiving a written notice from the Development Officer to do so.

- ii) Temporary fascia or freestanding business identification signs constructed of rigid materials shall comply with the regulations for fascia and freestanding signs of the Sign Schedule applicable to the Land Use District in which the sign is to be erected. For businesses intended to be of an on-going nature, temporary identification signs shall be allowed for a maximum period of 90 days, except that any temporary identification sign shall be removed once a permanent business identification sign allowed by this Bylaw has been erected. For businesses of a seasonal or short term nature which operate for six months or less in a calendar year, a temporary identification sign shall be allowed for the operating period of the business. Local advertising shall be allowed on temporary business identification signs, provided that such advertising shall not exceed 50 percent of the area of the business identification sign.

- iii) The use of portable signs and balloon signs for business identification, local advertising and general advertising within Commercial and Industrial Districts shall comply with the following provisions:

- A) One portable sign and one balloon sign shall be allowed for each 30 m (98.4 ft.) of frontage of a business premise or multiple occupancy development provided that not more than one portable sign and one balloon sign shall be displayed on any site.

- B) The maximum duration of display for each portable sign or balloon sign

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location complying with Clause (A) above shall be a total of 180 days in a calendar year provided that no portable sign or balloon sign shall remain at a location for more than 90 consecutive days and following each removal of a sign, the location shall remain free of portable signs or balloon signs for a minimum of 30 consecutive days.

C) A business may apply to use a portable sign or balloon sign more than once in a calendar year and at more than one location, subject to compliance with Clauses (A) and (B) above.

D) On shopping centre sites districted CNC or CSC and planned as part of a residential subdivision or Neighbourhood Structure Plan, portable signs and balloon signs shall not be used for general advertising.

iv) Notwithstanding the provisions of Clause (iii) above, a business may display a portable sign and a balloon sign for more than 90 days in the following circumstances:

A) The business is of a seasonal or temporary nature which operates for six months or less in a calendar year. In such cases, a portable sign and a balloon sign shall be allowed for the operating period of the business.

B) The business is a new business for which the manufacture and installation of an approved permanent business identification sign has taken longer than 90 days. In such cases, the Development Officer may allow a portable sign and a balloon sign to be used for up to an additional 60 days, provided that he is satisfied the business owner has made every effort to obtain a permanent sign prior to the expiry of the 90 day limit and the delays are attributable to factors beyond the control of the applicant.

- v) Temporary signs exceeding 0.5 m<sup>2</sup> (5.4 sq. ft.) in area or greater than 1.5 m (4.9 ft.) in height, other than window signs or signs provided for in Subclauses (i) and (ii) of this Clause 79.9(3)(b), which are used for local or general advertising of business services or products shall be subject to the development permit requirements for portable signs and shall comply with the provisions of Subclause (iii) of this Clause 79.9(3)(b). A business shall be permitted to display window signs for local advertising at any time during the year, without time limitation. Window signs used for local advertising shall be located in windows at the first or second storey level only, and the sign shall not cover more than 25 percent of the area of the window where the sign is displayed.

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- c) Use of Temporary Signs and Portable Signs and Balloon Signs for Advertising Special Events
  - i) Temporary signs, portable signs and balloon signs shall be allowed for advertising special events of general public interest such as charity drives, health and safety campaigns, national or international amateur athletic and sports events, and city-wide celebrations such as Klondike Days, subject to the regulations of Subclauses (ii), (iii) and (iv) below.
  - ii) The use of a portable sign or a balloon sign to advertise a special event referred to in Subclause (i) shall be allowed within Commercial and Industrial Districts in accordance with the provisions of Clause 79.9(3)(b)(iii) and within the A, AP and US Districts in accordance with the provisions of Clause 79.9(3)(d)(iii).
  - iii) Temporary fascia or freestanding signs constructed of rigid materials shall comply with the regulations of the Sign Schedule applicable to the Land Use District in which the sign is to be erected.
  - iv) Banners, pennants or similar signs shall be allowed on the site where the special event

takes place and on any site of developed land within a Commercial or Industrial Land Use District. The maximum area of a banner or similar sign shall be 10 m<sup>2</sup> (107.6 sq. ft.).

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- d) Use of Temporary Signs, Portable Signs and Balloon Signs for Advertising Community Activities and Recreation Facilities.
- i) Community leagues, churches, fraternal organizations and similar social or recreational organizations shall be allowed one temporary on-premise sign not exceeding 2 m<sup>2</sup> (21.5 sq. ft.) in area nor 3 m (9.8 ft.) in height when freestanding, for the purpose of advertising community, social and recreational events or fund raising activities for the duration of the event.
  - ii) A portable sign or a balloon sign shall be allowed for the advertising purposes noted in Subclause (i) above on sites located within a Commercial or Industrial Land Use District in accordance with the provisions of Subclause 79.9(3)(b)(iii).
  - iii) A portable sign or a balloon sign shall be allowed for the advertising purposes noted in Subclause (i) above on sites located within the A, AP and US Land Use Districts in accordance with the following provisions:
    - A) District level park sites, parks or major facilities serving a regional or City-at-large function, and school sites shall be limited to two signs per site, provided that the signs are separated by a minimum distance of 30 m (98.4 ft.).
    - B) Neighbourhood park sites and sites other than those defined in Clause (A) above, shall be limited to one portable sign or balloon sign per site.
    - C) The maximum duration of display of a portable sign or a balloon sign for each event or activity shall be specified by the District Parks and Recreation Director for A and AP sites and by the



Principal for school sites. For all other sites, the duration of display shall be specified by the Development Officer. Such time limits shall not exceed 30 consecutive days for each event or activity and the cumulative use of portable signs or balloon signs shall not exceed a total of 180 days per calendar year.

- D) The use of portable signs and balloon signs shall be restricted to the identification or advertising of events or activities which take place on the site where the sign is displayed.

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- e) Use of Temporary Signs, Portable Signs and Balloon Signs for Real Estate and Advertising and Development Information in Developing Areas

The use of temporary and portable signs within industrial subdivisions and residential neighbourhoods under development shall comply with the following regulations:

- i) One temporary sign identifying the name of the subdivision or neighbourhood shall be allowed for each entrance, to a maximum of three signs. The sign shall be located wholly within the boundary of the subdivision or neighbourhood which it identifies and shall not encroach onto any public roadway, City right-of-way or boulevard. The sign may identify the names of individual builders or general contractors with projects in the area. The maximum area of the sign shall not exceed 10 m<sup>2</sup> (107.6 sq. ft.) and the maximum height of the sign, when freestanding, shall not exceed 4 m (13.1 ft.). The sign shall be removed once the area under development it refers to has nearly been constructed, provided that in all cases the sign shall be removed within two years after the date upon which Residential or Industrial Districts were passed.

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- ii) On a site used for a Show Home or Residential Sales Centre, signs shall comply with the following regulations:

- A) One temporary freestanding sign shall be allowed for each frontage of the development for the purpose of providing sales information and identifying the home builder, contractor or real estate company associated with the development. The maximum area of this sign shall not exceed 3 m<sup>2</sup> (32.3 sq. ft.) and the maximum height when free standing shall not exceed 3 m (9.8 ft.), unless the site is located more than 60 metres (196.8 ft.) from existing residential development and the frontage where the sign is to be displayed is greater than 45 metres (147.6 ft.) in length. In such cases the maximum area of the sign shall be 6 m<sup>2</sup> (64.6 sq. ft.) and the maximum height when freestanding shall be 5 m (16.4 ft.).
- B) Banners and pennants identifying the builder, contractor or real estate company associated with the Show Home or Residential Sales Centre shall be allowed on site. The maximum area for any such single sign shall not exceed 2 m<sup>2</sup> (21.4 sq. ft.) and where such sign is affixed to a building, the top of the sign shall not be located higher than the second storey.
- C) Hoardings or false fronts enclosing temporary structures may be used to display advertising copy and supergraphics provided that the total maximum area of advertising copy and supergraphics shall not exceed twenty-five percent (25%) of the total area of the hoarding or false front on which the copy is displayed. The total maximum area of advertising copy and supergraphics shall be determined on the basis of the one or more rectangles required to enclose the limits of each copy area.
- D) One balloon sign per site shall be allowed at the discretion of the Development Officer.

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iii) Temporary off-site signs providing direction to the location of a Residential Sales Centre shall be allowed in accordance with the following provisions:

A) Each Residential Sales Centre shall be allowed a maximum of two free standing directional signs not exceeding an area of 6 m<sup>2</sup> (64.6 sq. ft.). Such signs shall be located within a 2 km (1.24 mile) radius of the Residential Sales Centre and shall be located on undeveloped land having a minimum frontage of 45 metres (147.6 ft.) and separated from any existing residential development by a minimum distance of 60 metres (196.8 ft.). The copy on the sign shall give primary emphasis to identifying the location of the Residential Sales Centre and may be used to identify the name of the builders or real estate companies associated with the Centre.

B) In addition to the signs allowed in (A) above, temporary freestanding signs not exceeding 1 m<sup>2</sup> (10.76 sq. ft.) in area and 1.5 m (4.9 ft.) in height shall be allowed for the purpose of giving direction to the location of Show Homes and Sales Centers. Such signs shall be located wholly within the boundaries of the area under development within which the Residential Sales Centre or Show Home is located. The sign shall not be located on vacant lands within neighbourhoods or subdivisions that border on an area under development. The copy on the signs shall be limited to the name of the builder or the real estate company active in the area, an arrow, and the words "Open House", or "Show Home", or words of similar intent.

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f) Use of Temporary and Portable Signs for Building Construction Identification:

- i) One temporary construction identification sign shall be allowed for each frontage of the site.
- ii) The copy on the sign shall be limited to the identification of the architects, engineers, contractors or financiers involved in the project, a graphic representation of the development, and leasing or sales information.
- iii) The maximum area of a construction identification sign shall not exceed 10 m<sup>2</sup> (107.6 sq. ft.) and the height of the sign when freestanding, shall not exceed 4 m (13.1 ft.), except that developments on a site with an area of at least 4 ha (9.88 acres) shall be allowed a sign with a maximum area of 20 m<sup>2</sup> (215.3 sq. ft.) and a maximum height, when freestanding of 6 m (19.7 ft.).
- iv) Construction identification signs shall be removed once the construction of the development they refer to has been completed.
- v) A portable sign shall not be used as a construction identification sign.

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- g) Use of Temporary and Portable Signs for Real Estate Advertising in Non-Developing Areas
  - i) One temporary real estate sign shall be allowed for a site, business premise or dwelling unit, except that a site having more than one frontage shall be allowed one sign for each additional frontage.
  - ii) The maximum area for a real estate sign in a RF1, RF2, RPL, RF3, RF4, RR, RMH, AP or A District shall be 0.5 m<sup>2</sup> (5.4 sq. ft.) and the maximum height of the sign, when freestanding, shall not exceed 1.5 m (4.9 ft.).
  - iii) The maximum area for a real estate sign in a RF5, RF6, RA7, RA8, RA9, RMX, US or DC1 District shall be 1.5 m<sup>2</sup> (16.1 sq. ft.) and the maximum height of the sign, when freestanding shall not exceed 2 m (6.6 ft.).

- iv) The maximum area for a real estate sign in a CNC, CSC, CB1, CB2, CO, CHY, CMX, IB, IM, IH, MA, AG, AGU, AGI, DC2 or DC4 District shall be 2 m<sup>2</sup> (21.5 sq. ft.) and the maximum height of the sign, when freestanding, shall not exceed 2.5 m (8.2 ft.), except that sites having a frontage of at least 150 m (492.1 ft.) shall be allowed a sign with a maximum area of 3 m<sup>2</sup> (32.2 sq. ft.) and the maximum height of the sign, when freestanding, shall not exceed 3 m (9.8 ft.).

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- v) Portable signs shall be allowed for real estate advertising in Commercial and Industrial Districts in accordance with the provision of Subsection 79.9(3)(b)(iii).

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- vi) For sites districted RA7, RA8, RA9, or RMX, one portable sign per site shall be allowed for the purpose of real estate advertising. Such sign may be displayed for a maximum period of 180 days in a calendar year, provided that the sign shall not remain on a site for more than 60 consecutive days and, following removal of the sign, the site shall remain free of a portable sign for 30 consecutive days. Where a portable sign is used on a site, no temporary freestanding sign shall be used for real estate advertising.

## **79A Sign Schedule for Land Use Districts: RF1, RF2, RPL, RF3, RF4, RR, RMH, AG, AGU, AP and A**

### **79A.1 Allowable Signs and Sign Regulations**

- 1) The following signs shall be allowed:
  - a) Class O signs not requiring a development permit as listed in Section 14.1, Clause (4) of this Bylaw;
  - b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;
  - c) on any site of a non-residential use, not more than one facia identification sign per business or use, of a maximum area not exceeding 1.5 m<sup>2</sup> (16.2 sq. ft.), except that:

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- i) in the A and AP Districts the maximum allowable area for a fascia sign shall be 3 m<sup>2</sup> (32.4 sq. ft.);
  - ii) the Development Officer may approve additional identification signs on public recreational lands if, in his opinion, the height, area and design of the sign are compatible with the architectural and landscape character of the recreational lands and development; and
  - iii) a single non-electric freestanding identification sign not exceeding 1.5 m<sup>2</sup> (16.2 sq. ft.) in area and not exceeding 2 m (6.6 ft.) in height shall be allowed in place of a fascia sign, where a site in a Residential District has a frontage of at least 30 m (98.4 ft.);
- d) one permanent freestanding identification sign may be placed at each entrance to a subdivision, neighbourhood or mobile home park not exceeding 3 m (9.8 ft.) in height or 4 m<sup>2</sup> (43.1 sq. ft.) in area. The copy on such signs shall be restricted to the name of the subdivision, neighbourhood or mobile home park and shall be located entirely upon private property within the area to which they refer. The sign may be illuminated by an exterior light source and shall be landscaped in a manner consistent with the character and appearance of adjacent development. The person or company owning the sign shall be solely responsible for the maintenance of the sign and if the sign is abandoned, the costs of its removal.
- e) on sites districted AP and A, portable signs in accordance with the provision of Section 79.9 of this Bylaw.

**79B Sign Schedule for Land Use Districts: RF5, RF6, RA7 and RA8**

**79B.1 Allowable Signs and Sign Regulations**

- 1) The following signs shall be allowed:

- a) Class O signs not requiring a development permit as listed in Section 14.1, Clause (4) of this Bylaw;
- b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;
- c) facia identification signs on an Apartment Housing building not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area;
- d) a canopy identification sign, the maximum area of the copy of which shall not exceed 1.5 m<sup>2</sup> (16.2 sq. ft.), may be substituted for a facia identification sign on an Apartment Housing building, provided that the sign is erected upon a canopy which provides a protective covering over an entrance to the building;
- e) on any site of non-residential development, not more than one facia identification sign per business or use, and not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area. Such sign may be illuminated.
- f) on the site of non-residential development, a single freestanding identification sign not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area, nor 2 m (6.6 ft.) in height, may be allowed in place of a facia identification sign where the site has a frontage of at least 15 m (49.2 ft.) and such sign may be illuminated;
- g) on a site of residential development, freestanding illuminated or non-illuminated on-premise identification and directional signs with a maximum height of 2 m (6.6 ft.) and not exceeding 1.5 m<sup>2</sup> (16 sq. ft.) in area. Such signs shall identify and give direction to individual buildings within a multi-family development. The size, number and placement of signs shall be subject to the approval of the Development Officer who shall have regard for the orientation of the buildings, the complexity of the project and the number of access points thereto; and
- h) one permanent freestanding identification sign may be placed at each entrance to a subdivision or neighbourhood, not exceeding 3 m (9.8 ft.) in height nor 4 m<sup>2</sup> (43.1 sq. ft.) in area. The copy on such signs shall be restricted to the name of the neighbourhood or subdivision and shall be located entirely upon private property within the area to

which they refer. The sign may be illuminated by an exterior light source and shall be landscaped in a manner consistent with the character and appearance of adjacent development. The person or company owning the sign shall be solely responsible for the maintenance of the sign and if the sign is abandoned, the cost of its removal.

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- i) Portable signs, on sites districted RA7 and RA8, for the purpose of real estate advertising shall comply with the general provisions and use regulations for portable signs of Section 79.9.

**79C Sign Schedule for Land Use Districts: RA9 and RMX**

**79C.1 Allowable Signs and Sign Regulations**

- 1) The following signs shall be allowed:
  - a) Class O signs not requiring a development permit as listed in Section 14.1, Clause (4) of this Bylaw;
  - b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;
  - c) facia identification signs on an Apartment Housing building not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area;
  - d) a canopy identification sign, the maximum copy of which shall not exceed 1.5 m<sup>2</sup> (16.9 sq. ft.) may be substituted for a facia identification sign on an Apartment Housing building, provided that the sign is erected upon a canopy which provides a protective covering over an entrance to the building;
  - e) on a site of residential development, freestanding illuminated or non-illuminated on-premise identification and directional signs with a maximum height of 2 m (6.6 ft.) and not exceeding 1.5 m<sup>2</sup> (16.1 s. ft.) in area. Such signs shall identify and give direction to individual buildings within a multi-family development and the size, number and placement of signs shall be subject to the approval of the Development Officer who shall have regard for the orientation of buildings, the complexity of the project and the number of access points thereto;



- f) on any site of a non-residential development not more than one facia or canopy identification sign per business or use, not exceeding 5 m<sup>2</sup> (53.8 sq. ft.) in area. Canopy and facia signs shall comply with general regulations of Section 79.7 and may be illuminated;
- g) on the site of a non-residential development one freestanding identification sign not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area nor 2 m (6.6 ft.) in height may be allowed in place of a facia or canopy identification sign where the site has a frontage of at least 15 m (49.2 ft.) and such sign may be illuminated; and
- h) on sites of mixed residential and commercial development, individual business premises shall be restricted to one facia business identification sign which may be illuminated. Where a building is used for, or intended to be used for, multiple business occupancy at the ground floor level, facia business identification signs on the building shall be of similar proportion and construction materials, and in similar locations on the building facade. Facia business identification signs shall comply with the general regulations of Section 79.7.
- i) Portable signs for the purpose of real estate advertising shall comply with the general provisions and use regulations for portable signs of Section 79.9.

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**79D Sign Schedule for Land Use Districts: CNC and CSC**

**79D.1 Allowable Signs**

- 1) The following signs shall be allowed, subject to the Sign Regulations of this Schedule:
  - a) Class O signs not requiring a development permit as provided for in Section 14.1, Clause (4) of this Bylaw;
  - b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;

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- c) awning, canopy, under-canopy, fascia, freestanding, projecting and window, on- premise business identification signs and on- premise changeable copy and local advertising signs;
- d) portable signs;
- e) fascia and freestanding general advertising signs and mall poster signs; and
- f) balloon signs at the discretion of the Development Officer.

### **79D.2 Sign Regulations**

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- 1) All on-premise business identification, changeable copy and local advertising signs shall comply with the general regulations for on-premise signs of Section 79.7, subject to the following additional regulations and exceptions:

- a) projecting signs shall be allowed only where, in the opinion of the Development Officer, they are a common feature of signage on developments adjacent to the site where the sign is proposed, and where the CNC or CSC site is part of a larger commercial strip area;
- b) the maximum area of a canopy or projecting sign shall be 9 m<sup>2</sup> (96.9 sq. ft.);
- c) the maximum height of a freestanding sign shall be 8 m (26.2 ft.) for a business premise or multiple occupancy business development having frontage of at least 30 m (98.4 ft.);
- d) the maximum area of a freestanding sign shall be 20 m<sup>2</sup> (215.3 sq. ft.);
- e) freestanding signs shall be allowed to rotate where the rotation is designed to expose sign faces with different copy;
- f) the maximum number of freestanding signs per site shall be four provided that the required minimum frontages and separation space are met;
- g) deleted;
- h) deleted;

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- i) deleted; and
- j) running lights shall be allowed only on facia or canopy business identification signs on premises used for Drive-in Food Services, Indoor Amusement Establishments, Major or Minor Eating and Drinking Establishments and Spectator Entertainment Establishments.

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- 3) Portable signs and balloon signs shall comply with the general provisions and use regulations for portable and balloon signs of Section 79.9.
- 4) General advertising signs and mall poster signs shall comply with the general regulations of Section 79.8, subject to the following additional regulations and exceptions:
  - a) general advertising signs, excluding outdoor mall poster signs located on the site of a shopping centre, may be allowed only on CNC and CSC sites which are an integral part of an arterial commercial strip. On such sites a single sign may be erected on, or parallel to and within 1 m (3.3 ft.) of a building wall;
  - b) outdoor mall poster signs shall be allowed on a shopping centre site, provided that the signs are designed and located in such a manner that they are readable from within the site only.

**79E Sign Schedule for Land Use Districts: CB1, CB2 and CHY**

**79E.1 Allowable Signs**

- 1) The following signs shall be allowed, subject to the Sign Regulations of this Schedule:
  - a) Class O signs not requiring a development permit as provided for in Section 14.1, Clause (4), of this Bylaw;
  - b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;
  - c) awning, canopy, under-canopy, facia, freestanding, projecting and window, on- premise business

identification signs and on- premise changeable copy and local advertising signs;

- d) roof business identification signs, except that such signs are prohibited in CHY District;
- e) portable signs;
- f) facia and freestanding general advertising signs and mall poster signs;
- g) roof general advertising signs, except that such signs are prohibited in the CHY District; and
- h) balloon signs at the discretion of the Development Officer.

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## **79E.2 Sign Regulations**

- 1) All on-premise business identification, changeable copy and local advertising signs shall comply with the general regulations for on-premise signs of Section 79.7, subject to the following additional regulations and exceptions:
  - a) The maximum height of a freestanding sign shall be:
    - i) 8 m (26.2 ft.) for a business premise or multiple occupancy business development having a frontage of at least 30 m (98.4 ft.) but not greater than 60 m (196.8 ft.);
    - ii) 10 m (32.8 ft.) for a business premise or multiple occupancy business development having a frontage greater than 60 m (196.8 ft.); and
    - iii) where a freestanding sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum allowable sign height set out in Clauses (i) and (ii) above shall be increased by 2 m (6.6 ft.);
  - b) the allowable sign area for a freestanding sign located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater shall be 0.4 m<sup>2</sup> (4.3 sq. ft.) for each lineal metre (3.3 ft.) of frontage where the sign is to be erected;

- c) the maximum area of a freestanding sign shall be 24 m<sup>2</sup> (258.3 sq. ft.) except that where the sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum area shall be 30 m<sup>2</sup> (322.9 sq. ft.);
- d) freestanding signs shall be allowed to rotate where the rotation is designed to expose sign faces with different copy;
- e) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in Section 79.5, the additional regulations of that Section for business identification signs shall apply;
- f) running lights and animated graphics shall be allowed only on fascia, canopy or projecting signs on business premises used for Drive-in Food Services, Indoor Amusement Establishments, Hotels, Motels, Major or Minor Eating and Drinking Establishments and Spectator Entertainment Establishments.

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- 3) Portable and balloon signs shall comply with the general provisions and use regulations for portable and balloon signs of Section 79.9.
- 4) General advertising signs and mall poster signs shall comply with the general regulations of Section 79.8 subject to the following additional regulation:
  - a) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in Section 79.5, the additional regulations of that Section for general advertising signs shall apply.

**79F Sign Schedule for Land Use Districts CMX and CO Located Outside the Downtown Area Redevelopment Plan Area\***

**79F.1 Allowable Signs**

- 1) The following signs shall be allowed, subject to the Sign Regulations of this Schedule:
  - a) Class O signs not requiring a development permit as provided for in Section 14.1, Clause (4) of this Bylaw;
  - b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;
  - c) awning, canopy, under-canopy, fascia, freestanding, projecting and window, on- premise business identification signs and on- premise changeable copy and local advertising signs;
  - d) portable signs;
  - e) fascia and freestanding general advertising signs and mall poster signs; and
  - f) balloon signs at the discretion of the Development Officer.

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**79F.2 Sign Regulations**

- 1) All on-premise business identification, changeable copy and local advertising signs shall comply with the general regulations for on-premise signs of Section 79.7, subject to the following additional regulations and exceptions:
  - a) the maximum height of a freestanding sign shall be 8 m (26.2 ft.) and the maximum area shall be 12 m<sup>2</sup> (129.2 sq. ft.);

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*\*For the boundaries of the Downtown ARP area, please refer to the map in Appendix I to Sign Schedule 79G.*

- b) animated graphics and running lights shall be allowed on facia, canopy and projecting business identification signs on premises used for Drive-in Food Services, Indoor Amusement Establishments, Hotels, Motels, Major or Minor Eating and Drinking Establishments, and Spectator Entertainment Establishments;
- c) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in Section 79.5, the additional regulations of that Section for business identification signs shall apply.

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- 3) Portable and balloon signs shall comply with the general provisions and use regulations for portable and balloon signs of Section 79.9.
- 4) General advertising signs and mall poster signs shall comply with the general regulations of Section 79.8, subject to the following additional regulation:
  - a) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in Section 79.5, the additional regulations of that Section for general advertising signs shall apply.

**79G Sign Schedule for Land Use Districts CMX and CO Located within the Downtown Area Redevelopment Plan Area\***

**79G.1 Allowable Signs**

- 1) The following signs shall be allowed, subject to the Sign Regulations of this Schedule:
  - a) Class O signs not requiring a development permit as provided for in Section 14.1, Clause (4) of this Bylaw;
  - b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;

*\*For the boundaries of the Downtown ARP area, please refer to the map in Appendix I to Sign Schedule 79G.*

- c) awning, canopy, under-canopy, fascia, freestanding, projecting and window, on-premise business identification signs and on-premise changeable copy and local advertising signs;
- d) portable signs;
- e) fascia and freestanding general advertising signs and mall poster signs;
- f) general advertising roof signs and on-premise business identification roof signs, except that such signs are prohibited in the civic centre area bounded by the Canadian National Railway's Central Yard to the north, the North Saskatchewan River Valley to the south, 97 Street to the east, and 100 Street to the west; and
- g) balloon signs at the discretion of the Development Officer.

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## 79G.2 Sign Regulations

- 1) Real estate signs and construction identification signs may be constructed as electrical signs.
- 2) All on-premise business identification, changeable copy and local advertising signs, shall comply with the general regulations for on-premise signs of Section 79.7, subject to the following additional regulations and exceptions:
  - a) the maximum height of a freestanding sign shall be 8 m (26.2 ft.) and the maximum area shall be 12 m<sup>2</sup> (129.2 sq. ft.);
  - b) animated graphics, scintillating lights and running lights shall be allowed only on fascia, canopy and projecting business identification signs on premises used for Indoor Amusement Establishments, Hotels, Motels, Major and Minor Eating and Drinking Establishments and Spectator Entertainment Establishments;
  - c) businesses located below grade shall not be allowed individual identification signs above grade. Such businesses shall be allowed identification on an above-grade identification sign which complies with the following regulations:

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- i) the sign shall be designed as a freestanding ground sign in which the total width of the support structure is equal to, or greater than, 50 percent of the width of the sign face when viewed from any side of the sign, or shall be designed as a fascia sign;
  - ii) the maximum area of a single sign face shall not exceed 2 m<sup>2</sup> (21.5 sq. ft.);
  - iii) the maximum height shall not exceed 2 m (6.6 ft.) in the case of a ground sign and in the case of a fascia sign, the highest part of the sign shall not be located higher than 2 m (6.6 ft.) above the sidewalk immediately below the sign;
  - iv) the copy on the sign shall be limited to identification of business and shall be scaled for viewing by pedestrians;
  - v) one sign shall be allowed for each entrance providing a direct underground connection to the businesses below grade.
- 4) Portable and balloon signs shall comply with the general provisions and use regulations for portable and balloon signs of Section 79.9.
- 5) General advertising signs and mall poster signs shall comply with the general regulations of Section 79.8, subject to the following additional regulations:
- a) general advertising signs, other than mall poster signs, located in the civic centre area bounded by the Canadian National Railway's Central Yard to the north, the North Saskatchewan River Valley to the south, 97 Street to the east and 100 Street to the west may be allowed at the discretion of the Development Officer, if:
    - i) the sign is a freestanding sign or wall mounted sign; and
    - ii) the sign is located on vacant land or buildings intended for demolition and redevelopment.

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**79H Sign Schedule for Land Use Districts: AGI, MA, IB, IM and IH**

**79H.1 Allowable Signs**

- 1) The following signs shall be allowed, subject to the Sign Regulations of this Schedule:
  - a) Class O signs not requiring a development permit as provided for in Section 14.1, Clause (4) of this Bylaw;
  - b) temporary signs requiring a development permit as provided for in Section 79.9 of this Bylaw;
  - c) awning, canopy, under-canopy, fascia, freestanding, projecting and window, on- premise business identification signs and on- premise changeable copy and local advertising signs;
  - d) roof business identification signs, except that such signs are prohibited in the AGI, MA and IB Districts;
  - e) portable signs;
  - f) fascia, freestanding and roof general advertising signs, and mall poster signs, except that:
    - i) general advertising signs, other than mall poster signs, are prohibited in the MA District; and
    - ii) general advertising roof signs are prohibited in the AGI and IB Districts; and
  - g) balloon signs at the discretion of the Development Officer.

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**79H.2 Sign Regulations**

- 1) All on-premise business identification, changeable copy and local advertising signs shall comply with the general regulations for on-premise signs of Section 79.7, subject to the following additional regulations and exceptions:
  - a) the maximum height of a freestanding sign shall be:

- i) 8 m (26.2 ft.) for a business premise or multiple occupancy business development having a frontage of at least 30 m (98.4 ft.) but not greater than 60 m (196.8 ft.);
    - ii) 10 m (32.8 ft.) for a business premise or multiple occupancy business development having a frontage greater than 60 m (196.8 ft.); and
    - iii) where a freestanding sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum allowable sign height set out in Clauses (i) and (ii) above shall be increased by 2 m (6.6 ft.).
  - b) the allowable sign area for a freestanding sign located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater shall be 0.4 m<sup>2</sup> (4.3 sq. ft.) for each lineal metre (3.3 ft.) of frontage along which the sign is to be erected;
  - c) the maximum area of a freestanding sign shall be 24 m<sup>2</sup> (258.3 sq. ft.) except that where the sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater the maximum area shall be 30 m<sup>2</sup> (322.9 sq. ft.);
  - d) a freestanding sign shall be allowed to rotate where the rotation is designed to expose sign faces with different copy;
  - e) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in Section 79.5, the additional regulations of that Section for business identification signs shall apply;
  - f) animated graphics and running lights shall be allowed only on fascia, canopy and projecting signs on premises used for Drive-in Food Services, Hotels, Motels and Major and Minor Eating Establishments.
- 2) Portable and balloon signs shall comply with the general provisions and use regulations for portable and balloon signs of Section 79.9.

- 3) General advertising signs and mall poster signs shall comply with the general regulations of Section 79.8, subject to the following additional regulations:
- a) general advertising signs in the IM and IH Districts shall be located only on sites which abut the public roadway from which the sign is intended to be viewed, or abut a service road parallel to such public roadway;
  - b) general advertising signs may be allowed at the discretion of the Development Officer in the IB and AGI Districts where:
    - i) the land uses and development surrounding the subject site are predominately commercial in nature and their visual character and site orientation is similar to that of the arterial commercial strip areas typical of the CB2 District; and
    - ii) the site where the sign is proposed has direct access or access from a service road from the public roadway from which the sign is intended to be viewed.
  - c) outdoor mall poster signs shall be allowed in the IB and MA Districts provided that the signs are designed and located in such a manner that they are readable from within the site only;
  - d) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in Section 79.5, the additional regulations of that Section for general advertising signs shall apply.

**79I Sign Schedule for Land Use Districts: US, PU and DC4**

**79I.1 Allowable Signs**

- 1) Signs shall be allowed in these Districts in accordance with the provisions of the Sign Schedule applicable to the most restrictive abutting District.

- 2) Where, in the opinion of the Development Officer, it is unreasonable for a sign development to comply with Clause (1) above because of characteristics fundamental to the nature of the site and the development, he may relax the requirements of Clause (1) in accordance with the provisions of Section 11.5 of this Bylaw.

**79J Sign Schedule for Land Use Districts DC1 and DC2**

**79J.1 Allowable Signs and Sign Regulations**

- 1) Signs requiring a development permit may be allowed for developments in a DC1 District at the discretion of the Development Officer, who shall have regard for all or any of the following:
  - a) the sign use provisions and criteria of an applicable Area Structure Plan or Area Redevelopment Plan;
  - b) the sign provisions of a Sign Schedule specified for the DC1 District in an applicable Area Structure Plan or Area Redevelopment Plan;
  - c) the visual harmony and compatibility of the proposed sign with the architectural character and finish of the development and with the design, location and appearance of other signs on the development;
  - d) any relevant development criteria or conditions applying to a site as a result of its designation as a historical resource under the Alberta Historical Resources Act; and
  - e) the sign provisions of the Sign Schedules applicable to the Land Use Districts abutting the DC1 District in cases where there are no sign provisions for the DC1 District, pursuant to Clauses (a), (b) and (d) above.
- 2) Signs requiring a development permit may be allowed for developments in a DC2 District at the discretion of the Development Officer who shall have regard for all or any of the following:
  - a) sign criteria specified within the Development Agreement approved by Council to regulate the use

and development of the site where the sign is proposed;

- b) the sign provisions of the Sign Schedules applicable to the Land Use Districts abutting the DC2 site where the proposed sign is to be erected; and
- c) the visual harmony and compatibility of the proposed sign with the architectural character and finish of the development and with the design, location and appearance of other signs on the development.

**SECTION SPECIAL LAND  
80-99 USE PROVISIONS**

## 80. Applicability

The Special Land Use Provisions apply to the uses listed irrespective of the District in which they are located. Where these Provisions appear to be in conflict with the District or Overlay regulations in which the use is either a Permitted or a Discretionary use, the Special Land Use Provisions shall take precedence and shall be applied in addition to the requirements in the District, except in the case of the Airport Protection Overlay and provided that a District or Overlay may, in its regulations, specifically exclude or modify these provisions with respect to any use.

## 81. Religious Assembly

A Religious Assembly shall comply with the following special provisions:

- 1) The site for a Religious Assembly shall have a frontage of at least 30 m (98.4 ft.) and an area of at least 930 m<sup>2</sup> (10,010.4 sq. ft.).
- 2) Where a manse, rectory, parsonage or other building for a minister's residence is to be erected on the same site as the Religious Assembly, the combined area of the site shall not be less than 1,300 m<sup>2</sup> (13,993.1 sq. ft.).

## 82. Vehicular - Oriented Uses

### 82.1 Applicability

- 1) Developments in the following Use Classes shall comply with the special regulations of this Section:
  - a) Drive-in Food Services;
  - b) Gas Bars;
  - c) Minor and Major Service Stations;
  - d) Rapid Drive-Through Vehicle Services.
- 2) The Development Officer may also require that developments not included in the Use Classes listed in Clause (1) above, shall comply with the regulations of this Section if, in his opinion, such developments provide drive-in service or service in which patrons remain within their vehicle.



**82.2 Development Regulations**

- 1) Sites shall be located:
  - a) At the intersection of two or more public roadways, but not including lanes, provided that a site may be located between intersections where there is a service road or a centre dividing strip on the public roadway; or
  - b) Adjacent to a traffic interchange, but not including a rotary or traffic circle; or
  - c) As part of a shopping centre or in conjunction with other commercial development, if the City Engineer is satisfied that the development will not adversely affect the functioning of surrounding public roadways, or traffic circulation upon the site.
- 2) The minimum frontage shall be 30 m (98.42 ft.).
- 3) Service Stations and Rapid Drive-Through Vehicle Services shall have a minimum lot depth of 30 m (98.42 ft.).
- 4) Site area and coverage shall be provided as follows:
  - a) The minimum site area for Drive-in Food Services, or developments defined in Section 82.1(2), shall be 930 m<sup>2</sup> (10,010.42 sq. ft.), and the maximum site coverage shall be 15%.
  - b) The minimum site area for a Service Station as an independent development shall be 1,200 m<sup>2</sup> (12,916.68 sq. ft.) and the maximum site coverage, including pump islands, shall not exceed 20%.
  - c) The minimum site area and coverage for a Gas Bar as an independent development shall be determined on the basis of 60 m<sup>2</sup> (645.83 sq. ft.) of space not covered by buildings or structures for each fuel pump.
  - d) The minimum site area and coverage for a Rapid Drive-Through Vehicle Services development shall be determined on the basis of 140 m<sup>2</sup> (1,506.94 sq. ft.) of space not covered by buildings or structures for each service bay, except that the minimum site area and coverage for any complete service car wash shall be determined on the basis of

370 m<sup>2</sup> (3,982.64 sq. ft.) of space not covered by buildings or structures for each car wash bay.

- e) Where two or more of the aforementioned uses are part of a mixed use development on the same site, the total site area requirements shall be the sum of the requirements of the uses computed separately, unless the applicant can demonstrate to the Development Officer that there is a complementary use of space which would warrant a reduction in site area requirement.
- 5) Queuing Space shall be provided as follows:
- a) For Drive-in Food Services, and other developments having a drive-up service window, a minimum of six in-bound queuing spaces shall be provided for vehicles approaching the drive-up service window. One out-bound queuing space shall be provided on the exit side of each service position and this space shall be located so as not to interfere with service to the next vehicle.
  - b) For Rapid Drive-Through Vehicle Services, a minimum of five in-bound and three out-bound queuing spaces shall be provided for each service bay, except that in the case of a complete service car wash a minimum of twenty in-bound and five out-bound queuing spaces shall be provided for each bay.
  - c) All queuing spaces shall be a minimum of 6.5 m (21.32 ft.) long and 3 m (9.84 ft.) wide. Queuing lanes shall provide sufficient space for turning and manoeuvring.
- 6) Gas Bars and Service Stations shall adhere to the following additional regulations:
- a) All pump islands shall be located at least 6 m (19.68 ft.) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site.
  - b) A canopy over a pump island may extend to within 3 m (9.84 ft.) of the boundary of the site. The canopy area shall not constitute part of the site coverage for the purpose of this Section.

## **83. Carnivals**

### **83.1 Applicability**

The following regulations shall apply to Carnivals which are located on a site other than Exhibition Grounds approved under this Bylaw, except the regulations shall not apply to carnivals and fairs sponsored by non-profit community organizations developed in accordance with the provisions for such uses within the A and AP Districts.

### **83.2 Development Regulations**

- 1) An application to develop a Carnival shall be made to the Development Officer by the owners or managers of the subject site.
- 2) The maximum period of time a development permit shall remain in effect for a Carnival shall be 30 days.
- 3) Sites shall be located as follows:
  - a) A Carnival shall be located as part of a shopping centre site of a minimum of 4 ha (9.88 acres) in area, or on the site of an Outdoor Amusement Establishment for which a Development Permit has been issued.
  - b) Notwithstanding Clause (a) above, the Development Officer may refuse the proposed location for a Carnival development if, in his opinion, the size or operational characteristics of such developments are likely to cause a nuisance or undue annoyance to residents in the immediate vicinity of the site by reason of such factors as noise, dust, odour, animal waste and traffic circulation.
  - c) Where a Carnival is listed as a permitted or discretionary use in any other District of this Bylaw, the location shall be subject to the approval of the Development Officer having regard to any nuisance or undue annoyance that the development may cause to property owners in the immediate vicinity of the site by reason of such factors as noise, dust, odour, animal waste and traffic circulation.

## 84. Office-in-the-Home

An Office-in-the-Home shall comply with the following regulations:

- 1) There shall be no outdoor business activity, or storage of material or equipment associated with the office.
- 2) The office shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristics of the District within which it is located.
- 3) The number of employees shall not exceed one at any one time.
- 4) There shall be no exterior display or advertisement, other than a permitted sign.
- 5) There shall be no mechanical or electrical equipment used which creates noise, or visible and audible interference in radio or television reception in adjacent Dwellings.
- 6) The Office-in-the-Home shall be operated as a secondary use only, and shall not change the principal character or external appearance of the Dwelling involved.
- 7) The Office-in-the-Home shall not be permitted if, in the opinion of the Development Officer, such use would be more appropriately located in a Commercial or Industrial District having regard for, among other matters, potential traffic generation and potential interference with the residential character of the area.
- 8) In addition to the information requirements of Section 15.1 of this Bylaw, each application for a development permit for the Use Class Office-in-the-Home shall include a description of the office use to be undertaken at the premise and an indication of where any materials, equipment or vehicles associated with the office use are to be stored.

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

## 85. Homecraft

A Homecraft shall comply with the following regulations:

- 1) There shall be no exterior display or advertisement, other than a permitted sign.

- 2) There shall be no mechanical or electrical equipment used which creates noise, or visible and audible interference in radio or television reception.
- 3) The Homecraft shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the District in which it is located.
- 4) The Homecraft shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling involved.
- 5) The Homecraft shall not be permitted if, in the opinion of the Development Officer, it would be more appropriately located in a Commercial or Industrial District.

## 86. Boarding and Lodging Houses

For the purpose of calculating the density of this Use Class, a Sleeping Unit shall be considered to be a Dwelling. The same shall apply to any other Use Class for which the residential component is, by definition, a Boarding and Lodging House.

## 87. Apartment Housing and Boarding and Lodging Houses, for Senior Citizens

*Bylaw 7729  
March 12, 1985*

The following provisions apply where Apartment Housing or a Boarding and lodging house is to be developed for the purpose of accommodating senior citizens and where, in the opinion of the Development Officer, the development provides bona fide non-profit senior citizen accommodation:

- 1) Notwithstanding Section 11.6, where the site is in one of the RA7, RA8 or RA9 Districts, or a combination thereof, the maximum density specified in the specific District may be increased by 50% for this purpose. In addition, the maximum floor area ratio for such senior citizen accommodation in the RA8, Medium Rise Apartment District, shall be 2.25.
- 2) Notwithstanding Section 11.6, where the site is in one of the RA7, RA8 or RA9 Districts, or a combination thereof, the Development Officer may increase the maximum height, floor area ratio and further increase the density regulations of this bylaw for senior citizen accommodation in accordance with the provisions of Section 11.5 of this Bylaw, in which case the development shall be considered

a Class D development and subject to the provisions of Section 14.5.

## 88. Conversion of Single Detached, Semi-Detached, or Duplex Dwellings to Professional Offices

- 1) In considering any application for the Conversion of a Single Detached, Semi-detached, or Duplex Dwelling to a Professional Office, the Development Officer shall ensure the development complies with the following requirements:
  - a) Parking shall be provided in accordance with Section 66 of this Bylaw.
  - b) Where the conversion involves exterior renovation, such renovation shall be of a nature which maintains a height and coverage which is generally in keeping with the height and coverage of existing adjacent Single Detached, Semi-detached and Duplex Housing.
  - c) Existing vegetation shall be governed by the provisions of Section 69.1, Clause (2) of this Bylaw, provided that any replacement vegetation shall be of a species which is in keeping with other vegetation in the area.
  - d) Exterior lighting shall be provided in a manner which provides safety for pedestrians on the site and adjacent to it, and in accordance with Section 62 of this Bylaw.
- 2) In addition, the Development Officer shall have regard to the following in exercising his discretion to approve such developments:
  - a) A proposed conversion should not be approved where approval would result in a concentration of such conversions on a group of adjacent sites, or within a block, which would alter the residential character of the area.
  - b) The level of activity resulting from the use should not be an intrusion into an area primarily residential in character, nor should it generate traffic or parking in excess of the capacity of adjacent public roadways.

- c) The conversion should not adversely affect pedestrian movement on adjacent sidewalks.
  - d) The conversion should maintain an external appearance which is generally in keeping with the external appearance of existing adjacent Single Detached, Semi-detached and Duplex Housing.
- 3) The Development Officer shall also be guided by the provisions of any applicable Statutory Plan.

## 89. Mobile Homes

Mobile Homes shall comply with the following:

- 1) A Mobile Home in any District shall conform to the requirements of the CSA Z-240 Standards.
- 2) In any District other than the RMH District, where a Mobile Home is the development proposed in an application for a Development Permit for Single Detached Housing, the following regulations shall apply:
  - a) the Mobile Home shall be not less than 5.5 m (18.04 ft.) in width or length, and
  - b) the Mobile Home shall be erected on a perimeter foundation.

*Bylaw 6190  
September 09, 1980*

## 90. Essential Utility Services

- 1) Notwithstanding the Permitted and Discretionary Uses contained within any District in this Bylaw, Essential Utility Services are a Permitted Use in any District.
- 2) Notwithstanding Section 14.1, the setback, yard, lot size and frontage regulations of any District within this Bylaw shall not apply to the development of Essential Utility Services.

*Bylaw 6626  
November 10, 1981*

## 91. Group Homes

A Group Home shall comply with the following regulations:

- 1) The maximum number of residents shall be established by the Development Officer who shall have regard for the nature of the Group Home and the density of the District in which it is located.

- 2) The Group Home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.

## 92. Community Housing Designator

*Bylaw 7726  
April 23, 1985*

Deleted

## 93. Daytime Child Care Services

*Bylaw 6626  
November 10, 1981*

A Daytime Child Care Service shall comply with the following regulations:

- 1) The maximum number of children for which care may be provided in a Daytime Child Care Service shall be established by the Development Officer who shall have regard for the nature of the Daytime Child Care Service, the density of the District in which it is located, potential increases in traffic and the location of the use in relation to other uses in the area of the development.
- 2) The number of children within a Daytime Child Care Service established as a secondary use within a Dwelling shall not exceed 12.
- 3) A Daytime Child Care Service shall not be a principal use of a building within the RF1, RF2, RPL, RF3, RF4 or RR Districts.
- 4) A Daytime Child Care Service in the RF5, RF6, RA7, RA8, RA9 or RMX Districts shall be in a separate facility, either within the principal building on the site or in an accessory or secondary building, with a separate access to ground level and an adjacent playground area.
- 5) The Development Officer shall, in deciding whether to approve or refuse a Daytime Child Care Service which is a Discretionary Use, consider, among other matters, if the development would be suitable for the location proposed, taking into account, among other matters, potential traffic generation, proximity to park or other open or recreation areas, isolation of the proposed site from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.



## 94. Fraternity and Sorority Housing

*Bylaw 6220  
May 25, 1982*

Fraternity and Sorority Housing shall comply with the development regulations of the Land Use District in which it is to be located, subject to the following exceptions:

- 1) the minimum site area shall be 400 m<sup>2</sup> (4,305.7 sq. ft.) in all cases and a minimum of 100 m<sup>2</sup> (1,076.4 sq. ft.) of site area shall be provided for each Sleeping Unit;
- 2) in the RF3 District not more than 4 Sleeping Units may be developed upon a site; and
- 3) where existing single detached, semi-detached or duplex housing is converted to Fraternity and Sorority Housing in the RA7, RA8, or RA9 Districts, the minimum site width, Amenity Area and Separation Space requirements of these Districts shall not apply.

## 95. Residential Sales Centres

*Bylaw 7322  
September 16, 1983*

The following regulations shall apply to all Residential Sales Centres except those developments provided for in Clauses 3(g) and 3(o) of Section 14.1 of this Bylaw:

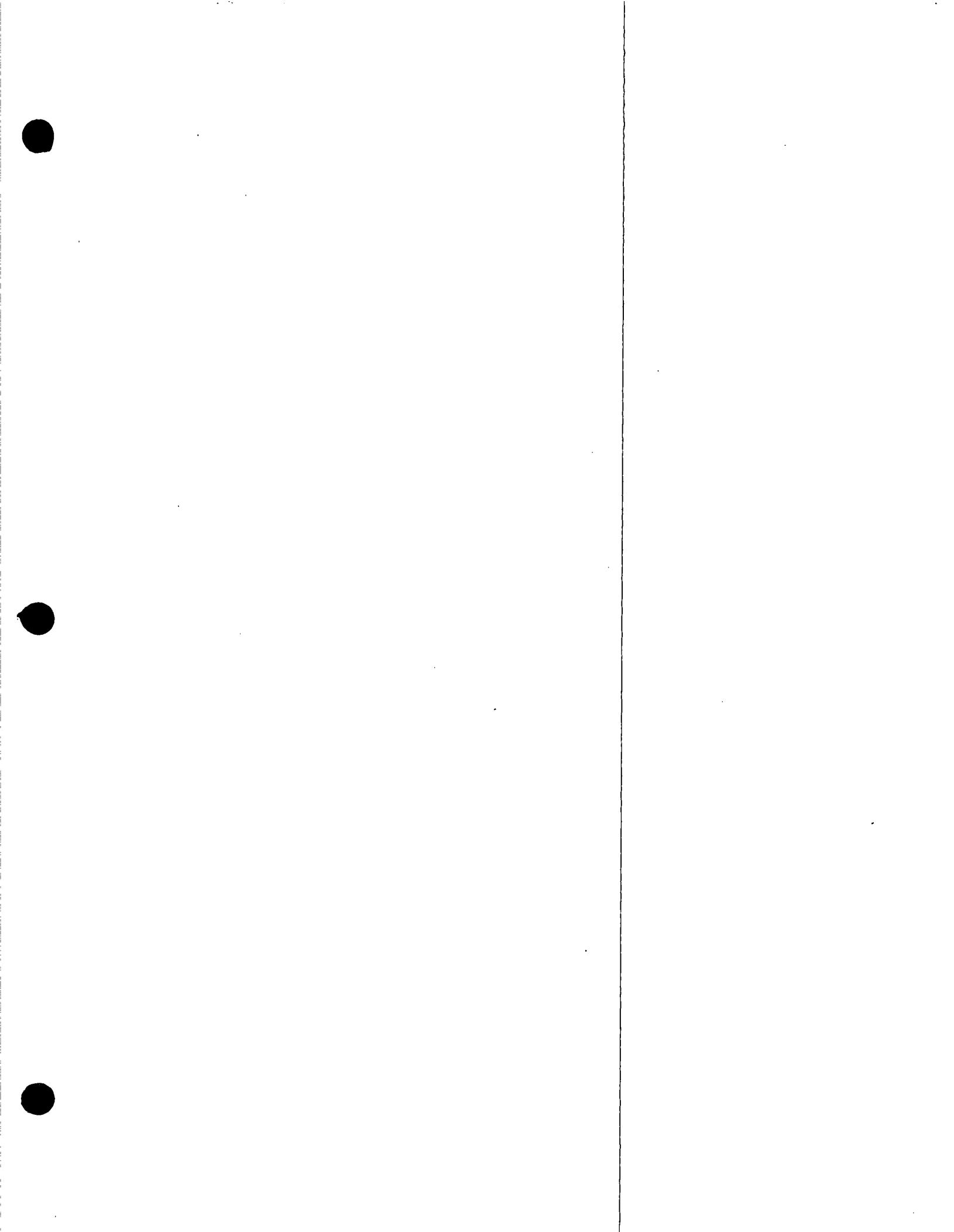
- 1) Sites containing Residential Sales Centres shall be located and developed such that their impacts on local roadways and surrounding residential development are minimized. In deciding upon an application, the Development Officer shall take into consideration the scale of the Residential Sales Centre, its proximity to arterial or neighbourhood collector roadways, and to occupied residential development.
- 2) Where sites are located within 60 metres (196.8 ft.) of existing development, the applicant shall demonstrate to the satisfaction of the Development Officer, that sufficient parking is available on or adjacent to the site so that parking congestion will not develop on that portion of local streets serving existing development in the vicinity of the Residential Sales Centre. The Development Officer shall determine the adequacy of parking based on a requirement of five parking spaces per 100 m<sup>2</sup> (1076.4 sq. ft.) of gross floor area of the sales centre.
- 3) The siting and development of Residential Sales Centre buildings shall comply with the regulations of the Land Use District applying to the site except that:

- a) the Development Officer may require additional setbacks to minimize any adverse impacts on adjacent development;
  - b) in the case of a temporary structure, the height of the building including any hoarding or false fronts shall not exceed one storey or four metres (13.1 ft.); and
  - c) all curb crossings and access points shall be to the satisfaction of the Development Officer in consultation with the City Engineer.
- 4) Where a site is located within a residential district or is visible from residential development located within 60 metres (196.8 ft.) of the site, the colour and material of the exterior finish of the temporary structure and hoardings or false fronts, excluding advertising copy, shall be compatible with those commonly found in residential districts.
  - 5) All off-premise directional signage and on-premise advertising signage, including the display of advertising copy and supergraphics on hoardings or false fronts used to enclose temporary structures, shall be in accordance with Section 79.9(3)(e) of this Bylaw.
  - 6) Any exterior lighting shall be developed in accordance with Section 62 of this Bylaw.
  - 7) A development application for Residential Sales Centre shall be accompanied by the following information in addition to the information required by Section 15.3 of this Bylaw:
    - a) a context plan identifying the nature of the land uses and development within a 60 metres (196.8 ft.) radius of the proposed site;
    - b) a description of the exterior finish materials and colours for any temporary sales structure including any proposed hoardings or false fronts;
    - c) drawings showing the location, area, height, construction material, colour and method of support for any proposed on-site identification and advertising signs, including any advertising or supergraphics that will be displayed on a hoarding or false front; and

**SECTION**      **SPECIAL LAND**  
**80-99**        **USE PROVISIONS**

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- d) drawings showing the area, height, construction materials and method support for any proposed off-site directional signs which will exceed 1 m<sup>2</sup> (10.76 sq. ft.) in area of 1.5 metres (4.9 ft.) in height, and a description of the proposed location for the signs.
- 8) The Development Permit for a Residential Sales Centre shall be valid for such a period of time as specified by the Development Officer having regard for the amount of land or development being marketed, but in no case shall the time period exceed two years.



SECTION RESIDENTIAL  
100-299 DISTRICTS

**SECTION  
110**

**RF1  
SINGLE DETACHED RESIDENTIAL DISTRICT**

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**110.1 General Purpose**

To establish a District primarily for single detached housing.

**110.2 Permitted Uses**

- 1) Single Detached Housing
- 2) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**110.3 Discretionary Uses**

- 1) Semi-detached Housing and Duplex Housing, where the side lot line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide.
- 2) Homecrafts
- 3) Offices-in-the-Home
- 4) Group Homes
- 5) Foster Homes
- 6) Daytime Child Care Services
- 7) Private Education Services, where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 8) Religious Assembly
- 9) Residential Sales Centre

*Bylaw 7322  
September 16, 1983*

**110.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 360 m<sup>2</sup> (3,875.0 sq. ft.) per dwelling.
- 2) The minimum site width shall be 12 m (39.4 ft.).

- 3) The minimum site depth shall be 30 m (98.4 ft.).
- 4) The maximum height shall not exceed 10 m (32.8 ft.) nor 2½ storeys.
- 5) The maximum total site coverage shall not exceed 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a dwelling, the maximum for the principal building shall be 40%.
- 6) The minimum front yard shall be 6 m (19.7 ft.).
- 7) The minimum rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.).
- 8) Side yards shall be established on the following basis:
  - a) side yards shall total at least 20% of the site width, with a minimum side yard of 1.2 m (3.94 ft.), except that the minimum side yard for buildings over 7.5 m (24.6 ft.) in height shall be 2 m (6.6 ft.);
  - b) where there is no lane abutting the site, one side yard shall be at least 3 m (9.8 ft.) for vehicular access, unless there is an attached garage or a garage which is an integral part of a dwelling;
  - c) on a corner site where the building fronts on the front yard the minimum side yard abutting the flanking public roadway other than a lane shall be 20% of the site width, to a maximum of 4.5 m (14.8 ft.);
  - d) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum side yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.).
- 9) Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with Section 58 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

### **110.5 Additional Development Regulations for Discretionary Uses**

*Bylaw 6190  
September 9, 1980*

- 1) Notwithstanding Subsection 110.4, Semi-detached and Duplex Housing in this District shall be developed in accordance with the provisions of the RF2 District.

**SECTION  
110**

**RF1  
SINGLE DETACHED RESIDENTIAL DISTRICT**

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- 2) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 3) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 4) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 5) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with Section 81 of this Bylaw.
- 6) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.
- 7) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*



**120.1 General Purpose**

To provide a District to retain single detached housing, while allowing sensitive infill at a slightly higher density.

**120.2 Permitted Uses**

- 1) Single Detached Housing
- 2) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**120.3 Discretionary Uses**

- 1) Semi-detached Housing
- 2) Duplex Housing where the side lot line of the site abuts a site in an Industrial, Commercial, Row Housing or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide.
- 3) Homecrafts
- 4) Offices-in-the-Home
- 5) Group Homes
- 6) Foster Homes
- 7) Daytime Child Care Services
- 8) Religious Assembly
- 9) Residential Sales Centre

*Bylaw 6190  
September 9, 1980*

*Bylaw 7322  
September 16, 1983*

**120.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 360 m<sup>2</sup> (3,875 sq. ft.) for each Single detached Dwelling, and 300 m<sup>2</sup> (3,229.2 sq. ft.) for each Duplex or Semi-detached Dwelling.

- 2) The minimum site width shall be 7.5 m (24.6 ft.) for each Duplex and Semi-detached Dwelling and 12 m (39.9 ft.) for each Single detached Dwelling.
- 3) The minimum site depth shall be 30 m (98.4 ft.).
- 4) The maximum height shall not exceed 10 m (32.8 ft.), nor  $2\frac{1}{2}$  storeys.
- 5) The maximum total site coverage shall not exceed 40% with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a dwelling, the maximum for the principal building shall be 40%.
- 6) The minimum front yard shall be 6 m (19.7 ft.).
- 7) The minimum rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.).
- 8) Side yards shall be established on the following basis:
  - a) side yards shall total at least 20% of the site width, the a minimum side yard of 1.2 m (3.94 ft.), except that the minimum side yard for buildings over 7.5 m (24.6 ft.) in height shall be 2 m (6.6 ft.);
  - b) on a corner site where the building fronts on the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 4.5 m (14.8 ft.);
  - c) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum side yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.).
- 9) Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with Section 58 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

**120.5**

**Additional Development Regulations for Discretionary Uses**

- 1) The Development Officer may exercise his discretion in considering Duplex and Semi-detached Housing having regard to:

**SECTION  
120**

**RF2  
LOW DENSITY INFILL DISTRICT**

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- a) compatibility of the use with the siting, grade elevations, height, building types and materials characteristic of surrounding Single Detached Housing and development;
  - b) the effect on the privacy of adjacent properties; and
  - c) the policies and guidelines for Duplex and Semi-detached Housing contained in a Statutory Plan or Community Plan for the area.
- 2) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
  - 3) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
  - 4) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
  - 5) Notwithstanding the minimum site area and minimum width provisions of this District, Religious Assembly uses shall be developed in accordance with Section 81 of this Bylaw.
  - 6) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.
  - 7) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 6190  
September 9, 1980*

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

**SECTION  
130**

**RPL  
PLANNED LOT RESIDENTIAL DISTRICT**

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**130.1 General Purpose**

To provide a District primarily for single detached housing that provides greater flexibility of site design on a planned basis, with some provision for semi-detached and row housing.

**130.2 Permitted Uses**

- 1) Single Detached Housing
- 2) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**130.3 Discretionary Uses**

- 1) Semi-detached Housing
- 2) Row Housing, including Linked Housing, containing not more than 4 dwellings per building.
- 3) Homecrafts
- 4) Offices-in-the-Home
- 5) Group Homes
- 6) Foster Homes
- 7) Daytime Child Care Services
- 8) Residential Sales Centre

*Bylaw 7322  
September 16, 1983*

**130.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum net density shall be 42 dwellings/ha (17.0 dwellings/acre).
- 2) The maximum height shall not exceed 10 m (32.8 ft.) nor 2½ storeys.
- 3) The maximum total site coverage shall not exceed 45% with a maximum of 35% for a principal building, and a maximum of 15% for accessory buildings. Where a garage

is attached to or designed as an integral part of a dwelling, the maximum for the principal building shall be 45%.

- 4) The Development Officer shall not approve an application, or a group of simultaneous applications, for a development permit unless at least 50% of the dwellings are Single detached Dwellings and not more than 25% of the dwellings are Row Housing Dwellings.
- 5) Each dwelling shall be located on a lot having frontage on a public roadway other than a lane, and each lot shall be under separate title or be capable of being registered under separate title.
- 6) Separation Space shall be provided in accordance with Section 58 of this Bylaw, and except as otherwise provided in Section 58 it shall be contained fully within the boundaries of the lot in the case of an application for a single lot, or within the boundaries of a group of lots or potential lots applied for simultaneously unless there is an agreement with adjacent owners as provided in Clause (10)(d) of this Section.
- 7) A minimum private yard area of 30 m<sup>2</sup> (322.9 sq. ft.) per dwelling shall be designated on the site plan for the active or passive recreation use of the occupants. This yard area shall be located immediately adjacent to, and with direct access from, the Dwelling it is intended to serve. Neither the width nor length of such a yard shall be less than 4 m (13.2 ft.). This minimum private yard may be located within a required Separation Space or required Yard, other than a Front Yard. This yard shall be permanently retained as open space, unencumbered by any accessory buildings or future additions.
- 8) One garage, or space for and access to one garage, per dwelling shall be provided on the site, located in accordance with the regulations of this Bylaw.
- 9) The following minimum yards shall be provided on each lot or potential lot:
  - a) subject to sub-clause (d) of this Clause (9), the minimum front yard shall be 4.5 m (14.8 ft.). The Development Officer may, in his discretion, reduce the minimum front yard requirement to 3 m (9.8 ft.) where:
    - i) the Principal Living Room Window does not face onto the front yard;

*Bylaw 6626  
November 10, 1981*

*Bylaw 6626  
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November 10, 1981*

ii) both side lot lines of the lot are adjacent to other lots in the RPL District with front yards not differing from the proposed reduced front yard by more than 1.5 m (4.9 ft.); and

iii) access to the lot is provided by a lane as well as a public roadway other than a lane; or there is adequate space to park an automobile in front of the garage or future garage on the lot and, where the vehicle doors of the garage or future garage face the public roadway, the distance between any portion of the vehicle doors and the public roadway is not less than 4.5 m (14.8 ft.).

b) subject to sub-clause (d) of this Clause (9), the minimum side yard abutting a public roadway other than a lane shall be 20% of the site width, but the requirement shall be not less than 2.4 m (7.9 ft.) and not more than 4.5 m (14.8 ft.) wide. Where a garage is an integral part of the building in which the dwelling is located, and the vehicle doors of the garage face a flanking public roadway other than a lane, the distance between any portion of these vehicle doors and the flanking public roadway shall be not less than 4.5 m (14.8 ft.). Subject to sub-clause (d) of this Clause (9), the minimum side yard abutting a lane shall be 1.2 m (3.94 ft.);

c) subject to sub-clause (d) of this Clause (9), the minimum required yard shall be 1.2 m (3.94 ft.);

d) where a site in this District abuts another site in this District which is not a part of the application or group of simultaneous applications for development permits, or where a site in this District is adjacent to a site in any other District, the yard requirements of Section 110.4, Clauses (6), (7), (8)(a), (8)(c) and (8)(d) shall apply to the respective yard which is adjacent to the other site, and the yard requirements for accessory buildings specified in Section 61.3 shall apply. Notwithstanding the above, the minimum yards may be reduced to those of Section 130.4, Clauses (9)(a), (b) and (c), at the discretion of the Development Officer, where:

i) applications within an RPL District are proposed to be staged and each application or group of simultaneous applications consists

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of a reasonably large, relatively self-contained group of adjacent lots or potential lots and the applicant(s) enter into an agreement or agreements with owners of adjacent land in the RPL District who are not party to the application(s) which specify that they are aware of the restrictions that the proposed development(s) may impose on the development of their lands and that such future development will conform to the regulations of this Bylaw; or

- ii) the site is adjacent to a site in any other District but is physically separated from it by a public roadway, utility lot, environmental reserve or other similar permanent separating space which is a minimum of 30 m (98.4 ft.) or more in width.
- 10) where any side yard is less than 1.2 m (3.94 ft.):
- i) the wall facing onto such side yard shall be a blank wall; and
  - ii) a maintenance easement shall be granted by the owner of the adjacent lot which shall:
    - A) be registered by caveat against the title of the adjacent lot; and
    - B) include any required encroachment easements.
- 11) All roof drainage from the buildings on a lot in the RPL District shall be directed away from buildings and to a public roadway, including a lane, or to a drainage work. Applications for a development permit within the RPL District shall include a detailed drainage plan showing the proposed drainage of the site.
- 12) Where there is no exterior access from a public roadway to a rear yard, the Dwelling shall be designed so as to provide adequate access to a rear yard for landscaping, gardening, maintenance and other purposes typical of rear yard use. Alternatively, or in addition, the Development Officer may, in his discretion, require easements for access to rear yard.

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November 10, 1981*

- 13) Where several development applications are received simultaneously, the Development Officer shall require the submission of site plans showing setbacks, dwelling entrances and orientation, massing, roof lines, the location of windows and other openings in walls and elevational treatment of wall openings and finishing materials for all of the developments. The Development Officer shall require that the exteriors of the dwellings which are the subject of the applications provide individuality and variety of building design in terms of setbacks, entrances, elevations and finishing materials.
- 14) The minimum site width for each lot shall be:
  - a) 7.5 m (24.5 ft.) for each Single Detached Dwelling or Semi-detached Dwelling;
  - b) 6.0 m (19.7 ft.) for each Row Housing end Dwelling which is not a Semi-detached Dwelling; and
  - c) 5.0 m (16.4 ft.) for each Row Housing internal Dwelling.

**130.5**

**Additional Development Regulations for Discretionary Uses**

- 1) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 2) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 3) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 4) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.
- 5) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*



**140.1 General Purpose**

To provide a District primarily for single detached and semi-detached housing while allowing small-scale conversion and infill redevelopment to housing forms containing up to four dwellings per building.

**140.2 Permitted Uses**

- 1) Single Detached Housing
- 2) Semi-detached Housing
- 3) Duplex Housing where the side lot line of the site abuts a site in an Industrial, Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide.
- 4) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**140.3 Discretionary Uses**

- 1) Duplex Housing, other than those which are permitted.
- 2) Row Housing, except Semi-detached Housing, in buildings of up to 4 dwellings, each dwelling having frontage on a public roadway other than a lane.
- 3) Apartment Housing or Stacked Row Housing, provided that each building contain not more than 4 Dwellings.
- 4) Homecrafts
- 5) Offices-in-the-Home
- 6) Group Homes
- 7) Foster Homes
- 8) Daytime Child Care Services
- 9) Boarding and Lodging Houses
- 10) Greenhouses and Plant Nurseries where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 11) Religious Assembly

*Bylaw 6626  
November 10, 1981*

*Bylaw 6220  
May 25, 1982*

- 12) Fraternity and Sorority Housing where lawfully existing on a site within the Garneau Area Redevelopment Plan area at the effective date of Bylaw 6220.

*Bylaw 7322  
September 16, 1983  
Bylaw 7728  
March 12, 1985*

- 13) Residential Sales Centre

#### **140.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be provided as follows:
- a) 360 m<sup>2</sup> (3,875.0 sq. ft.) for each Single Detached dwelling;
  - b) 300 m<sup>2</sup> (3,229.2 sq. ft.) for each Semi-detached or Duplex Dwelling;
  - c) 200 m<sup>2</sup> (2,152.8 sq. ft.) for each Row Housing end Dwelling which is not a Semi-detached Dwelling;
  - d) 150 m<sup>2</sup> (1,614.6 sq. ft.) for each Row Housing internal Dwelling; and
  - e) 800 m<sup>2</sup> (8,611.1 sq. ft.) for each Apartment Housing or Stacked Row Housing Development.
- 2) The minimum site width shall be provided as follows:
- a) 12 m (39.4 ft.) for each Single Detached Dwelling;
  - b) 7.5 m (24.6 ft.) for each Semi-detached or Duplex Dwelling;
  - c) 6 m (19.7 ft.) for each Row Housing end Dwelling which is not a Semi-detached Dwelling;
  - d) 5 m (16.4 ft.) for each Row Housing internal Dwelling; and
  - e) 20 m (65.6 ft.) for each Apartment Housing or Stacked Row Housing development.

*Bylaw 6626  
November 10, 1981*

*Bylaw 6626  
November 10, 1981*

- 3) The minimum site depth shall be 30 m (98.4 ft.).
- 4) The maximum height shall not exceed 10 m (32.8 ft.) nor 2½ storeys.
- 5) The maximum total site coverage shall not exceed 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a dwelling, the maximum for the principal building is 40%.
- 6) The minimum front yard shall be 6 m (19.7 ft.).
- 7) The minimum rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.).
- 8) Side yards shall be established on the following basis:

*Bylaw 6626  
November 10, 1981*

- a) side yards shall total at least 20% of the site width, but the requirement shall not be more than 6.0 m (19.7 ft.) with a minimum side yard of 1.2 m (3.94 ft.) except that the minimum side yard for buildings over 7.5 m (24.6 ft.) in height shall be 2 m (6.6 ft.);
- b) on a corner site where the building fronts on the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 4.5 m (14.8 ft.);
- c) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum side yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.).

*Bylaw 6626  
November 10, 1981*

- 9) Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with Section 58 of this Bylaw.

**140.5 Additional Development Regulations for Discretionary Uses**

- 1) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 2) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.

- 3) For Boarding and Lodging Houses, the following regulations shall apply:
  - a) no more than 4 sleeping units may be developed, whether or not in combination with a Dwelling;
  - b) the minimum site area shall be 360 m<sup>2</sup> (3,875.0 sq. ft.) in all cases and the site area shall be comprised of the aggregate of 200 m<sup>2</sup> (2,153.8 sq. ft.) for each sleeping unit, or for each of the Dwelling and each sleeping unit when they are in combination;
  - c) the Development Officer shall exercise his discretion with respect to the number of sleeping units developed having regard to the character and density of existing residential uses.
- 4) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 5) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly uses shall be developed in accordance with Section 81 of this Bylaw.
- 6) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.
- 7) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

**150.1 General Purpose**

To provide a District primarily for semi-detached housing.

**150.2 Permitted Uses**

- 1) Single Detached Housing
- 2) Semi-detached Housing
- 3) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**150.3 Discretionary Uses**

- 1) Duplex Housing
- 2) Linked Housing, except Semi-detached housing in buildings of up to 4 dwellings, each dwelling having frontage on a public roadway other than a lane.
- 3) Homecrafts
- 4) Offices-in-the-Home
- 5) Group Homes
- 6) Foster Homes
- 7) Daytime Child Care Services
- 8) Religious Assembly
- 9) Residential Sales Centre

*Bylaw 7322  
September 16, 1983*

**150.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 360 m<sup>2</sup> (3,875.0 sq. ft.) for Single Detached Housing, and 300 m<sup>2</sup> (3,229.2 sq. ft.) for each Semi-detached, Linked or Duplex Dwelling.

- 2) The minimum site width shall be 7.5 m (24.6 ft.) for each Semi-detached, Duplex, and Linked Housing Dwelling, and 12 m (39.4 ft.) for Single detached dwellings.
- 3) The minimum site depth shall be 30 m (98.4 ft.).
- 4) The maximum height shall not exceed 10 m (32.8 ft.) nor 2½ storeys.
- 5) The maximum total site coverage shall not exceed 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a dwelling, the maximum for the principal building shall be 40%.
- 6) The minimum front yard shall be 6 m (19.7 ft.).
- 7) The minimum rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.).
- 8) Side yards shall be established on the following basis:
  - a) side yards shall total at least 20% of the site width, but the requirement shall not be more than 6.0 m (19.7 ft.), with a minimum side yard of 1.2 m (3.94 ft.) except that the minimum side yard for buildings over 7.5 m (24.6 ft.) in height shall be 2 m (6.6 ft.);
  - b) where there is no lane abutting the site, one side yard shall be at least 3 m (9.8 ft.) for vehicular access, unless there is an attached garage or a garage which is an integral part of the dwelling;
  - c) on a corner site where the building fronts on the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 4.5 m (14.8 ft.);
  - d) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum side yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.).
- 9) Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with Section 58 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 6626  
November 10, 1981*

**150.5 Additional Development Regulations for Discretionary Uses**

- 1) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 2) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 3) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 4) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly uses shall be developed in accordance with Section 81 of this Bylaw.
- 5) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.
- 6) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

**160.1 General Purpose**

To provide a District for relatively low to medium density multiple family housing, generally as row housing.

**160.2 Permitted Uses**

- 1) Row housing, including Linked Housing and Semi-detached Housing, on a site of 1.4 ha (3.46 acres) or less in size.
- 2) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**160.3 Discretionary Uses**

- 1) Row Housing, including Linked Housing and Semi-detached Housing, on a site larger than 1.4 ha (3.46 acres).
- 2) Single Detached Housing
- 3) Homecrafts
- 4) Offices-in-the-Home
- 5) Group Homes
- 6) Foster Homes
- 7) Daytime Child Care Services
- 8) Religious Assembly
- 9) Apartment Housing and Stacked Row Housing, provided that each building contain not more than 4 Dwellings with each Dwelling having Habitable Rooms in the lowest storey of the building in which the Dwelling is located, and individual access to grade.
- 10) Residential Sales Centre

*Bylaw 6190  
September 9, 1980*

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

**160.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:



- 1) The maximum density shall be 42 dwellings/ha (17.0 dwellings/acre); provided that this shall be increased by 1 dwelling/ha (0.4 dwelling/acre) for every 6 required resident parking spaces and associated maneuvering aisles which are provided underground, up to a maximum density of 54 dwellings/ha (21.9 dwellings/acre). For the purpose of this Clause, underground parking shall be covered so as to provide useful site area which would not otherwise be available. Any projection above grade of the surface covering such parking shall be less than 1 m (3.28 ft.); shall not be located in a required front yard; and, shall be integrated with the design of buildings and landscaping so as to be unobtrusive.
- 2) The maximum height shall not exceed 10 m (32.8 ft.) nor  $2\frac{1}{2}$  storeys.
- 3) The maximum total site coverage shall be 40% with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where parking is provided underground or garages are attached to or designed as an integral part of dwellings, the maximum for principal buildings shall be 40%.
- 4) The minimum front yard shall be 6 m (19.7 ft.).
- 5) The minimum rear yard shall be 7.5 m (24.6 ft.).
- 6) Minimum side yards of 2 m (6.6 ft.) each shall be provided, except where the side yard abuts a flanking public roadway other than a lane, not less than 4.5 m (14.8 ft.) shall be provided.
- 7) Separation Space shall be provided in accordance with Section 58 of this Bylaw.
- 8) Minimum Private Outdoor Amenity Areas, at grade, of 30 m<sup>2</sup> (322.9 sq. ft.) per dwelling unit shall be provided.
- 9) Except for developments where all dwellings have frontage on a public roadway, or those which contain less than 20 dwellings, a minimum of 2.5 m<sup>2</sup> (26.9 sq. ft.) of Amenity Area per dwelling shall be provided and be developed as children's play space or other communal recreational space, and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.).

*Bylaw 6626  
November 10, 1981*

- 10) Except for Housing developed for the purpose of accommodating senior citizens, Dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20), of this Bylaw.

**160.5 Additional Development Regulations for Discretionary Uses**

*Bylaw 6190  
September 9, 1980*

- 1) Notwithstanding Section 160.4 Single Detached Housing in this District shall be developed in accordance with the provisions of the RF1 District.
- 2) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 3) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 4) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 5) Notwithstanding the minimum site area and minimum width provisions of this District, Religious Assembly uses shall be developed in accordance with Section 81 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

- 6) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.

*Bylaw 7322  
September 16, 1983*

- 7) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**170.1 General Purpose**

To provide a District for medium density multiple family housing, where some units may not be at grade.

**170.2 Permitted Uses**

- 1) Stacked Row Housing, including Row Housing, Linked Housing, Semi-detached Housing and Duplex Housing, on a site 1.4 ha (3.46 acres) or less in size.
- 2) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**170.3 Discretionary Uses**

- 1) Stacked Row Housing including Row Housing, Linked Housing, Semi-detached Housing and Duplex Housing on a site larger than 1.4 ha (3.46 acres).
- 2) Apartment Housing
- 3) Single Detached Housing
- 4) Homecrafts
- 5) Offices-in-the-Home
- 6) Group Homes
- 7) Foster Homes
- 8) Daytime Child Care Services
- 9) Personal Service Shops and Convenience Retail Stores when designed as an integral and secondary component of a residential development consisting of 150 dwellings or more.
- 10) Religious Assembly
- 11) Fraternity and Sorority Housing where lawfully existing on a site within the Garneau Area Redevelopment Plan area at the effective date of Bylaw 6220.

*Bylaw 6471  
June 24, 1981*

*Bylaw 6190  
September 9, 1980*

*Bylaw 6220  
May 25, 1982*

*Bylaw 7322  
September 16, 1983  
Bylaw 7728  
March 12, 1985*

- 12) Residential Sales Centre

**170.4 Development Regulations for Permitted and Discretionary Uses**

The following development regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum density shall be 80 dwellings/ha (32.4 dwellings/acre); provided that this shall be increased by 1 dwelling/ha (0.4 dwelling/acre) for every 6 required resident parking spaces and associated maneuvering aisles which are provided underground, up to a maximum density of 105 dwellings/ha (42.5 dwellings/acre). For the purpose of this Clause, underground parking shall be covered so as to provide useful site area which would not otherwise be available. Any projection above grade of the surface covering such parking shall be less than 1 m (3.28 ft.); shall not be located in a required front yard; and shall be integrated with the design of buildings and landscaping so as to be unobtrusive.
- 2) The maximum height shall not exceed 14 m (45.9 ft.) nor 4 storeys.
- 3) The maximum total site coverage shall be 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where parking is provided underground or garages are attached or designed as an integral part of dwellings, the maximum for principal buildings shall be 40%.
- 4) The minimum front yard shall be 6 m (19.7 ft.).
- 5) The minimum rear yard shall be 7.5 m (24.6 ft.).
- 6) Minimum side yards of 1 m (3.3 ft.) for each storey or partial storey shall be provided, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A side yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane.
- 7) Separation Space shall be provided in accordance with Section 58 of this Bylaw.

- 8) Minimum Private Outdoor Amenity Area of 30 m<sup>2</sup> (322.9 sq. ft.) per dwelling for dwellings any part of which is contained in the lowest storey, and 15 m<sup>2</sup> (161.5 sq. ft.) per dwelling for dwellings no part of which is contained in the lowest storey.
- 9) Except for developments where all dwellings have frontage on a public roadway, or those which contain less than 20 dwellings, a minimum of 2.5 m<sup>2</sup> (26.9 sq. ft.) of Amenity Area per dwelling shall be provided and be developed as children's play space or other communal recreational space, and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.).
- 10) Except for Housing developed for the purpose of accommodating senior citizens, Dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20), of this Bylaw.

*Bylaw 6626  
November 10, 1981*

**170.5 Additional Development Regulations for Discretionary Uses**

- 1) Notwithstanding Section 170.4 Single detached Housing in this District shall be developed in accordance with the provisions of the RF1 District.
- 2) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 3) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 4) The following regulations shall apply to Personal Service Shops and Convenience Retail Stores developments:
  - a) the total gross floor area of these uses on any site shall not exceed 275 m<sup>2</sup> (2,960.0 sq. ft.);
  - b) these uses shall not be permitted in any freestanding structure separate from a structure containing residential uses. Their principal entrance shall be a separate, outside entrance.
- 5) Groups Homes shall be developed in accordance with Section 91 of this Bylaw.
- 6) Notwithstanding the minimum site area and minimum width provisions of this District, Religious Assembly uses shall be developed in accordance with Section 81 of this Bylaw.

*Bylaw 6190  
September 9, 1980*

**SECTION  
170**

**RF6  
MEDIUM DENSITY MULTIPLE FAMILY DISTRICT**

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*Bylaw 6471  
June 24, 1981*

- 7) Apartment Housing shall be Family Oriented and where the principal access to exterior grade is shared by more than 2 Dwellings, the number of dwellings in each building shall not exceed 12.

*Bylaw 6626  
November 10, 1981*

- 8) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.

*Bylaw 7322  
September 16, 1983*

- 9) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**210.1 General Purpose**

To provide a District for low rise apartments.

*Bylaw 6626  
November 10, 1981*

**210.2 Permitted Uses**

- 1) Apartment Housing on a site of 1.4 ha (3.46 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 2) Stacked Row Housing including Row Housing and Linked Housing but excluding Semi-detached and Duplex Housing, on a site of 1.4 ha (3.46 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 3) Boarding and Lodging Houses, on a site which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 4) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**210.3 Discretionary Uses**

- 1) Apartment Housing on a site larger than 1.4 ha (3.46 acres).
- 2) Stacked Row Housing, including Row Housing and Linked Housing on a site larger than 1.4 ha (3.46 acres).
- 3) Single Detached, Semi-detached, and Duplex Housing
- 4) Fraternity and Sorority Housing
- 5) Homecrafts
- 6) Offices-in-the-Home
- 7) Group Homes
- 8) Foster Homes
- 9) Daytime Child Care Services
- 10) Personal Service Shops and Convenience Retail Stores when designed as an integral and secondary component of

a residential development consisting of 150 dwellings or more.

*Bylaw 6626  
November 10, 1981*

11) Religious Assembly

12) A Permitted Use listed in this District, the site of which isolates another site within this District of less than 800 m<sup>2</sup> (8,611 sq. ft.).

*Bylaw 7016  
December 14, 1982*

13) Conversion of Single Detached, Semi-detached and Duplex dwellings to Professional Offices.

*Bylaw 7322  
September 16, 1983  
Bylaw 7728  
March 12, 1985*

14) Residential Sales Centre

#### **210.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum density shall be 125 dwellings/ha (50.6 dwellings/acre).
- 2) The minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 3) The minimum site width shall be 20 m (65.5 ft.).
- 4) The maximum height shall not exceed 14 m (45.9 ft.) nor 4 storeys.
- 5) The maximum floor area ratio shall be 1.3.
- 6) The minimum front yard shall be 6 m (19.7 ft.).
- 7) The minimum rear yard shall be 7.5 m (24.6 ft.).
- 8) The minimum side yard shall be 1 m (3.3 ft.) for each storey or partial storey, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A side yard shall be not less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane.
- 9) Separation Space shall be provided in accordance with Section 58 of this Bylaw.



- 10) A minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per dwelling shall be provided.

**210.5 Additional Development Regulations for Discretionary Uses**

- 1) Notwithstanding Section 210.4, Single Detached, Semi-detached, and Duplex Housing in this District shall be developed in accordance with the provisions of the RF4 District.
- 2) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 3) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 4) Boarding and Lodging Houses shall be developed in accordance with Section 86 of this Bylaw.
- 5) Notwithstanding Section 210.4, Clause (1), Housing for Senior Citizens shall be governed by Section 87 of this Bylaw.
- 6) The following regulations shall apply to Personal Service Shops and Convenience Retail Stores development:
  - a) the total gross floor area of these uses on any site shall not exceed 275 m<sup>2</sup> (2,960.0 sq. ft.);
  - b) these uses shall not be permitted in any freestanding structure separate from a structure containing residential uses. Their principal entrance shall be a separate, outside entrance.
- 7) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 8) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly uses shall be developed in accordance with Section 81 of this Bylaw.
- 9) The Development Officer may exercise his discretion in considering applications for development permits for Apartment Housing, Stacked Row or Row Housing or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m<sup>2</sup>, (8,611.1 sq. ft.) having regard to the location, age and

*Bylaw 6626  
November 10, 1981*

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nature of the use or uses on the site which would be isolated.

*Bylaw 6626  
November 10, 1981*

- 10) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.

*Bylaw 7016  
December 14, 1982*

- 11) Conversion of Single detached, Semi-detached and Duplex dwellings to Professional Offices shall be in accordance with Section 88 of this Bylaw.

*Bylaw 6220  
May 25, 1982*

- 12) Notwithstanding the development regulations of this District, Fraternity and Sorority Housing shall be developed in accordance with Section 94 of this Bylaw.

*Bylaw 7322  
September 16, 1983*

- 13) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**220.1 General Purpose**

To provide a District for medium rise apartments.

**220.2 Permitted Uses**

- 1) Apartment Housing on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 2) Stacked Row Housing including Row Housing and Linked Housing but excluding Semi-detached and Duplex Housing, on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611 sq. ft.).
- 3) Boarding and Lodging Houses, on a site which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 4) Limited Group Homes

*Bylaw 7229*  
September 27, 1983

**220.3 Discretionary Uses**

- 1) Apartment Housing on a site larger than 1 ha (2.47 acres).
- 2) Stacked Row Housing, including Row Housing and Linked Housing on a site larger than 1 ha (2.47 acres).
- 3) Single Detached, Semi-detached and Duplex Housing.
- 4) Fraternity and Sorority Housing
- 5) Homecrafts
- 6) Offices-in-the-Home
- 7) Group Homes
- 8) Foster Homes
- 9) Daytime Child Care Services
- 10) Personal Service Shops and Convenience Retail Sales when designed as an integral and secondary component of a residential development consisting of 150 dwellings or more.

- 11) Conversion of Single Detached, Semi-detached, and Duplex dwellings to Professional Offices.
- 12) Religious Assembly
- 13) A Permitted Use listed in this District, the site of which isolates another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 14) Residential Sales Centre

*Bylaw 7322  
September 16, 1983*

**220.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where varied by a Statutory Plan Overlay:

- 1) The maximum density shall be:
  - a) 125 dwellings/ha (50.6 dwellings/acre) for any site less than 885 m<sup>2</sup> (9,526 sq. ft.); or
  - b) 224 dwellings/ha (91 dwellings/acre) for any site of 885 m<sup>2</sup> (9,526 sq. ft.) or greater.
- 2) The minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 3) The minimum site width shall be 20 m (65.6 ft.).
- 4) The maximum floor area ratio shall be 1.5, provided that where only Family Oriented dwellings are located in the first and second storey of a building containing Apartment Housing, and such dwellings provide the minimum Private Outdoor Amenity Area required by the RF6 District, the allowable floor area shall be increased by an amount equal to the floor area of such dwellings up to a maximum floor area ratio of 2.25.
- 5) The maximum height shall not exceed 23 m (75.5 ft.) nor 6 storeys.
- 6) The minimum front yard shall be 6 m (19.7 ft.).
- 7) The minimum rear yard shall be 7.5 m (24.6 ft.).
- 8) The minimum side yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 4.5 m (14.8 ft.), except that a total of at least 2 m (6.6 ft.) shall be

provided in all cases. A side yard shall be not less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane.

- 9) Separation Space shall be provided in accordance with Section 58 of this Bylaw.
- 10) A minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per dwelling shall be provided, excepting those dwellings where Private Outdoor Amenity Area is provided in accordance with Clause (4) above.

**220.5 Special Height Regulation**

On any site in this District which was zoned R-3A Medium Density Suburban Residential District under Zoning Bylaw 2135 at the effective date of this Bylaw, and which is designated as such on the Land Use District Map, the maximum height shall be 45 m (147.6 ft.).

**220.6 Additional Development Regulations for Discretionary Uses**

- 1) Notwithstanding Subsection 220.4, Single Detached, Semi-detached and Duplex Housing in this District shall be developed in accordance with the provisions of the RF4 District.
- 2) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 3) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 4) Boarding and Lodging Houses shall be developed in accordance with Section 86 of this Bylaw.
- 5) Notwithstanding Section 220.4 Clause (1) and (4), Housing for Senior Citizens shall be governed by Section 87 of this Bylaw.
- 6) The following regulations shall apply to Personal Service Shops and Convenience Retail Stores:
  - a) the total gross floor area of these uses on any site shall not exceed 275 m<sup>2</sup> (2,960.0 sq. ft.);
  - b) these uses shall not be permitted in any freestanding structure separate from a structure

containing residential uses. The principal entrance to these uses shall be a separate, outside entrance.

- 7) Conversion of Single Detached, Semi-detached, and Duplex Dwellings to Professional Offices shall be in accordance with Section 88 of this Bylaw.
- 8) The Development Officer may exercise his discretion in considering Apartment Housing, or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated.
- 9) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 10) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with Section 81 of this Bylaw.
- 11) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.
- 12) Notwithstanding the development regulations of this District, Fraternity and Sorority Housing shall be developed in accordance with Section 94 of this Bylaw.
- 13) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 6220  
May 25, 1982*

*Bylaw 7322  
September 16, 1983*

**230.1 General Purpose**

To provide a District for high rise apartments.

**230.2 Permitted Uses**

- 1) Apartment Housing on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 2) Stacked Row Housing including Row Housing and Linked Housing but excluding Semi-detached and Duplex Housing, on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611 sq. ft.).
- 3) Boarding and Lodging Houses, on a site which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 4) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**230.3 Discretionary Uses**

- 1) Apartment Housing on a site larger than 1.0 ha (2.47 acres).
- 2) Stacked Row Housing, including Row Housing and Linked Housing on a site larger than 1.0 ha (2.47 acres).
- 3) Single Detached, Semi-detached Housing, and Duplex Housing.
- 4) Fraternity and Sorority Housing
- 5) Homecrafts
- 6) Group Homes
- 7) Daytime Child Care Services
- 8) Private Clubs
- 9) Apartment Hotels
- 10) Personal Service Shops, Convenience Retail Stores, Professional Offices, and Clinics.

- 11) Conversion of Single Detached, or Semi-detached dwellings or Duplex dwellings to Professional Offices.
- 12) Religious Assembly
- 13) A Permitted Use listed in this District, the site of which isolates another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 14) Office-in-the-Home
- 15) Residential Sales Centre

*Bylaw 7016  
December 14, 1982*

*Bylaw 7322  
September 16, 1983  
Bylaw 7728  
March 12, 1985*

#### **230.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum density shall be:
  - a) 225 dwellings/ha (91 dwellings/acre) for any site less than 1,350 m<sup>2</sup> (14,531.3 sq. ft.); or
  - b) 325 dwellings/ha (131.5 dwellings/acre) for any site of 1,350 m<sup>2</sup> (14,531.3 sq. ft.) or greater;
  - c) 125 dwellings/ha (50.6 dwellings/acre) for any site less than 885 m<sup>2</sup> (9,526 sq. ft.).
- 2) The minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.).
- 3) The maximum floor area ratio shall be 3.0.
- 4) The maximum height shall be 45 m (147.6 ft.).
- 5) The minimum front yard shall be 6 m (19.7 ft.).
- 6) The minimum rear yard shall be 7.5 m (24.6 ft.).
- 7) The minimum side yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 7.5 m (24.6 ft.), except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A side yard shall be not less than



4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane.

- 8) Separation Spaces shall be provided in accordance with Section 58 of this Bylaw.
- 9) A minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per dwelling shall be provided.

**230.5 Additional Development Regulations for Discretionary Uses**

- 1) Notwithstanding Subsection 230.4, Single Detached, Semi-detached, and Duplex Housing in this district shall be developed in accordance with the provisions of the RF4 District.
- 2) Personal Service Shops, Convenience Retail stores, Professional Offices, and Clinics shall not be in any freestanding structure separate from a structure containing residential uses, and shall not be developed above the lowest storey, except in the case of the conversion of dwellings.
- 3) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 4) Notwithstanding Section 230.4, Clause (1), Housing for Senior Citizens shall be governed by Section 87 of this Bylaw.
- 5) Conversion of Single Detached, Semi-detached, and Duplex Dwellings to Professional Offices shall be in accordance with Section 88 of this Bylaw.
- 6) The Development Officer may exercise his discretion in considering Apartment Housing, or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.) having regard to the location, age, and nature of the use or uses on the site which would be isolated.
- 7) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 8) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with Section 81 of this Bylaw.

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HIGH RISE APARTMENT DISTRICT**

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*Bylaw 6626  
November 10, 1981*

9) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.

*Bylaw 7016  
December 14, 1982*

10) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.

*Bylaw 6220  
May 25, 1982*

11) Notwithstanding the development regulations of this District, Fraternity and Sorority Housing shall be developed in accordance with Section 94 of this Bylaw.

*Bylaw 7322  
September 16, 1983*

12) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**240.1 General Purpose**

To provide a District allowing a development involving a mixture of Residential Use Classes, or a mixture of Residential Use Classes with Residential-Related; Commercial; Basic Services; and Community, Educational, Recreational and Cultural Services Use Classes according to the guidelines of an Area Structure Plan or an Area Redevelopment Plan.

**240.2 Application**

This District shall be applied only in conjunction with a Statutory Plan Overlay.

**240.3 Permitted Uses**

None.

**240.4 Discretionary Uses, except where deleted by a Statutory Plan Overlay**

- 1) Residential
  - a) Apartment Housing
  - b) Duplex Housing
  - c) Linked Housing
  - d) Row Housing
  - e) Semi-detached Housing
  - f) Single Detached Housing
  - g) Stacked Rowhousing
- 2) Residential-Related
  - a) Apartment Hotels
  - b) Boarding and Lodging Houses
  - c) Foster Homes
  - d) Fraternity and Sorority Housing
  - e) Group Homes

*Bylaw 7229  
September 27, 1983*

*Bylaw 7322  
September 16, 1983*

- f) Homecrafts
- g) Offices-in-the-Home
- h) Limited Group Homes
- i) Residential Sales Centre

3) Commercial

- a) Broadcasting and Motion Picture Studios
- b) Business Support Services
- c) Commercial Schools
- d) Convenience Retail Stores
- e) Custom Manufacturing Establishments
- f) Gas Bars
- g) General Retail Stores
- h) Health Services
- i) Hotels
- j) Household Repair Services
- k) Major Eating and Drinking Establishments
- l) Minor Eating and Drinking Establishments
- m) Minor Service Stations
- n) Minor Veterinary Services
- o) Motels
- p) Personal Service Shops
- q) Professional, Financial, and Office Support Services
- r) Minor and Major Secondhand Stores

*Bylaw 7728  
March 12, 1985*

*Bylaw 7541  
December 11, 1984*

- s) Minor Amusement Establishments
  
- 4) Basic Services
  - a) Extended Medical Treatment Services
  - b) Government Services
  - c) Minor Impact Utility Services
  
- 5) Community, Educational, Recreational, and Cultural Services
  - a) Community Recreation Services
  - b) Daytime Child Care Services
  - c) Indoor Participant Recreation Services
  - d) Private Clubs
  - e) Private Education Services
  - f) Public Education Services
  - g) Public Libraries and Cultural Exhibits
  - h) Religious Assembly
  - i) Spectator Entertainment Establishments

**240.5 Development Regulations**

- 1) The following shall be specified in a Statutory Plan Overlay, together with any regulations respecting the conditions under which the respective maximums or minimums may be allowed:
  - a) maximum total floor area ratio;
  - b) maximum total residential density;
  - c) maximum height;
  - d) minimum yard requirements.
  
- 2) The following may be specified in a Statutory Plan Overlay, together with any regulations respecting the

conditions under which the respective maximums or minimums may be allowed:

- a) maximum floor area ratio for each Use Class or group of Use Classes;
  - b) the required percentage of total dwellings in each Residential Use Class or group of Residential Use Classes, or the required percentage to be provided as Family Oriented Dwellings;
  - c) building setback requirements that are in addition to the minimum Yard requirements;
  - d) minimum Parking Space requirements;
  - e) minimum Private Outdoor Amenity Area per dwelling for Stacked Row Housing or Family Oriented Dwellings; and
  - f) minimum Amenity Area per dwelling, to be developed as children's play space, for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.
- 3) Separation Space shall be provided in accordance with Section 58 of this Bylaw.

**240.6 Additional Development Regulations for Specified Uses**

- 1) Notwithstanding the provisions of this District, Single Detached Housing shall be developed in accordance with the provisions of the RF1 District only.
- 2) Any use other than a Residential or Residential-Related Use may, where existing within this District, redevelop on its present site, provided that its gross floor area is not increased by more than 10% of its existing gross floor area.
- 3) Except as provided in Clause (2) above, any use other than a Residential or Residential-Related Use may develop only when designed as an integral and secondary component of of a development consisting primarily of Residential or Residential-Related Uses. Any use other than a Residential or Residential-Related Use shall, in this case, not exceed 40% of the gross floor area of the combined development.

- 4) A minimum Amenity Area of 7.5 m<sup>2</sup> (80.76 sq. ft.) per dwelling shall be provided in accordance with Section 56 of this Bylaw, except for those dwellings which provide Private Outdoor Amenity Area in accordance with Section 240.5, Clause (2)(e).

**250.1 General Purpose**

To provide a District for single family residential development of a permanent nature in a rural setting, generally without the provision of the full range of urban utility services.

**250.2 Permitted Uses**

- 1) Single Detached Housing
- 2) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**250.3 Discretionary Uses**

- 1) Non-Commercial Farms
- 2) Homecrafts
- 3) Offices-in-the-Home
- 4) Group Homes
- 5) Daytime Child Care Services
- 6) Small Animal Breeding and Boarding Establishments
- 7) Minor Veterinary Services

*Bylaw 6626  
November 10, 1981*

**250.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum lot size shall be 1.0 ha (2.47 acres).
- 2) The maximum lot size shall be 4 ha (9.88 acres).
- 3) The minimum mean width shall be 30.5 m (100.1 ft.).
- 4) The maximum building height shall be 10 m (32.8 ft.).
- 5) The minimum front yard shall be 7.5 m (24.6 ft.).
- 6) The minimum rear yard shall be 7.5 m (24.6 ft.).



- 7) The minimum side yard shall be 5 m (16.4 ft.).
- 8) Water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.
- 9) The maximum number of Dwellings per lot shall be 1.

*Bylaw 6626  
November 10, 1981*

**250.5 Additional Development Regulations for Discretionary Uses**

- 1) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 2) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 3) Non-Commercial Farms, Small Animal Breeding and Boarding Establishments and Minor Veterinary Services shall be located and developed on a site in such a manner that the keeping of animals does not interfere with the use and enjoyment of adjacent residential sites.
- 4) Group Homes shall be developed in accordance with Section 91 of this Bylaw.
- 5) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 6626  
November 10, 1981*

**260.1 General Purpose**

To provide a District for Mobile Homes in an environment suitable for residential purposes. This District may be developed either as Mobile Home Parks or Mobile Home Subdivisions.

**260.2 Permitted Uses**

- 1) Mobile Homes
- 2) Limited Group Homes

*Bylaw 7229  
September 27, 1983*

**260.3 Discretionary Uses**

- 1) Single Detached Housing, not including Mobile Homes when in a Mobile Home Subdivision.
- 2) Residential Sales Centre
- 3) Homecrafts
- 4) Offices-in-the-Home
- 5) Foster Homes
- 6) Daytime Child Care Services

*Bylaw 7322  
September 16, 1983*

**260.4 Development Regulations for Permitted and Discretionary Uses**

- 1) The following regulations shall apply to all Permitted Uses:
  - a) each lot to be used for Mobile Home shall have an area of not less than 400 m<sup>2</sup> (4,305.6 sq. ft.);
  - b) the maximum total site coverage shall be 45% with the coverage of a principal building, or principal buildings, not to exceed 35%;
  - c) the minimum front yard shall be 4.5 m (14.8 ft.), which may, in the case of a Mobile Home Park, be reduced to 3 m (9.8 ft.) where the front yard abuts an internal access road;
  - d) the minimum rear yard shall be 3 m (9.8 ft.), provided that where the rear yard abuts a public

- roadway other than a lane, the rear yard shall not be less than 4.5 m (14.8 ft.);
- e) the minimum side yard shall be established as follows:
- i) Mobile Homes shall be separated from each other by a minimum of 4.5 m (14.8 ft.), provided that the minimum side yard shall be 1.2 m (3.94 ft.);
  - ii) the minimum side yard for an addition to a Mobile Home shall not be less than 1.2 m (3.94 ft.). Where the addition contains a Habitable Room window, which faces any opposing Habitable Room Window of a Mobile Home or an addition thereto, the addition shall be separated from such Mobile Home or addition to it by not less than 4.5 m (14.8 ft.);
  - iii) where the side yard abuts a public roadway other than a lane, the side yard shall not be less than 4.5 m (14.8 ft.);
- f) the undercarriage of each Mobile Home shall be completely screened from view by the foundation or by skirting, within 60 days of the placement of the Mobile Home;
- g) all accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of an equivalent quality, so that design and construction will complement the Mobile Home. Additions to a Mobile Home shall have a foundation and skirting equivalent to that of the Mobile Home;
- h) the Mobile Home Park or Subdivision shall be designed to accommodate Mobile Home units of different sizes, including expandable and double wide units, with variety in the street design and the placement of individual units to avoid monotony;
- i) any application to develop a Mobile Home Park shall be subject to the landscaping regulations of Section 69 of this Bylaw.

- 2) The following regulations apply to Mobile Homes when developed as a Mobile Home Park:
- a) the minimum site area for a Mobile Home Park shall be 2 ha (4.94 acres);
  - b) each lot in a Mobile Home Park shall be clearly marked off by permanent markers or other suitable means;
  - c) each Mobile Home Park lot shall provide a hard-surfaced, durable, base on which the Mobile Home shall be placed;
  - d) all roads in a Mobile Home Park shall be hard-surfaced, well drained and maintained. The Mobile Homes and all community facilities in a Mobile Home Park shall be connected by a safe, convenient, hard-surfaced pedestrian walkway which shall be at least 1 m (3.3 ft.) in width;
  - e) at least 5% of the gross site area of the Mobile Home Park shall be devoted to outdoor communal amenity space and recreational uses, and shall be provided in a convenient and accessible location;
  - f) in a Mobile Home Park, adequate common storage areas, separate from the Mobile Home lot, shall be provided for the storage of seasonal recreational equipment and other equipment not capable of storage on the Mobile Home lot. Such storage areas shall be enclosed or screened by trees, landscape features or fences;
  - g) all utility lines shall be placed underground.
- 3) The following regulations apply to Mobile Homes when developed as a Mobile Home Subdivision:
- a) a permanent foundation shall be provided for each Mobile Home. The foundation or basement shall not exceed 1 m (3.3 ft.) above grade;
  - b) where the Development Officer conditionally approves an application to develop a Mobile Home on a Mobile Home Subdivision lot, where such conditions are required to ensure compliance with the provisions of Clause (1), sub-Clauses (f) and (g), he may require as a further condition that the applicant deliver to the Development Officer a

performance bond in a sum to be fixed by the Development Officer, naming as surety a corporation licensed as such in Alberta, the condition of the bond being that, if the development is completed but is not in accordance with sub-Clauses (f) and (g), and any conditions of approval arising from them, then the surety shall pay to the City, for its use absolutely, the sum fixed.

**260.5 Additional Development Regulations for Discretionary Uses**

*Bylaw 7322  
September 16, 1983*

- 1) Offices-in-the-Home shall be developed in accordance with Section 84 of this Bylaw.
- 2) Homecrafts shall be developed in accordance with Section 85 of this Bylaw.
- 3) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.
- 4) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.
- 5) Notwithstanding sub-Section 260.4, Single Detached Housing in this District shall be developed in accordance with the provisions of the RF1 District only.

*Bylaw 7728  
March 12, 1985*

**SECTION COMMERCIAL**  
**300-399 DISTRICTS**

**310.1 General Purpose**

To establish a District for convenience commercial and personal service uses which are intended to serve the day- to-day needs of residents within new or established neighbourhoods.

**310.2 Permitted Uses**

- 1) Convenience Retail Stores
- 2) Health Services
- 3) Minor Eating and Drinking Establishments
- 4) Personal Service Shops
- 5) Professional, Financial and Office Support Services

**310.3 Discretionary Uses**

- 1) Individual business premises for a Permitted Use having a gross floor area greater than 275 m<sup>2</sup> (2,960.07 sq. ft.).
- 2) Apartment Housing
- 3) Commercial Schools
- 4) Daytime Child Care Services
- 5) Gas Bars
- 6) General Retail Stores
- 7) Indoor Participant Recreation Services
- 8) Minor Service Stations
- 9) Minor Veterinary Services
- 10) Religious Assemblies
- 11) Residential Sales Centre
- 12) Minor Secondhand Stores with a gross floor area less than 275 m<sup>2</sup> (2,960.07 sq. ft.).

*Bylaw 7541  
December 11, 1984*

*Bylaw 6626  
November 10, 1982*

*Bylaw 6968  
August 17, 1982*

*Bylaw 7322  
September 16, 1983*

*Bylaw 7728  
March 12, 1985*

**310.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum gross floor area of any individual business premise for a Permitted Use shall not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.).
- 2) The maximum gross floor area of any individual business premise for a Discretionary Use shall not exceed 1,000 m<sup>2</sup> (10,763.90 sq. ft.), except that a grocery store or supermarket may be permitted a gross floor area of up to 2,500 m<sup>2</sup> (26,909.75 sq. ft.).
- 3) The maximum site area for a shopping centre shall be 2.0 hectares (4.94 acres).
- 4) The maximum floor area ratio shall be 1.0.
- 5) A minimum yard of 3 m (9.84 ft.) shall be required where a site abuts a public roadway other than a lane except:
  - a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no yard shall be required;
  - b) where there is no vehicular access to the site from the public roadway, the minimum yard shall be not less than 1.5 m (4.92 ft.).
- 6) A minimum yard of 3 m (9.84 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a site in a Residential District.
- 7) Where the site has street frontage contiguous with that of a Residential District, the minimum building setback shall be equal to that required for the Residential District, unless the building is sited in accordance with Clause (5)(a) above.
- 8) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage, and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or light rail transit lines in accordance with the provisions of Section 69.3. If the rear



or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or a lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3.

- 9) The maximum building height shall not exceed 10 m (32.80 ft.) nor  $2\frac{1}{2}$  storeys.

**310.5 Additional Development Regulations for Discretionary Uses**

- 1) The following regulations shall apply to Apartment Housing developments:
- a) Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
  - b) the housing component shall have access at grade which is separate from the access for the commercial premises;
  - c) if a development contains two or more Dwellings, a minimum of 7.5 m<sup>2</sup> (80.72 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of this Bylaw.
- 2) Indoor Participant Recreation Services may be permitted on larger commercial sites provided they do not adversely affect the amenity and privacy of development in any adjacent Residential District, by reason of building scale or traffic circulation.
- 3) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 7322  
September 16, 1983*

**320.1 General Purpose**

To establish a District for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes.

**320.2 Permitted Uses**

- 1) Business Support Services
- 2) Commercial Schools
- 3) Gas Bars
- 4) General Retail Stores
- 5) Government Services
- 6) Health Services
- 7) Major and Minor Amusement Establishments
- 8) Indoor Participant Recreation Services
- 9) Minor Eating and Drinking Establishments
- 10) Minor Service Stations
- 11) Personal Service Shops
- 12) Professional, Financial and Office Support Services
- 13) Public Libraries and Cultural Exhibits
- 14) Spectator Entertainment Establishments
- 15) Minor Secondhand Stores with a gross floor area less than 275 m<sup>2</sup> (2,960.07 sq. ft.).

*Bylaw 7541  
December 11, 1984*

*Bylaw 7728  
March 12, 1985*

**320.3 Discretionary Uses**

- 1) Apartment Housing
- 2) Carnivals
- 3) Daytime Child Care Services

- 4) Drive-in Food Services
- 5) Hotels
- 6) Major Eating and Drinking Establishments
- 7) Mobile Food Catering Services
- 8) Private Clubs
- 9) Rapid Drive-Through Vehicle Services
- 10) Religious Assembly
- 11) Warehouse Sales
- 12) Broadcasting and Motion Picture Studios
- 13) Minor Veterinary Services
- 14) Apartment Hotels
- 15) Residential Sales Centre
- 16) Minor Secondhand Stores with a gross floor area greater than 275 m<sup>2</sup> (2,960.07 sq. ft.).

*Bylaw 6190  
September 9, 1980*

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

*Bylaw 7322  
September 16, 1983*

*Bylaw 7728  
March 12, 1985*

#### **320.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 2 hectares (4.94 acres).
- 2) The maximum floor area ratio shall be 1.0.
- 3) A minimum yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway, other than a lane, or the property line of a site in a Residential District, except that if no vehicular access is provided to the site from the public roadway, the minimum yard shall be not less than 3 m (9.84 ft.).

*Bylaw 6626  
November 10, 1981*

- 4) Where a Statutory Plan Overlay specifies a maximum building height greater than 14 m (45.83 ft.), the Development Officer may require an additional setback for that portion of any development which exceeds 14 m (45.93 ft.) in height in order to protect the amenity and privacy of development in any adjacent Residential District. The Development Officer shall not require a total setback greater than the building height.
- 4a) In addition to the minimum yard required by Clause (3) above, a minimum building setback of 15 m (49.2 ft.) shall be required for all buildings, structures and accessory parking garages other than at-grade parking lots where a site abuts a site in a Residential District. This minimum building setback may be reduced to the minimum yard requirements at the discretion of the Development Officer, where, in his opinion, the provision of landscaping, fencing, berming, building facade treatment or other design features adequately protect the amenities of nearby residential areas.
- 5) Where the site has street frontage contiguous with that of a Residential District, the minimum building setback shall be equal to that required for the Residential District, unless a greater setback is required by Clause (4) above.
- 6) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage, and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or light rail transit lines in accordance with the provisions of Section 69.3. If the rear or sides of a site area used for parking, an outdoor service or display area, or both, and abut a Residential District or a lane serving a Residential District, the parking area shall be screened in accordance with the provisions of Section 69.3.
- 7) The maximum building height shall be 14 m (45.93 ft.).
- 8) All uses shall be part of a purpose designed shopping centre.

**320.5 Additional Development Regulations for Discretionary Uses**

- 1) Apartment Housing shall be permitted only above the office or retail component of a shopping centre. Where a development contains two or more Dwellings, a minimum

of 7.5 m<sup>2</sup> (80.72 sq. ft.) of Amenity Area is required in accordance with the provisions of Section 56 of this Bylaw. The housing component of the development shall be designed and sited so as to minimize any impacts from the commercial component of the development related to noise, traffic circulation or loss of privacy.

- 2) Carnivals shall be developed in accordance with Section 83 of this Bylaw.
- 3) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 7322  
September 16, 1983*

**330.1 General Purpose**

To establish a District for low intensity commercial, office and service uses located along arterial roadways that border residential areas.

**330.2 Permitted Uses**

- 1) Business Support Services
- 2) Commercial Schools
- 3) Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building.
- 4) Gas Bars
- 5) General Retail Stores up to a maximum gross floor area of 1,000 m<sup>2</sup> (10,763.40 sq. ft.).
- 6) Health Services
- 7) Household Repair Services
- 8) Major and Minor Amusement Establishments
- 9) Minor Eating and Drinking Establishments
- 10) Minor Service Stations
- 11) Personal Service Shops
- 12) Professional, Financial and Office Support Services
- 13) Daytime Child Care Services
- 14) Minor Secondhand Stores with a gross floor area less than 275 m<sup>2</sup> (2,960.07 sq. ft.).

*Bylaw 7728  
March 12, 1985*

*Bylaw 7728  
March 12, 1985*

**330.3 Discretionary Uses**

- 1) Apartment Housing
- 2) Auctioneering Establishments, provided that all goods and equipment to be auctioned are stored and displayed within an enclosed building.

- 3) Automotive Equipment and Repair Shops, where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 4) Automotive/Minor Recreational Vehicle Sales/Rental
- 5) Custom Manufacturing
- 6) Drive-in Food Services
- 7) Funeral Services
- 8) General Retail Stores with a gross floor area greater than 1,000 m<sup>2</sup> (10,763.90 sq. ft.).
- 9) Greenhouses and Plant Nurseries
- 10) Hotels, where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 11) Indoor Participant Recreation Services
- 12) Limited Contractor Services
- 13) Minor Veterinary Services
- 14) Mobile Catering Food Services
- 15) Motels where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 16) Non-accessory Parking
- 17) Private Clubs
- 18) Recycling Depots
- 19) Religious Assembly, where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 20) Major Secondhand Stores
- 21) Spectator Entertainment Establishments
- 22) Broadcasting and Motion Picture Studios
- 23) Convenience Vehicle Rentals

*Bylaw 7728  
March 12, 1985*

*Bylaw 6190  
September 9, 1980*

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

24) Residential Sales Centres

*Bylaw 7728  
March 12, 1985*

25) Minor Secondhand Stores with a gross floor area greater than 275 m<sup>2</sup> (2,960.07 sq. ft.).

**330.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum floor area for a retail store shall be 2,500 m<sup>2</sup> (26,909.75 sq. ft.).
- 2) The maximum floor area ratio shall be 2.0.
- 3) A minimum yard of 3 m (9.84 ft.) shall be required where a site abuts a public roadway other than a lane except:
  - a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no yard shall be required;
  - b) where there is no vehicular access to the site from the public roadway the minimum yard shall be not less than 1.5 m (4.92 ft.).
- 4) A minimum yard of 3 m (9.84 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a site in a Residential District.
- 5) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from adjacent sites and public roadways or light rail transit lines in accordance with the provisions of Section 69.3. If the rear or sides of a site are used for parking, an outdoor service or display area, or both, and abut a Residential District or a lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3.
- 6) The maximum building height shall not exceed 12 m (39.4 ft.) nor 3 storeys.

*Bylaw 6626  
November 10, 1981*



**330.5 Additional Development Regulations for Discretionary Uses**

- 1) The following regulations shall apply to Apartment Housing developments:
  - a) Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
  - b) the housing component shall have access at grade which is separate from the access for the commercial premises;
  - c) where a development contains two or more dwelling units a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of this Bylaw.
  - d) the maximum Floor Area Ratio of Apartment Housing shall be 1.0.
  
- 2) The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:
  - a) the maximum site area for a business shall be 2,000 m<sup>2</sup> (21,527.80 sq. ft.);
  - b) servicing and repair operations shall be permitted only as Accessory Uses;
  - c) all storage, display or parking areas shall be hard surfaced in accordance with Section 67.3 of this Bylaw;
  - d) all outdoor display areas which abut a Residential District or a lane serving a Residential District shall be obscured from direct view by providing a visual screen at least 1.8 m (6 ft.) in height in accordance with the provisions of Section 69.3, Clause (4) of this Bylaw;
  - e) lighting for the display area shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.
  
- 3) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

**340.1 General Purpose**

To establish a District for businesses which require large sites and a location with good visibility and accessibility along, or adjacent to, major public roadways.

**340.2 Permitted Uses**

- 1) Auctioneering Establishments
- 2) Automotive and Equipment Repair Shops
- 3) Business Support Services
- 4) Commercial Schools
- 5) Custom Manufacturing
- 6) Equipment Rentals
- 7) Funeral Services
- 8) Gas Bars
- 9) General Retail Stores up to a maximum gross floor area of 2,500 m<sup>2</sup> (26,909.75 sq. ft.).
- 10) Greenhouses and Plant Nurseries
- 11) Health Services
- 12) Household Repair Services
- 13) Major and Minor Amusement Establishments
- 14) Indoor Participant Recreation Services
- 15) Limited Contractor Services
- 16) Minor Eating and Drinking Establishments
- 17) Minor Service Stations
- 18) Minor Veterinary Services
- 19) Personal Service Shops
- 20) Professional, Financial and Office Support Services

*Bylaw 7541  
December 11, 1984*

- 21) Recycling Depots
- 22) Spectator Sports Establishments with a capacity of less than 500 persons.
- 23) Warehouse Sales up to a maximum gross floor area of 2,500 m<sup>2</sup> (26,909.75 sq. ft.).
- 24) Spectator Entertainment Establishments
- 25) Minor Secondhand Stores
- 26) Major Secondhand Stores

*Bylaw 6626  
November 10, 1981*

*Bylaw 7728  
March 12, 1985*

**340.3 Discretionary Uses**

- 1) Automotive/Minor Recreational Vehicle Sales/Rentals
- 2) Animal Hospitals and Shelters
- 3) Broadcasting and Motion Picture Studios
- 4) Carnivals
- 5) Cremation and Interment Services
- 6) Daytime Child Care Services
- 7) Drive-in Food Services
- 8) Fleet Services
- 9) General Retail Stores with a gross floor area greater than 2,500 m<sup>2</sup> (26,909.75 sq. ft.).
- 10) Hotels
- 11) Major Eating and Drinking Establishments
- 12) Major Service Stations
- 13) Mobile Catering Food Services
- 14) Motels
- 15) Non-accessory Parking
- 16) Outdoor Amusement Establishments

- 17) Private Clubs
- 18) Rapid Drive-through Vehicle Services
- 19) Religious Assembly, where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 20) Spectator Sports Establishments with a capacity greater than 500 persons.
- 21) Truck and Mobile Home Sales/Rentals
- 22) Warehouse Sales with a gross floor area greater than 2,500 m<sup>2</sup> (26,909.75 sq. ft.).
- 23) Apartment Housing
- 24) Convenience Vehicle Rentals
- 25) Apartment Hotels
- 26) Residential Sales Centres

*Bylaw 6190  
September 9, 1981*

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

*Bylaw 7322  
September 16, 1983*

#### **340.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site frontage shall be 30 m (98.42 ft.) unless access is provided from a service road.
- 2) The maximum floor area ratio shall be 3.0.
- 3) A minimum yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway other than a lane, except:
  - a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no yard shall be required;

- b) where there is no vehicular access to the site from the public roadway, the minimum yard shall be not less than 3 m (9.84 ft.).
- 4) A minimum yard of 4.5 m (14.76 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a site in a Residential District.
- 5) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or light rail transit lines in accordance with the provisions of Section 69.3. If the rear or sides of a site are used for parking, an outdoor service or display area, or both, and abut a Residential District or a lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3.
- 6) The maximum building height shall not exceed 14 m (45.93 ft.) nor 4 storeys, except for Hotel developments and Apartment Hotels.

*Bylaw 6626  
November 10, 1981*

### **340.5 Additional Development Regulations for Discretionary Uses**

*Bylaw 6626  
November 10, 1981*

- 1) The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals, Convenience Vehicle Rentals and Truck and Mobile Home Sales/Rentals developments:
  - a) all storage, display or parking areas shall be hard-surfaced in accordance with Section 67.3 of this Bylaw;
  - b) all display areas which abut a Residential District or a lane serving a Residential District shall be screened in accordance with the provisions of Section 69.3, Clause (4) of this Bylaw;
  - c) lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.
- 2) Carnivals shall be developed in accordance with Section 83 of this Bylaw.

**SECTION  
340**

**CB2  
GENERAL BUSINESS DISTRICT**

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*Bylaw 7322  
September 16, 1983*

- 3) The following regulations shall apply to Hotel developments and Apartment Hotels:
- a) the maximum building height shall be 30 m (98.42 ft.);
  - b) in addition to the yard requirements of Section 340.4, Clause (3), the Development Officer may require an additional setback for that portion of a hotel which exceeds 14 m (45.93 ft.) in height in order to protect the amenity and privacy of development in any adjacent Residential District. The Development Officer shall not require a total setback greater than the height of the building.

*Bylaw 6190  
September 9, 1980*

- 4) The following regulations shall apply to Apartment Housing developments:
- a) Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
  - b) the housing component shall have access at grade which is separate from the access for the commercial premises;
  - c) where a development contains two or more dwelling units a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of this Bylaw;

*Bylaw 6626  
November 10, 1981*

- d) the maximum Floor Area Ratio of Apartment Housing shall be 1.3.

*Bylaw 7322  
September 16, 1983*

- 5) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**350.1 General Purpose**

To establish a District for high quality commercial development along those public roadways which serve as entrance routes to the City or along limited access public roadways intended to provide a connection to entrance routes.

**350.2 Permitted Uses**

- 1) Gas Bars
- 2) Hotels
- 3) Minor Eating and Drinking Establishments
- 4) Minor Service Stations
- 5) Motels

**350.3 Discretionary Uses**

- 1) Business Support Services
- 2) Convenience Retail Stores
- 3) Daytime Child Care Services
- 4) Drive-in Food Services
- 5) General Industrial Uses
- 6) Indoor Participant Recreation Services
- 7) Major Eating and Drinking Establishments
- 8) Major Service Stations
- 9) Personal Service Shops
- 10) Professional, Financial and Office Support Services
- 11) Rapid Drive-through Vehicle Services
- 12) Tourist Campsites
- 13) Broadcasting and Motion Picture Studios

*Bylaw 6626  
November 10, 1981*

14) Convenience Vehicle Rentals

*Bylaw 7322  
September 16, 1983*

15) Apartment Hotels

*Bylaw 7322  
September 16, 1983*

16) Residential Sales Centres

*Bylaw 7541  
December 11, 1984*

17) Minor Amusement Establishments

### **350.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

*Bylaw 6190  
September 9, 1980*

- 1) The minimum site frontage shall be 30 m (98.42 ft.) unless access is provided from a service road.
- 2) The maximum floor area ratio shall be 1.0.
- 3) A minimum yard of 7.5 m (24.60 ft.) shall be required where a site abuts a public roadway including a lane which serves a Residential District, or where a site abuts the lot line of a site in a Residential District.
- 4) In addition to the yard requirements of Clause (3) above, the Development Officer may require an additional setback for that portion of any development which exceeds 14 m (45.93 ft.) in height in order to protect the privacy of any adjacent residential development. The Development Officer shall not require a total setback greater than the height of the building.
- 5) No parking, loading, storage, trash collection, outdoor service or display area or signs shall be permitted within a required yard, except that the Development Officer may permit the erection of directional signs. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or light rail transit lines in accordance with the provisions of Section 69.3. If the rear or sides of a site are used for parking, an outdoor service or display area, or both, and abut a Residential District or a lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3.



*Bylaw 7322*  
*September 16, 1983*  
*Bylaw 7728*  
*March 12, 1985*

- 6) The maximum building height shall be 14 m (45.93 ft.), except the maximum height for a Hotel or Apartment Hotel shall be 30 m (98.42 ft.).
- 7) All exposed building faces shall have consistent and harmonious exterior finishing materials.

**350.5 Additional Development Regulations for Discretionary Uses**

*Bylaw 6626*  
*November 10, 1981*

- 1) Convenience Retail Stores, Convenience Vehicle Rentals and Personal Service Shops may be developed only as uses ancillary to an Office, Motel, Hotel, Gas Bar, or Minor or Major Service Station development.
- 2) Indoor Participant Recreation Services may be developed only as ancillary to a Hotel, Motel or Office development.
- 3) General Industrial Uses may be permitted only where the site is located on the periphery of an Industrial District or land designated for future industrial use in a Statutory Plan. General Industrial uses shall comply with the Performance Standards of the IB District.
- 4) The siting and access for the following developments shall be to the satisfaction of the City Engineer, who shall ensure that such developments do not prejudice the safety and transportation function of Highway Entrance and Limited Access public roadways:
  - a) Drive-in Food Services
  - b) Major Eating and Drinking Establishments
  - c) Professional, Financial and Office Support Services
  - d) Rapid Drive-through Vehicle Services

*Bylaw 6626*  
*November 10, 1981*

- 5) The following regulations shall apply to Convenience Vehicle Rentals developments:
  - a) all storage, display or parking areas shall be hard-surfaced in accordance with Section 67.3 of this Bylaw;
  - b) all display areas which abut a Residential District or a lane serving a Residential District shall be

screened in accordance with the provisions of Section 69.3, Clause (4) of this Bylaw;

c) lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

*Bylaw 7322  
September 16, 1983*

6) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**360.1 General Purpose**

To establish a District for medium intensity office development on the periphery of the downtown, around light rail transit station areas or other locations offering good accessibility by both private automobile and transit.

**360.2 Permitted Uses**

- 1) Business Support Services
- 2) Commercial Schools
- 3) Health Services
- 4) Minor Eating and Drinking Establishments
- 5) Professional, Financial and Office Support Services
- 6) Minor Amusement Establishments

*Bylaw 7541  
December 11, 1984*

**360.3 Discretionary Uses**

- 1) Convenience Retail Stores
- 2) Daytime Child Care Services
- 3) Funeral Services
- 4) General Retail Stores
- 5) Hotels
- 6) Indoor Participant Recreation Services
- 7) Major Eating and Drinking Establishments
- 8) Non-accessory Parking
- 9) Personal Service Shops
- 10) Private Clubs
- 11) Religious Assembly, where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.

*Bylaw 6190*  
*September 9, 1980*

12) Broadcasting and Motion Picture Studios

*Bylaw 7322*  
*September 16, 1983*

13) Apartment Hotels

**360.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum floor area ratio shall be 4.0.
- 2) A minimum yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway, other than a lane or the site abuts the lot line of a site in a Residential District except:
  - a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no yard shall be required;
  - b) where there is no vehicular access to the site from the public roadway, the minimum yard shall be not less than 3 m (9.84 ft.).
- 3) In addition to the yard requirements in Clause (2) above, the Development Officer may require an additional setback for that portion of any development which exceeds 14 m (45.93 ft.) in height in order to protect the privacy of development in any adjacent Residential District. The Development Officer shall not require a total setback greater than the height of the building.
- 4) No parking, loading, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view adjacent sites and public roadways or light rail transit lines in accordance with the provisions of Section 69.3. If the rear or sides of a site are used for parking, an outdoor service or display area, or both, and abut a Residential District or a lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3.
- 5) The maximum building height shall not exceed 23 m (75.45 ft.) nor 6 stories, except that the Development

Officer may, at his discretion, allow a greater height not to exceed a maximum of 40 m (131.23 ft.) nor 10 stories where, in his opinion, this would not adversely affect the privacy and amenity of development in any adjacent Residential District.

*Bylaw 7728  
March 12, 1985*

**360.5**

**Additional Development Regulations for  
Discretionary Uses**

*Bylaw 7322  
September 16, 1983*

- 1) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**370.1 General Purpose**

To establish a District for developments involving a mixture of Commercial Use Classes, or a mixture of Commercial Use Classes with Residential; Residential-Related; Basic Services; and Community, Educational, Recreational and Cultural Services Use Classes according to the guidelines of an Area Structure Plan or Area Redevelopment Plan.

**370.2 Application**

This District shall be applied only in conjunction with a Statutory Plan Overlay.

**370.3 Permitted Uses**

None.

**370.4 Discretionary Uses, except where deleted by a Statutory Plan Overlay**

- 1) Residential
  - a) Apartment Housing
  - b) Duplex Housing
  - c) Linked Housing
  - d) Row Housing
  - e) Semi-detached Housing
  - f) Single Detached Housing
  - g) Stacked Rowhousing
- 2) Residential Related
  - a) Apartment Hotels
  - b) Boarding and Lodging Homes
  - c) Foster Homes
  - d) Fraternity and Sorority Housing
  - e) Group Homes

- f) Homecrafts
- g) Offices-in-the-Home
- 3) Commercial
  - a) Auctioneering Establishments
  - b) Automotive and Equipment Repair Shops
  - c) Automotive and Minor Recreation Vehicles Sales/Rentals
  - d) Broadcasting and Motion Picture Studios
  - e) Business Support Services
  - f) Commercial Schools
  - g) Convenience Retail Stores
  - h) Cremation and Interment Services
  - i) Custom Manufacturing Establishments
  - j) Drive-in Food Services
  - k) Equipment Rentals
  - l) Fleet Services
  - m) Funeral Services
  - n) Gas Bars
  - o) General Retail Stores
  - p) Health Services
  - q) Hotels
  - r) Household Repair Services
  - s) Major and Minor Amusement Establishments
  - t) Limited Contractor Services
  - u) Major and Minor Eating and Drinking Establishments

*Bylaw 7541  
December 11, 1984*

- v) Major and Minor Service Stations
- w) Minor Veterinary Services
- x) Mobile Food Catering Services
- y) Non-Accessory Parking
- z) Personal Services Shops
- aa) Professional, Financial and Office Support Services
- bb) Rapid Drive-Through Vehicle Services
- cc) Recycling Depots
- dd) Major and Minor Secondhand Stores
- ee) Spectator Entertainment Establishments
- ff) Truck and Mobile Home Sales/Rentals
- gg) Warehouse Sales
- hh) Convenience Vehicle Rentals

*Bylaw 7728*  
*March 12, 1985*

*Bylaw 6626*  
*November 10, 1981*

- 4) Industrial
  - a) General Industrial Uses
- 5) Basic Services
  - a) Extended Medical Treatment Services
  - b) Government Services
  - c) Minor Impact Utility Services
  - d) Protective and Emergency Services
- 6) Community, Educational, Recreational and Cultural Services
  - a) Community Recreation Services
  - b) Daytime Child Care Services
  - c) Indoor Participant Recreation Services



- d) Private Clubs
- e) Private Education Services
- f) Public Education Services
- g) Public Libraries and Cultural Exhibits
- h) Public Park
- i) Religious Assembly
- j) Exhibition and Convention Facilities

*Bylaw 6502  
November 24, 1981*

### **370.5 Development Regulations**

- 1) The following shall be specified in a Statutory Plan Overlay, together with any regulations respecting the conditions under which the respective maximums or minimums may be allowed:
  - a) maximum total floor area ratio;
  - b) maximum total residential density;
  - c) maximum height;
  - d) minimum yard requirements.
- 2) The following may be specified in a Statutory Plan Overlay, together with any regulations respecting the conditions under which the respective maximums or minimums may be allowed:
  - a) maximum floor area ratio for each Use Class or group of Use Classes;
  - b) the required percentage of total Dwellings in each Residential Use Class or group of Residential Use Classes, or the required percentage to be provided as Family Oriented Dwellings;
  - c) building setback requirements that are in addition to the minimum yard requirements;
  - d) parking requirements;

- e) minimum Private Outdoor Amenity Area per Dwelling for Stacked Row Housing or Family Oriented Dwellings;
  - f) minimum Amenity Area per Dwelling, to be developed as children's play space for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.
- 3) Separation Space shall be provided in accordance with the requirements of Section 58 of this Bylaw.

**370.6 Additional Development Regulations for Specified Uses**

- 1) The following uses may, where existing within this District, redevelop at their present location or relocate to a new site within the District, provided that the gross floor area is not increased by more than 10% or may otherwise occur as a new development when designed as an integral and secondary component of a development which consists primarily of any use not listed below or within Section 370.6, Clause (2):
- a) Extended Medical Treatment Facilities
  - b) Minor Impact Utility Services
  - c) Natural Science Exhibits
  - d) Private Education Services
  - e) Protective and Emergency Services
  - f) Public Libraries and Cultural Exhibits
  - g) Public Park
- 2) The following uses may, where existing in this District, redevelop at their present location or relocate to a new site within the District, provided that the gross floor area is not increased by more than 10% but shall not otherwise occur as a new development:
- a) Automotive and Equipment Repair Shops
  - b) Automotive and Minor Recreation Vehicle Sales/Rentals
  - c) Cremation and Interment Services

- d) Drive-in Food Services
  - e) Equipment Rentals
  - f) Fleet Services
  - g) General Industrial Uses
  - h) Limited Contractor Services
  - i) Major Service Stations
  - j) Mobile Food Catering Services
  - k) Rapid Drive-Through Vehicle Services
  - l) Recycling Depots
  - m) Truck and Mobile Home Sales/Rentals
- 3) Notwithstanding the provisions of this District, Single Detached Housing shall be developed in accordance with the provisions of the RF1 District only.
- 4) A minimum Amenity Area of 7.5 m<sup>2</sup> (80.76 sq. ft.) per dwelling shall be provided in accordance with Section 56 of this Bylaw, except for those dwellings which provide Private Outdoor Amenity Area in accordance with Section 370.5(2), Clause (2)(e).
- 5) General Industrial Uses developed in accordance with Section 370.6, Clause (2) of this Section shall comply with the Performance Standards for the IB Industrial District as specified in Section 73 of this Bylaw.

**SECTION INDUSTRIAL  
400-499 DISTRICTS**

**410.1 General Purpose**

To establish a District for industrial businesses which carry out their operations such that no nuisance factor is created or apparent outside an enclosed building and such that the district is compatible with any adjacent non- industrial district.

**410.2 Permitted Uses**

- 1) Auctioneering Establishments, provided that all goods and equipment to be auctioned are stored and displayed within an enclosed building.
- 2) Business Support Services
- 3) Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building.
- 4) Gas Bars
- 5) General Industrial Uses
- 6) Minor and Major Service Stations
- 7) Professional, Financial and Office Support Services

**410.3 Discretionary Uses**

- 1) Convenience Retail Stores
- 2) Cremation and Interment Services
- 3) Daytime Child Care Services
- 4) Drive-in Food Services
- 5) Greenhouses and Plant Nurseries
- 6) Health Services
- 7) Indoor Participant Recreation Services
- 8) Minor and Major Eating and Drinking Establishments
- 9) Veterinary Clinics
- 10) Mobile Catering Food Services
- 11) Outdoor Participant Recreation Services

*Bylaw 6190  
September 9, 1980*

*Bylaw 6626  
November 10, 1981*

*Bylaw 7016  
September 14, 1982*

*Bylaw 7322  
September 16, 1983*

*Bylaw 7541  
December 11, 1984*

- 12) Personal Service Shops
- 13) Warehouse Sales
- 14) Broadcasting and Motion Picture Studios
- 15) Convenience Vehicle Rentals
- 16) Limited Contractor Services
- 17) Automotive and Minor Recreational Vehicle Sales/Rentals
- 18) Automotive and Equipment Repair Shops
- 19) Fleet Services
- 20) Recycling Depots
- 21) Rapid Drive-Through Vehicle Services
- 22) Residential Sales Centre
- 23) Minor Amusement Establishments

**410.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) Where this District is applied along a major collector or higher standard public roadway the minimum site frontage shall be 30 m (98.42 ft.), unless access is provided from a service road.
- 2) The maximum floor area ratio shall be 1.2.
- 3) A minimum yard of 6 m (19.68 ft.) shall be required where any lot line of a site abuts a public roadway, other than a lane or abuts the property line of a Residential District.

*Bylaw 6626  
November 10, 1981*

- 4) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard.
- 5) The maximum height shall not exceed 12.0 m (39.4 ft.) nor 3 storeys, except that the Development Officer shall permit a greater height for a building housing a General Industrial Use up to a maximum of 14 m (45.9 ft.) where this is required to facilitate the industrial development of the use involved.
- 6) All developments shall comply with the Performance Standards of Section 73 for the IB District.

**410.5 Additional Development Regulations for Discretionary Uses**

- 1) Convenience Retail Stores, Daytime Child Care Services, Drive-in Food Services, Health Services, Indoor Participant Recreation Services, Minor and Major Eating and Drinking Establishments, Outdoor Participant Recreation Services and Personal Service Shops shall be sited in accordance with the following:
  - a) as part of a comprehensively planned and managed group of five or more office or industrial buildings where such Discretionary Uses are intended to service and support the principal industrial or office use; or
  - b) in an area designated for such uses in an Area Structure or Area Redevelopment Plan; or
  - c) on sites located at the intersection of major collector or higher standard public roadways centrally located in an industrial area.
- 2) The following regulations shall apply to Convenience Vehicle Rentals developments:
  - a) All storage, display or parking areas shall be hard-surfaced in accordance with Section 67.3 of this Bylaw.
  - b) All display areas which abut a Residential District or a lane serving a Residential District shall be screened in accordance with the provisions of Section 69.3, Clause (4) of this Bylaw.

*Bylaw 6626  
November 10, 1981*

- c) Lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

*Bylaw 7016  
December 14, 1982*

- 3) Automotive and Minor Recreational Vehicle Sales/Rentals shall comply with provisions of this District for Convenience Vehicle Rentals developments and the size, locations, screening and landscaping of the outdoor vehicular display areas shall be subject to the approval of the Development Officer, who shall ensure that development of the site is compatible with the appearance of site design of surrounding developments.

- 4) The minimum gross floor area for a Warehouse Sales establishment shall not be less than 1,000 m<sup>2</sup> (10,764.2 sq. ft.) unless at least fifty percent of the gross floor area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.

*Bylaw 7322  
September 16, 1983  
Bylaw 7728  
March 12, 1985*

- 5) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.



**420.1 General Purpose**

To establish a District for those manufacturing, processing, assembly, distribution, service and repair uses which carry out a portion of their operation outdoors or require outdoor storage areas. In general, any nuisance factor associated with the uses in this District should not extend beyond the boundaries of the site. This District would normally be applied on the interior of industrial areas adjacent to collector and local industrial public roadways such that uses are separated from any adjacent residential areas by a higher quality Industrial or Commercial District.

**420.2 Permitted Uses**

- 1) Animal Hospitals and Shelters
- 2) Auctioneering Establishments
- 3) General Contractor Services
- 4) Equipment Rentals
- 5) General Industrial Uses
- 6) Industrial Vehicle and Equipment Sales/Rentals
- 7) Temporary Storage

*Bylaw 6626  
November 10, 1981*

**420.3 Discretionary Uses**

- 1) Natural Resource Developments
- 2) Automotive and Equipment Repair Shops
- 3) Fleet Services
- 4) Recycling Depots
- 5) Warehouse Sales
- 6) Residential Sales Centre

*Bylaw 6626  
November 10, 1981*

*Bylaw 6858  
March 10, 1982*

*Bylaw 7322  
September 16, 1983*

**420.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum floor area ratio shall be 2.0.
- 2) A minimum yard of 3 m (9.84 ft.) shall be required where any lot line of a site abuts a public roadway, other than a lane. If any lot line of the site abuts a property line of a Residential District a minimum yard of 6 m (19.68 ft.) shall be required.
- 3) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard.
- 4) The maximum building height shall be 18 m (59.04 ft.).
- 5) All developments shall comply with the Performance Standards of Section 73 for the IM District.
- 6) The minimum gross floor area for a Warehouse Sales establishment shall not be less than 1,000 m<sup>2</sup> (10,764.2 sq. ft.) unless at least fifty percent of the gross floor area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.

*Bylaw 7016  
September 14, 1982*

*Bylaw 7322  
September 16, 1983*

**420.5 Additional Development Regulations for Discretionary Uses**

- 1) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**430.1 General Purpose**

To establish a District for those industrial uses that may have detrimental effects on other districts due to appearance, noise, odour, emission of toxic wastes, or fire and explosive hazards. This District would normally be located on the interior of industrial or agricultural areas, such that it does not interfere with the safety, use, amenity or enjoyment of any surrounding Land Use Districts.

**430.2 Permitted Uses**

General Industrial Uses which are characterized by one or more of the following features:

- 1) large land requirements for outdoor service, assembly, processing or fabricating operations or storage;
- 2) the creation of nuisance factors which extend beyond the boundaries of the site and which, in the opinion of the Development Officer, may have a deleterious effect on other Districts due to noise, odour or the emission of air contaminants;
- 3) the use of materials or processing operations which require separation from other developments due to fire and explosion hazards.

**430.3 Discretionary Uses**

- 1) General Industrial Uses, other than those listed as Permanent Uses.
- 2) Natural Resource Developments
- 3) General Contractor Services
- 4) Temporary Storage
- 5) Residential Sales Centre

*Bylaw 6626  
November 10, 1981*

*Bylaw 7322  
September 16, 1983*

**430.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 1 ha (2.47 acres), except for developments existing on a site at the effective date of the application of this District.
- 2) The maximum floor area ratio shall be 2.0.
- 3) A minimum yard of 3 m (9.84 ft.) shall be required where any lot line of a site abuts a public roadway, other than a lane.
- 4) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard.
- 5) Notwithstanding Clause (3) above, the Development Officer may require a greater setback for those components of an industrial development which, in his opinion, may interfere with the safety or amenity of developments upon abutting lands, having particular regard to any separation spaces required by Provincial regulations.
- 6) The maximum building height shall be 30 m (98.4 ft.).
- 7) All developments shall comply with the Performance Standards of Section 73 for the IH District.

*Bylaw 7322  
September 16, 1983*

**430.5**

**Additional Development Regulations for  
Discretionary Uses**

- 1) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.



**510.1 General Purpose**

To provide a District for public and privately owned facilities of an institutional or community service nature.

**510.2 Permitted Uses**

- 1) Community Recreation Services
- 2) Daytime Child Care Services
- 3) Government Services
- 4) Public and Private Education Services
- 5) Public Libraries and Cultural Exhibits
- 6) Religious Assembly

**510.3 Discretionary Uses**

- 1) Cemeteries
- 2) Commercial Schools, only when a temporary or part time use of an existing Permitted Use development.
- 3) Minor or Major Eating and Drinking Establishments, only when integrated with another Permitted or Discretionary Use development.
- 4) Extended Medical Treatment Services
- 5) Indoor Participant Recreation Services
- 6) Natural Science Exhibits
- 7) Outdoor Participant Recreation Services
- 8) Protective and Emergency Services
- 9) Private Clubs
- 10) Spectator Entertainment Establishments
- 11) Spectator Sports Establishments
- 12) Detention and Correction Services
- 13) Exhibition Grounds and Convention Centres

- 14) Temporary Shelter Services
- 15) Boarding and Lodging Houses for Senior Citizens, where integrated with any other Permitted or Discretionary Use of this District, or where existing on a site this District at the effective date of this Bylaw, on the same site only.
- 16) Health Services

*Bylaw 6626  
November 10, 1981*

**510.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

*Bylaw 7728  
March 12, 1985*

- 1) The minimum front yard shall be 6 m (19.68 ft.).
- 2) The minimum rear yard shall be 7.6 m (24.61 ft.).
- 3) The minimum side yard shall be 4.5 m (14.76 ft.).
- 4) The maximum building height shall be 10 m (32.8 ft.).
- 5) Where, in the opinion of the Development Officer, it is unreasonable for a development to comply with Clauses (1), (2), (3), or (4) because of characteristics fundamental to the nature of the Use, he may relax the conditions of Clause (1), (2), (3) or (4) as required. In such cases, a Permitted Use shall become a Discretionary Use.
- 6) Religious Assembly shall be developed in accordance with Section 81 of this Bylaw.
- 7) Daytime Child Care Services shall be developed in accordance with Section 93 of this Bylaw.

*Bylaw 6626  
November 10, 1981*

**510.5 Additional Development Regulations for Discretionary Uses**

- 1) Where development does not comply with the requirements of Section 510.4, Clause (1), its design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Districts.

**SECTION  
510**

**US  
URBAN SERVICES DISTRICT**

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- 2) Where this District abuts the A District, the Development Officer, in consultation with the General Manager of the Parks and Recreation Department, may require an environmental assessment in accordance with Section 540.4, Clause (5) of this Bylaw.
- 3) The Development Officer shall approve in this District only those Health Services which are of an institutional or a community service nature.

*Bylaw 6626  
November 10, 1981*



**520.1 General Purpose**

To provide a District for public utility installations, services and facilities.

**520.2 Permitted Uses**

- 1) Minor Impact Utility Services
- 2) Protective and Emergency Services

**520.3 Discretionary Uses**

- 1) Major Impact Utility Services
- 2) Public Parks

*Bylaw 6626  
November 10, 1981*

**520.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum front yard shall be 6 m (19.68 ft.).
- 2) The minimum rear yard shall be 7.5 m (24.61 ft.).
- 3) The minimum side yard shall be 4.5 m (14.76 ft.).
- 4) The maximum building height shall be 10 m (32.81 ft.).
- 5) Except as provided for in Clause (6), developments in this District shall comply with the industrial Performance Standards applicable to the IB District.
- 6) Notwithstanding Clause (5), if this District is located in the interior of an industrial area abutting the IM or IH District for the most part and does not abut any Residential District, it shall comply with the Performance Standards applicable to the IM and IH Districts.
- 7) Where, in the opinion of the Development Officer, it is unreasonable for a development to comply with Clause (1), (2), (3), (4), or (5) because of characteristics fundamental to the provision of infrastructure services, he may relax requirements of Clauses (1), (2), (3) or (4) as required, and he may relax the requirements of Clause (5) provided the

*Bylaw 7728  
March 12, 1985*

development complies with the Performance Standards of the IM and IH Districts. In either case, a Permitted Use shall become a Discretionary Use.

**520.5 Additional Development Regulations for Discretionary Uses**

- 1) Where a development does not comply with the requirements of Section 520.4, Clauses (1) and (2), its design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Districts.
- 2) Where this District abuts the A District, the Development Officer, in consultation with the General Manager of the Parks and Recreation Department, may require an environmental impact assessment in accordance with the requirements of Section 540.4, Clause (5) of this Bylaw.
- 3) Public Parks shall be developed in this District only in conjunction with and on the same site as a Permitted or another Discretionary Use in this District.

*Bylaw 6626  
November 10, 1981*

**530.1 General Purpose**

To establish an area of public land for active and passive recreational uses and landscaped buffers.

**530.2 Permitted Uses**

- 1) Public Park
- 2) Outdoor Participant Recreation Services
- 3) Indoor Participant Recreation Services
- 4) Community Recreation Services
- 5) Carnivals or fairs sponsored by a non-profit, community organization for periods not exceeding seven (7) days.
- 6) Daytime Child Care Services

*Bylaw 6626  
November 10, 1981*

**530.3 Discretionary Uses**

- 1) Natural Science Exhibits
- 2) Public Libraries and Cultural Exhibits
- 3) Spectator Sports Establishments
- 4) Spectator Entertainment Establishments
- 5) Minor Eating and Drinking Establishments
- 6) Tourist Campsites

**530.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum front yard shall be 6 m (19.68 ft.).
- 2) The minimum rear yard shall be 7.5 m (24.61 ft.).
- 3) The minimum side yard shall be 4.5 m (14.76 ft.).

- 4) The maximum building height shall be 10 m (32.81 ft.) unless otherwise approved by the Development Officer, where deemed appropriate for the use.

**540.1 General Purpose**

To preserve natural areas and parkland along the river, creeks and ravines and other designated areas for active and passive recreational uses and environment protection.

**540.2 Permitted Uses**

- 1) Farms on a site of not less than 8 ha (19.77 acres).
- 2) Single Detached Housing on a site of not less than 8 ha (19.77 acres).
- 3) Public Parks

*Bylaw 7729  
March 12, 1985*

**540.3 Discretionary Uses**

- 1) Natural Science Exhibits
- 2) Tourist Campsites
- 3) Spectator Sports Establishments
- 4) Spectator Entertainment Establishments
- 5) Community Recreation Services
- 6) Outdoor Participant Recreation Services
- 7) Indoor Participant Recreation Services
- 8) Protective and Emergency Services
- 9) Natural Resource Development
- 10) Carnivals or fairs sponsored by a non-profit community organization for periods not in excess of seven (7) days.
- 11) Homecrafts and Offices-in-the-Home
- 12) Minor Impact Utility Services
- 13) Cultural Exhibits and Public Library Services
- 14) Daytime Child Care Services
- 15) Exhibition and Convention Facilities

- 16) Greenhouses and Plant Nurseries
- 17) Where lawfully existing on a site in this District at the effective date of Bylaw No. 5996 on the same site only:
  - a) Religious Assembly;
  - b) Private Education Services;
  - c) Extended Medical Treatment Services.
- 18) Single Detached dwellings on a site of less than 8 ha (19.77 acres) in subdivisions existing in this District at the effective date of Bylaw No. 5996.

**540.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum front yard shall be 7.5 m (24.61 ft.).
- 2) The minimum rear yard shall be 7.5 m (24.61 ft.).
- 3) The minimum side yard shall be 4.5 m (14.76 ft.).
- 4) The maximum building height shall be 10 m (32.81 ft.) unless otherwise approved by the Development Officer, where deemed appropriate for the use.
- 5) All development proposals for Discretionary Uses may be required to submit an environmental impact assessment as determined by the Development Officer. The assessment shall provide the following information:
  - a) the adverse and beneficial impacts of the development on the natural environment:
    - i) in terms of changes in air and water quality anticipated when designed capacity of the development is reached;
    - ii) in terms of changes with respect to increase or decrease in bank stability;
    - iii) in terms of changes in wild life, historical, scenic or geological features which occur as a result of the proposed development.

*Bylaw 7729  
March 12, 1985*

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March 12, 1985*

- b) the adverse and beneficial impacts which may occur as a result of:
    - i) increased traffic on approach roads, trails and adjoining park facilities;
    - ii) land consumed for uses not related to public park use and ancillary services;
    - iii) the number of persons likely to be attracted to the proposed use or development.
  - c) the ways in which any adverse effects of the proposed development may be minimized and any recommended design alternatives to the proposed development.
- 6) The following conditions shall apply to all development:
- a) design of the development shall minimize or eliminate potential instability of adjacent slopes and allow for settlement on areas of fill;
  - b) removal of vegetation shall be avoided or minimized and deposition of fill prohibited;
  - c) natural drainage lines shall be respected and surface ponding of water avoided;
  - d) denuded areas shall be restored to control erosion;
  - e) where fill has been dumped directly into the river channel, development shall be contingent upon:
    - i) removal of fill until the river channel assumes its original shape;
    - ii) regradation of the river bank to the low angle of rest;
    - iii) installation of gabions along the base of the slope;
    - iv) revegetation of the slope area immediately behind.

*Bylaw 7729  
March 12, 1985*

**540.5**

**Additional Development Regulations for  
Discretionary Uses**

Any development consisting of a Discretionary Use shall be considered a Class D Development and subject to the provisions of Section 14.5.



**550.1 General Purpose**

To establish a District for the operations of the Municipal Airport.

**550.2 Permitted Uses**

- 1) Aircraft Sales/Rentals
- 2) The following Use Classes, provided they directly serve the operations or users of the Municipal Airport or are directly related to the maintenance or operation of private and commercial aircraft:
  - a) General Industrial Uses
  - b) Government Services

*Bylaw 6626  
November 10, 1981*

**550.3 Discretionary Uses**

The following Use Classes, provided they directly service the operations or users of the Municipal Airport:

- 1) Convenience Vehicle Rentals
- 2) Fleet Services
- 3) Hotels
- 4) Major and Minor Eating and Drinking Establishments

*Bylaw 6626  
November 10, 1981*

**550.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The maximum floor area ratio shall be 2.0.
- 2) A minimum yard of 6 m (19.68 ft.) shall be required where any lot line of a site abuts a public roadway other than a lane or abuts the property line of a site in a Residential District.
- 3) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard.

- 4) The maximum building height shall be 14 m (45.92 ft.), except that the Development Officer may permit a greater height for General Industrial Uses used for the storage, maintenance and servicing of aircraft; Aircraft Sales/Rentals; and Hotels provided that the height complies with any height regulations of Transport Canada and the Airport Protection Overlay.
- 5) All General Industrial Uses shall comply with the Industrial Performance Standards for the IB District.

**SECTION AGRICULTURAL AND  
600-699 RESERVE DISTRICTS**

**610.1 General Purpose**

To establish a District for agricultural purposes and to prevent premature or scattered subdivision.

**610.2 Permitted Uses**

Farms

**610.3 Discretionary Uses**

- 1) Extended Medical Treatment Services
- 2) Religious Assembly
- 3) Public Education Services
- 4) Private Education Services
- 5) Public Parks
- 6) Natural Resource Development
- 7) Community Recreation Services
- 8) Protective and Emergency Services
- 9) Minor Impact Utility Services
- 10) Small Animal Breeding and Boarding Establishments
- 11) Greenhouses and Plant Nurseries
- 12) Residential Sales Centres

*Bylaw 7322  
September 16, 1983*

**610.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 32 ha (79.1 acres), which may be reduced at the discretion of the Development Officer for Farms involving intensive or specialized production, in which case the development shall be considered a Class D Development and subject to the provisions of Section 14.5.

*Bylaw 7729  
March 12, 1985*

- 2) The minimum front yard shall be 7.5 m (24.61 ft.).
- 3) The minimum rear yard shall be 7.5 m (24.61 ft.).
- 4) The minimum side yard shall be 4.5 m (14.76 ft.).
- 5) The maximum building height shall be 10 m (32.81 ft.), except in the case of buildings or structures accessory to a Farm, other than the Dwellings.
- 6) Farms which may be offensive in nature, including hog ranches, poultry farms, feed lots, or the breeding and raising of fur-bearing animals shall not be located less than 150 m (492.12 ft.) from the nearest developed or proposed Residential or Urban Services District.
- 7) Water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.

**610.5 Additional Development Regulations for Discretionary Uses**

- 1) In considering Discretionary Uses, the Development Officer shall not approve Discretionary Uses that would be prejudicial to the future economical subdivision and servicing of such lands for future urban use on a planned basis.
- 2) The minimum site area of 32 ha (79.1 acres) may be reduced to 8 ha (19.77 acres) for any Discretionary Use, at the discretion of the Development Officer, in which case the development shall be considered a Class D Development and subject to the provisions of Section 14.5.
- 3) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 7729  
March 12, 1985*

*Bylaw 7322  
September 16, 1983*

**620.1 General Purpose**

To establish a District to reserve lands for future residential growth.

**620.2 Permitted Uses**

Farms, subject to Section 620.4, Clause (6).

**620.3 Discretionary Uses**

- 1) Natural Resource Development
- 2) Outdoor Motion Picture Theatres
- 3) Small Animal Breeding and Boarding Establishments
- 4) Tourist Campsites
- 5) Public Parks
- 6) Minor Impact Utility Services
- 7) Greenhouses and Plant Nurseries
- 8) The following uses, where lawfully existing on a site in the AGU District at the effective date of the application of this District and on the same site only:
  - a) Extended Medical Treatment Services
  - b) Private Education Services
  - c) Community Recreation Services
  - d) Protective and Emergency Services
  - e) Religious Assembly
- 9) Public Education Services where the site is designated as school/park site by a Neighbourhood Structure Plan.
- 10) Residential Sales Centre

*Bylaw 6855  
March 10, 1982*

*Bylaw 7322  
September 16, 1983*

**620.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 8 ha (19.77 acres).
- 2) The minimum front yard shall be 7.5 m (24.60 ft.).
- 3) The minimum rear yard shall be 7.5 m (24.60 ft.).
- 4) The minimum side yard shall be 4.5 m (14.76 ft.).
- 5) The maximum building height shall be 10 m (32.80 ft.), except in the case of buildings or structures accessory to a Farm other than Dwellings.
- 6) Farms shall not be offensive in nature, and shall not include the breeding and raising of fur-bearing animals, poultry farms, hog ranches or feedlots.
- 7) Water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.

**620.5 Additional Development Regulations for Discretionary Uses**

- 1) In considering Discretionary Uses, the Development Officer shall not approve Discretionary Uses that would be prejudicial to the future economical subdivision, servicing and development of such lands for future urban use on a planned basis.
- 2) The Development Officer may specify the length of time a use is permitted in this District having regard to the intent of Clause (1), above, and the staging of servicing and general residential development of the subject land.
- 3) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

**630.1 General Purpose**

To establish a district to reserve land for future industrial development. It allows for the continuation of agricultural uses, and prevents premature or scattered subdivision.

**630.2 Permitted Uses**

Farms, subject to Subsection 630.4, Clause (6).

**630.3 Discretionary Uses**

- 1) Natural Resource Development
- 2) Outdoor Motion Picture Theatres
- 3) Public Parks
- 4) Temporary Industrial Storage
- 5) Small Animal Breeding and Boarding Establishments
- 6) Minor Impact Utility Services
- 7) Outdoor Amusement Establishments
- 8) Greenhouses and Plant Nurseries
- 9) Residential Sales Centres

*Bylaw 7322  
September 16, 1983*

**630.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) The minimum site area shall be 8 ha (19.77 acres) except that no subdivision of sites larger than this minimum shall be effected solely for the purpose of providing sites for the Discretionary Uses of this District.
- 2) The minimum front yard shall be 7.5 m (24.60 ft.).
- 3) The minimum rear yard shall be 7.5 m (24.60 ft.).
- 4) The minimum side yard shall be 4.5 m (14.76 ft.).



- 5) The maximum building height shall be 10 m (32.80 ft.) except in the case of buildings or structures accessory to a Farm, other than Dwellings.
- 6) Farms shall not be offensive in nature, and shall not include the breeding and raising of fur-bearing animals, poultry farms, hog ranches, or feedlots.
- 7) Water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.

**630.5 Additional Development Regulations for Discretionary Uses**

- 1) The Development Officer shall not approve any development which, in his opinion, would substantially alter the existing state of the land; require structures, footings or foundations that cannot be removed or relocated at a nominal cost to the applicant or owner; or prejudice the future economic subdivision and industrial development of adjacent land on a planned basis.
- 2) The Development Officer may specify the length of time a use shall be permitted in this District having regard to the intent of Clause (1), above and the staging of servicing and general industrial development of the subject land.
- 3) Residential Sales Centres shall be developed in accordance with Section 95 of this Bylaw.

*Bylaw 7322  
September 16, 1983*

**SECTION DIRECT CONTROL  
700-799 DISTRICTS**

**710.1 General Purpose**

To provide a Direct Control District for detailed, sensitive control of the use, development, siting and design of buildings and disturbance of land where this is necessary to establish, preserve or enhance:

- a) areas of unique character or special environmental concern, as identified and specified in an Area Structure Plan or Area Redevelopment Plan, or
- b) areas or sites of special historic, cultural, paleontological, archaeological, prehistoric, natural, scientific or aesthetic interest as designated under the Alberta Historical Resources Act (1973).

**710.2 Application**

- 1) This District shall only be applied:
  - a) where specified by an Area Structure Plan or Area Redevelopment Plan, or
  - b) to those historical resources which have been designated by the Minister or Council in accordance with the Alberta Historic Resources Act (1973).

**710.3 Uses**

A permit may be issued for those uses prescribed for the land in an approved Area Redevelopment Plan or Area Structure Plan, or those uses consistent with its designation under the Alberta Historical Resources Act (1973).

**710.4 Development Criteria**

- 1) All developments shall comply with the development criteria contained in an Area Structure Plan or Area Redevelopment Plan, except that any criteria or conditions applying as a result of designation of a historical resource under the Historical Resources Act (1973) shall take precedence.
- 2) In the case of designated historical resources, any application to demolish, alter, restore, or repair a building or structure, or to excavate or otherwise disturb land shall require prior written authority in accordance with the Historical Resources Act (1973).

- 3) A development may also be evaluated with respect to its compliance with:
  - a) the objectives and policies of an applicable Statutory Plan;
  - b) the General Regulations and Special Land Use Provisions of this Bylaw;
  - c) the regulations of abutting Land Use Districts.

**710.5 Information Requirements**

- 1) In addition to the information normally required for a development application under this Bylaw, the applicant shall submit all information specified in an applicable Area Redevelopment Plan or Area Structure Plan and a narrative explaining how the proposed use or development would be consistent with the intent of the District.
- 2) With respect to Section 710.5(1), if the development application concerns an historic resource designated under Section 18(1) or Section 19.3(2) of the Alberta Historical Resources Act, (1973), a copy of the Minister's written approval with respect to Section 18(9) of said Act or Council's approval with respect to Section 19.3(b) of said Act shall be submitted with the application.
- 3) The Development Officer may require any additional information he deems appropriate in order to determine whether the proposed use or development is consistent with an approved Statutory Plan.

**720.1 General Purpose**

To provide a Direct Control District to enable major, comprehensively planned and designed development creating a unique, integrated and high quality urban environment, which is compatible with surrounding development and complies with applicable Statutory Plans but which could not be accommodated under any other Land Use District in this Bylaw.

**720.2 Application**

- 1) This District shall only be applied to a site which is entirely owned, leased or controlled by a single person, agent or corporation at the time the initial development proposal and application for redistricting is submitted.
- 2) This District shall only be designated if the following conditions are met:
  - a) the development proposed adheres to the General Purpose of this District;
  - b) the development proposed or its component parts, in terms of essential features, could not be enable through any other Land Use District;
  - c) the development proposed complies with any approved Statutory Plan;
  - d) the development proposed complies with the Uses and Development Criteria specified in this District.
- 3) Prior to considering support or approval of any application for the use of this District, the Development Officer or Council respectively, may require that the applicant prepare or obtain an amendment to a Statutory Plan for the area where the application of this District is sought.
- 4) Where this District is applied, Council shall regulate and control the use and development of land or buildings through a development agreement between the applicant and the City. The development agreement for the entire site must be executed prior to the issuance of any development permit, and it shall detail all regulations and conditions imposed by Council upon the development and use of land at the time of redistricting.
- 5) If the development proposal upon which the designation of this District is based involves subdivision, a proposed plan

*Bylaw 7729  
March 12, 1985*

of subdivision shall be included in the development agreement as the basis for future subdivision. The Municipal Planning Commission shall not approve any subdivision under this District which does not generally conform with the provisions of the agreement, except for the purpose of effecting the staging or financing of the development proposal and provided that its form and integrity are not affected.

- 6) After this District is applied, the Development Officer shall only issue a development permit for an application which conforms to the provisions of the development agreement and, when there is nothing in the agreement which supersedes them, the General Development Regulations and Special Land Use Provisions of this Bylaw.
- 7) If a development application does not conform to the requirements of Clause (6) above, and in the Development Officer's opinion it would alter the nature of the uses, intensity or form of the development proposal upon which this designation is based, he shall refuse the application.
- 8) The application of this District to land and the development agreement pursuant to it shall be in force until changed by an amendment to the Land Use Bylaw provided that development permits for the entire development agreed to under this District are issued:
  - a) within one year of the date of third reading of the passage of the Bylaw amendment applying this District; or,
  - b) for sites in excess of 2 ha (4.96 acres) within such greater time period as may be agreed to by Council and specified in the development agreement.
- 9) In establishing a greater time period for the issuance of development permits pursuant to Clause (8) above, Council shall consider the following criteria:
  - a) A reasonable time period should be allowed for the applicant to complete financing arrangements and the detailed design of the development, and to permit resolution of impediments to development which may exist or arise because of factors beyond his control.
  - b) Depending upon the scale and complexity of the development involved, the time period may allow

for staging the components of the development provided that reasonably continuous development activity is maintained. Time periods for the issuance of development permits for individual stages of the development may be established in the development agreement.

- c) The total time period should be limited to maintain the certainty and visibility of development under this District and to avoid potentially speculative development proposals. This period should rarely exceed five years, even for very large developments. In some cases, it may be desirable to postpone application of this District for all or part of the site, in lieu of granting an extended period of time for the issuance of development permits.
- 10) If development permits are not issued within the time periods specified or if the permits issued within the specified periods subsequently lapse because a building permit is not issued, is cancelled or construction activity is not maintained, the agreement between the applicant and the City shall be null and void for that portion of the site without a valid development permit, and the land use designation for that portion shall automatically revert to the land use designation in place prior to the application of this District, unless:
- a) Council, by Bylaw, extends the application of this District for that part of the site for a specified further period.
  - b) Council substitutes another Land Use District for that part of the site.
- 11) Development Information signs shall be erected in accordance with Section 72 of this Bylaw.

### 720.3 Uses

Council may, through the development agreement required in this District, allow any use which complies with any Statutory Plan for the area and which, in its opinion, meets the general purpose of this District and is compatible with the character, form and integrity of existing surrounding uses and Permitted Uses in surrounding Land Use Districts.

**720.4 Development Criteria**

- 1) Council may, through the development agreement required in this District, specify any development regulation, criteria or condition necessary to ensure development conforms to the development proposal upon which this designation is based.
  
- 2) In determining the acceptability of a development proposal under this District, Council may consider, among other matters, the following:
  - a) its relationship and compliance with the General Municipal Plan and other applicable Statutory Plans;
  - b) its relationship to Statutory Plans or Replotting Schemes, in preparation for the area;
  - c) its compliance with or conformity to the regulations of surrounding Land Use Districts and the General Development Regulations and Special Land Use Provisions of this Bylaw;
  - d) its compatibility with surrounding existing land uses, scale of development, and potential effect on stability, retention and rehabilitation of desirable existing uses and/or buildings in the area;
  - e) its traffic impact;
  - f) the location, function and design of roadways, parking facilities, pedestrian circulation and transit systems serving the whole proposed development, or each phase of the proposed development and the provision of transit facilities and enclosed parking;
  - g) its impact on services such as water and sewage systems, public transit, and other utilities;
  - h) its impact on community services including student generation and school capacities;
  - i) its relationship to municipal land, right-of-way or easement requirements;
  - j) its design responsiveness to its urban environmental context and urban design considerations, including microclimatic impacts;



- k) its impact on natural drainage patterns, vegetative cover, air and water quality, energy conservation and efficiency;
  - l) the provision and quality of landscaped open space and recreational amenities; including children's play space or other communal recreational space;
  - m) its provision of defensible space and impact on policing, public safety and security;
  - n) its responsiveness to the documented concerns and opinions of area residents and owners;
  - o) the arrangements for the ongoing maintenance of communal open spaces, recreational facilities and lands which are not to be conveyed to the City;
  - p) the need for restrictive covenants or development agreement provisions to maintain the design integrity of the project and control any future additions, accessory buildings or renovations.
- 3) In addition, all proposals for large-scale developments involving subdivision within this District shall comply with the City of Edmonton Standard Servicing Manual and Standard Servicing Agreement, except where the applicant is able to demonstrate that by departing from the established local standards, the viability and objectives of the development are enhanced and adequate service is maintained.

### **720.5 Information Requirements**

*Bylaw 6626  
November 10, 1981*

- 1) The applicant shall submit the following information at the time of his application for designation of this District in addition to the information requirements for a development permit for a Class D development as described in the General Administrative Clauses of this Bylaw:
  - a) a written statement of why the application of this District is necessary and an impact assessment outlining:
    - i) relationship and compliance to the General Municipal Plan;

- ii) relationship to relevant Statutory Plans or Replotting Schemes in preparation;
  - iii) compatibility with surrounding existing land uses and scale of development;
  - iv) traffic and public transit impacts in terms of daily and peak hour trip generation and assignments;
  - v) impacts on and service requirements for water, sewage, and other utilities;
  - vi) relationship to any known municipal land, right-of-way or easement requirements;
  - vii) potential effect on stability, retention and rehabilitation of desirable existing uses and buildings in the area;
  - viii) an assessment of impacts on community services including student generation and school capacities.
- b) the staging or interim use (if any), implementation schedule, and duration of construction for the proposal;
  - c) certificates of title for all lands to be placed under this designation and the written consent of all owners involved;
  - d) a site plan, or plans, which clearly show the functional and physical relationships of the development, and the functional and physical relationship to surrounding development. The site plan(s) shall be a minimum scale of 1:200 (metric) unless the project is of such size that this would not be practical. In this event, the scale may be reduced to 1:500 (metric), with detailed plan(s) highlighting more complex aspects of the proposal at 1:200 (metric). The site plan(s) shall illustrate:
    - i) existing and final topography of the site with a map showing minimum contour intervals of 2 metres as well as an indication of the occurrence, if any, of the areas of the site with unstable or unusual soil conditions such as sloughs, organic soils or refuse sites;

- ii) a soil study delineating the "top-of-bank line" and development setbacks where the plan includes, or is adjacent to, a river valley or a ravine;
- iii) other physical or natural conditions or features which may influence or constrain development;
- iv) the intended floor area ratio, density, height and number of units for each of the uses and the horizontal and vertical distribution of those uses;
- v) automobile, transit and service vehicle movement and circulation patterns, access and egress points to and from the site and all existing rights-of-way and easements, whether public or private, within the development area;
- vi) parking/loading, transit stops/zones and light rail transit facilities;
- vii) inside or outside recreational amenities, open spaces and other common facilities which may be dedicated to the City or maintained in common;
- viii) principal linkages to surrounding uses with respect to pedestrian movement, private transportation, transit, delivery and collection services;
- ix) method of water supply, sewage disposal, electric power, telephone, natural gas, cable and other utility services;
- x) points of major pedestrian access to buildings which are to be located on the development site and the security arrangements and the proposed opening/closing times for such access;
- xi) location and size of all signs;
- xii) location and design of outdoor lighting, street furniture and other amenities;

- xiii) landscaping details and specifications for all open spaces, including planting, trees and other vegetation to be retained and their location.
- e) an urban design context plan at a minimum scale of 1:500 (metric) showing the proposed development and its relationship to on-site and surrounding natural physical features and development in terms of design factors, opportunities and influences, and a statement describing how the design of the development has responded to the following:
  - i) the uses and amenities of surrounding properties within 100 metres (328.08 ft.) of the boundaries of the project site;
  - ii) the physical characteristics and human activity patterns characteristic of the site and surrounding land uses and development;
  - iii) the urban design statements of any Statutory Plan which are applicable to the site;
  - iv) the context of the development in relation to the structure types, architectural detailing, and finishing materials prevalent in surrounding development.
- f) elevations and sections at a minimum scale of 1:100 (metric) and a description of finishing materials, illustrating the proposed treatment of all building facades, roofs and other design details which are to be representative of all buildings and structures comprising the development.
- g) either of the following:
  - i) a detailed scale model, or
  - ii) a massing scale model and renderings,either of which shall provide an accurate representation of the entire development when it is completed.
- 2) For developments involving subdivision, a proposed plan of subdivision for the whole site.

- 3) Information submitted in accordance with the requirements of this District shall be certified as follows:
- a) all site boundaries, land parcels, subdivision description and ownership shall be certified by an Alberta Land Surveyor;
  - b) all architectural and urban design components shall be prepared by a qualified professional Architect, registered in Alberta;
  - c) all site planning and/or subdivision layout design shall be prepared by a professional Planner or Architect;
  - d) all landscape work shall be designed by a professionally qualified Landscape Architect.

**730.1 General Purpose**

To provide a Direct Control District to temporarily control the development of land for which Council has authorized the preparation of an Area Redevelopment Plan or a Replotting Scheme when circumstances or changes in policy indicate that the present land use designation may be inappropriate.

**730.2 Application**

- 1) This District may only be applied to land for which Council has authorized the preparation of an Area Redevelopment Plan or Replotting Scheme.
- 2) This District shall not apply for period greater than one year except Council may, by bylaw, extend its application for one additional period of six months. At the end of this time period this District shall no longer apply, and if no other Land Use District is substituted, the land shall revert to its previous land use designation.

**730.3 Uses**

A development permit may be issued for those uses specified in the land use designation superseded by this District except those which, in the opinion of the Development Officer, conflict with, or infringe upon, the achievement of any objectives specified in a schedule to this District, adopted through an amendment to the Bylaw.

**730.4 Development Criteria**

- 1) All development shall adhere to the development regulations or criteria specified in the land use designation superseded by this District, except where such regulations or criteria, in the opinion of the Development Officer, would conflict with or infringe upon the achievement of any objectives specified by Council pursuant to Section 730.3.
- 2) The Development Officer may impose any conditions which he deems necessary in order to ensure that development is consistent with any objectives specified by Council.

**730.5 Information Requirements**

In addition to the information normally required for a development application under this Bylaw, the applicant shall

submit a narrative explaining how the proposed use or development would be consistent with objectives specified by Council.

**740.1 General Purpose**

To provide a Direct Control District to regulate and control uses and development on lands which are presently governed by superior legislation in the event that such uses or developments do not conform to the intent of superior legislation and therefore fall within the realm of municipal jurisdiction; or, in the event that the land is sold or leased for private use, to provide interim control until a more appropriate Land Use District is applied.

**740.2 Application**

- 1) This District may be applied by Council to any lands, the use and development of which is, or may be subject to, superior legislation, including but not limited to:
  - a) lands and property held by a university and used for university purposes in accordance with the Universities Act;
  - b) lands and property held by the Government of Canada in Right of Her Majesty;
  - c) lands and property held by the Province of Alberta in Right of Her Majesty;
  - d) lands and property held by railway companies and used for railway operations in accordance with the Railways Act.
- 2) If, in the opinion of the Development Officer, the land involved has entirely ceased to be governed by superior legislation, a more appropriate Land Use District may be required prior to the issuance of any development permit.

**740.3 Uses**

- 1) A development permit is not required for any use in this District which is consistent with those uses, activities and operations prescribed in the appropriate superior legislation.
- 2) The Development Officer may permit any other use in this District which, in his opinion, complies with any Statutory Plan for the area and which is compatible with the character form and integrity of existing surrounding uses and Permitted Uses in surrounding Land Use Districts.



**740.4 Development Criteria**

A development permit for a development which is not governed by superior legislation may be evaluated with respect to its compliance with:

- a) the objectives and policies of an applicable approved Statutory Plan;
- b) the General Regulations and Special Land Use Provisions of this Bylaw;
- c) the regulations of abutting Land Use Districts.

**740.5 Information Requirements**

In addition to the information normally required for a development application under this Bylaw, the applicant shall submit a narrative explaining how the proposed use or development would be consistent with the General Municipal Plan and any other applicable Statutory Plan, existing surrounding development and abutting Land Use Districts.

**750.1 General Purpose**

*Bylaw 7049  
October 12, 1982*

To provide a Direct Control District for the creation of site specific land use regulations in respect of specific sites within the City where the circumstances relating to the development of a specific site are such that regulation and control by means of the other Land Use Districts provided for in this Bylaw would be inappropriate or inadequate, having regard to existing or future surrounding developments and to the interest of the applicant and the public, generally.

**750.2 Application**

- 1) This District shall only be applied where all of the following conditions are met:
  - a) the proposed development is, in the opinion of Council, considered appropriate for the site having regard for the land use policies of the General Municipal Plan, the objectives of any applicable Area Structure or Area Redevelopment Plan, and compatibility with the scale and character of surrounding development;
  - b) that the use of any other Land Use District of this Bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such Land Use District be utilized; and
  - c) the proposed development is not of a scale or complexity requiring a comprehensive planning and implementation approach that, in the opinion of Council, would be more appropriately regulated through the DC2 Comprehensively Planned Development District.
- 2) The application of this District may be initiated through the bylaw amendment procedures of Section 26 of this Bylaw; or Council may, after the public hearing on any proposed redistricting bylaw, amend the proposed bylaw to a Site Specific Development Control District - DC5, and pass the proposed bylaw, where Council is of the opinion that the development circumstances of the proposed bylaw warrant the use of a Site Specific District.

**750.3 Uses**

A development permit shall be issued for those uses prescribed in the bylaw applying this district to the site and such development regulations shall be limited to those matters provided for in the Land Use Bylaw and Development Conditions provisions of Division 1 and Division 2, Part 4 of the Planning Act.

**750.4 Development Regulations**

Where this District is applied, the development regulations shall be prescribed in the bylaw applying this District to the site and such development regulations shall be limited to those matters provided for in the Land Use Bylaw and Development Conditions provisions of Division 1 and Division 2, Part 4, of the Planning Act.

**750.5 Information Requirements**

- 1) In addition to the information required in Section 26.2(1) of this Bylaw for redistricting applications, the applicant shall submit the following information:
  - a) a narrative explaining why site specific development control is desirable for the site having regard for the conditions of application set out in Section 750.2(2);
  - b) a narrative documenting the opinions and concerns of surrounding property owners and residents and how the proposed development responds to those concerns, together with a summary of the methods used to obtain public input; and
  - c) the applicant may, at his option, submit other information including, but not limited to, conceptual site plans and building elevations that would help to substantiate the need for a Site Specific Development Control District.



**810.1 General Purpose**

To provide for the safe and efficient operation of airports near the municipal boundary of the City of Edmonton through the regulation of building heights and land uses in addition to the requirements of the underlying Land Use Districts in their vicinity.

**810.2 Application**

- 1) This Overlay applies to all lands included in an established Airport Protection Overlay Schedule and the boundaries shall include all that land situated within the outer boundary of the Conical Surface, and without limiting the generality of the foregoing may include:
  - a) land situated within the 30, 35 and 40 noise exposure forecast areas;
  - b) land situated under the Take Off/Approach Surfaces, the Horizontal Surface, the Transitional Surfaces and the strip;
  - c) land situated within the electronic facilities protection areas including that area described as the Localizer, the Receiver Site and the Glide Path; and
  - d) land situated under the boundaries of the Control Tower View Plane.
- 2) Where the provisions of this Overlay appear to be in conflict with the regulations of any underlying District or any other Section of this Bylaw, the provisions of this Overlay shall take precedence and be applied in addition to the regulations of the underlying District and other Sections of this Bylaw.

**810.3 Uses**

The Permitted and Discretionary Uses cited in the underlying Districts, subject to the regulations concerning land use specified in Section 810.4, Clauses (5), (6) and (8) of this Overlay.

**810.4 Regulations**

- 1) The maximum height of a development situated within an Airport Protection Overlay Schedule, including all appurtenances, temporary construction equipment and

those items listed in Section 63 of this Bylaw, shall not penetrate the following surfaces and shall be determined with respect to its location in whole or in part within them:

- a) the Inner Horizontal Surface being a plane established at a consistent elevation of 45.73 m (150 ft.) above the airport reference point and extending outward to a radius of 2438.4 m (8,000 ft.); and
  - b) the Conical Surface being a surface measured out from the outer circumference of the inner horizontal surface and rising in a 1:20 slope to 76.21 m (250 ft.) above the level of the Inner Horizontal Surface; and
  - c) the Take Off/Approach Surface consisting of inclined planes diverging upwards and outwards from a fixed point at the end of the runway. The slope of the inclined plane and its extent varies with the function of the airport and it shall be established based on information provided by Transport Canada; and
  - d) the Transitional Surfaces, prescribed by Transport Canada, consisting of inclined planes diverging outwards from the side of the Take Off/Approach Surfaces until it intersects the Inner Horizontal Surface or as otherwise specified.
- 2) Where the baseline measurement of the several protection surfaces noted, in Clause (1) above, and the elevation of the final grade of a proposed development site differ, the maximum height allowable shall be the distance from the elevation of the final grade of the site to the elevation of the protection surface.
- 3) The building heights for the Localizer Protection Surface, as defined by Transport Canada are guidelines for the Development Officer in determining possible interference to electronic equipment as a result of the use of metal walled structures in construction. The following procedure is applicable:
- a) Where a proposal to develop land within the localizer protection surface exceeds the height of the surface; the Development Officer shall forward the application to Transport Canada for technical comment prior to further processing.

- b) The heights of the surface are guidelines for the Development Officer who shall render his decision or establish appropriate conditions based upon individual analysis of the application having regard to Transport Canada's comments.
- 4) Applications to erect or construct on any land within the Localizer, as defined by Transport Canada, shall be governed by the following regulations:
  - a) no metal objects shall be permitted higher than 1.22 m (4 ft.);
  - b) no non-metallic object shall be permitted higher than 2.44 m (8 ft.).
- 5) Applications to erect or construct on any land within the Glide Path will be forwarded to Transport Canada for technical comment. Applications to develop any building, metallic fence, sign, overhead line, mast, tower, or similar development will be analyzed on an individual basis and may be refused, notwithstanding that a use is listed as Permitted, if it is deemed that such use will interfere with the operation of electronic equipment.
- 6) Applications to erect or construct on any land with the Receiver Site as defined by Transport Canada; will be forwarded to Transport Canada. Applications which include vehicular parking facilities, heavy electrical equipment, electric welding or high tension power lines will be analyzed on an individual basis and may be refused, notwithstanding the fact that a use is listed as Permitted if it is deemed that such use will result in electronic interference effects.
- 7) Construction on any land within the boundaries of the Control Tower View Plane which is a surface measured out from control tower eye level at a slope of 1.29 until it intersects the Inner Horizontal Surface at 45.72 m (150 ft.) above the airport reference point, shall not exceed in height the elevation at that point of the control tower view plane surface identified in a Schedule to this Bylaw.
- 8) The use or development of any land within this Overlay must be such as not to cause any objectionable or dangerous condition that would interfere with the safety of airport operations. A development within the Airport Protection Overlay shall not, in the opinion of the Development Officer with due regard to Transport Canada's comments, cause excessive:

- a) discharge of toxic, noxious or other particulate matter, into the atmosphere as in the case of:
    - i) a plant for primary metal production, metal processing, the processing of wood or wood products, the processing of coal, the processing of natural gas or its derivatives, the manufacture of asphalt or ready-mixed concrete, gravel crushing or meat packing;
    - ii) Major Impact Utility Services;
    - iii) a hay or forage drier, seed cleaning plant or feed mill plant; and
    - iv) a plant for the manufacture of products from petroleum, natural gas or hydrocarbons derived from oil sands, chemical or allied products, pulp or paper products, stone, clay or glass products, cement or lime products, fertilizers or animal by-products;
  - b) radiation or interference by the use of electric or electronic equipment such as:
    - i) diathermy equipment;
    - ii) industrial x-ray equipment;
    - iii) equipment used for commercial purposes that employs an electric arc;
  - c) fire and explosive hazards;
  - d) accumulation of any material or waste edible by, or attractive to, birds as in the case of the following:
    - i) garbage disposal sites;
    - ii) feedlots;
    - iii) flat, poorly drained roofs;
    - iv) drive-in restaurants.
- 9) The Development Officer shall ensure as a condition of approval of developments within the Airport Protection Overlay area that clearance lights are placed as he deems necessary.



**810.5 Submission Requirements**

In addition to the general submission requirements of this Bylaw, where required by the Development Officer, an application for a development permit for land in a Airport Protection Overlay Schedule must provide the following information:

- a) The grade elevation of the highest point of the proposed building site, to be referenced to geodetic elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level surface or datum.
- b) The proposed building height in imperial measurement including clearance lights, mechanical penthouses, antennas, building cranes during construction, receiving or transmitting structures, masts, flagpoles, clearance markers or any other erection beyond the height of the principal building structure.
- c) A narrative explaining any effects that the proposed development may have on the environment with respect to those matters listed in Section 810.4, Clause (8).

**810A.1 Application**

- 1) This Schedule supplies the data pertaining to the Airport Protection Overlay for the Edmonton Municipal Airport. All regulations of the Airport Protection Overlay, Section 810, shall apply in accordance with this Schedule.
- 2) The boundaries of the surfaces referred to in Subsection 810.4 are defined through reference to the data contained in Subsection 810A.2 and the Edmonton Municipal Airport Protection Overlay Map. Appendix I to this Schedule.

**810A.2 Description of Surfaces**

The surfaces referred to in Subsection 810.4 applying to the Edmonton Municipal Airport are located and described as follows:

- a) the Inner Horizontal Surface, the centre of which is the airport reference point, located at 19480526.136 North and 105214.606 East, the radius is 8,000 feet (2,438.4 m) and the elevation of which is 150 feet (45.72 m) above the baseline measurement of 2,200 feet (670.56 m) above sea level;
- b) the Conical Surface measured outward from the outer circumference of the Inner Horizontal Surface and rising in a 1:20 slope to 250 feet (76.21 m) above the level of the Inner Horizontal Surface;
- c) the several runway approach surfaces abutting each end of the runways and described as follows:
  - i) Runway 16 - extending outward from a point at 19483298.210 North and 106070.140 East, and measuring 500 feet (152.4 m) either side of the centre line diverging at a ratio of 3:20 and increasing in slope at a ratio of 1:50 until at 25,000 feet (7,620 m) from the point of commencement where the approach surface measures 4,250 feet (1,295.4 m) either side of the projected centre line of the runway at an elevation of 500 feet (152.43 m) above the base line measurement of 2,192 feet (668.12 m) above sea level;

- ii) Runway 34 - extending outward from point at 19477598.360 North and 106110.210 East, and measuring 500 feet (152.4 m) either side of the centre line of the runway, diverging at a ratio of 3:20 and increasing in slope at a ratio of 1:50 until at 25,000 feet (7,620 m) from the point of commencement where the approach surface measures 4,250 feet (1,295.4 m) either side of the projected centre line of the runway at an elevation of 500 feet (152.43 m) above the base line measurement of 2,180 feet (664.46 m) above sea level;
  - iii) Runway 11 - extending outward from a point at 19482323.450 North and 102637.560 East, and measuring 250 feet (76.20 m) either side of the centre line of the runway, diverging at a ratio of 1:10 and increasing in slope at a ratio of 1:40 until at 16,000 feet (4,876.8 m) from the point of commencement where the approach surface measures 2,000 feet (609.6 m) either side of the projected centre line of the runway at an elevation of 400 feet (121.92 m) above the base line measurement of 2,200 feet (670.56 m) above sea level;
  - iv) Runway 29 - extending outward from a point at 19477966.240 North and 106632.340 East, and measuring 250 feet (76.20 m) either side of the centre line of the runway, diverging at a ratio of 1:10 and increasing in slope at a ratio of 1:40 until at 16,000 feet (4,876.8 m) from the point of commencement where the approach surface measures 2,000 feet (609.6 m) either side of the projected centre line or the runway at an elevation of 400 feet (121.92 m) above the base line measurement of 2,180 feet (664.46 m) above sea level;
- d) the following surfaces are defined on the Edmonton Municipal Airport Protection Overlay Map, Appendix I to this Schedule:
- i) Localizer;
  - ii) Localizer Protection Surfaces;
  - iii) Control Tower View Plane;
  - iv) Receiver Site;

- v) Glide Path;
- vi) Transitional Surfaces;
- vii) Transitional Surfaces West of the Downtown Development Area.

**810A.3 Special Regulations for the Downtown Development Area**

Notwithstanding Section 810.4, the maximum height of a development within the Downtown Development Area, defined on the Edmonton Municipal Airport Protection Overlay Map, Appendix I to this Schedule, shall not exceed a height of 2,675 feet (815.34 m) above sea level.

*Bylaw 7187  
February 26, 1985*

**811.1 General Purpose**

To provide a development setback from the North Saskatchewan River Valley and Ravine System.

**811.2 Application**

- 1) This overlay shall apply to:
  - a) all lands within the North Saskatchewan River Valley and Ravine System, as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule attached hereto as Appendix I to this Overlay; and
  - b) All lands within 7.5 metres (24.6 ft) of the North Saskatchewan River Valley and Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule attached hereto as Appendix I to this Overlay.
- 2) Where the provisions of this Overlay appear to be in conflict with the regulations of any underlying District or any other Section of this Bylaw, the provisions of this Overlay shall take precedence and be applied in addition to the regulations of the underlying District and other Sections of this Bylaw.

**811.3 Uses**

The Permitted and Discretionary Uses cited in the underlying Districts, subject to the additional regulations concerning land use specified in Section 811.4.

**811.4 Regulations**

- 1) All developments shall maintain a minimum 7.5 metre (24.6 ft.) setback from the North Saskatchewan River Valley and Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule.
- 2) Notwithstanding the location of the North Saskatchewan River Valley and Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule, the Development Officer may allow a variance to the setback requirements set out in 811.4(1), under the provisions of Sections 11.5 and 11.6 of this Bylaw. In considering a variance the Development Officer shall require a letter from the registered owner of a

property indicating that a variance is being requested and that a survey line has been staked. The Development Officer shall then notify the Planning Department and the Parks and Recreation Department who will, together with the owner of the land or his representative and the surveyor, field check the line and advise the Development Officer on the merits of the variance being requested. Any variance granted shall be mapped and filed with the development permit applications affecting the site.

- 3) Development applications for:
- a) any open, enclosed, attached or detached swimming and wading pool;
  - b) any water fountain and/or water sculpture;
  - c) any water reservoirs and water tanks;
  - d) any ornamental ponds and lakes; and
  - e) any water retaining excavation structure or vessel that could alter sub-soil adhesion characteristics, on sites abutting or partially or wholly contained within the North Saskatchewan River Valley and its Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule shall be accompanied by a report prepared by a registered Professional Engineer detailing the structural components of the proposal which will mitigate risks to bank stability. The Development Officer will refer all such applications to the City Engineer and will approve, approve with conditions or refuse such applications on the advice of the City Engineer.

*Bylaw 7971  
March 25, 1986*

**812.1 General Purpose**

To provide for the safe and efficient use of lands which may be within the defined floodplains of the North Saskatchewan River and its tributaries within the City of Edmonton through the regulation of building heights and elevations, openings into buildings, uses of portions of buildings, grades and landscaping in addition to the requirements of the underlying land use Districts in their vicinity.

**812.2 Application**

- 1) This Overlay applies to all sites, any part of which may be included in an established Floodplain Protection Overlay Schedule.
- 2) Where the provisions of this Overlay appear to be in conflict with the regulations of any underlying District or any other Section of this Bylaw, the provisions of the Overlay shall take precedence and be applied in addition to the regulations of the underlying District and other Sections of this Bylaw.

**812.3 Uses**

The Permitted and Discretionary Uses cited in the underlying Districts.

**812.4 Regulations and Submission Requirements**

For all developments situated within a Floodplain Protection Overlay Schedule, Section 16.4 of this Bylaw will apply.

**SECTION  
812A**

**FLOODPLAIN PROTECTION OVERLAY  
SCHEDULE FOR CLOVERDALE**

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*Bylaw 7971  
March 25, 1986*

**812A.1**

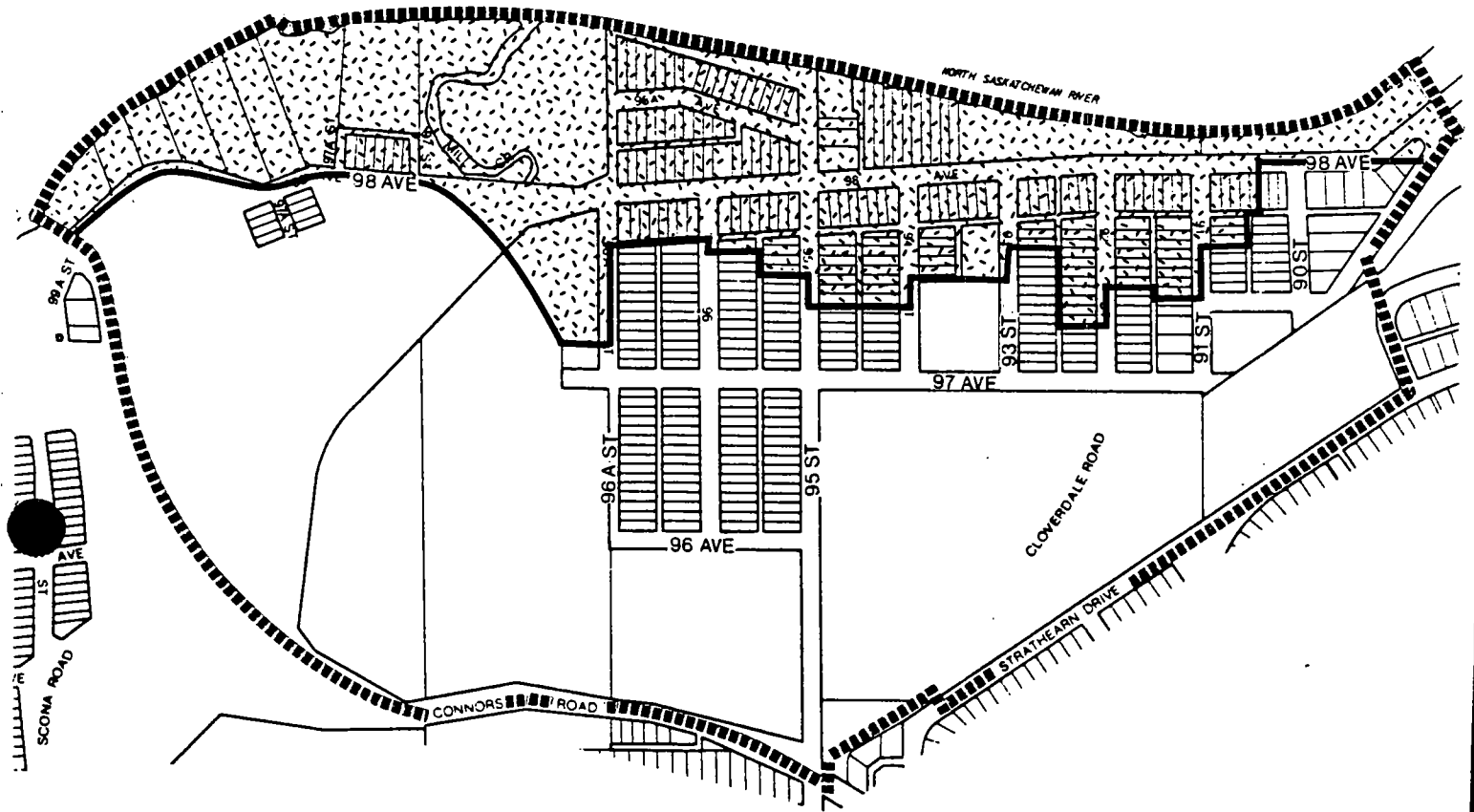
**Application**

- 1) This Schedule supplies data pertaining to the Floodplain Protection Overlay for Cloverdale. All regulations of the Floodplain Protection Overlay, Section 812, shall apply in accordance with this Schedule.
  
- 2) The area within the Floodplain Protection Overlay Schedule in cloverdale is shown on the Cloverdale Floodplain Protection Overlay Map, Appendix I to this Schedule.



# APPENDIX I TO SCHEDULE 812A

 Area Within Floodplain Protection Overlay In Cloverdale



**SECTION  
812B**

**FLOODPLAIN PROTECTION OVERLAY  
SCHEDULE FOR ROSSDALE**

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*Bylaw 8138  
June 10, 1986*

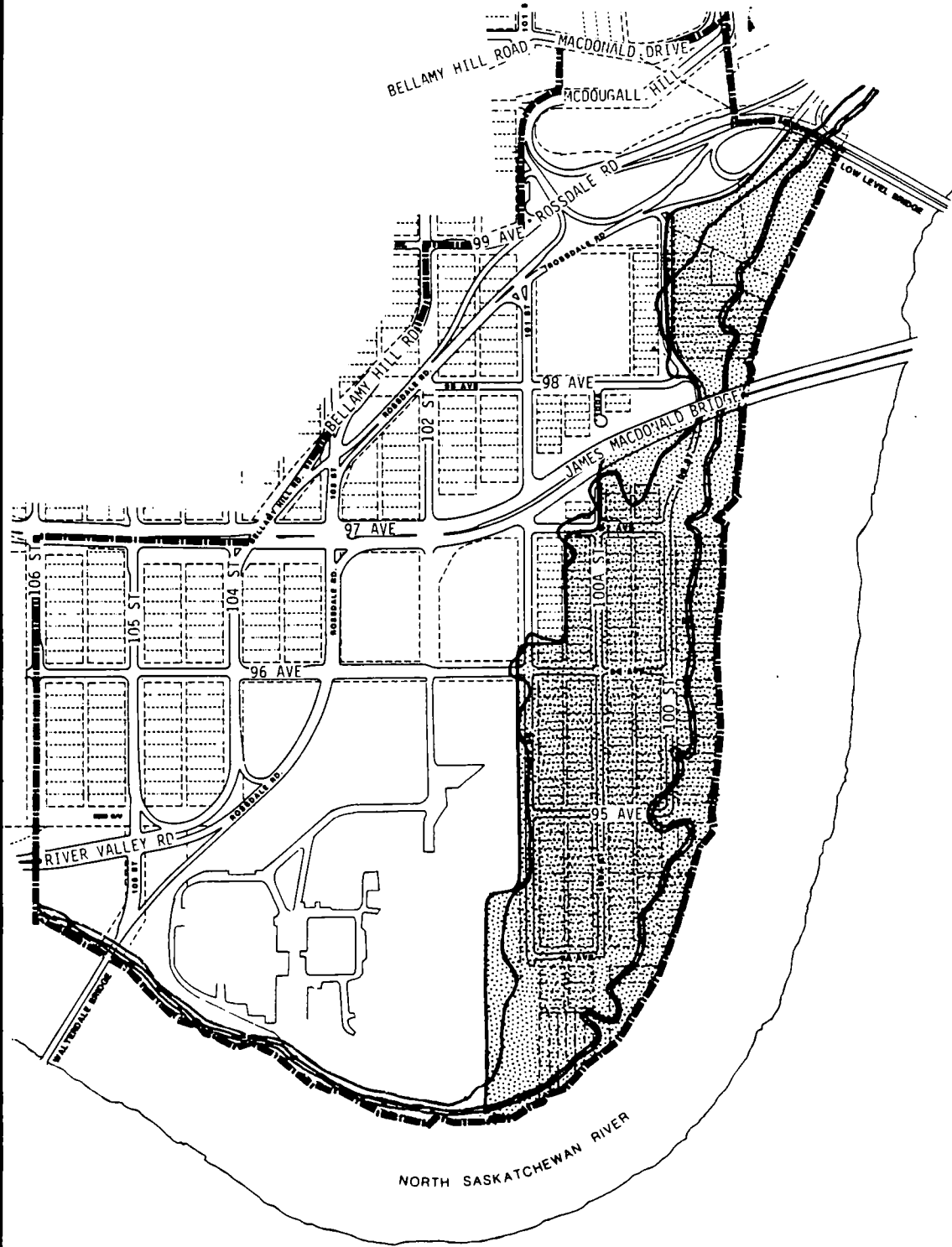
**812B.1**

**Application**

- 1) This Schedule supplies data pertaining to the Floodplain Protection Overlay for Rosssdale. All regulations of the Floodplain Protection Overlay, Section 812, shall apply in accordance with this Schedule. Submission of a certificate from a qualified registered Professional Engineer or Architect will be required in accordance with the guidelines of the Floodplain Management Policies of Schedule "B" to Bylaw 8139 - Rosssdale Area Redevelopment Plan.
- 2) The area within the Floodplain Protection Overlay Schedule in Rosssdale is shown on the Rosssdale Floodplain Protection Overlay Map, Appendix 1 to this Schedule.

# APPENDIX I TO SCHEDULE 812B

-  1:25 Year Flood Line
-  1:100 Year Flood Line
-  Floodplain Protection Overlay



**820.1 General Purpose**

To provide a means to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts, in order to achieve the local planning objectives of an Area Structure Plan or Area Redevelopment Plan.

**820.2 Application**

- 1) This Overlay shall only be applied to Land Use Districts, where specified in an Area Structure Plan or an Area Redevelopment Plan.
- 2) This Overlay shall only be applied through an amendment to the Land Use Bylaw in the form of a schedule to this Overlay, which shall include:
  - a) the name of the applicable Statutory Plan and its boundaries;
  - b) a map at the minimum scale of 1:10,000 (metric) which indicates the designation, location and boundaries of each underlying Land Use District or subdistrict with different regulations as provided for by this Overlay; and,
  - c) every regulation that is specified or changed by the Overlay in accordance with the provisions of Section 820.4 and Section 820.5, Clause (4).
- 3) This Overlay shall not be used:
  - a) in conjunction with a Direct Control District;
  - b) to alter Permitted or Discretionary Uses, or floor area ratio or density except in accordance with Section 820.4 or Section 820.5, Clause (4); or,
  - c) where the proposed regulations or changes to the regulations of an underlying District:
    - i) are significant enough to be inconsistent with the General Purpose of that District, and the designation of another Land Use District would be more appropriate;
    - ii) are not merely related to local planning objectives, but would have sufficient general application to warrant an amendment to the

text of the underlying Land Use District itself; or,

- iii) are intended to provide such detailed or site specific discretionary control over the design and siting of development that the use of a Direct Control District would be more appropriate.

### **820.3 Permitted Uses**

The Permitted Uses specified in the underlying Land Use District are permitted.

### **820.4 Discretionary Uses**

The Discretionary Uses specified in the underlying Land Use District are discretionary, except for those specified in the RMX - Residential Mixed Use District or the CMX - Commercial Mixed Use District which are deleted by a schedule to this Overlay.

### **820.5 Development Regulations**

- 1) Where this Overlay is applied, the regulations provided in its schedules shall be substituted for the specified regulations of the underlying Land Use District. Where there appears to be a conflict between the provisions of this Overlay and those of the underlying Land Use District, the provisions of this Overlay shall take precedence and effect.
- 2) Notwithstanding Clause (1) above, the provisions of both the Airport Protection Overlay and Floodplain Protection Overlay shall take precedence over the provisions of this Overlay.
- 3) Notwithstanding Clause (1) above, no regulation specified in a schedule to this overlay shall have effect except as provided in Section 820.4 and Clauses (4) and (5) below.
- 4) A schedule to this Overlay may change or specify regulations as provided below and may specify the conditions under which such changed or specified regulations would apply.
  - a) The maximum total floor area ratio, maximum total residential density, maximum height and minimum yards shall be specified for development in the following Districts:

*Bylaw 7971  
March 25, 1986*

*Bylaw 6502  
November 24, 1981*

- i) RMX - Residential Mixed Use District
  - ii) CMX - Commercial Mixed Used District.
- b) The maximum floor area ratio for each Use Class or group of Use Classes; the required percentage of total dwellings in each Residential Use Class or group of Residential Use Classes, or the required percentage to be provided as family-oriented Dwellings; building setback requirements that are in addition to minimum yard requirements; parking requirements; minimum Amenity Area per dwelling to be developed as children's play space for developments containing 20 or more family-oriented or Stacked Row Housing Dwellings; minimum Private Outdoor Amenity Area per dwelling for Stacked Row Housing or family-oriented dwellings may be specified for development in the following Districts:
  - i) RMX - Residential Mixed Use District
  - ii) CMX - Commercial Mixed Use District.
- c) Regulations, except those specifying maximum density or floor area ratio, which are included in the development regulations of any Land Use District, whether intended for Permitted or Discretionary Uses, may be changed subject to the guidelines of Section 820.2, Clause (3)(c).
- d) Schedule 66A, being the Parking Schedule to the Bylaw, may be changed for development of Permitted or Discretionary Uses in any Land Use District.
- e) The maximum density may be reduced to a lower limit of 30 dwellings/ha (12.1 dwellings per acre) for development in the following Districts:
  - i) RPL - Planned Lot Residential District
  - ii) RF5 - Row Housing District
- f) The maximum density may be increased to an upper limit of 175 dwellings per hectare (70.8 dwellings per acre) for development in the RF6 - Medium Density Multiple Family District.

*Bylaw 6502*  
*November 24, 1981*

- g) For development of any site of 1,350 m<sup>2</sup> (14,531 sq. ft.) or greater in the RA9 - High Rise Apartment District, the maximum density may be changed between the limits of 250 dwellings/hectare (101.1 dwellings/acre), and 500 dwellings per hectare (202.4 dwellings per acre); the maximum floor area ratio may be changed between the limits of 2.5 and 4.5.
- h) The maximum floor area ratio or maximum floor area ratio for specific uses may be increased to an upper limit of 3 for development in the following Districts:
  - i) CSC - Shopping Centre Commercial District
  - ii) CHY - Highway Corridor District

*Bylaw 6502*  
*November 24, 1981*

5) Setback, Canopy and Arcade Requirements

*Bylaw 7802*  
*August 13, 1985*

- a) Notwithstanding Clause (4) above, setback, canopy and arcade requirements included in this Overlay may replace the minimum yard or building setback regulations or both for an underlying Land Use District.
- b) The Development Officer may at his discretion relax the requirement for canopy and arcade requirements for developments which:
  - i) generally conform to the objectives of the Statutory Plan Overlay, but through an alternate design achieve weather protection, streetscape definition and pedestrian activity; or
  - ii) would conflict with the intent but which would in the opinion of the opinion of the Development Officer be more in conformity with other objectives in the Statutory Plan, such as designs which are more compatible with adjacent heritage buildings, open space or infrastructure requirements.

*Bylaw 5998  
September 9, 1981*

**820A.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Oliver Area Redevelopment Plan, as adopted by Bylaw 5999.

**820A.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820A.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820A.4 - 820 A.8 shall be applied in place of or in addition to regulations of the following underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

**820A.4 RF6 Medium Density Family District**

- 1) The following development regulations shall be substituted or specified for the regulations of Section 170 of this Bylaw, and shall apply to those RF6 Districts identified on Appendix I to this Schedule.
  - a) The maximum density shall be 175 dwellings/ha (71 dwellings/ac).
  - b) The maximum total site coverage shall not exceed 60% for sites greater than 1,350 m<sup>2</sup> (14,531.3 square feet). For sites 1,350 m<sup>2</sup> (14,531.3 square feet), or less, there shall be no maximum site coverage.
  - c) The minimum front yard may be reduced to 3 m (9.84 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows and private outdoor amenity areas of the first storey front wall have been located, designed or screened so as to prevent overlooking by pedestrians into the dwelling.
  - d) The minimum rear yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows and private outdoor amenity



areas on the first storey rear wall have been located, or designed or screened so as to prevent overlooking by pedestrians into the dwelling.

- e) The minimum side yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sight-line analysis that windows and private amenity areas on the side wall have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties.
- f) A minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) per dwelling shall be provided.
- g) A minimum of 50% of all dwellings shall be Family Oriented, in accordance with Section 9, Clause (20) of this Bylaw.

#### **820A.5 RA9 High Rise Apartment District**

- 1) The following development regulations shall be substituted or specified for the regulations of Section 230 of this Bylaw, and shall apply to those RA9 Districts identified on Appendix I to this Schedule.
  - a) The maximum floor area ratio shall be 3.0; except that for sites of 1,350 m<sup>2</sup> (14,531 sq. ft.) to 2,090 m<sup>2</sup> (22,500 sq. ft.) which are developed to a site coverage not exceeding 30%; the maximum floor area ratio shall be 4.0.
  - b) The maximum building height shall not exceed 45 m (147.6 ft.); except that for sites of 1,350 m<sup>2</sup> (14,531 sq. ft.) to 2,090 m<sup>2</sup> (22,500 sq. ft.) which are developed to a site coverage not exceeding 30%, the maximum building height should not exceed 60 m (195 ft.).
  - c) For sites greater than 2,090 m<sup>2</sup> (22,500 sq. ft.) which are developed to a maximum building height not exceeding 23 m (75.5 ft.) or 6 storeys, and with all dwellings on the lowest storey having direct access to grade:
    - i) the maximum floor are ratio shall be 4.0;
    - ii) the minimum front yard shall be 3 m (9.9 ft.);

- iii) the minimum rear yard shall be 3 m (9.9 ft.);
- iv) the minimum side yard shall be 2 m (6.6 ft.);
- v) that portion of the building higher than 10 m (32.8 ft.) shall be setback a minimum:
  - A) 6 m (19.7 ft.) from the front lot line,
  - B) 7.5 m (24.6 ft.) from the rear lot line,
  - C) 7.5 m (24.6 ft.) from the side lot line.

**820A.6 RMX (Area 1) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing
  - b) Residential Related
    - i) Apartment Hotel
    - ii) Boarding and Lodging Houses
    - iii) Foster Homes
    - iv) Fraternity and Sorority Housing
    - v) Group Homes
    - vi) Homecrafts
    - vii) Offices-in-the-Home

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- c) Commercial
  - i) Business Support Services
  - ii) Commercial Schools
  - iii) Convenience Retail Stores
  - iv) Custom Manufacturing Establishments
  - v) General Retail Stores
  - vi) Health Services
  - vii) Hotels
  - viii) Household Repair Services
  - ix) Major Eating and Drinking Establishments
  - x) Deleted
  - xi) Personal Service Shops
  - xii) Professional, Financial and Office Support Services
  - xiii) Minor Secondhand Stores
  - xiv) Minor Eating and Drinking Establishments
  - xv) Minor Amusement Establishments
  - xvi) Major Secondhand Stores
- d) Basic Services
  - i) Government Services
- e) Community, Educational, Recreational and Cultural Services
  - i) Community Recreational Services
  - ii) Daytime Child Care Services

*Bylaw 7322  
September 16, 1983*

*Bylaw 7728  
March 12, 1985*

*Bylaw 7322  
September 16, 1983*

*Bylaw 7541  
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*Bylaw 7728  
March 12, 1985*

- iii) Indoor Participant Recreational Services
  - iv) Private Clubs
  - v) Public Libraries and Cultural Exhibits
  - vi) Religious Assembly
  - vii) Spectator Entertainment Establishments
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 1) Districts identified on Appendix 1 to this Schedule.
- a) The maximum total floor area ratio shall be 4.0.
  - b) Commercial uses shall only be permitted on the first two storeys and the maximum floor area ratio for these uses shall be:
    - i) 1.75 for sites abutting 111 Street;
    - ii) 1.0 for sites abutting 112 Street.
- In the event of a lane closure the centre line of the lane shall be considered the dividing line for the purpose of calculating floor area ratio.
- c) The maximum residential density shall be 325 dwellings/ha (131.5 dwellings/ac).
  - d) The maximum building height shall not exceed 23 m (75.5 ft.) nor 6 storeys.
  - e) The minimum front yard shall be 6 m (19.7 ft.).
  - f) The minimum rear yard shall be 7.5 m (24.6 ft.).
  - g) The minimum side yard shall be 1 m (3.3 ft.) for each storey or partial storey, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A side yard shall not be less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane.

**820A.7**

**RMX (Area 2) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:

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- a) Residential
  - i) Apartment Housing
  - ii) Duplex Housing
  - iii) Linked Housing
  - iv) Row Housing
  - v) Semi-detached Housing
  - vi) Single detached Housing
  - vii) Stacked Row Housing
- b) Residential Related
  - i) Boarding and Lodging Houses
  - ii) Foster Homes
  - iii) Fraternity and Sorority Housing
  - iv) Group Homes
  - v) Homecrafts
  - vi) Offices-in-the-Home
- c) Commercial
  - i) Business Support Services
  - ii) Convenience Retail Stores
  - iii) Health Services
  - iv) Minor Eating and Drinking Establishments
  - v) Personal Service Shops
  - vi) Professional, Financial and Office Support Services
  - vii) Minor Amusement Establishments

*Bylaw 7541  
December 11, 1984*

- d) Community, Educational, Recreational and Cultural Services
  - i) Community Recreation Services
  - ii) Daytime Child Care Services
  - iii) Private Clubs
  - iv) Religious Assembly
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 2) Districts identified on Appendix I to this Schedule.
  - a) The maximum floor area ratio shall be 4.0.
  - b) The maximum total floor area ratio for commercial uses shall be 1.0.
  - c) The maximum residential density shall be 325 dwellings/ha (131.5 dwellings/ac).
  - d) The maximum building height shall not exceed 45 m (147.6 ft.) nor 15 storeys.
  - e) The minimum front yard shall be 6 m (19.7 ft.).
  - f) The minimum rear yard shall be 7.5 m (24.6 ft.).
  - g) The minimum side yard shall be 1 m (3.3 ft.) for each storey or partial storey except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A side yard shall not be less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane.

**820A.8 CMX Commercial Mixed Use Districts**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing

- iv) Row Housing
- v) Semi-detached Housing
- vi) Single detached Housing
- vii) Stacked Row Housing
- b) Residential-Related
  - i) Apartment Hotels
  - ii) Boarding and Lodging Homes
  - iii) Foster Homes
  - iv) Fraternity and Sorority Housing
  - v) Group Homes
  - vi) Homecrafts
  - vii) Offices-in-the-Home
- c) Commercial
  - i) Auctioneering Establishments
  - ii) Automotive and Minor Recreation Vehicle Sales/Rentals
  - iii) Business Support Services
  - iv) Commercial Schools
  - v) Convenience Retail Stores
  - vi) Custom Manufacturing Establishments
  - vii) General Retail Services
  - viii) Health Services
  - ix) Hotels
  - x) Household Repair Services
  - xi) Major and Minor Amusement Establishments

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- xii) Limited Contractor Service
- xiii) Major and Minor Eating and Drinking Establishments
- xiv) Minor Veterinary Services
- xv) Non-Accessory Parking
- xvi) Personal Service Shops
- xvii) Professional, Financial and Office Support Services
- xviii) Minor Secondhand Stores
- xix) Spectator Entertainment Establishments
- xx) Major Secondhand Stores

*Bylaw 7728  
March 12, 1985*

*Bylaw 7728  
March 12, 1985*

*Bylaw 7322  
September 16, 1983*

- d) Basic Services
  - i) Government Services
- e) Community, Educational, Recreational and Cultural Services
  - i) Community Recreation Services
  - ii) Daytime Child Care Services
  - iii) Indoor Participant Recreation Services
  - iv) Public Libraries and Cultural Exhibits
  - v) Public Park
  - vi) Religious Assembly
  - vii) Private Clubs
  - viii) Exhibition and Convention Facilities

*Bylaw 7322  
September 16, 1983*

- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall



apply to the CMX District identified on Appendix 1 to this Schedule.

- a) The maximum total floor area ratio shall be 6.0.
- b) The maximum floor area ratio for commercial uses shall be 3.0.
- c) Residential dwellings are not permitted in the lowest storey.
- d) The business frontage for establishments located in the lowest storey shall be 10 m (32.8 ft.).
- e) The maximum total residential density shall be:
  - i) 450 dwellings/ha (182 dwellings/ac.) where development includes roof-top landscaped amenity space in excess of the amenity space requirements of this Bylaw;
  - ii) 400 dwellings/ha (161 dwellings/ac) in all other cases.
- f) The maximum building height shall not exceed 36.5 m (120 ft.).
- g) The minimum front yard shall be 7.5 m (24.6 ft.) except that this may be reduced to 2.0 m (6.5 ft.) subject to the approval of the building treatment and the landscaping of remaining open space by the Development Officer.
- h) The minimum rear yard shall be 7.5 m (24.6 ft.), except that this may be reduced to 2.0 m (6.5 ft.) provided adequate access is provided for service vehicles and parking.
- i) A minimum side yard of 2 m (6.6 ft.) shall be required when it abuts a flanking public roadway other than a lane.
- j) In all instances, the residential use component of the building shall be setback 7.5 m (24.6 ft.) from the front and rear property lines.
- k) Vehicular access to the site shall not be permitted at the front of the building.



*Bylaw 6206  
September 24, 1980*

**820B.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Belvedere Station Area Redevelopment Plan, as adopted by Bylaw 5988.

**820B.2 Application**

- 1) The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.
- 2) The development regulations of Sections 820B.3 - 820B.7 shall be substituted for the specified regulations of the underlying Land Use District, in accordance with the provisions of Section 820 of this Bylaw.

**820B.3 Development Regulations for RA8 Medium Rise Apartment District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 220 of this Bylaw, and shall apply to those RA8 Districts identified on Appendix I to this Schedule.
  - a) The maximum height shall not exceed 15 m (49.2 ft.) nor five storeys.
  - b) In the case of a five storey structure, at least 75% of the fifth floor exterior wall area shall be setback a minimum 2 m (6.5 ft.) from the principal exterior walls of the building.
  - c) The minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of this Bylaw except that:
    - i) The minimum number of parking spaces per bed-sitting room dwelling shall be 0.75
    - ii) The minimum number of parking spaces per 1 bedroom dwelling shall be 0.75.
    - iii) The minimum number of parking spaces per 2 bedroom dwelling shall be 1.1.

- iv) The minimum number of parking spaces per 3 bedroom dwelling shall be 1.3.
- v) Of the total number required, 1 guest parking space per every 10 dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

**820B.4 Development Regulations for RA9 High Rise Apartment District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 230 of this Bylaw and shall apply to the RA9 Districts identified on Appendix I to this Schedule.
  - a) The maximum height shall not exceed 32 m (104.9 ft.) nor 10 storeys.
  - b) The minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of this Bylaw except that:
    - i) The minimum number of parking spaces per bed-sitting room dwelling shall be 0.75.
    - ii) The minimum number of parking spaces per 1 bedroom dwelling shall be 0.75.
    - iii) The minimum number of parking spaces per 2 bedroom dwelling shall be 1.1.
    - iv) The minimum number of parking spaces per 3 bedroom dwelling shall be 1.3.
    - v) Of the total required, 1 guest parking space per every 10 dwellings must be readily available to an entrance of the building to be served and must be clearly identified as guest parking.

**820B.5 Development Regulations for CB1 Low Intensity Business District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 330 of this Bylaw, and shall apply to those CB1 Districts identified on Appendix I to this Schedule.

- a) The minimum number of off-street parking spaces for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw shall be provided on the basis of 1.1 parking spaces per 100 m<sup>2</sup> (1 per 1,000 sq. ft.) of gross floor area regardless of the total gross floor area.
- b) Notwithstanding (a) above, the minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of this Bylaw except that:
  - i) The minimum number of parking spaces per bed-sitting room dwelling shall be 0.75.
  - ii) The minimum number of parking spaces per 1 bedroom dwelling shall be 0.75.
  - iii) The minimum number of parking spaces per 2 bedroom dwelling shall be 1.1.
  - iv) The minimum number of parking spaces per 3 bedroom dwelling shall be 1.3.
  - v) Of the total required, 1 guest parking space per every 10 dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

**820B.6 Development Regulations for CB2 General Business District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 340 of this Bylaw, and shall apply to the CB2 District identified on Appendix I to this Schedule:
  - a) The minimum number of off-street parking spaces for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw shall be provided on the basis of 1.1 parking spaces per 100 m<sup>2</sup> (1 per 1,000 sq. ft.) of gross floor area regardless of the total gross floor area.

**820B.7 Development Regulations for CO Commercial Office District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 360 of

this Bylaw, and shall apply to the CO District identified on Appendix I to this Schedule:

- a) The minimum number of off-street parking spaces for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw shall be provided on the basis of 1.1 parking spaces per 100 m<sup>2</sup> (1 per 1,000 sq. ft.) of gross floor area regardless of the total gross floor area. Surface parking shall not exceed 25% of the site area.



*Bylaw 6380  
September 27, 1981*

**820C.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Old Strathcona Area Redevelopment Plan, as adopted by Bylaw 6382.

**820C.2 Application**

The designation, location and boundaries of each underlying Land Use district or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820C.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820C.4 - 820C.13 shall be applied in place of or in addition to regulations of the underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

**820C.4 RF6 Medium Density Family District**

- 1) The following development regulations shall be substituted or specified for the regulations of Section 170 of this Bylaw and shall apply to those RF6 Districts identified on Appendix I to this Schedule:
  - a) The maximum density shall be 175 dwellings/ha (70.8 dwellings/acre).
  - b) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw except that:
    - i) the minimum number of parking spaces per 3 bedroom dwelling or larger shall be 1.5;
    - ii) of the total number required, 1 guest parking space per every 10 dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

**820C.5 RA7 Low Rise Apartment District**

- 1) The following development regulations shall be specified in addition to the regulations of Section 210 of this Bylaw and shall apply to those RA7 Districts identified on Appendix I to this Schedule:



- a) A minimum of 25% of all dwellings shall be Family Oriented, in accordance with requirements of Section 9, Clause (20) of this Bylaw.
- b) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - i) 30 sq. m (322 sq. ft.) per family oriented dwelling any part of which is contained in the lowest storey.
  - ii) 15 sq. m (161.5 sq. ft.) per family oriented dwelling no part of which is contained in the lowest storey.

**820C.6 RA9 High Rise Apartment District**

- 1) The following development regulations shall be specified in addition to the regulations of Section 230 of this Bylaw and shall apply to those RA9 Districts identified on Appendix I to this Schedule:
  - a) A minimum of 20% of all dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw.
  - b) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
    - i) 30 sq. m (322.9 sq. ft.) per family oriented dwelling any part of which is contained in the lowest storey.
    - ii) 15 sq. m (161.5 sq. ft.) per family oriented dwelling no part of which is contained in the lowest storey.

**820C.7 RMX (Area 1) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Row Housing
    - iii) Stacked Row Housing

- b) Commercial
  - i) Convenience Retail Stores
  - ii) Health Services
  - iii) Household Repair Services
  - iv) Minor Eating and Drinking Establishments
  - v) Personal Service Shops
  - vi) Professional, Financial and Office Support Services
  - vii) Minor Amusement Establishments

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- c) Community, Educational, Recreational and Cultural Services
  - i) Daytime Child Care Services
  - ii) Indoor Participant Recreation Services

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 1) Districts identified on Appendix I to this Schedule:

- a) The maximum total floor area ratio shall be 2.0.
- b) A maximum floor area ratio of 0.2 may be developed for non-residential use classes, provided that such uses are located on the lowest two storeys only.
- c) Of the floor area ratio of 0.2 specified in Section 820C.7(b), a maximum of 800 sq. m (8611.4 sq. ft.) of gross floor area may be used for Convenience Retail Stores and Personal Service Shops. Such uses shall be located on the ground floor only.
- d) The maximum total residential density shall be 271 dwellings/ha (110 dwellings/acre).
- e) The maximum building height shall not exceed 23 m (75.5 ft.) nor 6 storeys. In addition, the maximum gross floor area of any storey above the

fourth storey shall not exceed 50% of the site coverage of the development.

- f) The minimum front yard for structures fronting on 103 Street or 83 Avenue shall be 6 m (19.7 ft.).
- g) The minimum rear yard shall be 7.5 m (24.6 ft.).
- h) The minimum side yard shall be 1.0 m (3.3 ft.) for each storey or partial storey up to a maximum of 7.5 m (24.6 ft.), except that a total of at least 2.0 m (6.6 ft.) shall be provided in all cases. A side yard shall not be less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane.
- i) A minimum Amenity Area of 9.0 sq. m (96.8 sq. ft.) per family oriented dwelling shall be provided and developed as children's play space and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.) for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.
- j) A minimum of 20% of all dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw.
- k) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - i) 30 sq. m (322.9 sq. ft.) per family oriented dwelling any part of which is contained in the lowest storey.
  - ii) 15 sq. m (161.5 sq. ft.) per family oriented dwelling no part of which is contained in the lowest storey.
- l) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw except that:
  - i) the minimum number of parking spaces per 3 bedroom dwelling or larger shall be 1.5;
  - ii) of the total number required, 1 guest parking space per every 10 dwellings must be readily available to an entrance of the building to be served and must be clearly identified as guest parking;

- iii) for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw, parking spaces shall be provided on the basis of 1.5 parking spaces per 100 sq. m (1.4 per 1,000 sq. ft.) of gross floor area regardless of the total gross floor area.
- m) The following regulations shall apply to Personal Service Shops and Convenience Retail Stores:
  - i) the maximum gross floor area of an individual business premise shall not exceed 275 sq. m (2,960 sq. ft.);
  - ii) these uses shall not be permitted in any free standing structure separate from a structure containing residential uses. The principal entrance to these uses shall be a separate outside entrance.

**820C.8 RMX (Area 2) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
  - b) Commercial
    - i) Convenience Retail Stores
    - ii) General Retail Stores
    - iii) Health Services
    - iv) Household Repair Services
    - v) Minor Eating and Drinking Establishments
    - vi) Personal Service Shops
    - vii) Professional, Financial and Office Support Services
    - viii) Minor Secondhand Stores

**SECTION  
820C**

**STATUTORY PLAN OVERLAY SCHEDULE FOR  
THE OLD STRATHCONA AREA REDEVELOPMENT PLAN**

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ix) Minor Amusement Establishments

*Bylaw 7728  
March 12, 1985*

x) Major Secondhand Stores

c) Community, Educational, Recreational and Cultural Services

i) Daytime Child Care Services

ii) Indoor Participant Recreation Services

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 2) Districts identified on Appendix 1 to this Schedule:

a) The maximum total floor area ratio shall be:

i) 2.75 for any site less than 0.2 ha (0.5 ac);

ii) 3.0 for any site 0.2 ha (0.5 ac) or greater.

b) A maximum:

i) Floor area ratio of 1.0 may be developed for non-residential use classes, located on sites of less than 0.2 ha (0.5 ac), provided such uses are located on the lowest two storeys only.

ii) Floor area ratio of 1.25 may be developed for non-residential use classes, located on the lowest two storeys only.

c) The maximum total residential density shall be 271 dwellings/ha (110 dwellings/ac).

d) The maximum height shall not exceed 26 m (85 ft.) nor 8 storeys.

e) There shall be no minimum front yard.

f) There shall be no minimum side yard.

g) The minimum rear yard shall be 5.0 m (16.4 ft.).

h) The minimum setback of the principal front wall of a development above the second storey shall be 3.0 m (9.8 ft.).

- i) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - i) 30 sq. m (322.9 sq. ft.) per family oriented dwelling any part of which is contained in the lowest storey.
  - ii) 15 sq. m (161.5 sq. ft.) per family oriented dwelling no part of which is contained in the lowest storey.
- j) A minimum Amenity Area of 9.0 sq. m (96.8 sq. ft.) per family oriented dwelling shall be provided and developed as children's play space and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.) for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.
- k) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw except that:
  - i) the minimum number of parking spaces required per dwelling shall be 1.0;
  - ii) of the total number required, 1 guest space per every 10 dwelling units must be readily available to an entrance of a building to be served, and must be clearly identified as guest parking;
  - iii) for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw, parking spaces shall be provided on the basis of 1.5 parking spaces per 100q. m (1.4 per 1,000 sq. ft.) of gross floor area.
- l) The following regulations shall apply to Personal Service Shops and Convenience Retail Stores:
  - i) the maximum gross floor area of an individual business premise shall not exceed 275 sq. m (2,960 sq. ft.);
  - ii) these uses shall not be permitted in any freestanding structure separate from a structure containing residential uses. The

principal entrance to these shall be a separate, outside entrance.

**820C.9 RMX (Area 3) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Stacked Row Housing
  - b) Commercial
    - i) Convenience Retail Stores
    - ii) Health Services
    - iii) Minor Eating and Drinking Establishments
    - iv) Personal Service Shops
    - v) Professional, Financial and Office Support Services
    - vi) Minor Amusement Establishments
  - c) Community, Educational, Recreational and Cultural Services
    - i) Daytime Child Care Services
    - ii) Indoor Participant Recreation Services
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 3) Districts identified on Appendix I to this Schedule.
  - a) The maximum total floor area ratio shall be 3.5.
  - b) A maximum floor area ratio of 1.0 may be developed for Professional, Financial and Office Support Services, provided such uses occur on the lowest three storeys only.

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- c) A maximum floor area ratio of 0.5 may be developed for non-residential use classes other than Professional, Financial and Office Support Service, provided such uses occur on the ground floor only.
- d) The maximum total residential density shall be 470 dwellings/ha (190 dwellings/acre).
- e) The maximum building height shall not exceed 45 m (147.6 ft.) nor 15 storeys.
- f) The minimum front yard shall be 4.0 m (13.1 ft.).
- g) The minimum side yard shall be 11.0 m (3.3 ft.) for each storey or partial storey, up to a maximum of 7.5 m (24.6 ft.), except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A side yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane.
- h) The minimum rear yard shall be 4.0 m (13.1 ft.).
- i) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw except that:
  - i) the minimum number of parking spaces required per dwelling shall be 1.0;
  - ii) of the total number required, 1 guest space per every 10 dwelling units must be readily available to an entrance of a building to be served, and must be clearly identified as guest parking;
  - iii) for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw, parking spaces shall be provided on the basis of 1.5 parking spaces per 100 sq. m (1.4 per 1,000 sq. ft.) of gross floor area.
- j) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - i) 30 sq. m (322.9 sq. ft.) per family oriented dwelling any part of which is contained in the lowest storey.



- ii) 15 sq. m (161.5 sq. ft.) per family oriented dwelling no part of which is contained in the lowest storey.
- k) A minimum Amenity Area of 9.0 sq. m (96.8 sq. ft.) per family oriented dwelling shall be provided and developed as children's play space and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.) for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.

**820C.10      CB2 General Business District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 340 of this Bylaw and shall apply to those CB2 Districts identified on Appendix I to this Schedule:
  - a) The minimum frontage for lots abutting Whyte Avenue shall be 10 m (32.8 ft.).
  - b) The maximum building height for Hotel developments shall not exceed 23 m (75.4 ft.) nor 6 storeys.
  - c) The minimum setback of the principal front wall of a development above the second storey shall be 6.0 m (19.7 ft.) for buildings fronting on 82 (Whyte) Avenue.
  - d) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw, except that:
    - i) For Professional, Financial and Office Support Services, parking spaces shall be provided on the basis of 2.5 spaces per 100 sq. m (2.3 per 1,000 sq. ft.) of gross floor area.
    - ii) For Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw, spaces shall be provided on the basis of 1.5 spaces per 100 sq. m (1.4 per 1,000 sq. ft.) of gross floor area.

**820C.11 CO Commercial Office District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 360 of this Bylaw and shall apply to those CO Districts identified on Appendix I to this Schedule:
  - a) A minimum yard of 6 m (19.7 ft.) shall be required where a site abuts 103 Street.
  - b) A minimum yard of 3 m (9.8 ft) shall be required where a site abuts 102 Street.
  - c) No minimum yard shall be required where a site abuts 82 (Whyte) Avenue.
  - d) The minimum setback of the principal front wall of a development above the second storey shall be 6.0 m (19.7 ft.).
  - e) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw, except that:
    - i) For Professional, Financial and Office Support Services parking spaces shall be provided on the basis of 2.5 spaces per 100 sq. m (2.3 per 1,000 sq. ft.) of gross floor area.
    - ii) For Commercial Uses included in Schedule 66A, Clause (9) of this Bylaw, parking spaces shall be provided on the basis of 1.5 spaces per 100 sq. m (1.4 per 1,000 sq. ft.) of gross floor area for those retail uses less than 1,000 sq. m (10,764.2 sq. ft.).
    - iii) All parking spaces shall be enclosed in a structure above or below grade or both.

**820C.12 CMX (Area 1) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Stacked Row Housing

- b) Residential-Related
  - i) Apartment Hotels
  - ii) Homecrafts
  - iii) Offices-in-the-Home
- c) Commercial
  - i) Automotive and Minor Recreational Vehicular Sales/Rentals
  - ii) Business Support Services
  - iii) Convenience Retail Stores
  - iv) General Retail Stores
  - v) Health Services
  - vi) Hotels
  - vii) Household Repair Services
  - viii) Major and Minor Amusement Establishments
  - ix) Major and Minor Eating and Drinking Establishments
  - x) Non-Accessory Parking
  - xi) Personal Service Shops
  - xii) Professional, Financial and Office Support Services
  - xiii) Spectator Entertainment Establishments
- d) Community, Educational, Recreational and Cultural Services
  - i) Daytime Child Care Services
  - ii) Indoor Participant Recreation Services
  - iii) Private Education Services

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iv) Public Libraries and Cultural Exhibits

- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw and shall apply to those CMX (Area 1) Districts identified on Appendix 1 to this Schedule:
- a) The maximum total floor area ratio for sites abutting Whyte Avenue shall be 4.0.
  - b) The maximum floor area ratio for all other sites shall be 2.0.
  - c) A maximum floor area ratio of 2.0 for sites abutting Whyte Avenue may be used for Residential and Residential-Related Uses.
  - d) The maximum floor area ratio for non-residential uses on sites not abutting Whyte Avenue shall be 0.5.
  - e) The maximum total residential density shall be 271 dwellings/ha (110 dwellings/ac).
  - f) The maximum building height for sites abutting Whyte Avenue shall not exceed 23 m (75 ft.) nor 6 storeys.
  - g) The maximum building height for all other sites shall not exceed 15 m (49.2 ft.) nor 4 storeys.
  - h) In the event of comprehensive development involving a site including lots abutting Whyte Avenue and lots not abutting Whyte Avenue, there shall be no averaging of floor area ratio, residential density, or building height. In the event of a lane closure, the centre line of the lane shall be considered the dividing line for the purpose of calculating floor area ratio, density and other regulations.
  - i) There shall be no front yard requirement for sites fronting on Whyte Avenue. The minimum front yard required for all other sites shall be 4.5 m (14.8 ft.).
  - j) There shall be no side yard requirement except for a minimum side yard of 4.5 m (14.8 ft.) for sites abutting 106 Street, greater than 800 sq. m (8,611.4 sq. ft.).

- k) A minimum yard of 4.5 m (14.8 ft.) shall be required when the rear lot line of the site abuts the lot line of a site in a Residential District.
- l) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - i) 30 sq. m (322.9 sq. ft.) per family oriented dwelling any part of which is contained in the lowest storey.
  - ii) 15 sq. m (161.5 sq. ft.) per family oriented dwelling no part of which is contained in the lowest storey.
- m) A minimum Amenity Area of 9.0 sq. m (96.8 sq. ft.) per family oriented dwelling shall be provided and developed as children's play space and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.) for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.
- n) The minimum setback of the principal front wall of a development above the second storey shall be 4.0 m (13.1 ft.).
- o) At-grade frontage on Whyte Avenue shall be developed for commercial uses. Where a hotel is to be developed, a maximum 30% of the first storey frontage shall be used for lobbies, with the remaining floor space used for other commercial uses.

**820C.13**

**CMX (Area 2) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
  - b) Residential-Related
    - i) Homecrafts
    - ii) Offices-in-the-Home

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- c) Commercial
    - i) Business Support Services
    - ii) Convenience Retail Stores
    - iii) General Retail Stores
    - iv) Health Services
    - v) Household Repair Services
    - vi) Major and Minor Amusement Establishments
    - vii) Major and Minor Eating and Drinking Establishments
    - viii) Non-Accessory Parking
    - ix) Personal Service Shops
    - x) Professional, Financial and Office Support Services
    - xi) Spectator Entertainment Establishments
  - d) Community, Educational, Recreational and Cultural Services
    - i) Daytime Child Care Services
    - ii) Indoor Participant Recreation Services
    - iii) Public Libraries and Cultural Exhibits
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 2) Districts identified on Appendix I to this Schedule:
- a) The maximum total floor area ratio shall be 3.75, and of this:
    - i) A maximum floor area ratio of 1.5 may be used for Non-Residential Use Classes, excluding Professional, Financial and Office Support Services.

- ii) A maximum floor area ratio of 2.5 may be used for Professional, Financial and Office Support Services, provided such uses do not occur on at-grade levels.
- iii) A maximum floor area ratio of 1.0 may be used for Residential and/or Residential-Related Uses.
- b) The maximum total residential density shall be 136 dwellings/ha (55 dwellings/ac).
- c) The maximum building height shall not exceed 26 m (85.3 ft.) nor 8 storeys.
- d) The principal front wall of buildings abutting 104 Street shall be setback a minimum of 4.0 m (13.1 ft.) above the second storey.
- e) No minimum yards shall be required.
- f) The maximum site coverage shall be 75%.
- g) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw except that:
  - i) For Professional, Financial and Office Support Services, parking spaces shall be provided on the basis of 2.5 spaces per 100 sq. m (2.3 per 1,000 sq. ft.) of gross floor area.
  - ii) For Commercial Uses included in Schedule 66A, Clause (9) of this Bylaw, parking spaces shall be provided on the basis of 1.5 spaces per 100 sq. m (1.4 per 1,000 sq. ft.) of gross floor area for those uses less than 1,000 sq. m (10,764.2 sq. ft.).
  - iii) All parking spaces shall be enclosed in a structure and/or below grade.



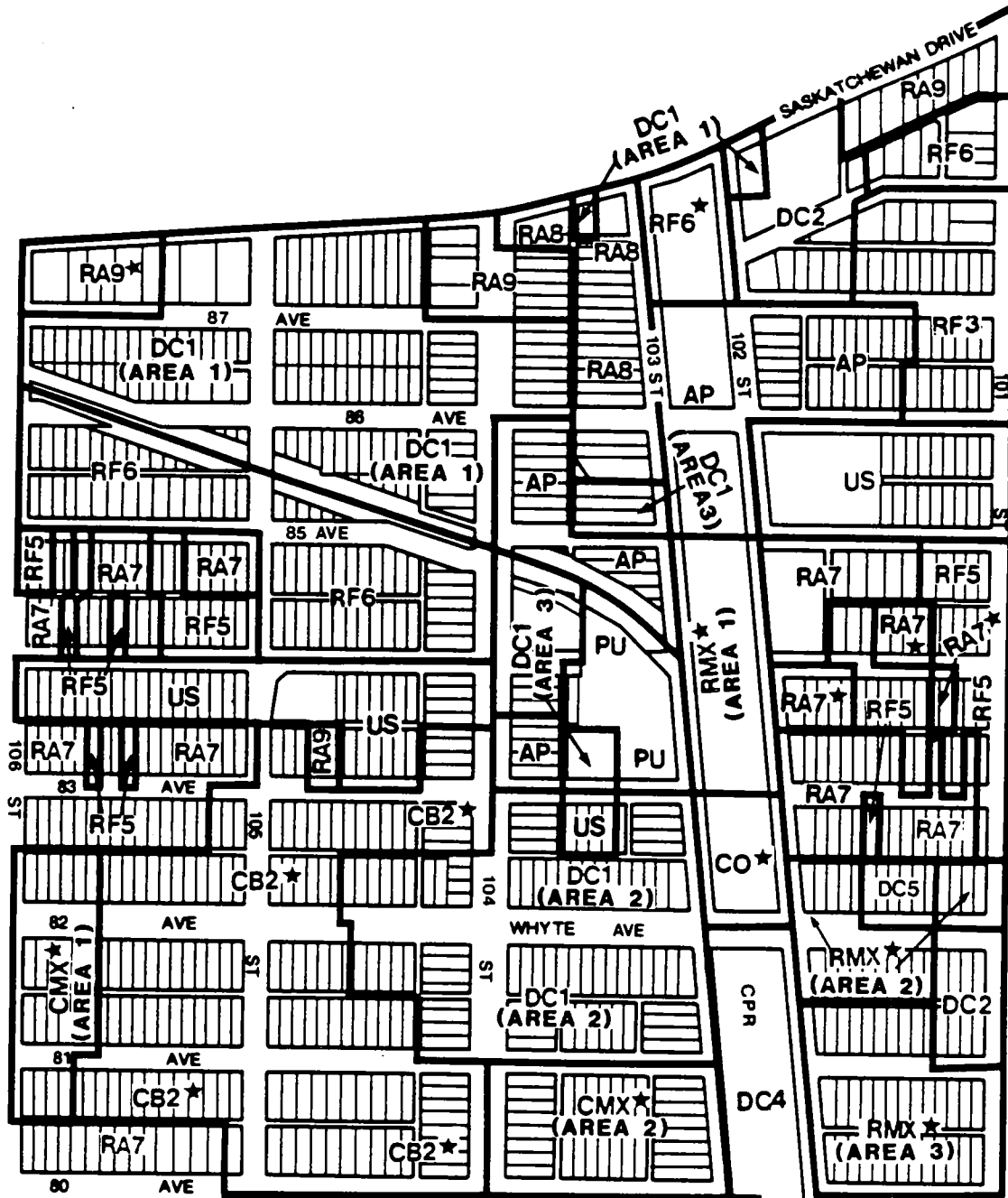
# OLD STRATHCONA

Appendix I to Schedule 820C of Bylaw 5996 as amended by: Bylaw 6380 and subsequent appropriate Bylaws.

## AREA REDEVELOPMENT PLAN

★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820C, Land Use Bylaw.

(AREA) distinguishes between areas under districts with the same designation but with different regulations pursuant to Schedule 820C





*Bylaw 6390  
September 9, 1981*

**820D.1 General Purpose**

To alter or specify regulations for Permitted Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Boyle Street/McCauley Area Redevelopment Plan, as adopted by Bylaw 5980.

**820D.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820D.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820D.4 to 820D.11 shall be applied in place of or in addition to regulations of the underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

**820D.4 RMX (Area 1) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing
  - b) Residential-Related
    - i) Apartment-Hotels
  - c) Commercial
    - i) Convenience Retail Stores

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- ii) Health Services
  - iii) Household Repair Services
  - iv) Minor Eating and Drinking Establishments
  - v) Personal Service Shops
  - vi) Minor Amusement Establishments
- d) Community, Educational, Recreational and Cultural Services
- i) Daytime Child Care Services
  - ii) Indoor Participant Recreation Services
  - iii) Public Libraries and Cultural Exhibits
  - iv) Religious Assembly
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 1) Districts identified on Appendix I to this Schedule:
- a) The maximum total floor area ratio shall be 2.5.
  - b) A maximum floor area ratio of 0.5 may be used for Commercial, Community, Educational, Recreational or Cultural uses, provided such uses occur on the ground floor only.
  - c) The maximum total residential density shall be 339 dwellings/ha (136 dwellings/ac).
  - d) The maximum building height shall not exceed 26 m (85 ft.) or 8 storeys.
  - e) the minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.).
  - f) The Development Officer may exercise his discretion in considering Apartment Housing, Stacked Row Housing, or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.)

having regard to the location, age and nature of the use or uses on the site which would be isolated.

- g) The minimum front yard shall be 2 m (6.6 ft.).
- h) The minimum rear yard shall be 7.5 m (24.6 ft.).
- i) The minimum side yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 7.5 m (24.6 ft.) except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A side yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane.
- j) A minimum of 20% of the total dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw.
- k) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - i) 30 m<sup>2</sup> (322.9 sq. ft.) for each family oriented dwelling, any part of which is contained in the lowest storey.
  - ii) 15 m<sup>2</sup> (161.5 sq. ft.) for each family oriented dwelling, no part of which is contained in the lowest storey.
- l) Minimum Amenity Area of 9.0 m<sup>2</sup> (96.8 sq. ft.) per family oriented dwelling shall be provided and developed as children's play space for developments containing 20 or more Family Oriented or Stacked Row Housing dwellings.
- m) Non-Residential Uses shall not be in any free-standing structure separate from a structure containing residential uses and shall have a principal, outside entrance.
- n) The total gross floor area for Commercial Uses on any site shall not exceed 275 m<sup>2</sup> (2,960 sq. ft.).
- o) The minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw except that:
  - i) The minimum number of parking spaces for community housing shall be:

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- A) 1.0 parking spaces per bed-sitting room and 1 bedroom dwelling,
  - B) 1.25 parking spaces per 2 bedroom dwelling,
  - C) 1.5 parking spaces per 3 bedroom dwelling or larger.
- p) Notwithstanding other regulations of this District:
- i) Religious Assembly Uses shall be developed in accordance with the provisions of Section 81 of this Bylaw.
  - ii) Single detached, Semi-detached and Duplex Housing in this District shall be developed in accordance with the provisions of Section 120 of this Bylaw.
  - iii) Offices-in-the-Home shall be developed in accordance with the provisions of Section 84 of this Bylaw.
  - iv) Homecrafts shall be developed in accordance with the provisions of Section 85 of this Bylaw.
  - v) Boarding and Lodging Houses shall be developed in accordance with the provisions of Section 86 of this Bylaw.

**820D.5 RMX (Area 2) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:
- a) Residential
    - i) Apartments
    - ii) Row Housing
    - iii) Stacked Row Housing
  - b) Commercial
    - i) Business Support Services
    - ii) Commercial Schools

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- iii) Convenience Retail Stores
  - iv) General Retail Stores
  - v) Health Services
  - vi) Household Repair Services
  - vii) Minor Eating and Drinking Establishments
  - viii) Personal Service Shops
  - ix) Professional, Financial and Office Support Services
  - x) Minor Secondhand Stores
  - xi) Minor Amusement Establishments
  - xii) Major Secondhand Stores
- c) Basic Services
    - i) Government Services
  - d) Community, Educational, Recreational and Cultural Services
    - i) Community Recreation Services
    - ii) Daytime Child Care Services
    - iii) Indoor Participant Recreation Services
    - iv) Private Clubs
    - v) Private Education Services
    - vi) Public Education Services
    - vii) Public Libraries and Cultural Exhibits
    - viii) Religious Assembly
    - ix) Spectator Entertainment Establishments

- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 2) Districts identified on Appendix I to this Schedule:
- a) The maximum total floor area ratio for sites abutting 111 Avenue shall be 3.0.
  - b) The maximum total floor area ratio for sites abutting 110A Avenue shall be 2.0.
  - c) In the event of a comprehensive development of sites abutting both 111 and 110A Avenue, there shall be no averaging of floor area ratio, residential density or building height. In the event of a lane closure, the centre line of the lane shall be considered the dividing line for the purpose of the calculating floor area ratio, density and other regulations.
  - d) A maximum floor area ratio of 1.0 may be used for non-residential uses provided that such uses are:
    - i) located on the lowest storey only;
    - ii) located on sites abutting and oriented to 111 Avenue.
  - e) The maximum total residential density for sites abutting onto 111 Avenue shall be 407 dwellings/ha (165 dwellings/ac).
  - f) The maximum total residential density for sites abutting 110A Avenue shall be 271 dwellings/ha (110 dwellings/ac).
  - g) The maximum total building height for sites abutting 111 Avenue shall not exceed 20 m (65.6 ft.) nor 6 storeys.
  - h) The maximum building height for sites abutting 110A Avenue shall not exceed 11 m (36 ft.) nor 3 storeys.
  - i) The minimum side yard for sites abutting 111 Avenue shall be 1.5 m (4.9 ft.).
  - j) The minimum front yard for sites abutting 110A Avenue shall be 4.0 m (13.1 ft.).

- k) The minimum rear yard for sites abutting 110A Avenue shall be 4.0 m (13.1 ft.).
- l) The minimum side yard for sites abutting 110A Avenue shall be 1.5 m (4.9 ft.).
- m) Separation Space shall be provided in accordance with Section 58 of this Bylaw.
- n) A minimum of 20% of the total dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw.
- o) A dwelling, any part of which is contained in the lowest storey, shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw.
- p) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - i) 30 m<sup>2</sup> (322.9 sq. ft.) per family oriented dwelling, any part of which is contained in the lowest storey.
  - ii) 15 m<sup>2</sup> (161.5 sq. ft.) per family oriented dwelling, no part of which is contained in the lowest storey.
- q) Minimum Amenity Area of 9.0 m<sup>2</sup> (96.8 sq. ft.) per family oriented dwelling shall be provided and developed as children's play space for developments containing 20 or more Family Oriented or Stacked Row Housing dwellings.
- r) Non-residential Uses shall not be developed in any freestanding structure separate from a structure containing residential uses. The principal entrance to these uses shall be a separate outside entrance.

**820D.6 RMX (Area 3) Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:
  - a) Residential
    - i) Apartment Housing

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- ii) Linked Housing
- iii) Row Housing
- iv) Stacked Row Housing
- b) Residential-Related
  - i) Apartment Hotels
  - i) Boarding and Lodging Homes
  - ii) Foster Homes
  - iv) Group Homes
- c) Commercial
  - i) Business Support Services
  - ii) Commercial Schools
  - iii) Convenience Retail Stores
  - iv) Health Services
  - v) Household Repair Services
  - vi) Minor Eating and Drinking Establishments
  - vii) Personal Service Shops
  - viii) Professional, Financial and Office Support Services
  - ix) Minor Secondhand Stores
  - x) Minor Amusement Establishments
  - xi) Major Secondhand Stores
- d) Basic Services
  - i) Extended Medical Treatment Services
  - ii) Government Services

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- iii) Minor Impact Utility Services
- e) Community, Educational, Recreational and Cultural Services
  - i) Daytime Child Care Services
  - ii) Indoor Participant Recreation Services
  - iii) Public Libraries and Cultural Exhibits
  - iv) Religious Assembly
  - v) Spectator Entertainment Establishments
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw and shall apply to those RMX (Area 3) Districts identified on Appendix I to this Schedule:
  - a) The maximum floor area ratio shall be 4.0, except that the Development Officer may, at his discretion, increase the floor area ratio to a maximum of 5.0 for comprehensive development on sites of 1,600 m<sup>2</sup>. (17,220 sq. ft.) or greater which, in his opinion, meets the objectives of the Boyle Street/McCauley Area Redevelopment Plan and provides the following:
    - i) effective and efficient local traffic management through the provision of a limited number of common parking and service access points to the site;
    - ii) parking which is below grade and covered, or parking in a structure above grade with an exterior which integrates with the overall design and character of the proposed development;
    - iii) continuity of pedestrian oriented retail and service establishments with direct access to grade providing activity and interest for passersby;
    - iv) amenity area, in excess of the requirements of this District, particularly those which promote the pedestrian oriented nature of the development, through the provision of such

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- features as atriums, plazas and seating areas;
- v) design elements and landscaping features which add to the streetscape and promote the pedestrian oriented nature of the development, such as:
    - A) additional building setbacks used for sidewalk widening with colonades, awnings, bus shelters, landscaping and other forms of weather and wind protection within the property line;
    - B) exterior lighting and furniture, mature trees in excess of the requirements of this Bylaw and other planting including means to facilitate natural growth.
  - vi) lighting and design elements such as openness to public view and a mixture of uses in addition to the expected retail and residential activity, such as restaurants, theatres, and cafes which ensure the attractiveness and safety of the development at night and encourage the active use of the site beyond normal office hours; and
  - vii) architectural detailing, exterior finishing materials and building massing which are in harmony throughout the development and with features prevalent in existing adjacent developments where these are consistent with the objectives of the Boyle Street/McCauley Area Redevelopment Plan for this District.
- b) A maximum floor area ratio of 2.0 may be used for non-residential uses.
  - c) Residential or Residential-Related Use Classes shall not be developed in the lowest storey except where the maximum floor area ratio of Non-Residential Use Classes is less than 0.75.
  - d) The maximum total residential density shall be 680 dwellings/ha (275 dwellings/ac).
  - e) The maximum building height shall not exceed 26 m (85.3 ft.) nor 8 storeys.

- f) The minimum site area shall be 800 m<sup>2</sup> (8,611.4 sq. ft.).
- g) The Development Officer may exercise his discretion in considering development which would isolate another site in this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated.
- h) No minimum yards shall be required; however, Separation Space shall be provided in accordance with Section 58 of this Bylaw.
- i) Minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) per Family Oriented Dwelling shall be provided.
- j) A Minimum Amenity Area of 9.0 m<sup>2</sup> (96.8 sq. ft.) per family oriented dwelling shall be provided and developed as children's play space, for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.
- k) Notwithstanding other regulations of this District:
  - i) Religious Assembly Uses shall be developed in accordance with the provisions of Section 81 of this Bylaw.

**820D.7 CNC Neighbourhood Convenience Commercial District**

- 1) The following development regulation shall be substituted for the regulation of Section 310 of this Bylaw and shall apply to those CNC Districts identified on Appendix I to this Schedule:
  - a) The maximum gross floor area of an individual business premise for a Discretionary Use shall not exceed 275 m<sup>2</sup> (2,960 sq. ft.), except that a grocery store or supermarket may be permitted a gross floor area of up to 2,500 m<sup>2</sup> (26,909.75 sq. ft.).

**820D.8 CO Commercial Office District**

- 1) The following development regulation shall be substituted for the regulation of Section 360 of this Bylaw and shall

apply to those CO Districts identified on Appendix I to this Schedule:

- a) The maximum building height shall not exceed 14 m (45.9 ft.) nor 4 storeys.

**820D.9 CMX (Area 1) Commercial Mixed Use District**

1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

- a) Residential
  - i) Apartment Housing
  - ii) Stacked Row Housing
- b) Residential-Related
  - i) Apartment Hotels
  - ii) Boarding and Lodging Houses
- c) Commercial
  - i) Business Support Services
  - ii) Commercial Schools
  - iii) Convenience Retail Stores
  - iv) Custom Manufacturing Establishments, where lawfully existing on a site in this District on the effective date of this Bylaw, on the same site only.
  - v) Drive-in Food Services, where lawfully existing on a site in this District on the effective date of this Bylaw, and on the same site only.
  - vi) Equipment Rentals
  - vii) Gas Bars, where lawfully existing on a site in this District on the effective date of this Bylaw, on the same site only.
  - viii) General Retail Stores

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- ix) Health Services
- x) Household Repair Services
- xi) Major and Minor Amusement Establishments
- xii) Major and Minor Eating and Drinking Establishments
- xiii) Minor Service Stations
- xiv) Personal Service Shops
- xv) Professional, Financial and Office Support Services
- xvi) Minor Secondhand Stores
- xvii) Spectator Entertainment Establishments
- xviii) Major Secondhand Stores

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- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 1) Districts identified on Appendix I to this Schedule:
  - a) The following uses may, where existing in this District redevelop at their present location, provided the maximum gross floor area ratio does not exceed 1.0:
    - i) Custom Manufacturing Establishments
    - ii) Drive-In Food Services
    - iii) Gas Bars
    - iv) Minor Service Stations
  - b) The maximum total floor area ratio shall be 3.0. This shall be increased to 4.0 for proposals in which 25% to 50% of the total floor area ratio is intended for Residential and/or Residential-Related Uses.
  - c) A maximum of 50% of the maximum total floor area ratio may be used for Residential and/or Residential-Related Uses.

- d) The maximum total residential density shall be 271 dwellings/ha (110 dwellings/ac).
- e) The maximum building height shall not exceed 11 m (36 ft.) nor 3 storeys, except for developments containing more than 25% of the total gross floor area as Residential or Residential-Related Uses, in which case the maximum building height shall not exceed 20 m (65.6 ft.) nor 6 storeys.
- f) The minimum rear yard shall be 3 m (9.84 ft.).
- g) Separation Space shall be provided in accordance with the requirements of Section 58 of the Land Use Bylaw.
- h) Minimum site area for new development shall be 360 m<sup>2</sup> (3,875 sq. ft.).
- i) Residential and Residential-Related Uses shall not be permitted in the lowest storey.
- j) The Development Officer may exercise his discretion in considering development which would isolate another site in this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated.
- k) Notwithstanding other regulations of this District, for sites which are within 30 m (98.4 ft.) of 110A Avenue, and do not abut 97 Street:
  - A) The maximum floor area ratio for non-residential uses shall be 1.0, with an additional maximum floor area ratio of 1.0 for Residential and/or Residential-Related Uses.
  - B) The maximum total floor area ratio for Residential or Residential-Related Uses shall be 1.0.
  - C) The maximum total residential density shall be 136 dwellings/ha (55 dwelling/ac).
  - D) The minimum side yard for sites abutting 110A Avenue shall be 1.0 m (3.3 ft.).
  - E) The minimum front yard for sites abutting 110A Avenue shall be 3.7 m (12.1 ft.).

- F) The maximum building height shall not exceed 11 m (36 ft.), nor 3 storeys.

**820D.10 CMX (Area 2) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4(6) of this Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:
- a) Residential
    - i) Apartment Housing
  - b) Residential-Related
    - i) Apartment Hotels
    - ii) Boarding and Lodging Homes
    - iii) Foster Homes
    - iv) Group Homes
  - c) Commercial
    - i) Automotive and Equipment Repair Shops, where lawfully existing on a site in this District on the effective date of this Bylaw; on the same site only.
    - ii) Business Support Services
    - iii) Commercial Schools
    - iv) Convenience Retail Stores
    - v) General Retail Stores
    - vi) Health Services
    - vii) Hotels
    - viii) Major and Minor Amusement Establishments
    - ix) Major and Minor Eating and Drinking Establishments
    - x) Minor Service Stations, where lawfully existing on a site in this District on the

effective date of this Bylaw, on the same site only.

- xi) Non-Accessory Parking
  - xii) Personal Service Shops
  - xiii) Professional, Financial and Office Support Services
  - xiv) Spectator Entertainment Establishments
  - d) Basic Services
    - i) Extended Medical Treatment Services
    - ii) Government Services
    - iii) Minor Impact Utility Services
    - iv) Protective and Emergency Services
  - e) Community, Educational, Recreational and Cultural Services
    - i) Community Recreation Services
    - ii) Daytime Child Care Services
    - iii) Indoor Participant Recreation Services
    - iv) Private Clubs
    - v) Private Education Services
    - vi) Public Education Services
    - vii) Public Libraries and Cultural Exhibits
    - viii) Public Park
    - ix) Religious Assembly
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 2) Districts identified on Appendix I to this Schedule:



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- a) The maximum floor area ratio shall be 3.0, except that the Development Officer may, at his discretion, increase the floor area ratio to a maximum of 5.0 for comprehensive development on sites of 1,600 m<sup>2</sup> (17,220 sq. ft.) or greater which, in his opinion, meets the objectives of the Boyle Street/McCauley Area Redevelopment Plan and provides the following:
- i) effective and efficient local traffic management through the provision of a limited number of common parking and service access points to the site;
  - ii) parking which is below grade and covered, or parking in a structure above grade with an exterior which integrates with the overall design and character of the proposed development;
  - iii) continuity of pedestrian oriented retail and service establishments with direct access to grade providing activity and interest for passersby;
  - iv) amenity area, in excess of the requirements of this District, particularly those which promote the pedestrian oriented nature of the development, through the provision of such features as atriums, plazas and seating areas;
  - v) design elements and landscaping features which add to the streetscape and promote the pedestrian oriented nature of the development, such as:
    - A) additional building setbacks used for sidewalk widening with colonades, awnings, bus shelters, landscaping and other forms of weather and wind protection within the property line;
    - B) exterior lighting and furniture, mature trees in excess of the requirements of this Bylaw; and other planting including means to facilitate natural growth.
  - vi) lighting and design elements such as openness to public view and a mixture of uses in

addition to the expected retail and residential activity, such as restaurants, theatres, cabarets and nightclubs which ensure the attractiveness and safety of the development at night and encourage the active use of the site beyond normal office hours; and

- vii) architectural detailing, exterior finishing materials and building massing which are in harmony throughout the development and with features prevalent in existing adjacent developments where these are consistent with the objectives of this Plan for this District.
- b) The following uses may, where existing in this District redevelop at their present location, provided the maximum floor area ratio does not exceed 1.0:
  - A) Automobile Equipment and Repair Shops
  - B) Minor Service Stations.
- c) The maximum total residential density shall be 680 dwellings/ha (275 dwellings/ac).
- d) The maximum building height shall not exceed 20 m (65.6 ft.) nor 6 storeys.
- e) No minimum yards shall be required; however, Separation Space shall be provided in accordance with the requirements of Section 58 of this Bylaw.
- f) The minimum site area for new development shall be 360 m<sup>2</sup> (3,875.1 sq. ft.).
- g) Direct vehicular access shall not be permitted to 95 Street, Jasper Avenue or 101 Avenue.

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**CMX (Area 3) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:
  - a) Residential
    - i) Apartment Housing

- b) Residential-Related
  - i) Apartment Hotels
  - ii) Boarding and Lodging Houses
  - iii) Foster Homes
  - iv) Group Homes
- c) Commercial
  - i) Automotive Equipment and Repair Shops
  - ii) Automotive and Minor Recreation Vehicle Sales/Rentals
  - iii) Business Support Services
  - iv) Commercial Schools
  - v) Convenience Retail Stores
  - vi) Custom Manufacturing Establishments, where lawfully existing on a site in this District on the effective date of this Bylaw, on the same site only.
  - vii) Equipment Rentals
  - viii) Gas Bars, where lawfully existing on a site in this District on the effective date of this bylaw, on the same site only.
  - ix) General Retail Stores
  - x) Health Services
  - xi) Hotels
  - xii) Household Repair Services
  - xiii) Major and Minor Amusement Establishments
  - xiv) Major and Minor Eating and Drinking Establishments
  - xv) Non-Accessory Parking

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- xvi) Personal Service Shops
- xvii) Professional, Financial and Office Support Services
- xviii) Minor Secondhand Stores
- xix) Spectator Entertainment Establishments
- xx) Major Secondhand Stores

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- d) Basic Services
  - i) Extended Medical Treatment Services
  - ii) Government Services
  - iii) Minor Impact Utility Services
  - iv) Protective and Emergency Services
- e) Community, Educational, Recreational and Cultural Services
  - i) Community Recreation Services
  - ii) Daytime Child Care Services
  - iii) Indoor Participant Recreation Services
  - iv) Private Clubs
  - v) Private Education Services
  - vi) Public Libraries and Cultural Exhibits
  - vii) Public Park
  - viii) Religious Assembly

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 3) Districts identified on Appendix I to this Schedule:

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- a) The maximum floor area ratio shall be 5.0, except that the Development Officer may, at his discretion, increase the floor area ratio to a maximum of 6.0 for comprehensive development on sites of 1,600 m<sup>2</sup>

(17,220 sq. ft.) or greater which, in his opinion, meets the objectives of this Plan and provides the following:

- i) effective and efficient local traffic management through the provision of a limited number of common parking and service access points to the site;
- ii) parking which is below grade and covered, or parking in a structure above grade with an exterior which integrates with the overall design and character of the proposed development;
- iii) continuity of pedestrian oriented retail and service establishments with direct access to grade providing activity and interest for passersby;
- iv) amenity area, in excess of the requirements of this District, particularly those which promote the pedestrian oriented nature of the development, through the provision of such features as atriums, plazas and seating areas;
- v) design elements and landscaping features which add to the streetscape and promote the pedestrian oriented nature of the development, such as:
  - A) additional building setbacks used for sidewalk widening with colonades, awnings, bus shelters, landscaping and other forms of weather and wind protection within the property line;
  - B) exterior lighting and furniture, mature trees in excess of the requirements of this Bylaw, and other planting including means to facilitate natural growth.
- vi) lighting and design elements such as openness to public view and a mixture of uses in addition to the expected retail and residential activity, such as restaurants, theatres, cabarets and nightclubs which ensure the attractiveness and safety of the development

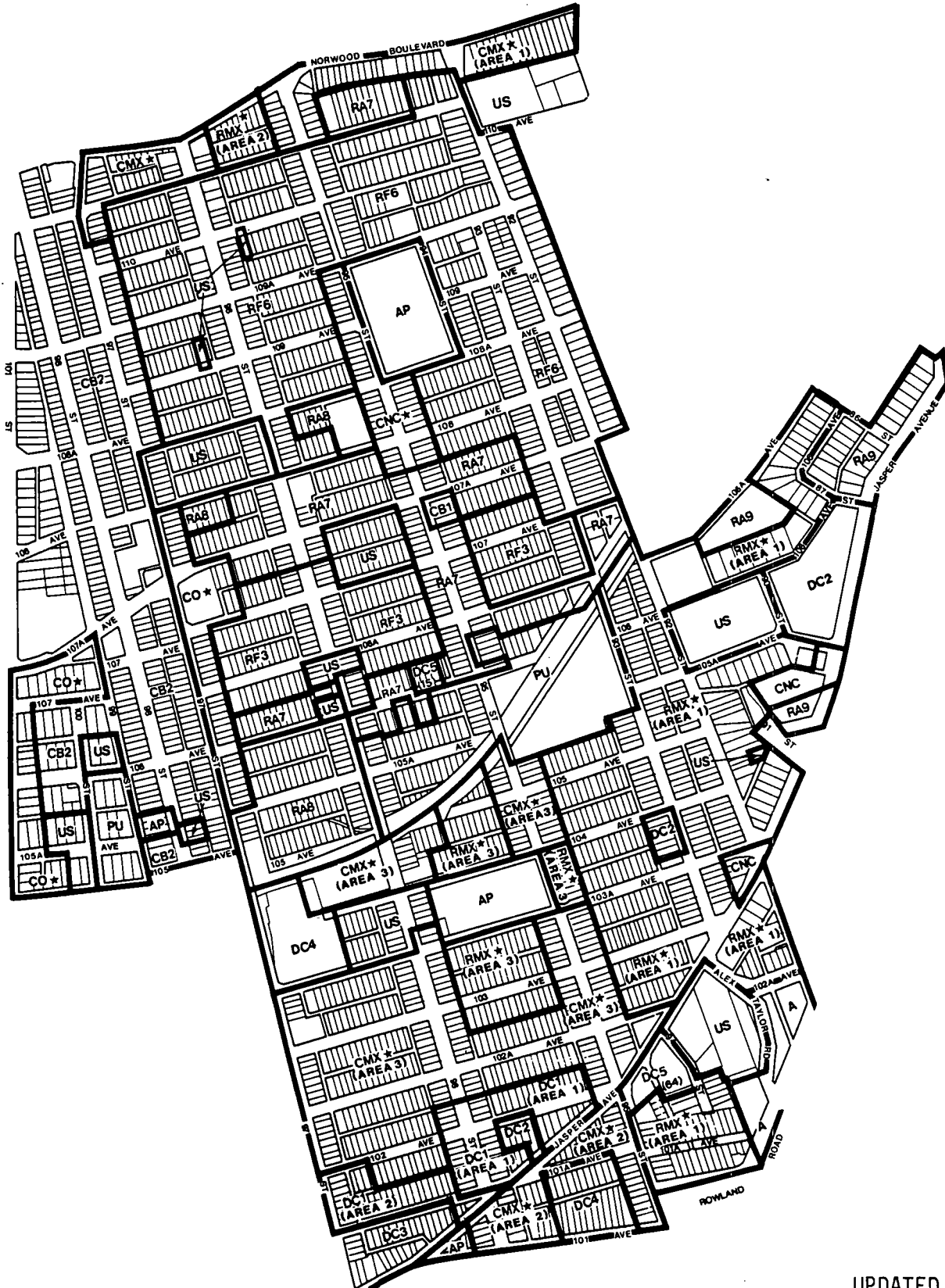
at night and encourage the active use of the site beyond normal office hours; and

- vii) architectural detailing, exterior finishing materials and building massing which are in harmony throughout the development and with features prevalent in existing adjacent developments where these are consistent with the objectives of this Plan for this District.
- b) The following uses may, where existing in this District, be allowed to be developed at their present location, provided that the maximum floor area ratio does not exceed 1.0:
  - i) Custom Manufacturing Establishments
  - ii) Gas Bars.
- c) The maximum total residential density shall be 407 dwellings/ha (165 dwellings/ac).
- d) The maximum building height shall not exceed 26 m (85.3 ft.) nor 8 storeys.
- e) Separation Space shall be provided in accordance with the requirements of Section 58 of the Land Use Bylaw.
- f) The minimum site area for new development shall be 360 m<sup>2</sup> (3,875 sq. ft.).
- g) The Development Officer may exercise his discretion in considering development which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) having regard to the location, age and nature of the use of the site which would be isolated.



★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820D, Land Use Bylaw.

(AREA) distinguishes between areas under districts with the same designation but with different regulations pursuant to Schedule 820D



*Bylaw 6502  
November 24, 1981*

**820E.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Downtown Area Redevelopment Plan, as adopted by Bylaw 6477.

**820E.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820E.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820E.4 to 820E.11 shall be applied in place of or in addition to regulations of the following underlying Land Use District, in accordance with the provisions of Section 820 of this Bylaw.

**820E.4 CMX (Area 1) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing
  - b) Residential-Related
    - i) Apartment Hotels
    - ii) Boarding and Lodging Houses



- c) Commercial
  - i) Automotive and Minor Recreation Vehicle Sales/Rentals
  - ii) Broadcasting and Motion Picture Studios
  - iii) Business Support Services
  - iv) Commercial Schools
  - v) Convenience Retail Stores
  - vi) Custom Manufacturing Establishments
  - vii) Fleet Services
  - viii) General Retail Services
  - ix) Health Services
  - x) Hotels
  - xi) Household Repair Services
  - xii) Major and Minor Amusement Establishments
  - xiii) Major and Minor Eating and Drinking Establishments
  - xiv) Minor Veterinary Services
  - xv) Non-Accessory Parking
  - xvi) Personal Service Shops
  - xvii) Professional, Financial, and Office Support Services
  - xviii) Recycling Depots
  - xix) Minor Secondhand Stores
  - xx) Spectator Entertainment Establishments
  - xxi) Major Secondhand Stores
- d) Basic Services

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- i) Extended Medical Treatment Services
- ii) Government Services
- iii) Minor Impact Utility Services
- iv) Protective and Emergency Services
- e) Community, Educational, Recreational, and Cultural Services
  - i) Community Recreation Services
  - ii) Daytime Child Care Services
  - iii) Exhibition and Convention Facilities
  - iv) Indoor Participant Recreation Services
  - v) Private Clubs
  - vi) Private Education Services
  - vii) Public Education Services
  - viii) Public Libraries and Cultural Exhibits
  - ix) Public Park
  - x) Religious Assembly
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 1) Districts identified in Appendix I to this Schedule:
  - a) The maximum total floor area ratio shall be 12.0, except that the floor area of Spectator Entertainment Establishments, Cultural Exhibits and Public Libraries, and Daytime Child Care Services shall be exempt from floor area ratio calculations.
  - b) The maximum floor area ratio for Residential Use Classes or Hotels or both shall be 12.0.
  - c) The maximum floor area ratio for all other Use Classes shall be 8.0.

- d) The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this District.
  - e) The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of this Bylaw.
  - f) There shall be no minimum yard requirements.
  - g) Not more than 50% of at-grade street frontage on 101 (Jasper) Avenue as designated on Appendix II to this Schedule, Proposed Retail Continuity, shall be developed for offices of professional, financial, office support and health services, or entrance lobbies. Notwithstanding this restriction on frontage use when:
    - i) the frontage use does not comply with the performance standard; and
    - ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development; and
    - iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Downtown Area Redevelopment Plan relating to retail continuity for the street on which the development is proposed;
- the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of this Bylaw.
- h) No site abutting Jasper Avenue shall be developed for surface parking.
  - i) A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area ratio calculations to a maximum of 10% of the gross floor area of the development.
  - j) Amenity Area provided in accordance with Section 370.6(4) of this Bylaw shall be exempt from floor area ratio calculations to a maximum of 20% of the gross floor area of the development.

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- k) Buildings fronting onto all Streets and Avenues in this District shall provide either:
  - i) a canopy of at least 2m (6.56 ft.) wide, 4m (13.12 ft.) or one storey above sidewalk level; or
  - ii) a continuous arcade 4m (13.12 ft.) wide, 4m (13.12 ft.) minimum height to 6m (19.69 ft.) maximum height, along the frontage of the building.

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- l) Deleted
- m) Recreational Facilities involving a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.
- n) Notwithstanding Section 370.6(2), Automotive and Minor Recreation Vehicle Sales/Rentals, where lawfully existing on a site at the effective date of this bylaw, may expand or redevelop on the site, but shall not otherwise occur as a new development in this District.

**820E.5 CMX (Area 2) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing

- b) Residential-Related
  - i) Apartment Hotels
  - ii) Boarding and Lodging Houses
  - iii) Foster Homes
  - iv) Fraternity and Sorority Housing
  - v) Group Homes
  - vi) Homecrafts
  - vii) Offices-in-the-Home
  
- c) Commercial
  - i) Auctioneering Establishments
  - ii) Automotive and Minor Recreation Vehicle Sales/Rentals
  - iii) Broadcasting and Motion Picture Studios
  - iv) Business Support Services
  - v) Commercial Schools
  - vi) Convenience Retail Stores
  - vii) Cremation and Interment Services
  - viii) Custom Manufacturing Establishments
  - ix) Fleet Services
  - x) Funeral Services
  - xi) Gas Bars
  - xii) General Retail Stores
  - xiii) Health Services
  - xiv) Hotels
  - xv) Household Repair Services

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- xvi) Major and Minor Amusement Establishments
- xvii) Limited Contractor Services
- xviii) Major and Minor Eating and Drinking Establishments
- xix) Minor Veterinary Services
- xx) Mobile Food Catering Services
- xxi) Non-Accessory Parking
- xxii) Personal Service Shops
- xxiii) Professional, Financial, and Office Support Services
- xxiv) Recycling Depots
- xxv) Minor Secondhand Stores
- xxvi) Spectator Entertainment Establishments
- xxvii) Warehouse Sales
- xxviii) Major Secondhand Stores

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- d) Basic Services
  - i) Extended Medical Treatment Services
  - ii) Government Services
  - iii) Minor Impact Utility Services
  - iv) Protective and Emergency Services
- e) Community, Educational, Recreational and Cultural Services
  - i) Community Recreational Services
  - ii) Daytime Child Care Services
  - iii) Indoor Participant Recreation Services

- iv) Private Clubs
  - v) Private Education Services
  - vi) Public Education Services
  - vii) Public Libraries and Cultural Exhibits
  - viii) Public Park
  - ix) Religious Assembly
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 2) Districts identified on Appendix I to this Schedule:
- a) The maximum total floor area ratio shall be 14.0, except that the floor area of Spectator Entertainment Establishments, Cultural Exhibits and Public Libraries, and Daytime Child Care Services, shall be exempt from floor area ratio calculations.
  - b) The maximum floor area ratio for Residential Use Classes or Hotels or both shall be 14.0.
  - c) The maximum floor area ratio for all other Use Classes shall be 10.0.
  - d) The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this District.
  - e) The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of this Bylaw.
  - f) There shall be no minimum yard requirements.
  - g) Not more than 50% of at-grade street frontage on Jasper Avenue, 101A, 102 and 103 Avenues, 100A, 101, 102, 103 and 104 Streets as designated on Appendix II to this Schedule, Proposed Retail Continuity, shall be developed for offices of professional, financial, office support and health services or entrance lobbies. Notwithstanding this restriction on frontage use when:

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- i) the frontage use does not comply with the performance standard; and
- ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development; and
- iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Downtown Area Redevelopment Plan relating to retail continuity for the street on which the development is proposed;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of this Bylaw.

- h) No site abutting the streets identified in Section 820E.5(2)(g) shall be developed for surface parking.
- i) A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area ratio calculations to a maximum of 10% of the gross floor area of the development.
- j) Amenity Area provided in accordance with Section 370.6(4) of this Bylaw shall be exempted from floor area ratio calculations to a maximum of 20% of the gross floor area of the development.
- k) Buildings fronting on 108 Street south of 101 (Jasper) Avenue shall provide a continuous setback of 6m (19.69 ft.).
- l) Buildings fronting onto the south side of 102 Avenue west of 103 Street shall provide a continuous setback of 1.5m (4.9 ft.).
- m) Buildings fronting on all other Streets and Avenues in this district shall provide either:
  - i) a canopy of at least 2m (6.56 ft.) wide, 4m (13.12 ft.) or one storey above sidewalk level; or
  - ii) a continuous arcade 4m (13.12 ft.) wide, 4m (13.12 ft.) minimum height to 6m (19.69 ft.)

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maximum height, along the frontage of the building.

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- n) Deleted
- o) Notwithstanding Section 370.6(2), Automotive and Minor Recreation Vehicle Sales/Rentals, Gas Bars and Warehouse Sales, where lawfully existing on a site at the effective date of this Bylaw, may expand or develop on the site, but shall not otherwise occur as a new development in this District.
- p) Recreational Facilities involving a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.

**820E.6 CMX (Area 3) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing
  - b) Residential-Related
    - i) Apartment Hotels
    - ii) Boarding and Lodging Houses
    - iii) Foster Homes
    - iv) Fraternity and Sorority Housing
    - v) Group Homes

vi) Homecrafts

vii) Offices-in-the-Home

c) Commercial

i) Auctioneering Establishments

ii) Automotive and Minor Recreation Vehicle  
Sales/Rentals

iii) Broadcasting and Motion Picture Studios

iv) Business Support Services

v) Commercial Schools

vi) Convenience Retail Stores

vii) Cremation and Interment Services

viii) Custom Manufacturing Establishments

ix) Equipment Rentals

x) Fleet Services

xi) Funeral Services

xii) General Retail Stores

xiii) Health Services

xiv) Hotels

xv) Household Repair Services

xvi) Major and Minor Amusement Establish-  
ments

xvii) Limited Contractor Services

xviii) Major and Minor Eating and Drinking  
Establishments

xix) Minor Veterinary Services

xx) Mobile Food Catering Services

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- xxi) Non-Accessory Parking
- xxii) Personal Service Shops
- xxiii) Professional, Financial, and Office Support Services
- xxiv) Recycling Depots
- xxv) Minor Secondhand Stores
- xxvi) Spectator Entertainment Establishments
- xxvii) Major Secondhand Stores

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- d) Basic Services
    - i) Extended Medical Treatment Services
    - ii) Government Services
    - iii) Minor Impact Utility Services
    - iv) Protective and Emergency Services
  - e) Community, Educational, Recreational, and Cultural Services
    - i) Community Recreational Services
    - ii) Daytime Child Care Services
    - iii) Indoor Participant Recreation Services
    - iv) Private Clubs
    - v) Private Education Services
    - vi) Public Education Services
    - vii) Public Libraries and Cultural Exhibits
    - viii) Public Park
    - ix) Religious Assembly
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall

apply to those CMX (Area 3) Districts identified on Appendix I to this Schedule:

- a) The maximum total floor area ratio shall be 14.0, except that the floor area of Spectator Entertainment Establishments, Cultural Exhibits and Public Libraries, and Daytime Child Care Services shall be exempt from floor area ratio calculations.
- b) The maximum floor area ratio for Residential Use Classes or Hotels or both shall be 14.0.
- c) The maximum total floor area ratio for all other Use Classes shall be 8.0, except that where Residential Use Classes are developed on the same site, the maximum floor area ratio for all other Use Classes may be increased on the basis of 1 m<sup>2</sup> (10.76 sq. ft.) of Non-Residential Use Class for every 2 m<sup>2</sup> (21.52 sq. ft.) of Residential Use Class, from 8.0 to a total maximum floor area ratio of 14.0.
- d) The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this District.
- e) The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of this Bylaw.
- f) There shall be no minimum yard requirements.
- g) Non-Residential Use Classes, especially general retail stores, shall be located in the lowest storey of a development and provide for direct access to grade.
- h) Not more than 50% of at-grade street frontage shall be developed for entrance lobbies.
- i) Not more than 50% of at-grade street frontage on 102 Street as designated on Appendix II to this Schedule, Proposed Retail Continuity, shall be developed for offices of professional, financial, office support and health services, or entrance lobbies. Notwithstanding this restriction on frontage use when:
  - i) the frontage use does not comply with the performance standard; and

- ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development; and
- iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Downtown Area Redevelopment Plan relating to retail continuity for the street on which the development is proposed;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of this Bylaw.

- j) No sites abutting the portion of 102 Street, designated on Appendix II to this Schedule, Proposed Retail Continuity, shall be developed for surface parking.
- k) A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development.
- l) Amenity Area provided in accordance with Section 370.6(4) of this Bylaw shall be exempted from floor area ratio calculations to a maximum of 20% of the gross floor area of the development.
- m) Buildings fronting onto 104 Street, south of 100 Avenue shall provide a continuous setback of 6m (19.69 ft.).
- n) Buildings fronting onto all other Streets and Avenues in this district shall provide either:
  - i) a canopy at least 2m wide, 4m or one storey above sidewalk level; or
  - ii) a continuous arcade 4m (13.12 ft.) wide, 4m (13.12 ft.) minimum height to 6m (19.69 ft.) maximum height, along the frontage of the building.
- o) Recreational Facilities involving a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.

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- p) Notwithstanding Section 370.6(2), Automotive and Minor Recreation Vehicle Sales/Rentals, where lawfully existing on a site at the effective date of this Bylaw, may expand or redevelop on the site, but shall not otherwise occur as a new development in this District.

**820E.7 CMX (Area 4) Commercial Mixed Use District**

- 1) Districting Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing
  - b) Residential-Related
    - i) Apartment Hotels
    - ii) Boarding and Lodging Houses
    - iii) Foster Homes
    - iv) Fraternity and Sorority Housing
    - v) Group Homes
    - vi) Homecrafts
    - vii) Offices-in-the-Home
  - c) Commercial
    - i) Auctioneering Establishments

- ii) Automotive and Minor Recreation Vehicle Sales/Rentals
- iii) Broadcasting and Motion Picture Studios
- iv) Business Support Services
- v) Commercial Schools
- vi) Convenience Retail Stores
- vii) Cremation and Interment Services
- viii) Custom Manufacturing Establishments
- ix) Equipment Rentals
- x) Fleet Services
- xi) Funeral Services
- xii) General Retail Stores
- xiii) Health Services
- xiv) Hotels
- xv) Household Repair Services
- xvi) Major and Minor Amusement Establishments
- xvii) Limited Contractor Services
- xviii) Major and Minor Eating and Drinking Establishments
- xix) Minor Veterinary Services
- xx) Mobile Food Catering Services
- xxi) Non-Accessory Parking
- xxii) Personal Service Shops
- xxiii) Professional, Financial, and Office Support Services
- xxiv) Recycling Depots

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- xxv) Minor Secondhand Stores
- xxvi) Spectator Entertainment Establishments
- xxvii) Major Secondhand Stores

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- d) Basic Services
    - i) Extended Medical Treatment Services
    - ii) Government Services
    - iii) Minor Impact Utility Services
    - iv) Protective and Emergency Services
  - e) Community, Educational, Recreational and Cultural Services
    - i) Community Recreational Services
    - ii) Daytime Child Care Services
    - iii) Indoor Participant Recreation Services
    - iv) Private Clubs
    - v) Private Education Services
    - vi) Public Education Services
    - vii) Public Libraries and Cultural Exhibits
    - viii) Public Park
    - ix) Religious Assembly
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 4) Districts identified on Appendix I to this Schedule:
- a) The maximum total floor area ratio shall be 12.0 except that the floor area ratio or Spectator Entertainment Establishments, Cultural Exhibits and Public Libraries and Daytime Child Care Services shall be exempt from floor area ratio calculations.



- b) The maximum floor area ratio for Residential Use Classes or Hotels or both shall be 12.0.
- c) The maximum total floor area ratio for all other Use Classes shall be 8.0.
- d) The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this District.
- e) The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of this Bylaw.
- f) There shall be no minimum yard requirements.
- g) A minimum of 25% of the floor area of the lowest storey of a building having three or more street frontages shall be developed for General Retail Stores, Major and Minor Eating and Drinking Establishments and Spectator Entertainment Establishments, having access to grade.
- h) Not more than 50% of at-grade street frontage shall be developed for entrance lobbies.
- i) A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development.
- j) Amenity Area provided in accordance with Section 370.6(4) of this Bylaw shall be exempted from floor area ratio calculations to a maximum 20% of the gross floor area of the site.
- k) Buildings fronting onto 108 Street shall provide a continuous setback of 6m (19.69 ft.).
- l) Buildings fronting onto all other Streets and Avenues in this district shall provide either:
  - i) a canopy at least 2m wide, 4m or one storey above sidewalk level; or
  - ii) a continuous arcade 4m wide, 4m minimum height to 6m maximum height, along the frontage of the building.

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- m) Deleted.
- n) Recreational Facilities involving a user charge that are in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.
- o) Notwithstanding Section 370.6(2), Automotive and Minor Recreation Vehicle Sales/Rentals, where lawfully existing on a site at the effective date of this Bylaw, may expand or redevelop on the site, but shall not otherwise occur as a new development in this District.

**820E.8 CMX (Area 5) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing
  - b) Residential-Related
    - i) Apartment Hotels
    - ii) Boarding and Lodging Houses
    - iii) Foster Homes
    - iv) Fraternity and Sorority Housing
    - v) Group Homes
    - vi) Homecrafts

vii) Offices-in-the-Home

c) Commercial

i) Auctioneering Establishments

ii) Automotive and Minor Recreation Vehicle  
Sales/Rentals

iii) Broadcasting and Motion Picture Studios

iv) Business Support Services

v) Commercial Schools

vi) Convenience Retail Stores

vii) Cremation and Interment Services

viii) Custom Manufacturing Establishments

ix) Equipment Rentals

x) Fleet Services

xi) Gas Bars

xii) Funeral Services

xiii) General Retail Stores

xiv) Health Services

xv) Hotels

xvi) Household Repair Services

xvii) Major and Minor Amusement Establish-  
ments

xviii) Limited Contractor Services

xix) Major and Minor Eating and Drinking  
Establishments

xx) Minor Veterinary Services

xxi) Mobile Food Catering Services

xxii) Non-Accessory Parking

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- xxiii) Personal Service Shops
- xxiv) Professional, Financial, and Office Support Services
- xxv) Recycling Depots
- xxvi) Minor Secondhand Stores
  
- xxvii) Spectator Entertainment Establishments
- xxviii) Warehouse Sales
- xxix) Major Secondhand Stores

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- d) Basic Services
  - i) Extended Medical Treatment Services
  - ii) Government Services
  - iii) Minor Impact Utility Services
  - iv) Protective and Emergency Services
  
- e) Community, Educational, Recreational, and Cultural Services
  - i) Community Recreational Services
  - ii) Daytime Child Care Services
  - iii) Indoor Participant Recreation Services
  - iv) Private Clubs
  - v) Private Education Services
  - vi) Public Education Services
  - vii) Public Libraries and Cultural Exhibits
  - viii) Public Park
  - ix) Religious Assembly

- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 5) Districts identified on Appendix 1 to this Schedule:
- a) The maximum total floor area ratio shall be 10.0, except that the floor area ratio for Spectator Entertainment Establishments, Cultural Exhibits and Public Libraries, and Daytime Child Care Services shall be exempt from floor area ratio calculations.
  - b) The maximum total floor area ratio for Residential Use Classes or Hotels or both shall be 10.0.
  - c) The maximum total floor area ratio for all other Use Classes shall be 4.0, except that where Residential Use Classes are developed on the same site, the maximum floor area ratio for all other Use Classes may be increased on the basis of 1 m<sup>2</sup> (10.76 sq. ft.) of Non-Residential Use Class for every 2 m<sup>2</sup> (21.52 sq. ft.) of Residential Use Class, from 4.0 to a total maximum floor area ratio of 10.0.
  - d) The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this District.
  - e) The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of this Bylaw.
  - f) There shall be no minimum yard requirements.
  - g) A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development.
  - h) Amenity Area provided in accordance with Section 370.6(4) of this Bylaw shall be exempted from floor area ratio calculations to a maximum 20% of the gross floor area of the development.
  - i) Buildings fronting onto 108 Street shall provide a continuous setback of 6m (19.69 ft.).
  - j) Buildings fronting onto 105 Street and the east side of 109 Street shall provide either:

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- i) a canopy at least 2m (6.56 ft.) wide, 4m (13.12 ft.) or one storey above sidewalk level; or
- ii) a continuous arcade 4m (13.12 ft.) wide, 4m (13.12 ft.) minimum height to 6m (19.69 ft.) maximum height, along the frontage of the building.

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k) Deleted.

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l) Deleted.

m) Recreational Facilities involving a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.

n) Notwithstanding Section 370.6(2), Automotive and Minor Recreation Vehicle Sales/Rentals, Gas Bars, and Warehouse Sales, where lawfully existing on a site at the effective date of this Bylaw, may expand or redevelop on the site, but shall not otherwise occur as a new development in this District.

**820E.9 CMX (Area 6) Commercial Mixed Use District**

1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:

a) Residential

- i) Apartment Housing
- ii) Duplex Housing
- iii) Linked Housing
- iv) Row Housing
- v) Semi-detached Housing
- vi) Single detached Housing
- vii) Stacked Row Housing

- b) Residential-Related
  - i) Apartment Hotels
  - ii) Boarding and Lodging Houses
  - iii) Foster Homes
  - iv) Fraternity and Sorority Housing
  - v) Group Homes
  - vi) Homecrafts
  - vii) Offices-in-the-Home
  
- c) Commercial
  - i) Auctioneering Establishments
  - ii) Automotive and Equipment Repair Shops
  - iii) Automotive and Minor Recreation Vehicle Sales/Rentals
  - iv) Broadcasting and Motion Picture Studios
  - v) Business Support Services
  - vi) Commercial Schools
  - vii) Convenience Retail Stores
  - viii) Cremation and Interment Services
  - ix) Custom Manufacturing Establishments
  - x) Equipment Rentals
  - xi) Fleet Services
  - xii) Funeral Services
  - xiii) General Retail Stores
  - xiv) Health Services
  - xv) Hotels
  - xvi) Household Repair Services

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- xvii) Major and Minor Amusement Establishments
- xviii) Limited Contractor Services
- xix) Major and Minor Eating and Drinking Establishments
- xx) Major and Minor Service Stations
- xxi) Minor Veterinary Services
- xxii) Mobile Food Catering Services
- xxiii) Non-Accessory Parking
- xxiv) Personal Service Shops
- xxv) Professional, Financial, and Office Support Services
- xxvi) Recycling Depots
- xxvii) Minor Secondhand Stores

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- xxviii) Spectator Entertainment Establishments
- xxix) Warehouse Sales
- xxx) Major Secondhand Stores

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- d) Basic Services
  - i) Extended Medical Treatment Services
  - ii) Government Services
  - iii) Minor Impact Utility Services
  - iv) Protective and Emergency Services
- e) Community, Educational, Recreational, and Cultural Services
  - i) Community Recreational Services
  - ii) Daytime Child Care Services



- iii) Indoor Participant Recreation Services
  - iv) Private Clubs
  - v) Private Education Services
  - vi) Public Education Services
  - vii) Public Libraries and Cultural Exhibits
  - viii) Public Park
  - ix) Religious Assembly
- f) General Industrial Uses, where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only.
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 6) Districts identified on Appendix I to this Schedule:
- a) The maximum total floor area ratio shall be 10.0, except that the floor area ratio for Spectator Entertainment Establishments, Cultural Exhibits and Public Libraries, and Daytime Child Care Services shall be exempt from floor area ratio calculations.
  - b) The maximum floor area ratio for Residential Use Classes and Hotels shall be 10.0.
  - c) North of 102 Avenue the maximum floor area ratio for all other Use Classes shall be 4.0, except that where Residential Use Classes are developed on the same site, the maximum floor area ratio for all other Use Classes may be increased on the basis of 1 m<sup>2</sup> (10.76 sq. ft.) of Non-Residential Use Class for every 2 m<sup>2</sup> (21.52 sq. ft.) of Residential Use Class, from 4.0 to a total maximum floor area ratio of 10.0.
  - d) South of 102 Avenue, the maximum floor area ratio for all other Use Classes shall be 6.0.
  - e) The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this District.

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- f) The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of this Bylaw.
- g) There shall be no minimum yard requirements.
- h) A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development.
- i) Amenity Area provided in accordance with Section 370.6(4) of this Bylaw shall be exempted from floor area ratio calculations to a maximum 20% of the gross floor area of the development.
- j) Buildings fronting onto 102 Avenue and 103 Avenue shall provide a continuous setback of 1.5 m (4.92 ft.).
- k) Buildings fronting onto the west side of 109 Street shall provide either:
  - i) a canopy at least 2m (6.56 ft.) wide, 4m (13.12 ft.) or one storey above sidewalk level; or
  - ii) a continuous arcade 4m (13.12 ft.) wide, 4m (13.12 ft.) minimum height to 6m (19.69 ft.) maximum height, along the frontage of the building.
- l) Deleted.
- m) Recreational Facilities involving a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.
- n) Notwithstanding Section 370.6(2), Automotive and Minor Recreation Vehicle Sales/Rentals, Major and Minor Service Stations, Warehouse Sales, Fleet Services and, Automotive and Equipment Repair Shops, where lawfully existing on a site at the effective date of this Bylaw, may expand or redevelop on the site, but shall not otherwise occur as a new development in this District.

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**820E.10 RMX Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Duplex Housing
    - iii) Linked Housing
    - iv) Row Housing
    - v) Semi-detached Housing
    - vi) Single detached Housing
    - vii) Stacked Row Housing
  - b) Residential-Related
    - i) Apartment Hotels
    - ii) Boarding and Lodging Houses
    - iii) Foster Homes
    - iv) Fraternity and Sorority Housing
    - v) Group Homes
    - vi) Homecrafts
    - vii) Offices-in-the-Home
  - c) Commercial
    - i) Commercial Schools
    - ii) Convenience Retail Stores
    - iii) General Retail Stores
    - iv) Health Services
    - v) Hotels

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- vi) Household Repair Services
- vii) Major Eating and Drinking Establishments
- viii) Minor Eating and Drinking Establishments
- ix) Minor Veterinary Services
- x) Motels
- xi) Personal Service Shops
- xii) Professional, Financial and Office Support Services
- xiii) Minor Secondhand Stores
- xiv) Minor Amusement Establishments
- xv) Major Secondhand Stores

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- d) Basic Services
  - i) Extended Medical Treatment Services
  - ii) Government Services
  - iii) Minor Impact Utility Services
- e) Community, Educational, Recreational, and Cultural Services
  - i) Community Recreational Services
  - ii) Daytime Child Care Services
  - iii) Indoor Participant Recreation Services
  - iv) Private Clubs
  - v) Private Education Services
  - vi) Public Education Services
  - vii) Public Libraries and Cultural Exhibits
  - viii) Religious Assembly

ix) Spectator Entertainment Establishments

- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX District identified on Appendix I.
- a) The maximum total floor area ratio shall be 5.5, except that the floor area for Spectator Entertainment Establishments, Cultural Exhibits and Public Libraries, and Daytime Child Care Services shall be exempt from floor area ratio calculations.
  - b) The maximum floor area ratio for Residential Use Classes and Hotels shall be 5.5.
  - c) The maximum floor area ratio for all other Use Classes shall be 1.5.
  - d) The maximum total Residential density shall be determined on the basis of the floor area ratio and other regulations of this District.
  - e) The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of this Bylaw.
  - f) Except for sites which front onto 105 Street, a 6m (19.7 ft.) front yard shall be required. No rear and side yards shall be required.
  - g) A minimum Amenity Area of 4% of the Non-Residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development.
  - h) Amenity Area provided in accordance with Section 240.6(4) of this Bylaw shall be exempted from floor area ratio calculations to a maximum 20% of the gross floor area of the development.
  - i) Buildings fronting onto 105 Street shall provide either:
    - i) a canopy at least 2m (6.56 ft.) wide, 4m (13.12 ft.) or one storey above sidewalk level; or

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- ii) a continuous arcade 4m (13.12 ft.) wide, 4m (13.12 ft.) minimum height to 6m (19.69 ft.) maximum height, along the frontage of the building.
- j) Buildings fronting onto all other Streets and Avenues in this district shall provide a continuous setback of 6m (19.69 ft.).
- k) Recreational Facilities involving a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.

**820E.11 RA9 High Rise Apartment District**

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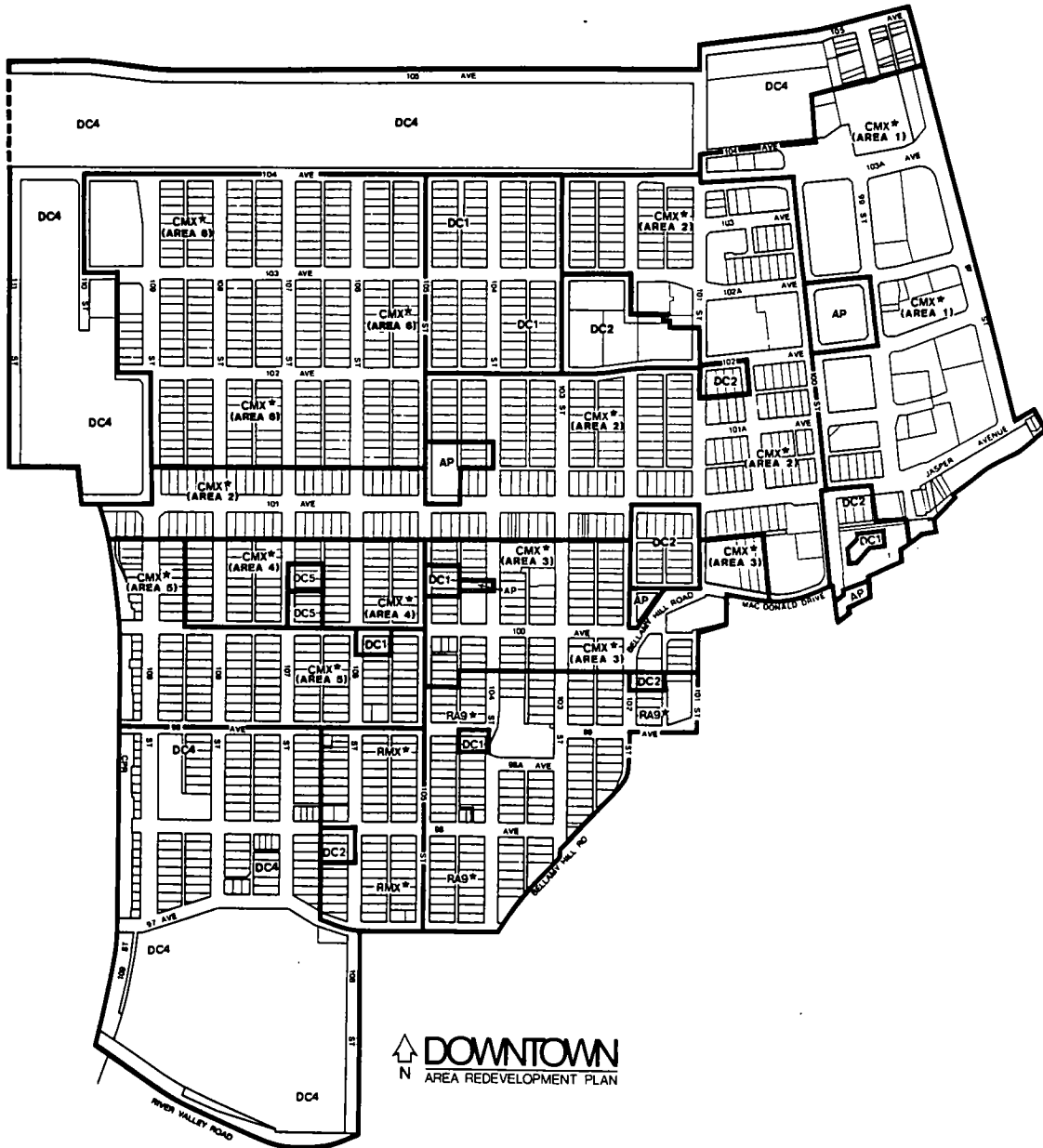
- 1) The following development regulations shall be substituted for the specified regulations of Section 230 of this Bylaw and shall apply to the RA9 District identified on Appendix I to this Schedule:

- a) The maximum total residential density shall be 500 dwellings/ha (202 dwellings/ac).
- b) The minimum front yard for sites abutting 105 Street shall be 3m (9.95 ft.). The minimum front yard for all other sites shall be 6m (19.7 ft.).
- c) Buildings fronting onto 105 Street shall provide either;
  - i) a canopy at least 2m (6.56 ft.) wide, 4m (13.12 ft.) or one storey above sidewalk level; or
  - ii) a continuous arcade 4m (13.12 ft.) wide, 4m (13.12 ft.) minimum height to 6m (19.69 ft.) maximum height, along the frontage of the building.
- d) Buildings fronting onto all other Streets and Avenues in this district shall provide a continuous setback of 6m (19.69 ft.).
- e) Recreational Facilities involving a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations.

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Designation applied to sites with altered or specified development regulations in accordance with Schedule 820E, Land Use Bylaw.

(area)  
(AREA) distinguishes between areas under districts with the same designation but with different regulations pursuant to Schedule 820E



*Bylaw 6388  
February 23, 1982*

**820F.1      General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Central McDougall Area Redevelopment Plan, as adopted by Bylaw 6222.

**820F.2      Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820F.3      Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820F.4 - 820F.6 shall be applied in place of or in addition to regulations of the following underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

**820F.4      CMX (Area 1) - Commercial Mixed Use District  
for the 101 Street Pedestrian Corridor  
(Section 370, Land Use Bylaw)**

**Areas of Application**

Portions of Subarea 1, generally located between 101 and 102 Streets from 105 to 106 Avenues, designated CMX in Bylaw 6388, amending the Land Use Bylaw.

**Rationale**

The southern portion of 101 Street is adjacent to high density development in the Downtown and the intensive redeveloped proposed for the CN lands. The General Municipal Plan recommends that this area of Central McDougall form part of the transition zone from Downtown commercial development to the medium density residential uses north of 106 Avenue. The General Municipal Plan states that the height and intensity of buildings in this transition zone may approach, but not equal, those in the Downtown. The height and intensity of development will decrease with distance from the Downtown to blend with the lower intensity development on, and north of, 107 Avenue. It is intended that this part of the transition zone consist of office and commercial uses which will encourage pedestrian flows along 101 Street to the Downtown. Specific building regulations have been included in this CMX District which are intended to minimize negative microclimate impacts at street level, provide



space at grade for landscaping and installation of street furniture, and maintain an axial view to the Downtown.

**Specific Provisions Affecting Consideration of Discretionary Uses**

The Development Officer shall have regard for the following guidelines when reviewing development applications for Discretionary Uses:

- 1) Parking and loading shall, wherever possible, be from the rear lane. When this is not feasible, parking and loading should be consolidated and located away from sidewalk areas most heavily used by pedestrians.
- 2) Developments shall have a setback from the rear property line to accommodate pedestrian travel, as outlined in Policy 1.6 of this Plan. The portion of the rear setback intended for pedestrian travel shall be hardsurfaced and developed so that the pedestrian corridor is readily distinguishable from vehicular circulation and loading areas.
- 3) Commercial Use Classes such as General Retail Stores, Eating and Drinking Establishments, Personal Service Shops and Indoor Amusement Establishments, which contribute to pedestrian activity, shall be encouraged at the ground floor level and shall have direct access to grade.
- 4) Any applications involving redevelopment of the MacDonalds Consolidated Building, located at 105 Avenue and 102 Street shall be encouraged to integrate and retain this building in the redevelopment proposal.

**Discretionary Uses not Deleted by Statutory Plan Overlay**

The following Discretionary Uses from those listed in Section 370.4 of the Land Use Bylaw, have not been deleted by Statutory Plan Overlay:

- 1) Commercial
  - a) Broadcasting and Motion Picture Studios
  - b) Business Support Services
  - c) Commercial Schools

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- d) Convenience Retail Stores
- e) Custom Manufacturing Establishments
- f) Equipment Rentals (Indoors)
- g) General Retail Stores
- h) Health Services
- i) Hotels
- j) Household Repair Services
- k) Major and Minor Amusement Establishments
- l) Major and Minor Eating and Drinking Establishments
- m) Personal Service Shops
- n) Professional, Financial and Office Support Services
- o) Minor Secondhand Stores
- p) Spectator Entertainment Establishments
- q) Major Secondhand Stores

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2) Basic Services

- a) Government Services

3) Community, Educational, Recreational and Cultural Services

- a) Daytime Child Care Services
- b) Indoor Participant Recreation Services
- c) Private Clubs
- d) Private Education Services
- e) Public Education Services
- f) Public Libraries and Cultural Exhibits

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**Regulations Specified by Statutory Plan Overlay**

Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulations shall be specified by means of the Statutory Plan Overlay for the Central McDougall Area.

- 1) The maximum floor area ratio shall be 7.0.
- 2) The maximum building height shall be 68m (223.1 ft.).
- 3) A minimum setback of 3.6 m (11.8 ft.) shall be required where a site abuts a public roadway, other than a lane. This setback shall be hardsurfaced and landscaped to provide a functional and attractive streetscape for pedestrian use, as set out in Policy 1.6 of this Plan.
- 4) Developments fronting onto 101 Street shall either:
  - a) include a 10m (32.8 ft.) setback from the front and side building line at or before the fourth storey; or,
  - b) be terraced at or before the fourth storey such that the cumulative total of all terraces is a minimum 20m (65.6 ft.) and that the angle of terracing is not greater than 70 degrees, calculated using the top of the fourth storey (15m, 49.2 ft.) a 20m setback from the building front and a maximum building height of 68m (223.1 ft.) as reference points.
- 5) Developments fronting on 101 Street shall include canopies, awnings or building overhangs to provide weather protection over a portion of the sidewalk, in accordance with the following provisions:
  - a) the bottom of a canopy, awning or building overhang shall be located not less than 4m (13.1 ft.), and not more than 6m (19.7 ft.) above sidewalk level;
  - b) a canopy or awning shall extend outward from the face of the building from which it is supported by at least 2m (6.6 ft.), measured perpendicularly from the building face; and,
  - c) a maximum building overhang of 1.5m (4.9 ft.) may be achieved by providing an additional 1.5m (4.9 ft.) front yard at the ground floor.

- 6) Not more than 50 percent of the ground floor of development within any block fronting onto 101 Street shall be used for the development of Professional, Financial and Office Support Services and entrance lobbies. Notwithstanding this restriction of frontage use when:
- i) the frontage use does not comply with the performance standard; and
  - ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development; and
  - iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Central McDougall Area Redevelopment Plan relating to retail continuity along 101 Street;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of the Land Use Bylaw.

**820F.5**

**CMX (Area 2)- Commercial Mixed Use District  
for the 101 Street Pedestrian Corridor  
(Section 370, Land Use Bylaw)**

**Areas of Application**

Portions of Subareas 1, 2 and 3, generally located between 101 Street and 102 Street from 106 to 108 Avenues, designated CMX in Bylaw 6388, amending the Land Use Bylaw.

**Rationale**

This area fronts onto 101 Street and is part of the transition zone between the high intensity development in the Downtown and the medium density residential uses north of 106 Avenue and west of 102 Street. The height and intensity of development proposed for in this area will ensure that buildings are sensitively integrated with the less intensive residential development west of 102 Street and the less intensive residential commercial development recommended for the east side of 101 Street in the Boyle Street/McCauley Area Redevelopment Plan. It is intended that development in this area consist of office and commercial uses which will encourage pedestrian flows along 101 Street to the Downtown. Specific building regulations have been included in this CMX District which are intended to minimize negative microclimate impacts at street

level, provide space at grade for landscaping and installation of street furniture, and maintain an axial view to the Downtown.

**Specific Provisions Affecting Consideration of Discretionary Uses**

The Development Officer shall have regard for the following guidelines when reviewing development applications for Discretionary Uses:

- 1) Parking and loading shall, wherever possible, be from the rear lane. When this is not feasible, parking and loading should be consolidated and located away from sidewalk areas most heavily used by pedestrians.
- 2) Developments shall have a setback from the rear property line to accommodate pedestrian travel, as outlined in Policy 1.6 of this Plan. The portion of the rear setback intended for pedestrian travel shall be hardsurfaced so that the pedestrian corridor is readily distinguishable from vehicular circulation and loading areas.
- 3) Commercial Use Classes such as General Retail Stores, Eating and Drinking Establishments, Personal Service Shops and Indoor Amusement Establishments, which contribute to pedestrian activity, shall be encouraged at the ground floor level and shall have direct access to grade.

**Discretionary Uses Not Deleted by Statutory Plan Overlay**

The following Discretionary Uses, from those listed in Section 370.4 of the Land Use Bylaw, have not been deleted by Statutory Plan Overlay:

- 1) Commercial
  - a) Broadcasting and Motion Picture Studios
  - b) Business Support Services
  - c) Commercial Schools
  - d) Convenience Retail Stores
  - e) Custom Manufacturing Establishments
  - f) Equipment Rentals (Indoors)
  - g) General Retail Stores

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- h) Health Services
- i) Hotels
- j) Household Repair Services
- k) Major and Minor Amusement Establishments
- l) Major and Minor Eating and Drinking Establishments
- m) Personal Service Shops
- n) Professional, Financial and Office Support Services
- o) Minor Secondhand Stores
- p) Spectator Entertainment Establishments
- q) Major Secondhand Stores

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- 2) Basic Services
  - a) Government Services
- 3) Community, Educational, Recreational and Cultural Services
  - a) Daytime Child Care Services
  - b) Indoor Participant Recreation Services
  - c) Private Clubs
  - d) Private Education Services
  - e) Public Education Services
  - f) Public Libraries and Cultural Exhibits

**Regulations Specified by Statutory Plan Overlay**

Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulations shall be specified by means of the Statutory Plan Overlay for the Central McDougall Area.

- 1) The maximum floor area ratio shall be 5.0.
- 2) The maximum building height shall be 28m (91.9 ft.).
- 3) A minimum front setback of 3.6 m (11.8 ft.) shall be required for sites abutting 101 Street. This setback shall be hardsurfaced and landscaped to provide a functional and attractive streetscape for pedestrian use, as set out in Policy 1.6 of this Plan.
- 4) A rear setback of 1.5m (4.92 ft.) shall be required for sites abutting 101 Street.
- 5) A minimum side setback of 4.5m (14.8 ft.) shall be required where a site abuts a public roadway, other than a lane.
- 6) Developments fronting onto 101 Street shall be terraced such that:
  - a) the first terrace occurs at or before the fourth storey;
  - b) the cumulative total base area of all terraces is a minimum of 10m (33 ft.); and,
  - c) that an angle not greater than 48 degrees, calculated using the top of the fourth storey (15m or 49.2 ft.), a 10m (33 ft.) setback from the building front and the maximum building height (28m or 91.9 ft.) as reference points, is attainable.
- 7) Developments fronting onto 101 Street shall include canopies, awnings or building overhangs to provide weather protection over a portion of the sidewalk, in accordance with the following provisions:
  - a) the bottom of a canopy, awning or building overhang shall be located not less than 4m (13.1 ft.), and not more than 6m (19.7 ft.) above sidewalk level;
  - b) a canopy or awning shall extend outward from the face of the building from which it is supported by at least 2m (6.6 ft.) measured perpendicularly from the building face; and,
  - c) the minimum width of a building overhang, used to provide an arcade, shall be 5m (16.4 ft.).

- 8) Not more than 50 percent of the ground floor of development within any block fronting onto 101 Street shall be used for the development of Professional, Financial and Office Support Services, Health Services, Non-accessory Parking, Government Services and entrance lobbies. Notwithstanding this restriction on frontage use when:
- i) the frontage use does not comply with the performance standard; and
  - ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development; and
  - iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Central McDougall Area Redevelopment Plan relating to retail continuity along 101 Street;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of the Land Use Bylaw.

- a) Commercial
  - i) Broadcasting and Motion Picture Studios
  - ii) Business Support Services
  - iii) Commercial Schools
  - iv) Convenience Retail Stores
  - v) Custom Manufacturing Establishments
  - vi) Equipment Rentals (Indoors)
  - vii) General Retail Stores
  - viii) Health Services
  - ix) Hotels
  - x) Household Repair Services
  - xi) Major and Minor Amusement Establishments



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- xii) Major and Minor Eating and Drinking Establishments
- xiii) Personal Service Shops
- xiv) Professional, Financial and Office Support Services
- xv) Minor Secondhand Stores
- xvi) Spectator Entertainment Establishments
- xvii) Major Secondhand Stores

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- b) Basic Services
    - i) Government Services
  - c) Community, Educational, Recreational and Cultural Services
    - i) Daytime Child Care Services
    - ii) Indoor Participant Recreation Services
    - iii) Private Clubs
    - iv) Private Education Services
    - v) Public Education Services
    - vi) Public Libraries and Cultural Exhibits
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw and shall apply to those CMX (Area 3) Districts identified on Appendix I to this Schedule:
- a) The maximum floor area ratio shall be 5.5.
  - b) The maximum building height shall be related to the amount of building setback, as follows:
    - i) where no additional front and side setback are provided after the first storey, the maximum building height shall be 12m (39.3 ft.);

- ii) where a front and side setback of at least 10m (32.8 ft.) is provided after the third storey and at, or before, the fifth storey, the maximum building height shall be 32m (105 ft.); and,
  - iii) where a front and side setback of at least 10m (32.8 ft.) is provided after the first storey, the maximum building height shall be 40m (131.2 ft.).
- c) A minimum set back of 3m (9.8 ft.) shall be required where a site abuts a public roadway, other than a lane, except that the first storey of buildings fronting on 103 Street shall not be setback from the property line abutting 103 Street.
- d) Developments fronting on 103 Street shall include canopies, awnings or building overhangs to provide weather protection over a portion of the sidewalk, in accordance with the following provisions:
- i) the bottom of a canopy, awning or building overhang shall be located not less than 4m (13.1 ft.), and not more than 6m (19.7 ft.), above sidewalk level;
  - ii) a canopy or awning shall extend outward from the face of the building from which it is supported by at least 2m (6.6 ft.), measured perpendicularly from the building face; and
  - iii) the minimum width of a building overhang, used to provide an arcade, shall be 5m (16.4 ft.).

Not more than 50 percent of the ground floor of development within any block fronting onto 103 Street shall be used for the development of Professional, Financial and Office Support Services, Health Services, Non-Accessory Parking, Government Services and entrance lobbies. Notwithstanding this restriction of frontage use when:

- i) the frontage use does not comply with the performance standard; and
- ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development; and

- iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Central McDougall Area Redevelopment Plan relating to retail continuity along 103 Street;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of the Land Use Bylaw.

**820F.6 CMX (Area 3) Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted except for the following:
  - a) Commercial
    - i) Broadcasting and Motion Picture Studios
    - ii) Business Support Services
    - iii) Commercial Schools
    - iv) Convenience Retail Stores
    - v) Custom Manufacturing Establishments
    - vi) Equipment Rentals (Indoors)
    - vii) General Retail Stores
    - viii) Health Services
    - ix) Hotels
    - x) Household Repair Services
    - xi) Major and Minor Amusement Establishments
    - xii) Major and Minor Eating and Drinking Establishments
    - xiii) Personal Service Shops
    - xiv) Professional, Financial and Office Support Services
    - xv) Minor Secondhand Stores

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- xvi) Spectator Entertainment Establishments
- xvii) Major Secondhand Stores
  
- b) Basic Services
  - i) Government Services
- c) Community, Educational, Recreational and Cultural Services
  - i) Daytime Childcare Services
  - ii) Indoor Participant Recreation Services
  - iii) Private Clubs
  - iv) Private Education Services
  - v) Public Education Services
  - vi) Public Libraries and Cultural Exhibits
  
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw and shall apply to those CMX (Area 3) Districts identified on Appendix I to this Schedule:
  - a) The maximum floor area ratio shall be 5.5.
  - b) The maximum building height shall be related to the amount of building setback, as follows:
    - i) where no additional front and side setbacks are provided after the first storey, the maximum building height shall be 12m (39.3 ft.),
    - ii) where a front and side setback of at least 10m (32.8 ft.) is provided after the third storey and at, or before, the fifth storey, the maximum building height shall be 32m (105 ft.); and
    - iii) where a front and side setback of at least 10m (32.8 ft.) is provided after the first storey, the maximum building height shall be 40m (131.2 ft.).

- c) A minimum setback of 3m (9.8 ft.) shall be required where a site abuts a public roadway, other than a lane, except that the first storey of buildings fronting on 103 Street shall not be setback from the property line abutting 103 Street.
- d) Developments fronting on 103 Street shall include canopies, awnings or building overhangs to provide weather protection over a portion of the sidewalk, in accordance with the following provisions:
  - i) the bottom of a canopy, awning or building overhang shall be located not less than 4m (13.1 ft.), and not more than 6m (19.7 ft.), above sidewalk level;
  - ii) a canopy or awning shall extend outward from the face of the building from which it is supported by at least 2m (6.6 ft.), measured perpendicularly from the building face; and
  - iii) the minimum width of a building overhang, used to provide an arcade, shall be 5m (16.4 ft.).

Not more than 50 percent of the ground floor of development within any block fronting onto 103 Street shall be used for the development of Professional, Financial and Office Support Services, Health Services, Non-Accessory Parking, Government Services and entrance lobbies. Notwithstanding this restriction of frontage use when:

- i) the frontage use does not comply with the performance standard; and
- ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development; and
- iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Central McDougall Area Redevelopment Plan relating to retail continuity along 103 Street;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of the Land Use Bylaw.

*Bylaw 7057  
October 12, 1982*

**820F.7**

**RA7 - Low Rise Apartment District (Section 210,  
Land Use Bylaw)**

**Area of Application:** Portions of Subarea 5 between 108 Avenue and 111 Avenue and 109 Street to 106 Street.

**Rationale:** To provide a district primarily for adult- oriented accommodation which would encourage an alternate built form to the walk-up apartment to achieve the objectives of Policies G.1, G.2 and 5.1 of this Plan.

**Regulations Altered by a Statutory Plan Overlay**

Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

- 1) The maximum density shall be 175 dwellings/hectares (70 dwellings/acre).
- 2) The minimum site front yard may be reduced to 3m (9.84 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of the Land Use Bylaw.
- 3) The minimum rear yard may be reduced to 1.2m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows and amenity areas within the first storey of the front wall have been located, designed and/or screened appropriately to prevent overlooking by pedestrians into the dwelling.
- 4) The minimum side yard may be reduced to 1.2m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sight-line analysis that windows and amenity area have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties. This reduction does not apply to those sites which flank a public roadway, other than a lane.
- 5) Minimum Private Outdoor Amenity Areas shall be provided in accordance with the following:
  - i) 15m<sup>2</sup> (161.4 sq. ft.) for those dwelling units with private access at grade.

- ii) 7.5 m<sup>2</sup> (80.7 sq. ft.) for all other units.

**Additional Development Regulations for Permitted and Discretionary Uses**

- 1) A minimum of 25% of all dwelling units shall have private access at grade.
- 2) A minimum of 25% of all dwelling units shall have two or more bedrooms.
- 3) No more than 6 dwelling units shall share a common access.

**820F.8**

**CMX (Area 4) - Commercial Mixed Use District  
for 102 Street (Section 370, Land Use Bylaw)**

**Area of Application**

Portions of Subarea 1, located between 101 and 103 Streets from 105 to 106 Avenues.

**Rationale**

This site is adjacent to two high intensity Mixed Use Districts (CMX-1, CMX-3) and is in close proximity to the Downtown core.

The General Municipal Plan recommends that this area form part of a transition zone from Downtown commercial development to medium density residential uses north of 106 Avenue. The height and intensity of buildings in this zone may approach but not equal those in the Downtown.

It is intended that this portion of the transition zone consist of an equal mixture of residential and office/commercial uses to accomplish the transition not only in terms of height and intensity but also of land use.

The development of Commercial Uses in this District is conditional upon the provision of an equal residential component to ensure that the area maintains an identifiable residential appearance and character.

**Specific Provisions Affecting Consideration of Discretionary Uses**

The Development Officer shall have regard for the following guidelines when reviewing development applications for Discretionary Uses:

- 1) Parking and loading shall, wherever possible, be from the rear lane.
- 2) Developments shall provide separate parking areas for the residential and commercial components.
- 3) Mixed use buildings shall provide separate and clearly identifiable accesses for the commercial and residential components.

**Discretionary Uses Not Deleted by Statutory Plan Overlay**

The following Discretionary Uses, from those listed in Section 370.4 of the Land Use Bylaw, have not been deleted by Statutory Plan Overlay:

- 1) Commercial
  - a) Broadcasting and Motion Picture Studios
  - b) Business Support Services
  - c) Commercial Schools
  - d) Convenience Retail Stores
  - e) Health Services
  - f) Spectator Entertainment Establishments
  - g) Major and Minor Eating and Drinking Establishments
  - h) Personal Service Shops
  - i) Professional, Financial and Office Support Services
  - j) Minor Amusement Establishments
- 2) Residential
  - a) Apartment Housing
- 3) Basic Services
  - a) Government Services
- 4) Community, Educational, Recreational and Cultural Services

*Bylaw 7541  
December 11, 1984*



- a) Daytime Child Care Services
- b) Indoor Participant Recreation Services
- c) Private Clubs
- d) Private Education Services
- e) Public Education Services
- f) Public Libraries and Cultural Exhibits

**Regulations Specified by Statutory Plan Overlay**

Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulation shall be specified by means of the Statutory Plan Overlay for the Central McDougall Area.

- 1) The maximum total floor area ratio shall be 6.0.
- 2) The maximum floor area ratio for residential uses shall be 6.0.
- 3) All development applications shall include a residential component which will not be less than 50 percent of the total floor area ratio for the development.
- 4) The maximum height shall be 55m (181.5 ft.).
- 5) The maximum total residential density shall be 550 dwellings/hectare (245 dwellings/acre).
- 6) The minimum front yard in all developments shall be 4m (13.2 ft.).
- 7) The minimum side yard for a development which abuts a public roadway other than a lane shall be 2m (6.6 ft.).
- 8) A Private Outdoor Amenity area shall be provided for each dwelling unit in compliance with Section 57 of the Land Use Bylaw.



★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820F, Land Use Bylaw.

(AREA) distinguishes between areas under districts with the same designation but with different regulations pursuant to Schedule 820F



*Bylaw 6220  
May 25, 1982*

**820G.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Garneau Area Redevelopment Plan, as adopted by Bylaw 6221.

**820G.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820G.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820G.4 to 820G.6 shall be applied in place of or in addition to regulations of the following underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

**820G.4 RF6 (Area 1) Medium Density Family District**

1) The following development regulations shall be substituted or specified for the regulations of Section 170 of this Bylaw, and shall apply to those RF6 Districts identified on Appendix I to this Schedule.

a) The maximum density shall be 125 dwellings/ha (50 dwellings/acre).

b) The maximum site coverage shall not exceed 60% for sites greater than 1,350 m<sup>2</sup> (14,531 sq. ft.). For sites 1,350m<sup>2</sup> (14,531 sq. ft.) or less, there shall be no maximum site coverage.

c) For sites 1,350m<sup>2</sup> (14,531 sq. ft.) or less, the minimum front yard may be reduced to 3m (9.84 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where windows within the first storey of the front wall and the private outdoor amenity areas have been located, designed or screened so as to prevent overlooking by pedestrians into the dwelling.

d) For sites 1,350m<sup>2</sup> (14,531 sq. ft.) or less, the minimum rear yard may be reduced to 1.2m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in

accordance with Section 58 of this Bylaw, and where windows within the first storey of the front wall and the private outdoor amenity areas have been located, or designed or screened so as to prevent overlooking by pedestrians into the dwelling.

- e) For sites 1,350m<sup>2</sup> (14,531 sq. ft.) or less, the minimum side yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sight-line analysis that windows within the side wall and private outdoor amenity areas have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties.
- f) A minimum Private Outdoor Amenity Area of 15m<sup>2</sup> (161.5 sq. ft.) shall be provided for each family oriented dwelling and minimum Private Outdoor Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) shall be provided for each non family oriented dwelling.
- g) A minimum of 50% of all dwellings shall be family oriented, provided that the average number of bedrooms per dwelling for the development as a whole is not less than 1.5. Family oriented dwellings shall be developed in accordance with Section 9, Clause (20) of the Land Use Bylaw, except that access to grade for dwellings located above the first storey shall not be shared by more than two dwellings.

**820G.5**

**RA7 Low Rise Apartment District**

- 1) The following development regulations shall be substituted or specified for the regulations of Section 210 of this Bylaw, and shall apply to those RA7 Districts identified on Appendix I to this Schedule.
  - a) No minimum site area and no minimum site width shall be required for Stacked Row Housing, Row Housing and Linked Housing.
  - b) The minimum front yard may be reduced to 3m (9.84 ft.) for Stacked Row Housing, Row Housing and Linked Housing at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows within the first

storey of the front wall and amenity areas are located, designed and/or screened appropriately to prevent overlooking by pedestrians into the dwelling.

- c) The minimum rear yard may be reduced to 1.2m (3.94 ft.) for Stacked Row Housing, Row Housing and Linked Housing at the discretion of the Development Officer, where separation space is provided in accordance with Section 58 of this Bylaw, and where the windows within the first storey of the rear wall and amenity areas are located, designed and/or screened appropriately to prevent overlooking by pedestrians into the dwelling.
- d) The minimum side yard may be reduced to 1.2m (3.94 ft.) for Stacked Row Housing, Row Housing and Linked Housing at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sight-line analysis that windows within the side wall and amenity areas have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties.

*Bylaw 6985  
December 14, 1982*

**820G.6**

**CMX Commercial Mixed Use District**

- 1) Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
  - b) Residential-Related
    - i) Homecrafts
    - ii) Offices-in-the-Home
  - c) Commercial
    - i) Automotive and Minor Recreation Vehicle Sales/Rentals
    - ii) Business Support Services
    - iii) Commercial Schools

**SECTION  
820G**

**STATUTORY PLAN OVERLAY SCHEDULE FOR THE  
GARNEAU AREA REDEVELOPMENT PLAN**

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- iv) Convenience Retail Stores
- v) General Retail Services
- vi) Health Services
- vii) Hotels
- viii) Household Repair Services
- ix) Minor Eating and Drinking Establishments
- x) Major Eating and Drinking Establishments
- xi) Personal Service Shops
- xii) Professional, Financial and Office Support Services
- xiii) Spectator Entertainment Establishments
- xiv) Minor Secondhand Stores
- xv) Major and Minor Amusement Establishments
- xvi) Custom Manufacturing Establishments
- xvii) Major Secondhand Stores
- d) Community, Educational, Recreational and Cultural Services
  - i) Daytime Child Care Services
  - ii) Indoor Participant Recreation Services

*Bylaw 7728  
March 12, 1985*

*Bylaw 7541  
December 11, 1984*

*Bylaw 7728  
March 12, 1985*

- 2) The following development regulations shall be applied in addition to the regulations of this Bylaw to those CMX Districts identified on Appendix I to this Schedule:
  - a) The maximum total floor area ratio for properties abutting Whyte Avenue shall be 4.0:1.
    - i) The maximum total floor area ratio for commercial uses on properties adjacent to Whyte Avenue shall be 2.0:1;

- ii) The maximum floor area ratio for residential uses on properties abutting Whyte Avenue shall be 2.0:1.
- b) The maximum total floor area ratio for properties abutting 81 Avenue shall be 2.5:1.
  - i) The maximum total floor area ratio for commercial uses on properties abutting 81 Avenue shall be 0.5:1;
  - ii) The maximum total floor area ratio for residential uses on properties abutting 81 Avenue shall be 2.0:1.
- c) The maximum total residential density is 271 dwellings/ha (109 dwellings/ac).
- d) The maximum building height
  - i) shall not exceed 23m (75.46 ft.) nor 6 storeys for properties abutting Whyte Avenue;
  - ii) shall not exceed 15m (49.2 ft.) nor 4 storeys for properties abutting 81 Avenue.
- e) No minimum front yard shall be required for sites fronting Whyte Avenue. In all other cases the minimum front yard shall be 4.5m (14.76 ft.).
- f) A minimum yard of 4.5m (14.76 ft.) shall be required where a site abuts a public roadway, other than Whyte Avenue or a lane.
- g) In all instances, the residential use component of the building shall be set back 7.5m (24.6 ft.) from Whyte Avenue.
- h) Residential dwellings are not permitted lower than the second storey on those properties abutting Whyte Avenue.
- i) Ground floor developments fronting onto Whyte Avenue shall be used for Convenience Retail Stores, General Retail Stores, Personal Service Shops, and Major and Minor Eating and Drinking Establishments. Individual establishments within a development shall have a maximum of 20m (65.62 ft.) of frontage along Whyte Avenue. Notwithstanding this restriction on frontage, when:

- i) the frontage does not comply with the performance standard;
- ii) the applicant can clearly demonstrate the need for variance because of physical constraint to the development; and
- iii) the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Garneau Area Redevelopment Plan relating to retaining commercial continuity along Whyte Avenue;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of the Land Use Bylaw.

- j) Sites abutting 81 Avenue shall have as Commercial Uses, Personal Service, and Convenience Retail Stores which shall be located on the ground floor.
- k) A minimum Amenity Area of 7.5m<sup>2</sup> (80.7 sq. ft.) per dwelling shall be provided.
- l) No parking, loading, trash collection, outdoor service or display area shall be permitted within a required yard.

**820G.7 RF6 (Area 2) Medium Density Family District.**

- 1) The following development regulations shall be substituted for the regulations of Section 170 of this Bylaw, and shall apply to those RF6 (Area 2) Districts identified on Appendix I to this Schedule.
  - a) The maximum density shall be 175 dwellings/ha (70.8 dwellings/ac).
  - b) The maximum total site coverage shall not exceed 60% for sites greater than 1,350m<sup>2</sup> (14,531 sq. ft.).
  - c) For sites 1,350m<sup>2</sup> (14,531 sq. ft.) or less, the minimum front yard may be reduced to 3m at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where windows within the first storey of the front wall and the private outdoor amenity areas have been located, designed



or screened so as to prevent pedestrians looking into the dwelling.

- d) For sites 1,350m<sup>2</sup> (14,531 sq. ft.) or less the minimum rear yard may be reduced to 1.2m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows within the first storey of the rear wall and private outdoor amenity areas have been located, designed or screened so as to prevent pedestrians looking into the dwelling.
- e) For sites 1,350m<sup>2</sup> (14,531 sq. ft.) or less, the minimum side yard may be reduced to 1.2m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sight-line analysis that windows within the side wall and amenity areas have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties.
- f) A minimum Private Outdoor Amenity Area of 15m<sup>2</sup> (161.4 sq. ft.) per dwelling shall be provided.
- g) A minimum of 50% of all dwellings shall be family-oriented in accordance with Section 9, Clause (20) of this Bylaw.

**820G.8 RA9 High Rise Apartment District**

- 1) The following development regulations shall be substituted for the regulations of Section 230 of this Bylaw, and shall apply to those RA9 Districts identified on Appendix I of this Schedule.
  - a) The maximum height shall not exceed 23m (75.46 ft.) or 6 storeys.



**SECTION  
820H**

**STATUTORY PLAN OVERLAY SCHEDULE FOR THE  
MONTROSE/SANTA ROSA AREA REDEVELOPMENT PLAN**

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*Bylaw 6768  
January 11, 1983*

**820H.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Montrose/Santa Rosa Area Redevelopment Plan Bylaw, being Bylaw 6769.

**820H.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820H.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820H.4 shall be applied in place of or in addition to, regulations of the underlying Land Use Districts, hereinafter set forth, in accordance with the provisions of Section 820 of this Bylaw.

**820H.4 RMX - Residential Mixed Use District  
(Section 340, Land Use Bylaw)**

**Area of Application**

The area east of 72 Street between 118 Avenue and 120 Avenue, designated RMX in Bylaw 6768, amending the Land Use Bylaw.

**Rationale**

To provide a district primarily for adult-oriented apartment accommodation and related commercial uses which complement the ease of access to this location due to the proposed Capilano Freeway extension and L.R.T. Station. The General Municipal Plan recommends that this area of Montrose/Santa Rosa form part of the transition zone from the L.R.T. Station to the low density residential development to the east. The height and intensity of development should also be compatible with adjacent major developments such as the Northlands Coliseum and Forum Inn.

**Discretionary Uses Not Deleted by Statutory Plan Overlay**

The following Discretionary Uses, from those listed in Section 240.4 of the Land Use Bylaw, apply to this area.

- 1) Residential
  - a) Apartment Housing

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820H**

**STATUTORY PLAN OVERLAY SCHEDULE FOR THE  
MONTROSE/SANTA ROSA AREA REDEVELOPMENT PLAN**

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- b) Residential-Related
  - i) Apartment Hotels
  - ii) Homecrafts
  - iii) Offices-in-the-Home
- 3) Commercial
  - a) Business Support Services
  - b) Commercial Schools
  - c) Convenience Retail Stores
  - d) General Retail Services
  - e) Major Eating and Drinking Establishments
  - f) Minor Eating and Drinking Establishments
  - g) Minor Service Stations
  - h) Personal Service Shops
  - i) Professional, Financial and Office Support Services
  - j) Minor Amusement Establishments
- 4) Community, Educational, Recreational and Cultural Services
  - a) Daytime Child Care Services
  - b) Indoor Participant Recreation Services
  - c) Private Clubs
  - d) Private Education Services
  - e) Public Libraries and Cultural Exhibits

*Bylaw 7541  
December 11, 1984*

**Regulations Specified by Statutory Plan Overlay**

- 1) The maximum density shall be:

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**STATUTORY PLAN OVERLAY SCHEDULE FOR THE  
MONTROSE/SANTA ROSA AREA REDEVELOPMENT PLAN**

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- a) 125 dwellings/ha (50.6 dwellings/acre) for any site less than 885 square metres (9,526 sq. ft.); or
  - b) 256 dwellings/ha (104 dwellings/acre) for any site of 885 square metres (9,526 sq. ft.) or greater.
- 2) The minimum site area shall be 800 square metres (8,611.1 sq. ft.).
  - 3) The minimum site width shall be 120 metres (65.6 ft.).
  - 4) The maximum total floor area ratio shall be 2.5 and the maximum floor area ratio for non-residential uses shall be 0.5.
  - 5) The maximum building height shall not exceed 27 metres (89 ft.) nor 7 storeys.
  - 6) The minimum front yard shall be 4.5 metres (14.75 ft.).
  - 7) The minimum rear setback shall be 7.5 metres (24.6 ft.).
  - 8) The minimum side yard shall be 1 metre (3.3 ft.) for each storey or partial storey, up to a maximum of 4.5 metres (14.8 ft.) except that a total of at least 2 metres (6.6 ft.) shall be provided in all cases. A side yard shall not be less than 4.5 metres (14.8 ft.) when it abuts a flanking public roadway other than a lane.
  - 9) All developments shall front onto 72 Street.
  - 10) Non-residential uses shall be limited to the first two floors of the developments.
  - 11) The front yard of all developments shall be so designed as to enhance the pedestrian circulation through provision of any of the following:
    - a) canopies, awnings, and building overhangs;
    - b) landscaped seating area;
    - c) outdoor restaurant facilities;
    - d) outdoor temporary sales outlet or display areas; or
    - e) any other type of design amenity providing continued pedestrian interest in the street.

**SECTION  
820H**

**STATUTORY PLAN OVERLAY SCHEDULE FOR THE  
MONTROSE/SANTA ROSA AREA REDEVELOPMENT PLAN**

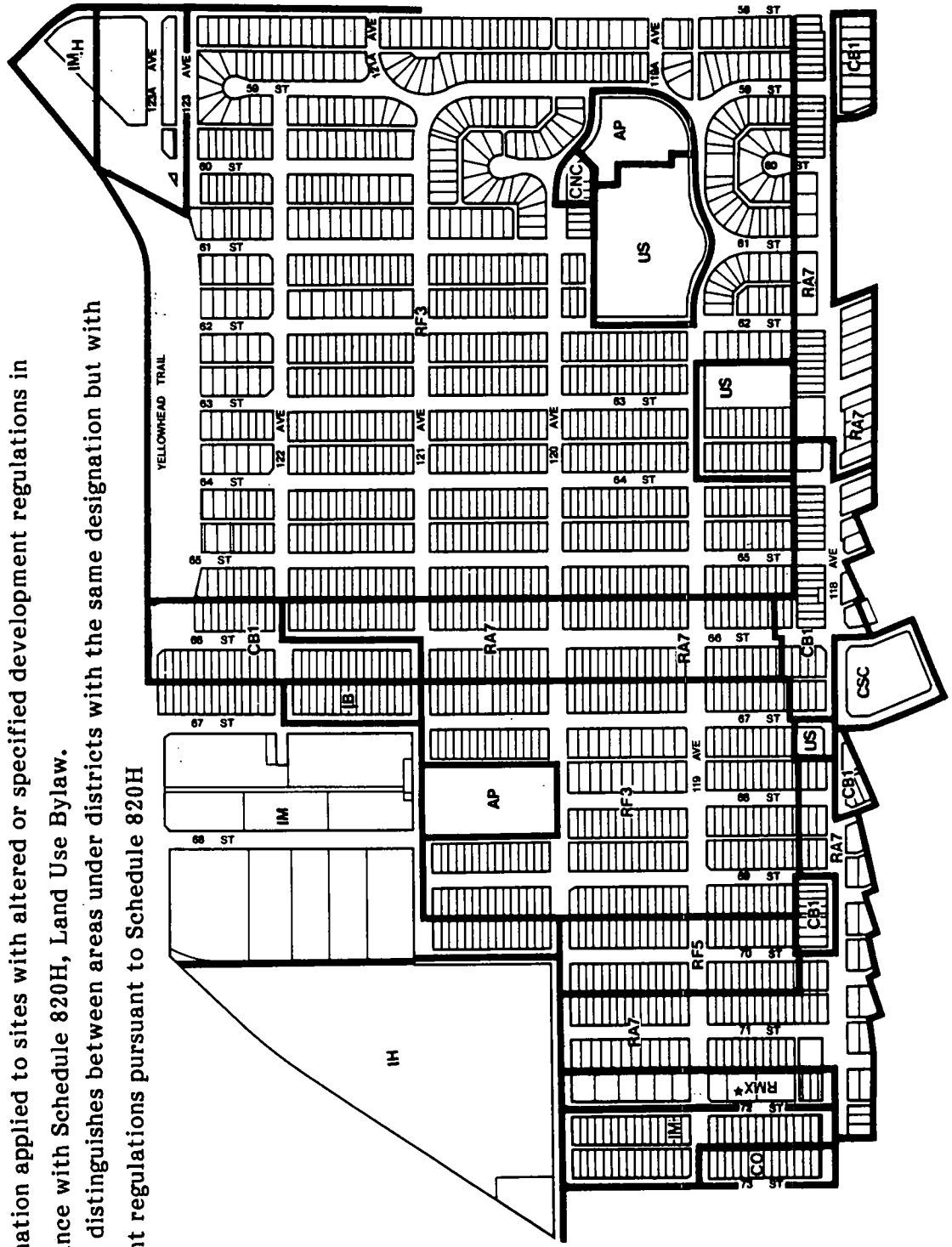
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- 12) Parking and loading facilities shall not front onto 72 Street and should be properly screened from adjacent uses.
- 13) Vehicle access is not permitted at the front of the development.
- 14) Parking shall be provided in accordance with Section 66 of the Land Use Bylaw.
- 15) A minimum Amenity Area of 7.5 square metres (80.7 sq. ft.) per residential dwelling shall be provided.



Appendix I to Schedule 820H of Bylaw 5996 as amended by: Bylaw 6788 and subsequent appropriate Bylaws.

★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820H, Land Use Bylaw. (AREA) distinguishes between areas under districts with the same designation but with different regulations pursuant to Schedule 820H



*Bylaw 6766  
February 8, 1983*

**820I.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Parkdale Area Redevelopment Plan Bylaw, being Bylaw 6766.

**820I.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820I.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820I.4 to I.7 shall be applied in place of or in addition to, regulations of the underlying Land Use Districts, hereinafter set forth in accordance with the provisions of Section 820 of this Bylaw.

**820I.4 RA7 Low Rise Apartment District**

The following development regulations shall be specified in addition to the regulations of Section 210 of this Bylaw and shall apply to those RA7 Districts identified on Appendix I of this Schedule.

- 1) A minimum of 25% of all dwellings shall be family-oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw.
- 2) Minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - a) 30m<sup>2</sup> (322 sq. ft.) per family-oriented dwelling any part of which is contained in the lowest storey.
  - b) 15m<sup>2</sup> (161.5 sq. ft.) per family-oriented dwelling no part of which is contained in the lowest storey.

**820I.5 RA9 (Area 1) High Rise Apartment District**

The following development regulations shall be substituted or specified for the regulations of Section 230 of this Bylaw, and shall apply to those RA9 (Area 1) District identified on Appendix I of this Schedule.

- 1) The maximum density shall be 325 dwellings/ha (131.5 dwellings/ha) for any site.



- 2) The maximum building height shall not exceed 10 storeys nor 40m.
- 3) For a site which is developed to a maximum building height not exceeding 6 storeys, and with all dwellings on the lowest storey having direct access to grade:
  - a) the maximum floor area ratio shall be 4.0;
  - b) the minimum front yard shall be 3m (9.9 ft.);
  - c) the minimum rear yard shall be 3m (9.9 ft.);
  - d) the minimum side yard shall be 2m (6.6 ft.);
  - e) that portion of the building higher than 10m (32.8 ft.) shall be setback a minimum:
    - i) 6m (19.7 ft.) from the front lot line,
    - ii) 7.5m (24.6 ft.) from the rear lot line,
    - iii) 7.5m (24.6 ft.) from the side lot line.

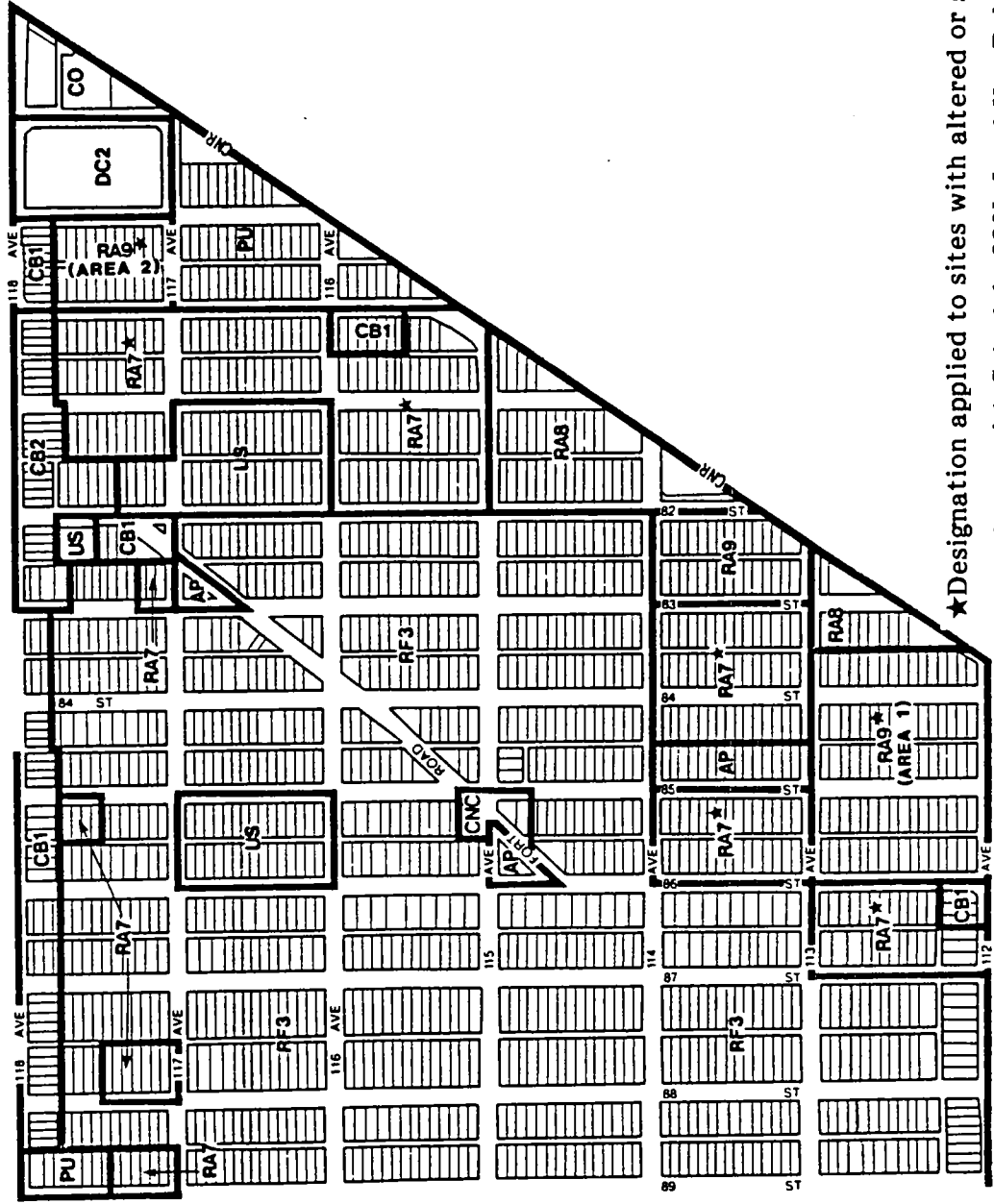
**820I.6 RA9 (Area 2) High Rise Apartment District**

The following development regulations shall be substituted or specified for the regulations of Section 230 of this Bylaw, and shall apply to the RA9 (Area 2) District identified on Appendix I of this Schedule.

- 1) The maximum density shall be 500 dwellings/ha (202.4 dwellings/acre) for any site of 1,350 m<sup>2</sup> (14,531 sq. ft.) or greater.
- 2) The maximum floor area ratio shall be 4.5 for any site of 1,350 m<sup>2</sup> (14,531 sq. ft.) or greater.



Appendix I to Schedule 820I of Bylaw 5996 as amended by: Bylaw 6766 and subsequent appropriate Bylaws.



★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820I, Land Use Bylaw.

(AREA) distinguishes between areas under districts with the same designation but with different regulations pursuant to Schedule 820I

*Bylaw 7971  
March 25, 1986*

**820J.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Cloverdale Area Redevelopment Plan Bylaw, as adopted by Bylaw 7972.

**820J.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820J.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820J.4 and 820J.5 shall be applied in place of or in addition to, regulations of the underlying Land Use Districts, in accordance with the provision of Section 820 of this Bylaw.

**820J.4 RF3 Cloverdale Low Density Redevelopment District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified on Appendix I to this Schedule.
  - a) The minimum site area shall be as follows:
    - i) 175 m<sup>2</sup> (1,880 sq. ft.) for each Duplex, Row Housing, Apartment Housing or Stacked Row Housing Dwelling.
  - b) The minimum site width shall be as follows:
    - i) 5 m (16.4 ft.) for each Duplex, Row Housing, Apartment Housing or Stacked Row Housing Dwelling.
  - c) The maximum total site coverage may be increased to 45%, with a maximum of 35% for a principal building and a maximum of 15% for accessory buildings if the development has varied building articulation so as to avoid massive large walls and continuous surfaces.
  - d) The minimum front yard shall be 4.5 m (14.8 ft.).
  - e) Any development which is located between 4.5 m (14.8 ft.) and 6 m (19.7 ft.) from the front lot line

shall have a height no greater than one storey or 3.3 m (10.8 ft.).

- f) The minimum rear yard for all accessory buildings shall be 1.2 m (3.9 ft.).
- g) The minimum side yard on interior sites shall be 1.2 m (3.94 ft.), except that the minimum side yard on interior sites for buildings over 7.5 m (24.6 ft.) in height shall be 2 m (6.6 ft.).
- h) No entry to any new dwelling shall be placed on the side walls unless it is generally oriented towards the front of the property and the street.
- i) Balconies shall be located only on the front and rear of a building.
- j) A principal building shall not be greater than 20.0 m (65.5 ft.) in length.

**820J.5**

**CNC\* Cloverdale Neighbourhood Convenience  
Commercial District**

- 1) The following development regulations shall be substituted or specified for the regulations of Section 310 of this Bylaw, and shall apply to those CNC Districts identified on Appendix I to this Schedule.
  - a) Commercial uses shall be permitted only in the first storey of any building except in that part of the District lying between 94 and 95 Streets.
  - b) The maximum floor area ration may be increased to 2.0 and the maximum building height may be increased to 12 m (39.4 ft.) or 3 storeys, provided the maximum height of the front 2 m (6.6 ft.) of any part of the building lying within 10 m (32.8 ft.) of a lot line other than an interior side lot line is not over 9 m (29.6 ft.) nor 2 storeys.
  - c) A minimum yard of 1.7 m (5.6 ft.) shall be required where a site abuts a public roadway other than a lane.
  - d) The intrusion of a building into a minimum side yard to the property line may be allowed, but only to the extent of the length of a common party wall.

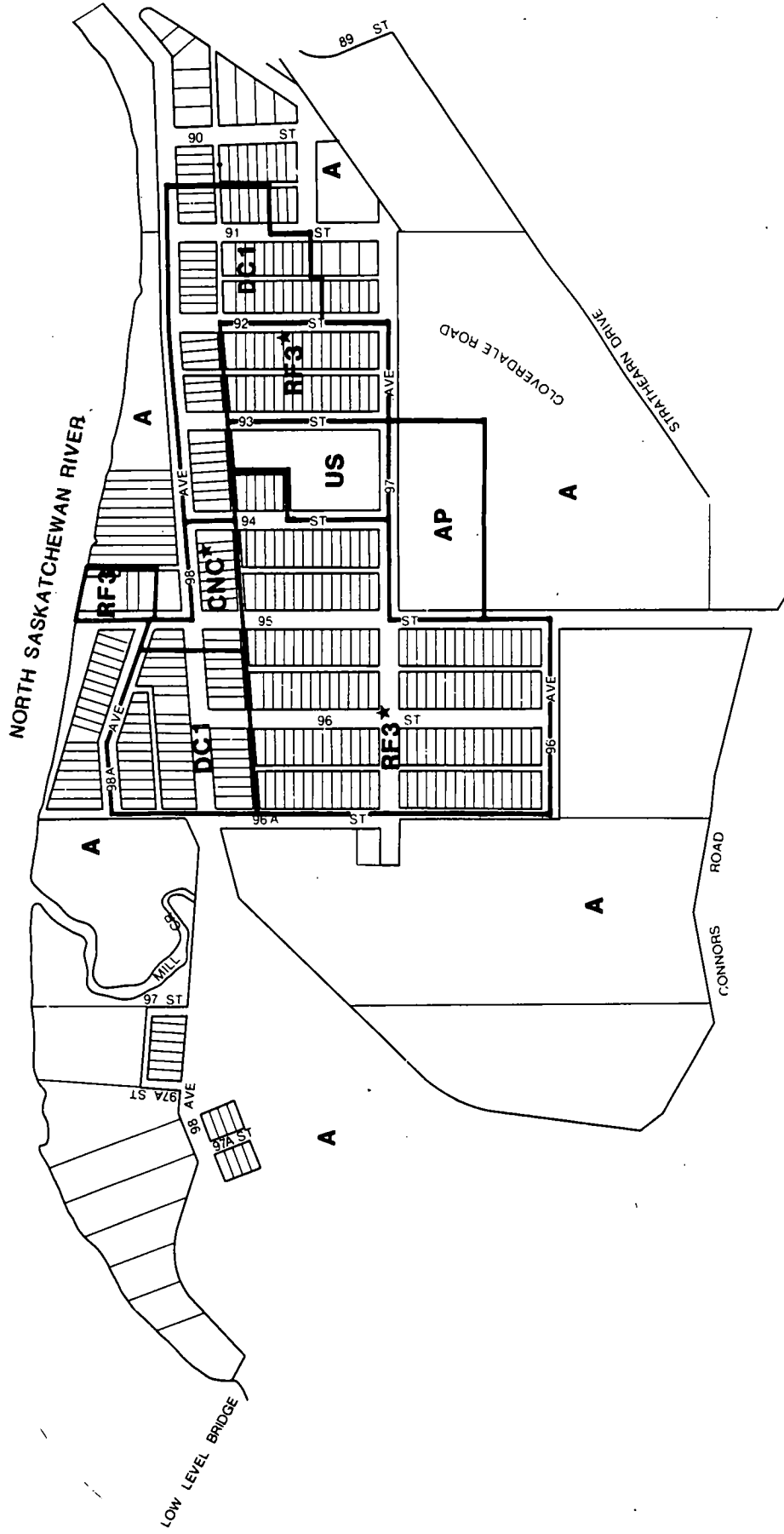
- e) The maximum density for residential uses shall be 125 dwellings/ha (50.6 dwellings/acre).
- f) Projections into a required yard will be permitted as follows:
  - i) ground floor canopies - 2 m (6.6 ft.) maximum;
  - ii) upper floor enclosed projections such as individual bay windows and partial balconies - 1 m (3.3 ft.) maximum.
- g) The yard, adjacent to any public roadway other than a lane, shall be landscaped, in addition to the provisions of the Land Use Bylaw, to the satisfaction of the Development Officer, having regard to the planned public improvements in the area.
- h) Individual commercial uses shall have individual pedestrian entrances.

**CLOVERDALE**  
 AREA REDEVELOPMENT  
 PLAN



Appendix I to Schedule 820J of Bylaw 5996 as amended by: Bylaw 7971 and subsequent appropriate Bylaws.

★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820J, Land Use Bylaw.



*Bylaw 8138  
June 10, 1986*

**820K.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Rossdale Area Redevelopment Plan, as adopted by Bylaw 8139.

**820K.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820K.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820K.4 to 820K.10, both inclusive, shall be applied in place of, or in addition to, regulations of the underlying Land Use Districts, in accordance with the provision of Section 820 of this Bylaw.

**820K.4 RF3 Rossdale Low Density Redevelopment District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified on Appendix I to this Schedule.
  - a) The minimum site area shall be 300 m<sup>2</sup> (3,229 sq. ft.) for each Single Detached Dwelling.
  - b) The minimum site width shall be 10 m (32.8 ft.) for each Single Detached Dwelling.
  - c) The maximum site coverage for a principal building shall not exceed 35% and for an accessory building shall not exceed 15%. The maximum total site coverage shall not exceed 45%.
  - d) The minimum front yard shall be 3.0 m (9.8 ft.).
  - e) Any development which is located between 3.0 m (9.8 ft.) and 5.0 m (16.4 ft.) of the front lot line shall have a height no greater than one storey or 3.3 m (10.8 ft.).
  - f) The minimum rear yard for an accessory building shall be 1.2 m (3.9 ft.).

- g) Side yards shall be established on the following basis:
  - i) On a corner site where the building fronts on the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 3.0 m (9.8 ft.).
  - ii) On a corner site where the building fronts on a flanking public roadway other than a lane, the minimum side yard abutting the flanking public roadway shall be 3.0 m (9.8 ft.).
- h) Notwithstanding any other provisions of this Bylaw, the subdivision officer may approve the creation of a lot of less frontage or area than those required in this district if such lot is created in recognition of an encroachment of a building existing at the date of the passage of this Bylaw. Such lot will be considered to conform to this Bylaw for the purposes of the permitted and discretionary uses.
- 2) The following development regulations shall be specified in addition to the regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified in Appendix I to this Schedule.
  - a) No entry to any new dwelling shall be placed on the side walls;
    - i) where the side yard is less than 3.0 m, or
    - ii) unless it is generally oriented towards the front of the property and the public roadway.

**820K.5**

**RA9 Rosedale High Rise Valley Edge Apartment District**

- 1) The following development regulations shall be substituted for the specified regulations of Section 230 of this Bylaw, and shall apply to those RA9 Districts identified on Appendix I to this Schedule.
  - a) The minimum yards adjacent to 99 Avenue shall be 2.5 m (8.2 ft.); adjacent to Bellamy Hill Road shall be 2.5 m (8.2 ft.), and adjacent to Rosedale Road shall be 6 m (19.7 ft.).



- 2) The following development regulations shall be specified in addition to the regulations of Section 230 of this Bylaw and shall apply to those RA9 Districts identified in Appendix I to this Schedule.
  - a) parking shall be provided in accordance with Sections 7(a), 7(b) and 23 of Schedule 66A of this Bylaw.
  - b) Parking must be provided underground or in a manner such that it is screened from view from adjacent public roadways.

**820K.6 RMX (Area 1) Rossdale Street-Related Residential Mixed Use District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing
    - ii) Linked Housing
    - iii) Row Housing
    - iv) Stacked Row Housing
    - v) Duplex Housing
    - vi) Semi-Detached Housing
    - vii) Single Detached Housing
  - b) Residential-Related
    - i) Apartment Hotels
    - ii) Boarding and Lodging Houses
    - iii) Foster Homes
    - iv) Limited Group Homes
    - v) Homecrafts
    - vi) Offices-in-the-Home
  - c) Commercial
    - i) Business Support Services
    - ii) Convenience Retail Stores
    - iii) Personal Service Shops
    - iv) Professional, Financial and Office Support Services
  - d) Community, Educational, Recreational and Cultural Services

- i) Daytime Child Care Services
  - ii) Indoor Participant Recreation Services
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 1) Districts identified on Appendix I to this Schedule.
- a) The maximum total floor area ratio shall be 1.5.
  - b) The maximum density shall be 155 dwellings/ha (62.8 dwellings/acre).
  - c) The maximum height shall not exceed 15 m (49.21 ft.) nor 3 1/2 storeys.
  - d) The minimum front yard shall be 2.5 m (8.2 ft.), except for structures fronting on Rossdale Road, where the minimum front yard shall be 3.5 m (11.5 ft.) and for residential structures fronting on 97 Avenue where the minimum front yard shall be 8.0 m (26.24 ft.). For commercial structures fronting on 97 Avenue no yard is required.
  - e) The minimum rear yard shall be 3.0 m (9.8 ft).
  - f) Parking shall be provided in accordance with Sections 7(a), 7(b) and 23 of Schedule 66A of this Bylaw.
  - g) Parking must be provided underground or in a manner such that it is screened from view from adjacent streets.
  - h) Parking and loading facilities shall not front onto public roadways.
  - i) The maximum total site coverage shall be 55%.
  - j) A minimum Private Outdoor Amenity Area of 12.0 m<sup>2</sup> (129.2 sq. ft.) per dwelling shall be provided for dwellings any part of which is contained in the lowest storey and 6.0 m<sup>2</sup> (64.6 sq. ft.) per dwelling shall be provided for at least 75% of dwellings no part of which is contained in the lowest storey. Private outdoor amenity space at ground level shall not be provided in the front yard. Ground related amenity space shall equal at least 25% of the total site area.

- k) Dwellings at the ground level and second floor shall have entries directly accessible to the outdoors.
- l) Roof tops shall be designed and oriented such that mechanical equipment is screened from view.
- m) Personal Service Shops and Convenience Retail Stores shall not be permitted in any free-standing structure separate from a structure containing residential uses. The total gross floor area of these uses on any site shall not exceed 100 m<sup>2</sup> (1,076.42 sq. ft.).
- n) The development regulations of the RF3\* District shall apply to any Duplex Housing, Semi-detached Housing and Single Detached Housing within this District.

**820K.7 RMX (Area 4) 97 Avenue Shopping and Residential District**

- 1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:
  - a) Residential
    - i) Apartment Housing or Stacked Row Housing, provided that each building contain not more than 4 dwellings.
    - ii) Duplex Housing.
    - iii) Row Housing in buildings of up to 4 dwellings.
    - iv) Semi-detached Housing.
    - v) Single Detached Housing.
  - b) Residential-Related
    - i) Boarding and Lodging Houses.
    - ii) Foster Homes.
    - iii) Limited Group Homes.
    - iv) Homecrafts.
    - v) Offices-in-the-Home.
  - c) Commercial
    - i) Convenience Retail Stores.
    - ii) Health Services.
    - iii) Minor Eating and Drinking Establishments.
    - iv) Personal Services Shops.

- v) Professional, Financial and Office Support Services.
  - vi) Minor Secondhand Stores.
  - vii) Custom Manufacturing.
- d) Community, Educational, Recreational and Cultural Services
- i) Community Recreation Services.
  - ii) Daytime Child Care Services.
  - iii) Private Clubs.
  - iv) Religious Assembly.
- 2) The following development regulations shall be specified in addition to the regulations of this Bylaw and shall apply to the RMX (Area 4) District identified on Appendix I to this Schedule.
- a) The maximum total floor area ratio shall be 1.0 m for all use classes.
  - b) The maximum building height shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys.
  - c) The maximum site coverage for a principal building shall not exceed 35% and for an accessory building 15%. The maximum total site coverage shall not exceed 45%.
  - d) Parking shall be provided in accordance with Schedule 66 of this Bylaw.
- 3) For Residential uses the following regulations shall apply:
- a) The minimum front yard shall be 3.0 m (9.8 ft.).
  - b) Side yards shall be established on the following basis:
    - i) On a corner site where the building fronts on the front yard the minimum side yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 3.0 m (9.8 ft.).
    - ii) On a corner site where a building fronts on a flanking public roadway other than a lane the minimum side yard shall be 3.0 m (9.8 ft.).

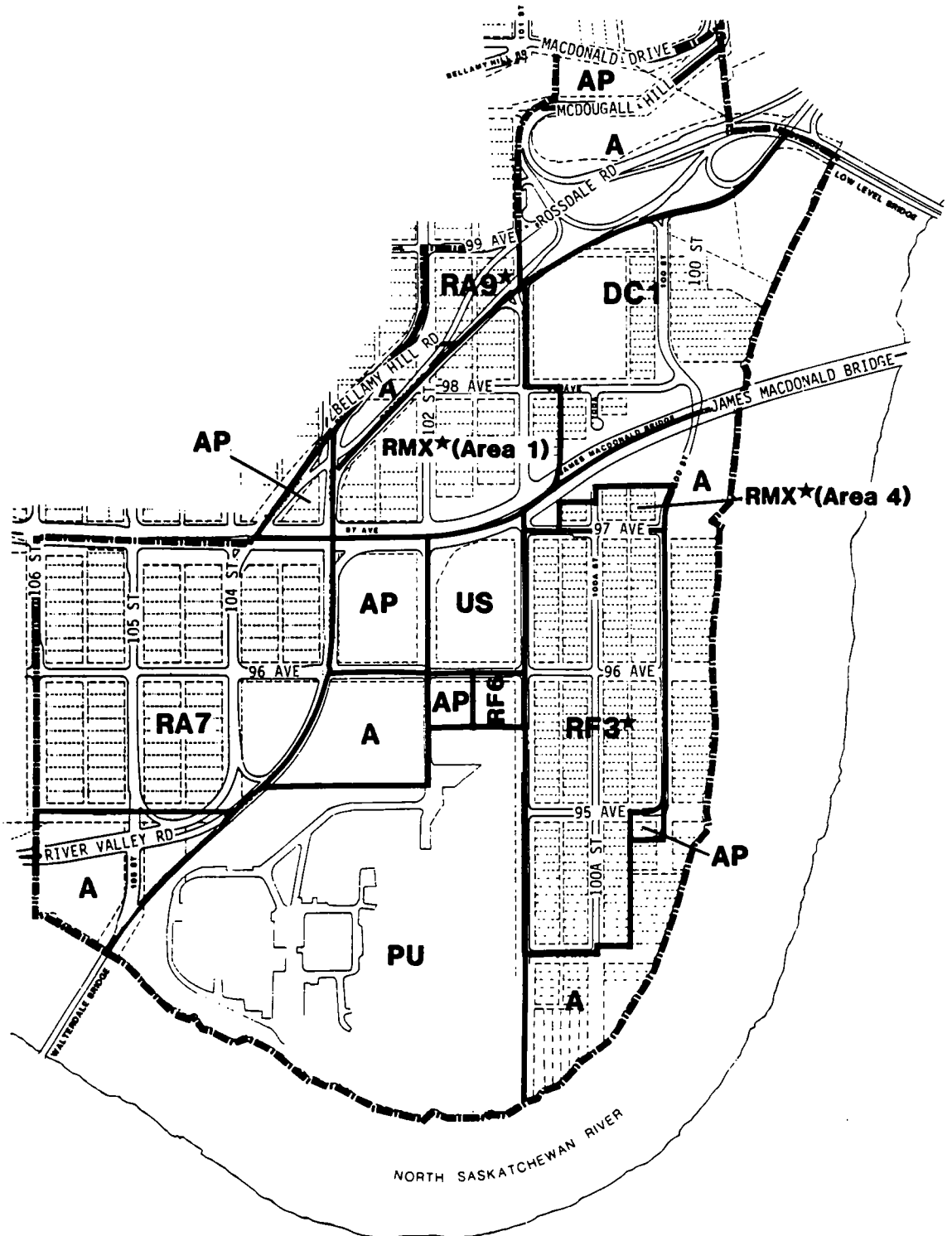
- c) No entry to any dwelling shall be placed on the side wall;
    - i) Where the side yard provided is less than 3.0 m (9.8 ft.) or
    - ii) Unless it is generally oriented towards the front of the property and the public roadway.
  - d) Except for Apartment Housing existing on the date of the passing of this Bylaw, each dwelling unit shall have separate access at grade.
  - e) If a development contains two or more dwellings, a minimum of 7.5 m<sup>2</sup> (80.72 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of this Bylaw.
- 4) For Commercial Uses the following regulations shall apply:
- a) The maximum gross floor area of any individual business premise shall not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.).
  - b) A minimum yard of 3 m (9.8 ft.) shall be required where a site abuts a public roadway other than a lane except:
    - i) Where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no yard shall be required.
    - ii) Where there is no vehicular access to the site from the public roadway, the minimum yard shall be not less than 1.5 m (4.92 ft.).
  - c) A minimum yard of 3 m (9.8 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a residential only site.
  - d) Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites or public roadways in accordance with Section 69.3 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3 of this Bylaw.

**ROSSDALE**

AREA  
REDEVELOPMENT  
PLAN



Appendix I to Schedule 820K of Bylaw 5996 as amended  
by: Bylaw 8138 and subsequent appropriate Bylaws.



★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820K, Land Use Bylaw.

(AREA) distinguishes between areas under districts with the same designation but with different regulations pursuant to Schedule 820K

*Bylaw 8157  
September 24, 1986*

**820L.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Scona East Area Redevelopment Plan, as adopted by Bylaw 8156.

**820L.2 Application**

The designation, location and boundaries of each underlying Land Use District or subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

**820L.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820L.4 shall be applied in place of or in addition to regulations of the underlying Land Use Districts, in accordance with the provision of Section 820 of this Bylaw.

**820L.4 RF2 Scona East Low Density Infill District**

1. The following development regulations shall be substituted for the specified regulations of Section 120 of this Bylaw and shall apply to those RF2 Districts identified on Appendix I to this Schedule:
  - a) The minimum site area shall be 300 m<sup>2</sup> (3,229 sq. ft.) for each Single Detached Dwelling.
  - b) The minimum site width shall be 10.0 m (32.8 ft.) for each Single Detached unit.
  - c) The minimum front yard shall be 3.0 m (9.8 ft.). Notwithstanding the above, where a consistent front setback exists on the block, that setback should be respected with new development neither projecting in front nor creating a gap in the established building line.
  - d) The maximum total site coverage shall not exceed 40%, with a maximum of 30% for a principle building and a maximum of 12% for accessory buildings.
  - e) Where lane access is provided, side yards shall be provided on the following basis:

- i) The minimum side yard shall be 1.2 m (3.9 ft.). Notwithstanding the above, minimum side yard requirements for developments involving renovations and additions shall be based on the building line of the existing building, but in no case shall be less than 0.5 m (1.6 ft.). In such cases, the proposed development shall be deemed a Class C development application.
  - ii) On a corner site where the building fronts onto the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be a minimum of 2 m (6.6 ft.).
  - iii) On a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum side yard abutting the flanking public roadway shall be 2 m (6.6 ft.).
- f) Where lane access is not provided, side yards shall be established on the following basis:
- i) Side yards shall total at least 20% of the site width, but the requirement shall not be more than 6.0 m (19.7 ft.) with a minimum side yard of 1.2 m (3.9 ft.). Notwithstanding the above, the minimum side yard requirements for developments involving renovations and additions shall be based on the building line of the existing building, but in no case shall be less than 0.5 m (1.6 ft.). In such cases, the proposed development shall be deemed a Class C development application.
  - ii) On a corner site where the building fronts onto the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be 20% of the site width to a maximum of 4.5 m (14.8 ft.).
  - iii) On a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum side yard abutting the flanking roadway shall be 4.5 m (14.8 ft.).

**820L.5**

**RF3 Scona East Low Density Redevelopment District**

1. The following development regulations shall be substituted for the specified regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified on Appendix I to this Schedule:



- a) The minimum site area shall be as follows:
  - i) 300 m<sup>2</sup> (3,229 sq. ft.) for each Single Detached Dwelling;
  - ii) 175 m<sup>2</sup> (1,888 sq. ft.) for each Duplex, Row Housing, Apartment Housing or Stacked Row Housing Dwelling.
  
- b) The minimum site width shall be as follows:
  - i) 10 m (32.8 ft.) for each Single Detached Dwelling;
  - ii) 5 m (16.4 ft.) for each Row Housing, Apartment Housing or Stacked Row Housing Dwelling.
  
- c) The minimum front yard shall be 3.0 m (9.8 ft.). Notwithstanding the above, where a consistent front setback exists on the block, that setback should be respected with new development neither projecting in front nor creating a gap in the established building line.
  
- d) The maximum total site coverage shall not exceed 40%, with a maximum of 30% for a principle building and a maximum of 12% for accessory buildings.
  
- e) Where lane access is provided, side yards shall be provided on the following basis:
  - i) The minimum side yard shall be 1.2 m (3.94 ft.). Notwithstanding the above, minimum side yard requirements for developments involving renovations and additions shall be based on the building line of the existing building but in no case shall be less than 0.5 m (1.5 ft.). In such cases the proposed development shall be deemed a Class C development application.
  
  - ii) On a corner site where the building fronts onto the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be a minimum of 2 m (6.6 ft.).
  
  - iii) On a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum side yard abutting the

flanking public roadway shall be 2 m  
(6.6 ft.).

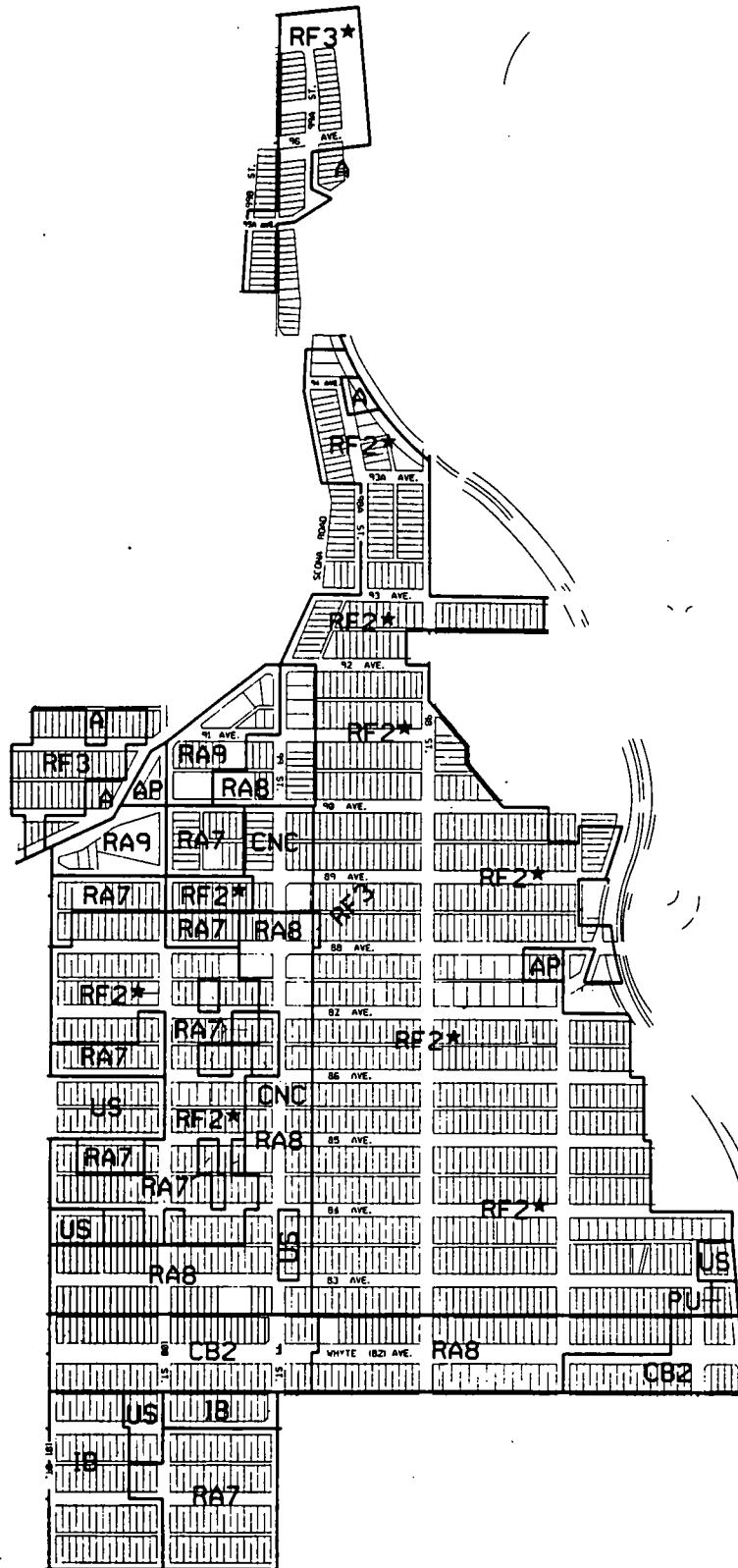
- f) Where lane access is not provided, side yards shall be established on the following basis:
  - i) Side yards shall total at least 20% of the site width but the requirement shall not be more than 6.0 m (19.7 ft.) with a minimum side yard of 1.2 m (3.94 ft.). Notwithstanding the above the minimum side yard requirements for developments involving renovations and additions shall be based on the building line of the existing building but in no case shall be less than 0.5 m (1.5 ft.). In such cases the proposed development shall be deemed a Class C development application.
  - ii) On a corner site where the building fronts onto the front yard, the minimum side yard abutting a flanking public roadway other than a lane shall be 20% of the site width to a maximum of 4.5 m (14.8 ft.).
  - iii) On a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum side yard abutting the flanking roadway shall be 4.5 m (14.8 ft.).

**SCONA  
EAST**

AREA  
REDEVELOPMENT  
PLAN



Appendix I to Schedule 820L of Bylaw 5996 as amended by:  
Bylaw 8157 and subsequent appropriate Bylaws.



★Designation applied to sites with altered or specified development regulations in accordance with Schedule 820L, Land Use Bylaw.

