



Zoning Bylaw No. 12800

Last amended May 22, 2003

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Interpretive Clauses

1. Title and Contents

1.1 Title

This Bylaw is the City of Edmonton Zoning Bylaw and is referred to as the Edmonton Zoning Bylaw.

1.2 Contents of Bylaw

The contents of this Bylaw shall include:

1. Part I, comprising this Section 1 to Section 109, both inclusive, and also all appurtenant Schedules and Appendices to those Sections;
2. Part II, comprising all of the Zoning clauses, being Section 110 to Section 999, both inclusive, and also all appurtenant Schedules and Appendices to those Sections;
3. Part III, comprising the Zoning Map; and
4. Part IV, comprising all Direct Control Provisions adopted by City Council pursuant to the provisions of Section 720 of this Bylaw.

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.

Zone is to be interpreted as the same as District and a Rezoning Amendment is to be interpreted as the same as a Redistricting Amendment.

2 Repeal, Enactment and Transition Procedures

- 2.1 No provisions 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.
- 2.2 City of Edmonton Land Use Bylaw 5996, as amended is repealed.
- 2.3 The provisions of this Bylaw come into effect 90 days after the date of its enactment (the "Effective Date").

*Bylaw No. 12807
April 18, 2001*

- 2.4 Subject only to the provisions in the Municipal Government Act respecting legal non-conforming Uses and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the Effective Date onward. In particular, no application for a Development Permit shall be evaluated under the procedural or substantive provisions of the previous Land Use Bylaw after the Effective Date, even if the application was received before the Effective Date.

*Bylaw 12809
May 30, 2001*

- 2.5 Part III of this Bylaw is hereby amended to incorporate all changes to Bylaw 5996 that took place between November 15, 2000 and the Effective Date.
- 2.6 Any Direct Control Districts that were in effect immediately prior to the Effective date are hereby deemed to continue in full force and effect and are hereby incorporated into Part IV of this Bylaw.
- 2.7 Unless there is an explicit statement to the contrary in a Direct Control District or Provision, any reference in a Direct Control District or Direct Control Provision to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District or Provision.

3. Other Provisions

3.1 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 and Norwood also refer, for that purpose, to the policies and provisions of the applicable Community Plan or Neighbourhood Improvement Plan adopted prior to July 3, 1980. Where the provisions of plans refer to Zones of Zoning Bylaw 2135 or the Land Use Classification Guide, the Development Officer shall have regard to them, insofar as they are applicable, with respect to the closest equivalent Zone of this Bylaw.

3.2 Other Provisions for Direct Control Provision with Daytime Child Care Services Use Class

For all Direct Control Provisions created prior to the passage of Bylaw 11095, which contain Daytime Child Care Services as a listed Use, this Use Class shall be replaced by the Use Class Child Care Services and the development of such Uses shall be in accordance with the regulations of Section 80 Child Care Services.

3.3 Other Provisions for Direct Control Provision with Single Detached, Semi-detached or Duplex Housing, and Secondary Suite Use Classes

For all Direct Control Provisions created prior to the passage of Bylaw 11844, which contain any of the Single Detached, Semi-detached and Duplex Housing and Secondary Suite Use Classes as listed Uses, the maximum number of Single Detached Dwellings per lot shall be one, the maximum number of Semi-detached or Duplex Dwellings per lot shall be two, and the maximum number of Secondary Suites per lot, in addition to the principal Single Detached Dwelling, shall be one, unless specifically noted otherwise in the Direct Control bylaw.

3.4 Other Provisions for existing Development Permits, and Direct Control Provisions

In any Development Permit, Direct Control Provision or Overlay issued or created prior to the enactment of this Bylaw:

1. the use Funeral Services or Cremation and Interment Services is deemed to be the Funeral, Cremation and Interment Services Use Class;
2. use Minor Home Occupation or Office-in-the-Home is deemed to be the Minor Home Based Business Use Class;

3. the use Major Home Occupation or Homecraft is deemed to be the Major Home Based Business Use Class;
4. the use Linked Housing is deemed to be the Row Housing Use Class;
5. the use Major Eating and Drinking Establishments is deemed to be Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs and Nightclubs Use Classes;
6. the use Minor Eating and Drinking Establishments is deemed to be the following Use Classes:
 - a. Specialty Food Services;
 - b. Restaurants; and
 - c. Bars and Neighbourhood Pubs for less than 100 occupants.

3.5 Foster Homes

Notwithstanding anything contained in any Direct Control Provision no person shall require a Permit for a Use identified as "Foster Homes" in a Direct Control Provision

3.6 Transitional and Interpretive

1. In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw (including Part III, the Zoning Map) the text shall govern.
2. In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.
3. In the case of any conflict between information expressed in metric units and in imperial units, the metric shall govern.

4. The Zoning Map

4.1 The Zoning Map, Part III of this Bylaw, divides the City into Zones and specifies the Zones or Overlay Provisions applying to particular lands.

4.2 Zoning and Overlay Boundaries

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

1. where a zoning 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 zoning boundary is shown as approximately following the boundary of a Site, the Site boundary shall be deemed to be the boundary of the Zone for that portion of the zoning boundary which approximates the Site boundary;
3. where a zoning boundary is shown approximately following City limits, it shall be deemed to be following City limits;
4. where a zoning 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 zoning 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;
6. where a zoning boundary is shown as being parallel to or as an extension of features noted above, it shall be so construed;
7. where a zoning boundary is shown as approximately following a topographic contour line or a top-of-the-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 Zoning Map or in other circumstances not mentioned above, the Development Officer shall interpret the zoning boundaries. Any such decision may be appealed to the Subdivision and Development Appeal Board; and
9. where a zoning boundary is not located in conformity to the provisions of clauses (1) to (8) above, and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Zoning Map or by measurements directly scaled from that Map.

4.3 Street and Highway Boundaries

1. Notwithstanding anything contained in this Bylaw, no Zone 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 Transportation and Streets Department.
2. Where any public roadway is closed pursuant to the provisions of the Municipal Government Act, the land contained therein shall there upon be deemed to carry the same Zone as the abutting land, even where the abutting land is designated as a Direct Control Provision.
3. Where such abutting lands are governed by different Zones, the centre line of the public roadway shall be deemed to be the zoning boundary.
4. Where through the operation of subsection 4.3(2) the boundaries of a Direct Control Provision are extended to include a closed portion of public roadway, the Area of Application for the Direct Control Provision, as set out in the regulations governing that zoning boundary, which are within Part IV of the Zoning Bylaw, shall be automatically amended by the Development Officer to include, as part of the Area of Application, reference to the closed portion of public roadway which becomes part of the Direct Control Provision.

5. Approval Required For Development

- 5.1 No Person:
1. shall commence, or cause or allow to be commenced, a Development without a development Permit therefore issued under the provisions of Section 12 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 12 of this Bylaw.
- 5.2 An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the Edmonton Building Permit Bylaw or any caveats, covenants or easements that might be attached to the Site.

6. Definitions General

Terms and words in this Bylaw which are defined in the Municipal Government Act, 1994, have the meaning expressed in that Act. Other terms and words, unless the context requires otherwise, 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 incidental, subordinate, and exclusively devoted to the principal Use or building, and located on the same lot or Site;

3. **Act or Municipal Government Act**, means the Municipal Government Act, S.A. 1994, c.M-26.1, as amended. References in this Bylaw to other Acts shall have the following meanings:
 - a. Condominium Property Act, shall mean the Condominium Property Act, R.S.A. 1980, c. C 22, as amended;
 - b. Environmental Protection and Enhancement Act, shall mean the Environmental Protection and Enhancement Act, S.A. 1992, c. E-13.3, as amended;
 - c. Highway Traffic Act, shall mean the Highway Traffic Act, R.S.A. 1980, c. H-7, as amended;
 - d. Historical Resources Act, shall mean the Historical Resources Act, R.S.A. 1980, c. H-8, as amended;
 - e. Railway Act, shall mean the Railway Act, R.S.A. 1980, c. R-4, as amended;
 - f. Safety Codes Act, shall mean the Safety Codes Act, S.A. 1991, c. S-0.5, as amended; and
 - g. Universities Act, shall mean the Universities Act, R.S.A. 1980, c. U-5, as amended;
4. **Amateur Radio Antenna and Support Structure** means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of radio signals by private, federally licensed amateur radio operators;
5. **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;
6. **Animal Unit** means the number of animals of a particular category of livestock that shall excrete 73 kg of total nitrogen in a 12 month period;

7. **Bachelor Suite** and **Bed Sitting Room** means a Dwelling in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a Dwelling containing one or more bedrooms;
8. **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 of its clear Height which lies below the finished level of the floor directly above;
9. **Bed and Breakfast Operation** means a Dwelling where temporary sleeping accommodations, with or without meals, are provided for remuneration to members of the public;
10. **Bicycle Parking** means a rack, railing, locker, or other structurally sound device which is designed for the securing of one or more bicycles in an orderly fashion;
11. **Blank Walls** means exterior walls containing no windows, doors or other similar openings;
12. **Calliper** means the trunk diameter of a tree measured at a point 300.0 mm above the top of the root ball;
13. **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 with or without involving major structural alterations;

14. **Corner Lot** means:
- a. a lot located at the intersection of two public roadways, other than Lanes; or
 - b. a lot located abutting a public roadway, other than a Lane, which changes direction at any point where it abuts the lot;
 - c. 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.
15. **Council** means the Council of the Municipal Corporation of the City of Edmonton;
16. **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;
17. **Density** means, when used in reference to Residential and Residential-Related development, the number of Dwellings on a Site expressed as Dwellings per hectare;
18. **Discretionary Uses** means those uses of land, buildings or structures for which Permits may be issued only at the discretion of the Development Officer;
19. **Double Fronting Site** means a Site which abuts two public roadways, not including Lanes as defined in the Highway Traffic Act, which are parallel or nearly parallel in the vicinity of the Site;
20. **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;

21. **Edmonton Zoning Bylaw** means a land use bylaw, as that term is used in the Municipal Government Act;
22. **Enclosed Front Porch** means an entrance structure typically located at the front or side of a Dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure have been enclosed by solid walls or windows;
23. **Family Oriented Dwelling** 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; and
 - d. the Dwelling has direct access to a Private Outdoor Amenity Area;
24. **Floor Area** 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;
25. **Floor Area Ratio** means the numerical value of the Floor Area of the building or structure relative to the Site upon which it is located, 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;

26. **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 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 premises in a multiple occupancy development shall be considered as the total width of the bays occupied by that premises which have exposure parallel to any Frontage of the multiple occupancy development;
27. **Front Lot Line** 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;
28. **Front Yard** 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;
29. **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;
30. **Grade** means a geodetic elevation from which the Height of a structure is measured, calculated in accordance with Section 52.
31. **Habitable Room** means any room in a Dwelling other than a Non-habitable Room;
32. **Half Storey** 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 above the floor of such Storey;
33. **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; and
- 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; provided that in such cases the ridge line of the roof shall not extend more than 1.5 m above the maximum permitted building Height of the Zone;

34. **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;
- e. all living together as a single housekeeping group and using cooking facilities shared in common. A Household may also include domestic servants;

35. **Interior Site** means any Site other than a corner Site;

36. **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 such Site would not comply with the minimum requirements of this Bylaw. Isolate has a similar meaning;

37. **Landscaping** means the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:

- a. soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
- b. decorative hardsurfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
- c. architectural elements such as decorative fencing, walls and sculpture;

38. **Lane** means an alley as defined in the Highway Traffic Act, 1980;
39. **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;
40. **Mobile Home Lot** means the space allotted for the installation of one Mobile Home in any Mobile Home Park or Mobile Home Subdivision;
41. **Mobile Home Park** means a parcel of land under one title which has been divided into Mobile Home Lots;
42. **Mobile Home Subdivision** means an area designated RMH Zone under this Bylaw and subdivided by a registered plan into individual lots of Mobile Homes;
43. **Non-habitable Room** means a space in a Dwelling providing a service function and not intended primarily for human occupancy, including bathrooms, entry ways, corridors, or storage areas;
44. **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 Safety Codes Act;
45. **Occupants** means, when referring to Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs and Nightclubs, people that may occupy Public Space within any of these Uses, to be calculated at 1 Occupant per 1.2 m² of Public Space;
46. **Overlay** means additional development regulations superimposed on specific areas of the Zoning Map, which supersede or add to the development regulations of the underlying Zone;
47. **Parking Garage** means an Accessory Building or Structure, or any portion of a principal building or structure, containing communal parking spaces used for vehicular parking or storage;

48. **Party Wall** means either:
- a. 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 Municipal Government Act; or
 - b. a wall separating two Dwellings, each of which is, or is capable of being, a separate legal parcel divided under the Condominium Property Act;
49. **Permitted Uses** means those uses of land, buildings or structures for which Permits must be issued by the Development Officer, if the development meets all applicable regulations;
50. **Principal Living Room Windows** means the main or largest glazed area of a Living Room;
51. **Private Outdoor Amenity Area** 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;
52. **Public Space** means space within an establishment, which is open to the public and not restricted to employees only. This definition does not include kitchens, administrative offices, food or drink preparation areas;
53. **Rear Lot Line** 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;
54. **Rear Yard** 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; and
55. **Satellite Signal Receiving Antenna** means an antenna used for the purpose of receiving television and radio broadcasts transmitted by satellite. Such an antenna (also referred to as a "satellite dish") is usually circular in shape, concave on the receiving side, and may be fixed or rotatable so that it is capable of tracking more than one satellite. This definition does not include an amateur radio, citizens' band, or any other type of antenna, and does not include dishes under 1.0 m in diameter;

56. **Seasonal Bedding Sites** means an overwintering area where mature breeding animals and their unweaned young are fed and sheltered;
57. **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;
58. **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;
59. **Side Lot Line** means the property line of a lot other than a Front Lot Line or Rear Lot Line;
60. **Side Yard** 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;
61. **Site** means an area of land consisting of one or more abutting lots;
62. **Site Coverage** means the total horizontal area of all buildings or structures on a Site which are located at or higher than 1.0 m 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 or more above grade; or
 - c. unenclosed inner and outer courts, terraces and patios where these are less than 1.0 m above grade;
63. **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 Zone;
64. **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;

65. **Statutory Plan** means for the purpose of this Bylaw only, any plan defined as a Statutory Plan by the Municipal Government Act, or any planning policy document approved by City Council by resolution having specific impact on a defined geographic area such as a neighbourhood.
66. **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 above grade, such Basement shall be considered a Storey for the purpose of this Bylaw;
67. **Tandem Parking** means two parking spaces, one behind the other, with a common or shared point of access to the manoeuvring aisle;
68. **Temporary Development** means a development for which a Development Permit has been issued for a limited time only;
69. **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;
70. **Treed Landscaped Boulevard** means that portion of public road right-of-way which has been landscaped with trees planted at intervals;
71. **Unenclosed Front Porch** means an entrance structure typically located at the front or sides of a residential Dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure remain open to the outside elements;
72. **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;
73. **Violation Notice** means the document issued by the City to a person who has committed an offence under Section 23 of this Bylaw;
74. **Yard** means required open space unoccupied by any portion of a building or structure 1.0 m or more above grade, unless otherwise permitted in this Bylaw. A Yard is not a Setback, Amenity Area or Separation Space; and

75. **Zone** means a specific group of listed Use Classes and Development Regulations, which regulate the use and development of land within specific geographic areas of the City. The Use Classes and Development Regulations are contained in Parts II and IV of this Bylaw, and may be subject to the regulations contained in Part I of this Bylaw, while the geographic areas to which they apply are shown on the Zoning Map, comprising Part III of the Bylaw.
76. **Zoning Bylaw Compliance Certificate** ("Compliance Certificate") means a document, which may be issued by a Development Officer, upon request and upon payment of the required fees, indicating that a building(s) located on a Site is (are) located in accordance with the Yard regulations of this Bylaw and the Yards specified in Development Permits which may have been issued for the Site. A Compliance Certificate shall not operate as a Development Permit nor shall it approve any variance to the Yard regulations of this Bylaw not previously approved;

6.2 General 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 Signs** means any On-premises or Off-premises Sign that, have either intentionally or unintentionally been allowed to fall into a state of disrepair, or any Sign which is not in a readable state;
2. **Animated Signs** means any Sign or portion of a Sign having moving parts or electronically controlled colour changes or lights that depict action or give motion to the Sign, and includes flashing lights;
3. **Changeable Copy** means that portion of 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 includes mechanically controlled time and temperature displays;
4. **Copy** means the letters, graphics or characters that make up the message on the Sign face.
5. **Copy Area** means the total area within one or more rectangles, which enclose the entire limits of the Copy.

6. **Directional Signs** means an On-premises Sign providing direction to pedestrian or vehicular traffic that may include advertising Copy, such as business Logograms. Directional Signs include such Signs as exit and parking Signs.
7. **Fascia Signs** means any Sign painted on or attached to an exterior building wall, or any other permitted structure, on which a two dimensional representation may be placed, so that the Sign does not extend more than 40 cm out from the wall or structure nor beyond the horizontal limits of the wall. Fascia Signs may or may not be permanent. This definition includes banners or any other two dimensional medium;
8. **Freestanding Signs** means any On-premises or Off-premises Sign supported independently of a building. The Sign may take the form of single or multiple icons, product or corporate symbol, may involve a three dimensional or volumetric representation, may have single or multiple faces and may or may not be permanently fixed to the ground;
9. **Frontage Signs** means the Site perimeter boundaries abutting a public road right-of-way other than a Lane;
10. **Height Signs** means the vertical distance measured from the finished ground surface directly under the Sign to the highest point of the Sign;
11. **Identification Signs** means a Sign which contains only the name and addresses of a building, Site, premises or occupants and the activity carried on in the building, Site or premises, but does not include any other advertising Copy;
12. **Illuminated Signs** means any Sign having 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;
13. **Local Advertising Signs** 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;
14. **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;

15. **Official Signs** means a Sign required by, or erected pursuant to, the provisions of federal, provincial or municipal legislation;
16. **Permanent Signs** means any Sign that is anchored to a footing extending below grade or affixed to, or painted on, a building or other structure in which the Copy has been painted or affixed in a durable manner. The Copy on the Sign shall relate to an activity, Use or event of indefinite time duration;
17. **Projecting Signs** means any Sign that is supported by an exterior building wall and projects outward from the building wall by more than 40 cm. Projecting Signs may or may not be permanent. Such Signs may have either a flexible or rigid structure which extends outward from a building's exterior wall; may include icon, symbolic representations or Volumetric Signs, and includes Signs suspended below the ceiling or roof of a building canopy. Typical Signs include canopies and awnings;
18. **Roof Signs** means any Sign erected upon, against, or above a roof, or on top of or above, the parapet of a building;
19. **Rotating Signs** means a Sign or part of a Sign which revolves;
20. **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;
21. **Signs** 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 include banners, placards, and painted messages, and Signs attached to or painted on a vehicle (or trailer) that is parked on a property and being used for advertising purposes. Signs shall not include national flags, interior window displays of merchandise, or Signs painted on or attached to a motor vehicle on a public roadway;
22. **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;

23. **Sign Structure** means any structure which supports a Sign, including materials used to conceal or improve the visual appearance of the structural parts;
24. **Site Signs** means single or cumulative collection of properties forming a developable parcel that share accesses or traffic circulation that is not a public road right-of-way. This includes multiple occupancy business developments under a bare land condominium;

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25. **Temporary Signs** means any On-premises or Off-premises Sign that is relocatable or removeable from a Site and used for advertising of a limited duration.
26. **Volumetric Signs** means a Sign that is a three-dimensional representation of an object for either on-premises or off-premises advertising purposes. The Sign may have a rigid frame structure or be inflatable and may or may not be permanent;
27. **Warning Signs** means an On-premises Sign providing a warning to the public, including such Signs as "no trespassing" or "private driveway" Signs; and
28. **Window Signs** 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.

7. Use Class Definitions

7.1 General

1. Use Class Categories, as set out in subsections 7.2 through 7.10 inclusive, group Use Classes with common functional or physical impact characteristics. A Use Class groups individual land Uses 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 Zones 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 Zone; and
 - 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 Zones of this Bylaw. Reference must be made to the lists of Permitted and Discretionary Use Classes within each Zone.

7.2 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. This type of development shall be designed and constructed as two Dwellings at the time of initial construction of the building. This Use Class does not include Secondary Suites.

3. **Garage Suite** means development consisting of a self-contained Dwelling located above a rear detached Garage which is Accessory to Single Detached Housing. A Garage Suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal Dwelling located on the lot. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Garage Suite has an entrance separate from the entrance to the rear detached Garage, either from a common indoor landing or directly from the exterior of the structure. This Use Class does not include Secondary Suites.
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 Semi-detached Housing.
6. **Secondary Suite** means development consisting of a self-contained Dwelling located in a structure in which the principal use is Single Detached Housing. A Secondary Suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal Dwelling within the structure. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the exterior of the structure. This Use Class includes Conversion of Basement space to a Dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. This Use Class does not include Duplex Housing, Semi-detached Housing, or Apartment Housing, where the structure was initially designed for two or more Dwellings, and does not include Boarding and Lodging Houses.

7. **Semi-detached Housing** means development consisting of a building containing Row Housing consisting of only two Dwellings. This Use Class includes two family Dwellings.
8. **Single Detached Housing** means development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use Class in a Zone, a building, which contains Single Detached Housing may also contain a Secondary Suite. This Use Class includes Mobile Homes, which conform to Section 78 of this Bylaw.
9. **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 above grade. This Use Class includes Duplex Housing and Row Housing.

7.3 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 not available for daily lease and 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 Zone 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. **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.

4. **Group Home** means development consisting of the Use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for seven residents or more, excluding 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. 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.

5. **Limited Group Home** means development consisting of the Use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended 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.

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6. **Major Home Based Business** means development consisting of the use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses such businesses may generate more than one business associated visit per day. The business use must be secondary to the residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident employee. This Use Class includes Bed and Breakfast Operations but does not include General Retail Sales.

7. **Minor Home Based Business** means development consisting of the Use of an approved Dwelling by a resident of that Dwelling for one or more businesses such businesses shall not require more than one business associated visit per day at the Dwelling. The business Use must be secondary to the residential Use of the building and no aspects of the business operations shall be detectable from outside the property. The Dwelling shall not be used as a workplace for non-resident employees of the business. This Use Class does not include General Retail Sales.
8. **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.
9. **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.

7.4 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 Establishments.
3. **Auctioneering Establishments** means development specifically intended for the auctioning of goods and equipment, including Temporary Storage of such goods and equipment. This Use Class does not include Flea Markets.
4. **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.

5. **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 dealerships, car rental agencies and motorcycle dealerships. This Use Class does not include dealerships for the sale of trucks with a gross vehicle weight rating of 4 000 kg or greater, or the sale of motorhomes with a gross vehicle weight rating greater than 6 000 kg or a length of more than 6.7 m.
6. **Bars and Neighbourhood Pubs** means development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the Site. This Use Class typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical Uses include neighbourhood pubs, bars, beverage rooms, and cocktail lounges.
7. **Broadcasting and Motion Picture Studios** means development used for the production or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.
8. **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 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.
9. **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.
10. **Casinos and Other Gaming Establishments** means development providing facilities for patrons to participate in gaming opportunities as the principal Use. Typical Uses include Bingos and Casinos. This Use Class does not include Major and Minor Amusement Establishments or other Use Classes where a Bingo or Casino occurs on an infrequent basis as an Accessory Use to another principal Use.

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

12. **Convenience Retail Stores** 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 m² in gross Floor Area. Typical Uses include small food stores, drug stores, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

13. **Convenience Vehicle Rentals** means development used for the rental of new or used automobiles and light trucks with a gross vehicle weight rating of 4000 kg 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, fuelling 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.

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.

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. **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.

18. **Flea Market** means development used for the sale of new or used goods by multiple vendors renting tables or space in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing and furniture. Such operations are usually conducted on weekends and holidays only. This Use Class does not include Major or Minor Secondhand Stores.

19. **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.

20. **Funeral, Cremation and Interment Services** means development used for the preparation of the dead for burial, the purification and reduction of the human body by heat and the keeping of bodies other than in a cemetery and the holding of associated services. Typical Uses include Funeral Homes, Crematoriums, Mausoleums, Cinerariums and Columbariums.

21. **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.

22. **General Contractor Services** 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.

23. **General Retail Stores** means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, video sales and rentals, office equipment, stationery 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 includes Convenience, Retail Stores, and excludes Warehouse Sales. General Retail Stores does not include developments used for the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or second hand goods.
24. **Greenhouses, Plant Nurseries and Market Gardens** means development used primarily for the raising, storage, basic processing and sale of fruits and vegetables, bedding, edible, household and ornamental plants.
25. **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 counseling nature. Typical Uses include medical and dental offices, health clinics and counseling services.
26. **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 food and beverage facilities, meeting rooms, and Personal Services Shops.
27. **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.
28. **Limited Contractor Services** 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.

29. **Major Alcohol Sales** means development used for the retail sales of any and all types of alcoholic beverages to the public where the Floor Area for the individual business premises is greater than 275 m². This Use Class may include retail sales of related products such as soft drinks and snack foods.
30. **Major Amusement Establishments** 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, Indoor Participant Recreation Services, Adult Mini-Theatres, or Casinos and Other Gaming Establishments.
31. **Major Secondhand Stores** means development used for the retail sale of secondhand or used major and minor household goods, including the refurnishing 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 Flea Markets or any Use Class involving the sale of used vehicles, recreation craft or construction and industrial equipment.
32. **Major Service Stations** 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 typical Uses including truck stops and highway service stations.
33. **Minor Alcohol Sales** means development used for the retail sale of any and all types of alcoholic beverages to the public. This Use Class may include retail sales of related products such as soft drinks and snack foods. The maximum Floor Area for this Use Class shall be no more than 275 m² per individual business premises.
34. **Minor Amusement Establishments** 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, Indoor Participant Recreation Services, Adult Mini-Theatres, or Casinos and Other Gaming Establishments.

35. **Minor Secondhand Stores** 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. This Use Class does not include Flea Markets.
36. **Minor Service Stations** means development used for the routine washing, servicing and repair of vehicles within a building containing not more than three service bays; and for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.
37. **Mobile Catering Food Services** means development using a fleet of three or more vehicles for the delivery and sale of food to the public.
38. **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 food and beverage facilities and Personal Service Shops.
39. **Nightclubs** means development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the Site, in a facility where entertainment facilities take up more than 10% of the Floor Area. This Use typically has a limited menu from a partially equipped kitchen/preparation area and prohibits minors from lawfully utilizing the facility. Typical Uses include dance clubs, cabarets, nightclubs, lounges, neighbourhood pubs and bars, beverage rooms, and cocktail lounges.
40. **Outdoor Amusement Establishments** 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.
41. **Non-accessory Parking** means development providing vehicular parking, which is not primarily intended for the use of residents, employees or clients of a particular development. Typical uses include surface parking lots and parking structures located above or below grade.

42. **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.
43. **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.
44. **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 automated bank tellers, automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments.
45. **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. This Use Class does not include Recycled Materials Drop-off Centres.
46. **Restaurants** mean development where the primary purpose of the facility is the sale of prepared foods and beverages to the public, for consumption within the premises or off the Site. Minors are never prohibited from any portion of the establishment at any time during the hours of operation. This Use Class typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family restaurants.
47. **Specialty Food Services** means development where limited types of prepared foods and beverages, excluding alcoholic beverages, are offered for sale to the public, for consumption within the premises or off the Site. This Use Class typically relies primarily on walk-in clientele, and includes coffee, donut, bagel or sandwich shops, ice cream parlours, and dessert shops.

48. **Train Station** means a development using a building, structure or land for the loading and unloading of passengers, and passenger related items, onto and off of trains. This Use Class does not include Minor Impact Utility Services.
49. **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.
50. **Veterinary Services** 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.
51. **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 Flea Markets or developments used for the retail sale of food or a broad range of goods for personal or household use.

7.5 Industrial Use Classes

1. **Adult Mini-Theatre** means an establishment or any part thereof, where, for any form of consideration, live entertainment, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are shown as a principal Use, or are shown as an Accessory Use to some other business activity which is conducted on the premises, and where individual viewing areas or booths have a seating capacity of 10 persons or less.

2. **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 finished 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 that would make them incompatible in Non-industrial Zones;

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- d. the storage or transportation 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.
- g. 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 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.

The Development Officer may approve as an Accessory Use in this Zone, a facility that is intended to provide temporary sleeping accommodation for employees and if so the following shall apply:

- a. the Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time (ESA) and submit those results as part of the application;
- b. if the Phase 1 ESA indicates potential contamination, further consideration of the application shall be suspended and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with Alberta Environment (or its successor) and the Capital Health Authority (or its successor);

- c. taking into account the advice of Alberta Environment and the Capital Health Authority and all other relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and
- d. the Development Officer shall not issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.

The Applicant must demonstrate that the proposed Accessory Use is not larger than is necessary to support industrial activities on the Site and that the design and layout are not suitable for use as permanent accommodation. The Development Officer shall not approve as an Accessory Use in a facility that is suitable for use as a permanent residence.

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.

- 3. **Land Treatment** means the distribution, placement and aeration of soils containing hydrocarbons for the purpose of reducing hydrocarbon concentrations in soils containing refined petroleum products that are used or could be used as fuel or lubricants. Soils containing benzene, toluene, ethyl benzene or xylene, or any combination of them as the sole contaminant, are excluded.
- 4. **Special Industrial Uses** means development used principally for one or more of the following activities:
 - a. the manufacture or assembly of products using innovative or advanced technology where substantial value is created or added to the product through the process of its manufacture or assembly; or
 - b. research and development Uses in which innovative or advanced technologies are employed.

Any indoor display, office, technical, administrative or employee support areas; or the storage, transshipment, distribution or sale of product shall be Accessory to the Special Industrial Use activities identified above. This Use Class includes the manufacture or assembly of electronic or other high technology components and products; specifically the manufacture of semiconductors or integrated circuits.

This Use Class does not include Uses, which process raw materials or petrochemical materials.

5. **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.

6. **Vehicle and Equipment Sales/Rentals**, 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 or Rentals.

7.6 Industrial Performance Use Classes

The Use Classes in this Section shall apply only to the (I) Industrial Zone and shall not be applied in any other Zone or Direct Control or Special Area Provision. In interpreting the Industrial Use and Industrial Reserve Use Classes, the Development Officer shall be guided by the North American Industry Classification System (NAICS).

Any indoor display, office, technical or administrative support areas or retail sale operations shall be Accessory to the Industrial Use and Industrial Reserve Use activities identified below. The combined Floor Area devoted to such Accessory activities shall not exceed 33 percent of the total Floor Area of the building(s) or as otherwise stipulated in an Industrial Statutory Plan.

The Development Officer may approve as an Accessory Use in this Zone, a facility that is intended to provide temporary sleeping accommodation for employees and if so the following shall apply:

- a. the Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time (ESA) and submit those results as part of the application;
- b. if the Phase 1 ESA indicates potential contamination, further consideration of the application shall be suspended and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with Alberta Environment (or its successor) and the Capital Health Authority (or its successor);
- c. taking into account the advice of Alberta Environment and the Capital Health Authority and all other relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and

- d. the Development Officer shall not issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.

The Applicant must demonstrate that the proposed Accessory Use is not larger than is necessary to support industrial activities on the Site and that the design and layout are not suitable for use as permanent accommodation. The Development Officer shall not approve as an Accessory Use in a facility that is suitable for use as a permanent residence.

7.6(1) Industrial Use

Industrial Use means development, including any supporting training, and research and development, used principally for one or more of the activities in the following sectors, subsectors or industry groups listed below:

- a. Administrative and Support Services: This subsector of the Administrative and Support and Waste Management and Remediation Services sector comprises establishments engaged in activities that support the day-to-day operations of other organizations. The Administrative and Support Services subsector is limited to the following industry groups:
 - i. Investigation and Security Services, such as armoured car services and security guard services;
 - ii. Services to Buildings and Dwellings, such as extermination and pest control services, janitorial services, landscaping services, carpet and upholstery cleaning services;
 - iii. Other Services to Buildings and Dwellings, such as building exterior cleaning services, chimney-cleaning services, swimming pool cleaning and maintenance services, ventilation duct cleaning services, drain or gutter cleaning services;
 - iv. Other Support Services, restricted to Package and Labelling Services, and Convention and Trade Show organizers; and
 - v. All Other Support Services, such as bottle exchanges, contract meter reading services, driving services on a contract or fee basis, water softening and condition services;
- b. Construction: This sector comprises establishments primarily engaged in the construction of buildings and other structures, heavy construction (except buildings), additions, alterations, reconstruction, installation, and maintenance and repairs. This sector also includes demolition activities and the sale of materials from the demolition. Establishments engaged in blasting, test drilling, landfill, levelling, earthmoving, excavating, land drainage, and other land preparation are also included:

- c. Information: This sector comprises establishments engaged in producing and distributing information and cultural products; providing the means to transmit or distribute these products as well as data or communications; and processing data.

The main components of this sector are the publishing industries, including software publishing, the motion picture and sound recording industries, the broadcasting and telecommunications industries, and the information services and data processing industries.

The following industry groups are included in the Information sector:

- i. Newspaper/Periodical/Book /Database Publishers;
- ii. Software Publishers;
- iii. Motion Picture and Video Industries;
- iv. Radio and Television Broadcasting;
- v. Cable Networks and Program Distribution;
- vi. Television Broadcasting;
- vii. Telecommunications;
- viii. Information Services; and
- ix. Data Processing Services;

- d. Manufacturing: This sector comprises establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products. The assembling of component parts of manufactured products is considered manufacturing, except in cases where the activity is appropriately classified in the Construction sector;

- e. Professional, Scientific, and Technical Services: This sector comprises establishments that specialize in performing professional, scientific, and technical activities for others. These activities require a high degree of expertise and training. The establishments in this sector specialize according to expertise and provide these services to clients in a variety of industries and, in some case, to households. Activities performed include: legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; research services; advertising services; photographic services; translation and interpretation services; veterinary services; and other professional, scientific, and technical services. Establishments primarily engaged in providing a range of day-to-day office administrative services, such as financial planning, billing and recordkeeping, personnel, and physical distribution and logistics are classified in the Administrative and Support and Waste Management and Remediation Services sector and are excluded from this sector;

- f. **Transportation and Warehousing:** This sector includes industries providing transportation of passengers and cargo, warehousing and storage for goods, scenic and sightseeing transportation, and support activities related to modes of transportation. Establishments in these industries use transportation equipment or transportation related facilities as a productive asset. The type of equipment depends on the mode of transportation. The modes of transportation are air, rail, water, road, and pipeline. Excluded from this sector are establishments primarily engaged in providing travel agent services that support transportation and other establishments. Also, establishments primarily engaged in providing rental and leasing of transportation equipment without operator are excluded from this sector;
- g. **Utilities:** This sector comprises establishments engaged in the provision of the following utility services: electric power, natural gas, steam supply, water supply, and sewage removal;
- h. **Waste Management and Remediation Services:** This subsector of the Administrative and Support and Waste Management and Remediation Services sector comprises establishments engaged in the collection, treatment and disposal of waste materials. This includes establishments engaged in local hauling of waste materials; operating materials recovery facilities; land treatment, providing remediation services; and providing septic pumping and other miscellaneous waste management services. Establishments primarily engaged in providing waste management consulting services are not included in this subsector;
- i. **Wholesale Trade:** This sector comprises establishments engaged in wholesale merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. The wholesale process is an intermediate step in the distribution of: goods for sale (i.e., goods sold to other wholesalers or retailers); capital or durable non-consumer goods; and raw and intermediate materials and supplies used in production.

Wholesalers sell merchandise to other businesses and normally operate from a warehouse or office. These warehouses and offices are characterized by having little or no display of merchandise. Retail sales activities, such as Warehouse Sales Uses, are not included in this sector. In addition, neither the design nor the location of the premises is intended to solicit walk-in traffic.

The following industry groups are included in the Wholesale Trade sector:

- i. Motor Vehicle and Motor Vehicle Parts and Supplies Wholesalers;
- ii. Furniture and Home Furnishing Wholesalers;

- iii. Lumber and Other Construction Materials Wholesalers;
- iv. Professional and Commercial Equipment and Supply Wholesalers;
- v. Metal and Mineral (except petroleum) Wholesalers;
- vi. Electrical Goods Wholesalers;
- vii. Hardware, Plumbing and Heating Equipment and Supply Wholesalers;
- viii. Machinery, Equipment and Supplies Wholesalers;
- ix. Miscellaneous Durable Goods Wholesalers;
- x. Paper and Paper Product Wholesalers;
- xi. Drugs and Druggists' Sundries Wholesalers;
- xii. Apparel, Piece Goods and Notions Wholesalers;
- xiii. Grocery and Related Product Wholesalers;
- xiv. Farm Product Raw Material Wholesalers;
- xv. Chemical and Allied Products Wholesalers;
- xvi. Petroleum and Petroleum Products Wholesalers;
- xvii. Beer, Wine and Distilled Alcoholic Beverage Wholesalers; and
- xviii. Miscellaneous Non-durable Goods Wholesalers.

7.6(2) Industrial Reserve Use

Industrial Reserve Use means rural land use activities located on lands prior to their conversion to industrial use that do not prejudice the future use when the lands are required for industrial development, and include the following sectors or subsectors:

- a. Agriculture, Forestry, Fishing and Hunting: This sector comprises establishments primarily engaged in growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch, or their natural habitat. The following subsectors are included: Crop Production, Animal Production, Forestry and Logging, and Agriculture and Forestry Support Activities, except that the Livestock Operations Use Class is not included. The Fishing, Hunting and Trapping subsector is not included in the Industrial Reserve Use; and

- b. **Mining:** This sector comprises establishments that extract naturally occurring mineral solids, such as coal and ores; liquid minerals, such as crude petroleum; and gases, such as natural gas. The term Mining is used in the broad sense to include quarrying, well operations, beneficiating (e.g., crushing, screening, washing and flotation), and other preparation customarily performed at the mine site, or as part of mining activity.

7.7 Agricultural and Natural Resource Development Use Classes

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 does not include Livestock Operations.
2. **Livestock Operations** means development with an Animal Unit concentration of greater than 43 Animal Units per hectare and where this animal density exceeds a duration of 90 consecutive days or more.
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 Use Class include gravel pits, sandpits, clay pits, oil and gas wells, coal mining, and stripping of topsoil. This Use Class does not include the processing of raw materials transported to the Site.
4. **Non-commercial Farms** means development for small-scale, non-commercial agricultural pursuits ancillary to Rural Residential Uses. This Use Class shall be developed so that it shall not unduly interfere with the general enjoyment of adjacent property. Animals shall be kept for the use or enjoyment of the householder only. This Use Class does not include Livestock Operations.
5. **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.

7.8 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.

*Bylaw 13117
July 8, 2002*

3. **Essential Utility Services** means development which is part of the infrastructure of a principal utility, pumping stations, electrical power transformers, underground water reservoirs and wells. Typical uses include regulating stations.
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.

Bylaw 12961
February 4, 2002

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 Use 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 equipment and vehicles, which is necessary for the local distribution of utility services. Typical Uses include police stations, fire stations and ancillary training facilities.

9. **Recycled Materials Drop-off Centre** means a municipally operated development used for the collection and temporary storage of recyclable materials. Recyclable materials includes, but is not limited to, cardboard, plastics, paper, metal and similar household goods. Recyclable material left at the Drop-off Centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling. These Drop-off Centres are intended to operate out of doors within a fenced compound. This Use Class does not include Recycling Depots.

7.9 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. **Child Care Services** means development intended to provide care, educational activities and supervision for groups of seven or more children under 13 years of age during the day or evening, but does not include overnight accommodation, and is intended to be operated for at least 12 consecutive weeks each year. This Use Class includes daycare centres, out-of-school care centres, drop-in centres and nursery 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 predominantly 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 Based Business. 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 public authority owning the park. Typical Uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds and water features.

12. **Religious Assembly** means development used for worship and related religious, philanthropic or social activities and includes Accessory rectories, manses, meeting rooms, food preparation and service facilities, 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 Bars and Neighbourhood Pubs and Nightclubs and does not include Adult Mini-Theatres. 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.

7.10 Sign Use Classes

*Bylaw 13117
July 8, 2002*

1. **Fascia Off-premises Signs** means any Sign painted on or attached to an exterior building wall, or any other permitted structure, on which a two dimensional representation may be placed. The Copy on such a Sign directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

2. **Fascia On-premises Signs** means any Sign painted on or attached to an exterior building wall, or any other permitted structure, on which a two dimensional representation may be placed. The Copy on such a Sign identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

3. **Freestanding Off-premises Signs** means any Sign supported independent of a building, displaying Copy that directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

4. **Freestanding On-premises Signs** means any Sign supported independent of a building, displaying Copy that identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

5. **Projecting Off-premises Signs** means any Sign that is supported by an exterior building wall and projects outward from the building wall. The Copy on such a Sign directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

6. **Projecting On-premises Signs** means any Sign that is supported by an exterior building wall and projects outward from the building wall. The Copy on such a Sign identifies or advertising a business, activity, service or product located on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

7. **Roof Off-premises Signs** means any Sign erected upon, against, or above a roof, or on top of or above, the parapet of a building displaying Copy that directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

8. **Roof On-premises Signs** means any Sign erected upon, against, or above a roof, or on top of or above, the parapet of a building displaying Copy that identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

9. **Temporary Off-premises Signs** means any Sign that is relocatable or removable from a Site and used for advertising of a limited duration. The Copy on such sign directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

*Bylaw 13117
July 8, 2002*

10. **Temporary On-premises Signs** means any Sign that is relocatable or removable from a Site and used for advertising of a limited duration. The Copy on such a sign identifies or advertises a business, activity, product, service or entertainment located on the premises or Site where the Sign is displayed.

Administrative Clauses

11. Authority and Responsibility of the Development Officer

11.1 Establishment and Appointment

1. The Office of the Development Officer is hereby established.
2. The Development Officer shall be:
 - a. the General Manager of the City Planning and Development Department, or in his absence, the Acting General Manager of the City Planning and Development Department;
 - b. any person within the City Planning and Development Department occupying the position of Development Control Officer; and
 - c. any other person specifically delegated by the General Manager of the City Planning and Development Department as having the authority to approve Development Permit applications.
3. For the purposes of this Bylaw, the Development Officer shall constitute the Development Authority of the City of Edmonton, pursuant to Development Authority Bylaw 11134.

11.2 Duties with Respect to Development Applications

The Development Officer shall receive all applications for development and:

1. shall ensure that a Register of Applications is maintained, and is made available to any interested person during normal office hours;
2. 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 11.5 of this Bylaw;
3. 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;

4. shall approve, without conditions, or with such conditions as 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 11.3 and 11.4 of this Bylaw;
5. may relax a regulation in a Zone or other Section of this Bylaw in accordance with the regulations contained in that Zone or Section, or may relax regulations in accordance with Sections 11.3 and 11.4, and in such case, the development applied for shall be a Discretionary Development;
6. may refuse or 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 Zone 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;
7. may refuse, or approve, with or without conditions, an application for a development in a Direct Control Provision, in accordance with the requirements of the zoning; and
8. shall give notice of his decision on applications for development as follows:
 - a. where an application has been approved, public notification shall be given in accordance with Section 20 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; and
 - c. shall in the case of a Development Permit for a Temporary Sign specify the length of time that Permit remains in effect in accordance with the time limitations for such Signs set out in the Sign Section of this Bylaw.

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July 8, 2002*

11.3 Variance to Regulations

The Development Officer may approve, with or without conditions as a Class B Development, an for development that does not comply with this Bylaw where:

1. 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.
2. the proposed development would, in his opinion, conform with the use prescribed for that land or building in this Bylaw; and
3. the Development Officer may approve, with or without conditions as a Class B Development, an enlargement, alteration or addition to a legal non-conforming building if the non-conforming building complies with the uses prescribed for that land in this Bylaw and 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.

11.4 Limitation of Variance

In approving an application for a Development Permit pursuant to Section 11.3, 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 Zone;
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; and
3. the General Purpose of the appropriate Zone.

11.5 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. Development Classes

12.1 General

The following classes of development are hereby established:

1. Class A Permitted Development
2. Class B Discretionary Development

12.2 No Development Permit Required

The following list of activities do not require a Development Permit:

1. farm buildings, other than those used as Dwellings;
2. flood control and hydroelectric dams;
3. a single Storey Accessory Building not greater than 10.0 m² in Floor Area;
4. interior alterations and maintenance to a residential building, provided that such alterations and maintenance do not result in an increase in the number of Dwellings, within the building or on the site, nor in a change of the Use Class or the introduction of another Use Class;
5. interior alterations and maintenance to a non-residential building, including mechanical or electrical work, provided that neither the Use Class nor the intensity of Use Class is changed, nor that another Use Class is added;
6. 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;

7. the erection of any fence, wall or gate not exceeding 1.85 m 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;
8. 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;
9. the erection of towers and poles, television and other communication aerials, masts or towers where:
 - a. the zoning of the Site is not residential and such structures are freestanding and do not cause a load to be placed upon a building through their attachment or placement upon such buildings;
 - b. such structures comply with the Airport Protection Overlay; and
 - c. such structures are to be used for cellular telephone or personal communication services signal transmission;

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10. the parking or storage, or both, of any uninhabited Recreational Vehicle in a Residential Zone, where such parking or storage fully complies with the regulations of Section 45 of this Bylaw;
11. the construction and maintenance of an Essential Utility Services development;
12. 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;
13. minor structures not exceeding 1.8 m in height which are ancillary to Residential Uses, such as a barbecue, dog house, lawn sculpture or bird feeder;
14. 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;
15. 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; and
16. the erection of an uncovered deck which is located entirely within a Rear Yard, and which has a Height of less than 0.6 m , and which is Accessory to a residential structure;

17. the following Signs/Activities:

- 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 Transportation and Streets Department 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 and Freestanding Signs, to a maximum Height of 3.0 m, located on the interior of a development not intended to be viewed from the abutting public roadways;
- f. changing the copy of any Changeable Copy Sign or Off-premises Sign;
- g. non-illuminated Fascia On-premises Signs not exceeding 0.5 m² in Area;
- h. Temporary non-illuminated Directional Signs not exceeding a Height of 1.0 m or a maximum Area of 0.5 m² when located within a Residential Zone;
- i. illuminated or non-illuminated Signs not exceeding a Height of 1.5 m or a maximum Area of 1.0 m² when located within a Non-residential Zone; including but not limited to Directional Signs, sandwich board Signs and real estate Signs;
- j. non-illuminated Temporary On-premises Signs for real estate 2.0 m or less in Height; and
- k. any Sign painted on or affixed to the interior of a window in a commercial area; and

18. any minor development within a Direct Control Provision which is similar to other developments listed under subsection 12.2.

12.3 Class A Permitted Developments

This Class includes all developments for which applications are required and are for a Permitted Use or Accessory Building or activities and the Development Application complies in all respects to the regulations of this Bylaw. Applications for Signs, accessory functions and the occupancy of existing buildings on Sites regulated by a Direct Control provision and conforming to that provision shall also be considered a Class A Permitted Development

12.4 Class B Discretionary Developments

This Class includes all developments for which applications are required and are for a Discretionary Use or require a variance to any of the regulations of this Bylaw. This Class of Permit also includes all applications on Sites designated Direct Control not noted in Section 12.3.

13 Development Application Submissions

13.1 General Conditions

1. For the purposes of subsection 16(1) of this Bylaw, applications for a Development Permit are not received until the applicant has:
 2. submitted all information required pursuant to Sections 13 and 14 of this Bylaw;
 3. submitted any information specifically required pursuant to the regulations of the applicable Zone or any other Section of this Bylaw; and
 4. paid the appropriate fee as determined by City Council.
5. Notwithstanding clause (1) above, the Development Officer may consider an application if, 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.
6. 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.
7. 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.
8. In the event of a discrepancy between any written description and the drawings, the written description shall prevail.
9. 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.

10. Any Development Permit issued on the basis of incorrect information contained in the application shall be invalid.
11. 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 or such other scale as the Development Officer may approve, and shall be fully dimensioned, accurately figured, explicit and complete.

13.2 Class A Development Excluding Signs

Four 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 detailed 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; and
 - b. proposed development or building operations;
6. identification of the scale of the development with respect to:
 - a. Floor Area of the development, in square metres;
 - b. area of the Site covered, in square metres;
 - c. Height of the structure, in metres; and
 - d. number of floors or Storeys;
7. the estimated value, in dollars, of the proposed work; and

8. if required by the Development Officer, a Site Plan, at a minimum scale of 1:500, showing the following:
 - 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; and
9. if required by the Development Officer, the applicant shall submit four copies of the following:
 - a. identification of the scale of the development with respect to the number of Dwellings, or establishments for commercial, industrial or other purposes;
 - b. a Site Plan 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;
 - c. floor plans at a minimum scale of 1:100, indicating all Uses or occupancies, storage and garbage holding areas;
 - d. elevations and drawings, indicating sections and the bulk of buildings, at a minimum scale of 1:100; and
 - e. number of parking and loading spaces required and provided.

13.3 Class B Development Excluding Signs

1. In addition to the information required for a Class A Development, the applicant shall submit four copies of the following:
 - a. a plan showing the location of adjacent buildings and structures indicating the approximate Height and number of Storeys;
 - b. a description of the exterior finishing materials to be used; and
 - c. a written statement and other supportive material by the applicant that his proposal conforms to the policies of any applicable Statutory Plan.

2. If required by the Development Officer, the applicant shall also submit four copies of the following:
 - a. an Urban Design Context Plan and vicinity map at a minimum scale of 1:500 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:
 - i. the Uses and amenities of surrounding properties within 100.0 m of the boundaries of the project Site;
 - ii. the physical characteristics and human activity patterns characteristic of the Site, surrounding Land Uses and development;
 - iii. the urban design statements of any Statutory Plan which are applicable to the Site; and
 - iv. the context of the development, in relation to the type of structure, architectural detailing, and finishing materials prevalent in surrounding development; and
 - b. a Traffic Impact Assessment for residential developments exceeding 1,000 Dwellings and non-residential developments exceeding 10 000 m² 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:
 - i. trip generation of the development;
 - ii. trip distribution of traffic bound to and from the development;
 - iii. trip assignment of traffic bound to and from the development; and
 - iv. detailed Site Plan(s) showing vehicular circulation, location and geometrics of access points and existing and proposed geometrics for adjacent roadway.

13.4 Sign Developments

Applications for all Signs:

1. shall include the following information in duplicate 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 occupancy or multiple 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; and
 - g. detailed plans imprinted with the stamp or seal of a Professional Engineer showing:
 - i. the overall dimensions of the Sign, including all Sign boxes and cabinets;
 - ii. a description or illustration of the Copy to be displayed on the Sign;
 - iii. the method of illumination (if any), including the use of animation;
 - iv. the materials from which the Sign is to be constructed;
 - v. the method used to support the Sign;
 - vi. the dimensions of any Changeable Copy panels;
 - vii. any rotating parts of the Sign;
 - viii. the total Height of the Sign above grade; and
 - ix. the method used to support the Sign.

2. Applications for On-premises and Off-premises Fascia Signs shall include the following additional information:
 - a. a photograph or elevation drawing of each building façade or structure on which a Sign is to be erected that shows the building façade for a distance of at least 15.0 m on either side of the location of the proposed Sign; and
 - b. a detailed plan showing:
 - i. the location of the Sign on the building or structure;
 - ii. the clearance from Grade from the lowest portion of the Sign;
 - iii. maximum extension of the Sign above the building roof or parapet wall;
 - iv. the distance of the maximum projection of the Sign beyond the building wall;
 - v. any sidewalks, pedestrian passageways, or public roadways that the proposed Sign shall extend over;
 - vi. for Off-premises Signs, the horizontal distance from the proposed Sign to the nearest existing Off-premises Sign; and
 - vii. for Off-premises Signs, the horizontal distance to the nearest building wall which serves as a backdrop for the Sign, where applicable.
3. Applications for On-premises and Off-premises Freestanding Signs shall include the following additional information:
 - a. a photograph that shows the entire Frontage of the Site where the Sign is proposed; and
 - b. a Site Plan showing:
 - i. a north arrow;
 - ii. the curb line, property line and location of any existing or proposed buildings;
 - 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 Site;
 - vi. the location of any existing Freestanding Signs on the Site, and whether such Sign shall be replaced by the proposed Sign;
 - vii. the length of the Frontage of the Site where the Sign is to be erected;

- viii. the horizontal separation distance between the proposed Sign and other Freestanding Signs located on the Site; and
 - ix. for Off-premises Signs, the horizontal distance from the proposed Sign to the nearest existing Off-premises Sign.
4. Applications for On-premises and Off-premises Projecting and Roof Signs shall include the following additional information:
- a. a photograph or elevation drawing of each building façade or structure on which a Sign is to be erected that shows the building façade for a distance of at least 15.0 m on either side of the location of the proposed Sign;
 - b. 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; and
 - iv. the perpendicular distance from property line to building; and
 - c. detailed plans showing:
 - i. the location of the Sign on the building;
 - ii. the clearance from grade from the lowest portion of the Sign;
 - iii. maximum extension of the Sign above the building roof or parapet wall;
 - iv. the distance of the maximum projection of the Sign beyond the building wall;
 - v. any sidewalks, pedestrian passageways, or public roadways that the proposed Sign shall extend over;
 - vi. the location of any existing Projecting Signs on the building and whether such Sign(s) shall be replaced by the proposed Sign; and
 - vii. for Signs which project beyond the property line, the horizontal distance from the curb to the part of the Sign nearest the curb.

5. In addition to the requirements listed above, Comprehensive Sign Design Applications shall include the following additional information:
 - a. a coloured rendering of the Sign(s) development and a narrative outlining the following information:
 - i. the exception(s) to the Sign Schedule required by the Comprehensive Sign Design Plan; and
 - ii. an explanation of how these exceptions achieve a greater degree of visual harmony between the proposed Sign(s) and the building or Site than would be possible through the provisions of the Sign Schedule having regard for:
 - b. the compatibility of the design, scale and location of the Sign(s) 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;
 - c. 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
 - d. the compatibility of the proposed Sign(s) with land use and landscape and architectural character of surrounding development.
 - e. Applications for Temporary Signs shall include the following information:
 - f. the municipal address of the land or building where the Sign is to be located;
 - g. the name and address of the business or group advertising on the Sign;
 - h. 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;
 - i. whether the Site where the Sign is to be located is a single occupancy or multiple occupancy development;
 - j. the length of time the Sign is to be displayed at the location address;
 - k. where a Sign is to be used for off-premises 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;
 - l. a scaled Site Plan including information on the location of curb lines, property lines, and location of driveways (access points); and
 - m. an indication on how the Sign is marked for ownership in accordance with subsection 59.2(6).

14. Special Information Requirements

14.1 Slope and Soil Information

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 Community Services 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 Community Services Department.
2. Notwithstanding anything contained herein, the Development Officer may require a detailed Engineering Study of the soil conditions prepared to professional standards, by a registered 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.
3. 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.
4. The Development Officer may require the submission of a detailed Engineering Study as outlined in subsection 14.1(2) of this Bylaw with an application for a Development Permit at any location within the City which in the opinion of the Development Officer has unstable soil conditions.
5. The Development Officer, having required a detailed Engineering Study of the soil conditions may, acting on the advice of the Transportation and Streets Department, apply conditions to the approval of the Development Permit to minimize erosion and to stabilize soil conditions.

14.2 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, to professional standards.
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, prepared to professional standards.

14.3 Sun Shadow Impact Study

1. The Development Officer shall require a Sun Shadow Impact Study where such a study is required in a Statutory Plan, and may require such a study for other applications if the proposed development warrants it.
2. This Study shall be prepared by a qualified, registered Professional Engineer or Architect, to professional standards.

14.4 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 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. Prior to the issuance of a Development Permit 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. Canada 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.

14.5 Environmental Nuisance and Health Impacts Assessment

1. When an application for a Development Permit on a site zoned "I" Industrial is for industrial activities designated for either approval or registration under the Environmental Protection and Enhancement Act, the Development Officer may require the application to contain an Environmental Nuisance and Health Impacts Assessment prepared by an environmental professional such as an engineer, biologist, planner, geologist or hydrogeologist.
2. The Environmental Nuisance and Health Impacts Assessment shall:
 - a. identify the nature and quantities of substance releases;
 - b. identify the provincial standards for the proposed industrial operation;
 - c. identify any sensitive land uses or zoning that could contain sensitive land uses, existing or proposed, which could be detrimentally impacted by the substance releases;
 - d. demonstrate what remedial and mitigative measures shall be undertaken; and
 - e. identify and recommend any separation distances or other land use planning measures that could be undertaken.

14.6 Assessment of Risk for Industrial Activities

1. When an application for a Development Permit on a site zoned "I" Industrial is for an activity involving the use or storage of hazardous substances, the Development Officer may require the application to contain an Assessment of Risk prepared by an environmental professional such as an engineer, biologist, planner, geologist or hydrogeologist, to the satisfaction of the Emergency Response Department. In applying this requirement, the Development Officer shall be guided by guidelines developed by the Major Industrial Accidents Council of Canada (MIACC), such as but not limited to the following publications: "Risk-based Land Use Planning Guidelines," "Hazardous Substances Risk Assessment: a Mini-Guide for Municipalities and Industry," and "MIACC Lists of Hazardous Substances."
2. The Assessment of Risk shall:
 - a. identify hazardous substances and their quantities;
 - b. estimate the expected frequency of the occurrence of a hazardous event;
 - c. assess the possible consequences of such an event;
 - d. determine annual individual risk and compare to MIACC's risk acceptability criteria;
 - e. demonstrate how the proposed facility and operations shall contribute to the following risk management objectives:
 - i. risk reduction at source (siting of facilities, modifications to processes, conformity to legislation e.g. The Safety Codes Act, the Dangerous Goods Act, monitoring, technical changes, training, etc.);
 - ii. risk reduction through land use planning around industrial Sites and pipeline and dangerous goods corridors;
 - iii. emergency preparedness;
 - iv. emergency response;
 - v. risk communication and public participation; and
 - vi. identify and recommend risk-based separation distances and other mitigative measures to reduce risk.

15. Conditions Attached to Development Permit

1. The Development Officer may only impose conditions on the approval of a Permitted Development if the power to do so is clearly specified elsewhere in this Bylaw. Nothing in this Section prevents a Development Officer from identifying on the Development Permit certain Sections of this Bylaw that the applicant would have to comply with in any event.
2. If an applicant applies for a Development Permit for a structure or a use that is intended to be temporary or that is inherently temporary, the Development Officer may impose conditions limiting the duration of the validity of the Development Permit. The Development Officer may exercise this power to add conditions to Permitted and Discretionary Uses.
3. The Development Officer may, with respect to a Discretionary Development or a Development in a Direct Control Provision, impose such conditions as he deems appropriate, having regard to the regulations of this Bylaw and the provisions of any Statutory Plan.
4. 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.
5. The Development Officer may, as a condition of issuing a Development Permit require that an applicant enter into an 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;
 - iii. to specify the location and number of vehicular and pedestrian access points to Sites from public roadways;
 - iv. to install, or pay for the installation of, utilities that are necessary to serve the development;

- v. to construct or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or
 - vi. 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.
6. The Development Officer may, as a condition of issuing a Development Permit, require that an applicant enter into an agreement in a form satisfactory to the City, to pay an off-site levy or redevelopment levy, or both, imposed by a bylaw pursuant to the Municipal Government Act.

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7. If an applicant applies for a Development Permit for a structure that encroaches on City owned property, the Development Officer may impose conditions requiring the applicant to mitigate the impact of the encroachment, including compensation, indemnities, insurance and a duty to remove the encroaching structure on receipt of notice. If the Development Officer does not impose such a condition on an encroaching structure, this shall not be construed as granting the applicant a right to encroach and the applicant may require a separate encroachment agreement.
8. The Development Officer may require any agreement entered into pursuant to clauses (4) and (5) above to be filed against the title to the Site at the Land Titles Office.

16. Decisions on Development Applications

- 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 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.

17. *Validity of Development Permit*

17.1 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:
 2. any conditions of approval, save those of a continuing nature, have been fulfilled; and
 3. no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in subsection 21.1.
4. When an application for a Development Permit has been approved by the Subdivision and 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.
5. Upon service on the City of Edmonton of an application for leave to appeal the decision of the Subdivision and Development Appeal Board, under the Municipal Government Act, the Development Officer shall suspend the Development Permit issued by the Subdivision and Development Appeal Board.
6. The Development Permit issued by the Subdivision and Development Appeal Board and suspended pursuant to the Municipal Government Act, remains suspended until:
 - a. the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined; or
 - b. the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination by the Alberta Court of Appeal has been finally determined.

18. Resubmission Interval

1. An application for a Development Permit for a Use within the same Use Class of this Bylaw shall not be accepted by the Development Officer from the same or any other applicant for the same Site:
 - a. within six months of the date of a refusal by the Development Officer; or
 - b. within six months of the date of a written decision of the Subdivision and Development Appeal Board on a previous application, if the previous application was appealed to, and subsequently refused by, the Subdivision and Development Appeal Board; or
 - c. within six months of the date of a written decision of the Alberta Court of Appeal on the previous application if the application has been appealed to the Alberta Court of Appeal; or
 - d. during the time prior to the decision of the Subdivision and Development Appeal Board or the Alberta Court of Appeal, if the application has been appealed to the Subdivision and Development Appeal Board or the Alberta Court of Appeal.
2. Subsection 18.1 shall not apply in the case of an Application for a Development Permit for a Permitted Use if the Application complies with all the regulations of this Bylaw.
3. If upon review of any application for a Development Permit, the Development Officer determines that subsection 18.1 applies, then the application shall be returned to the applicant, along with any fees that have been submitted. The application shall not be considered as having been refused, but shall be deemed not to have been submitted.
4. Notwithstanding subsection 18.1 above, if two or more Development Permit Applications for the same Use Class on the same Site have been refused by the Development Officer, the Subdivision and Development Appeal Board, the Alberta Court of Appeal, or any combination of the above, the third and any subsequent Development Permit Application for that Use Class on that site shall not be accepted by the Development Officer until one year from the date of the most recent refusal, unless that application is for a Permitted Use and complies in all respects with the Zoning.

19. Development Permit and Agreement Fees

19.1 Development Application Fees

1. Every application for a Development Permit shall be accompanied by the required fee. The schedule of fees for Development Permits shall be determined by City Council.

19.2 Development Agreement Fees

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 15 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 determined by City Council.

20. Notification of Issuance of Development Permits

20.1 Class B Development

1. Within seven days of the issuance of a Development Permit for Class B 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 60.0 m of the boundary of the Site;
 - c. the President of each Community League operating within the notification boundaries described in clause (b), above; and
 - d. the President of each Business Revitalization Zone Association operating within the notification boundaries described in clause (b) above.

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2. The notice shall describe the development and state the decision of the Development Officer, and the right of appeal therefrom.
3. 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.
4. During any cessation of ordinary mail delivery, the written notice described above shall be given by such other alternative means as the Development Officer may specify.
5. Where, in the opinion of the Development Officer, a proposed development is likely to affect other owners of land beyond 60.0 m, the Development Officer must notify owners of land at such additional distance and direction from the Site as, in the opinion of the Development Officer, may experience any impact attributable to the development

21. Appeals

1. Subject to the provisions of the Municipal Government Act, any person applying for a Development Permit or affected by a Permit issued by the Development Officer, shall appeal the decision of the Development Officer to the Subdivision and Development Appeal Board by serving a written notice of appeal on the Subdivision and 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 shall, at the option of the applicant, be deemed to be refused in accordance with the provisions of Section 16 of this Bylaw, and the applicant shall appeal in writing to the Subdivision and Development Appeal Board as provided in subsection 21(1) above, as though the application has been refused at the end of the time period in Section 16.

22. Expiry of Permit

1. A Development Permit shall expire and shall no longer be valid after one year from the date of approval of the Permit, if no construction has been initiated. Construction includes, but is not limited to, site surface preparation or excavation. Furthermore:
 - a. work such as engineering studies, geotechnical investigations, site surveys, soils analysis, environmental assessment and the like shall not be considered as construction in the context of this subsection; and
 - b. in the case of a change of Use within an existing structure, where no significant construction or reconstruction is necessary, the applicant shall have the new Use in operation within one year of the approval of the Development Permit.
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 Development Permit has been approved, all previous Permits shall be invalid if the physical aspects of the development conflict, or both could not occur simultaneously upon the Site, in conformity with the regulations of this Bylaw.
4. Notwithstanding subsection 22.1, time shall not run during an appeal of the Development Permit to the Subdivision and Development Appeal Board and any consequent court proceedings until:
 - a. the Subdivision and Development Appeal Board has issued a written decision of its approval of the Development Permit and there is no appeal from this decision of the Subdivision and Development Appeal Board; or
 - b. the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been fully determined; or
 - c. the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination by the Alberta Court of Appeal has been finally determined.

23. Enforcement and Penalties

23.1 General

1. The enforcement powers granted to the Development Officer under this Bylaw are in addition to any enforcement powers the City or any of its officers may have under the Municipal Government Act or any other applicable legislation. The Development Officer may exercise all such powers concurrently.
2. The Council of the City shall from time to time, taking into account social and economic factors including the resources available to it and the various demands made upon those resources by the residents of the City, allocate resources to the General Manager of the Planning and Development Department, who shall then determine the extent of enforcement made under this Bylaw so as to optimize use of those resources.

23.2 Offences

1. Any owner, lessee, tenant or occupant of land, a building, a structure or a Sign thereon, who, with respect to such land, building, structure:
 - a. contravenes; or
 - b. causes, allows or permits a contravention of any provision of this Bylaw; commits an offence.
2. It is an offence for any person;
 - a. to construct a building or structure;
 - b. to make an addition or alteration thereto; or
 - c. to place a Sign on land;for which a Development Permit is required but has not been issued or is not valid under this Bylaw.
3. If the corrective measures described in a Violation Notice issued pursuant to subsection 23.3 are not completed within the time specified by the Violation Notice, the person to whom the Violation Notice was issued is guilty of an offence and shall pay the penalty amount specified in Schedule 23A.

4. If development continues after a Permit has been revoked or suspended, the person to whom the Permit was issued or the person continuing the development is guilty of an offence and shall pay the penalty amount specified in Schedule 23A.
5. It is an offence to display a Temporary Sign without a valid Development Permit. It is an offence for a Temporary Sign to not have the Sign ownership displayed in a visible location on the Sign. It is an offence to deface, obscure or otherwise render the ownership identification illegible.
6. It is an offence to have a Sign in an abandoned state.
7. It is an offence to use residential, agricultural, institutional, commercial or industrial property without a valid Development Permit where the Use is listed as a Permitted or Discretionary Use in the Zone.
8. It is an offence to use residential, agricultural, institutional, commercial or industrial property without a valid Development Permit where the Use is not listed as a Permitted or Discretionary Use in the Zone.
9. It is an offence to commence any construction which requires a Development Permit in a residential, agricultural, institutional, commercial or industrial Zone without a valid Development Permit.

23.3 Enforcement

1. Once the City has found a violation of this Bylaw, the City may notify either the owner of the land, the building or the structure, the person in possession of the land, building or structure, the person responsible for the violation or any or all of them, of the contravention of this Bylaw, by:
 - a. delivering a Violation Notice delivered either in person or by ordinary mail:
 - i. to the owner of the land, building or structure at the address listed on the tax roll for the land in question; or
 - ii. to the owner of the Sign, at a location where the owner carries on business; or
 - b. in the case of Temporary Signs, verbal notification to the Sign owner or by delivering a Violation Notice in person to the Sign owner or by ordinary mail or by facsimile to an address where the Sign owner carries on business.

2. Such notice shall state the following:
 - a. nature of the violation of this Bylaw;
 - b. corrective measures required to comply with this Bylaw; and
 - c. time within which such corrective measures must be performed.
3. The appearance of the name of an individual, organization, corporation or ownership on a Sign is prima facie proof that the individual, organization, corporation or owner named thereon caused, suffered or permitted the Sign to be placed on land, and is responsible for any contravention of the provisions of this Bylaw.
4. The City is not required to issue a Violation Notice before commencing any other enforcement action under the Municipal Government Act, or this Bylaw, or at all.

23.4 Order

1. Pursuant to the Municipal Government Act, the Development Officer may issue, to any or all of the following:
 - a. the owner of the land, building or structure;
 - b. the person in possession of the land, building or structure; and
 - c. the person responsible for the contravention, an order under the Act.
2. Where a person fails or refuses to comply with the Order, the City may take such action as is necessary to carry out the order.
3. The costs and expenses incurred in carrying out an Order shall be placed on the tax roll. The amount so placed shall be deemed for all purposes to be a tax imposed pursuant to the Municipal Government Act, from the date it was added to the tax roll and forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

23.5 Cancellation of Permit

1. The Development Officer may revoke a Development Permit where any person undertakes or causes or permits any development on a Site contrary to the Development Permit.
2. The Development Officer shall notify the Development Permit holder and the owner of the land, building, structure or Sign (if not the same) of the cancellation of the Development Permit. The revocation is effective upon receipt of the notice by the Development Permit holder.
3. Any person who undertakes, causes or allows any development after a Development Permit has been revoked, shall discontinue such development forthwith and shall not resume such development unless a new Development Permit has been issued.
4. All developments continuing after the Development Permit has been revoked shall be deemed to be developments occurring without a Development Permit under this Section.
5. The Development Officer may cancel a Development Permit where required fees have not been received.

Section 23A - Specified Penalties for Offences

Offence	Section	Penalty
Development without Development Permit	23.2(2)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
Development with expired Development Permit	23.2(2)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
Development in contravention of a Development Permit	23.2(2)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
Failure to Comply with Violation Notice	23.2(3)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
Development After Revocation	23.2(4)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
Displaying Temporary Sign without Development Permit	23.2(5)	
First Offence		\$110.00
Second Offence		\$110.00
Third and Subsequent Offences		\$110.00
Sign in an Abandoned State	23.2(6)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
No Permit where Use Permitted or Discretionary	23.2(7)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
Non-permitted Use in area	23.2(8)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00
Construction Commenced without Development Permit	23.2(9)	
First Offence		\$210.00
Second Offence		\$410.00
Third and Subsequent Offences		\$810.00

24. Amendments

24.1 Text Amendments

1. Any person applying to amend Parts I and II of this Bylaw may apply in writing to the Development Officer including required fees, 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 Zoning Bylaw, the Council may require him to submit his application and required fee to the Development Officer in accordance with the provisions of this Section before it considers the amendment proposed by such person.
3. Notwithstanding anything contained in this Section 24, 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.

24.2 Rezoning Amendments

1. Any person applying to amend Parts III and IV of this Bylaw to change the Zone 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 30 days prior to the receipt of the amendment application by the Development Officer;
 - b. the applicant's name, address, telephone contact number 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 form and fee required in subsection 24.3(6); 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 Rezoning Amendment, the Development Officer shall provide a written notice of this application to:

*Bylaw 13228
December 5, 2002*

- a. each assessed owner of land, wholly or partially within a distance of 60.0 m of the boundaries of the site which is the subject of the Rezoning Amendment;
 - b. the President of each Community League operating within the distance described in clause a) above; and
 - c. the President of each Business Revitalization Zone Association operating with the distance described in clause a) above.
3. Upon receipt of an application for a Rezoning amendment, the Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed Zone. The analysis shall be based upon the full development potential of the uses and development regulations specified in the proposed Zone and not on the merits of any particular development proposal. The analysis shall, among other things, consider the following impact criteria:
 - a. relationship to and compliance with approved Statutory Plans and Council policy. Should the application not conform with an applicable Statutory Plan the Development Officer shall require the applicant to submit an application to amend the applicable Plan before the application to amend Parts III or IV of the Zoning Bylaw is judged to be complete;

*Bylaw 12993
March 12, 2002*

- b. relationship to and compliance with the Alberta Gaming Licensing Policy, pertaining to licensed casino facilities. Should the application have the effect of adding Casinos and Other Gaming Establishments to the list of uses in the Provision, the Development Officer shall require submission of a letter of approval for a casino facility, issued by the Alberta Gaming and Liquor Commission subject to zoning, before the application to amend Parts III or IV of the Zoning Bylaw is judged to be completed;

*Bylaw 13117
July 8, 2002*

- c. relationship to authorized Statutory Plans in preparation;
 - d. compatibility with surrounding development in terms of land use, function and scale of development;
 - e. traffic impacts;
 - f. 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;
 - g. relationship to municipal land, right-of-way or easement requirements;
 - h. effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
 - i. necessity and appropriateness of the proposed Zone in view of the stated intentions of the applicant;
 - j. relationship to the documented concerns and opinions of area residents regarding the application; and
 - k. the potential impacts on municipalities where the area in question is an intermunicipal fringe as identified in the Municipal Development Plan.
4. Notwithstanding anything contained in this Section 24, 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.

24.3 Review and Processing of Amendments

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:

- a. he wishes the proposed amendment to proceed to City Council, in which case he must prepay the advertising costs referred to in subsection 24.2(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 the applicant does not respond to the Development Officer's notification, the application shall be cancelled after one year from the date of the notice of the Development Officer.
 4. If requested by the applicant, the Development Officer shall submit the proposed amendment to Council, accompanied by the report of the Development Officer.
 5. The Development Officer, using 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 recommendations of the Development Officer.
 6. Every Rezoning Amendment Application shall be accompanied by the required fee. The schedule of fees for the services provided shall be determined by City Council.
 7. When a Development Agreement is to be entered into between the City and the applicant pursuant to a Direct Control rezoning, 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 as determined by City Council.

24.4 Notification of Rezoning Amendments

1. Prior to consideration by Council of a proposed rezoning amendment, the Development Officer shall place a notice, complying with the Municipal Government 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 Rezoning Amendment;

- c. each assessed owner of land, wholly or partially within a distance of 60.0 m of the boundaries of the Site which is the subject of the Rezoning Amendment, except that the Development Officer may exempt notification for City-initiated Rezoning Amendments:
 - i. for lands incorporated into the City zoned from the pre-annexation municipality's Zoning Bylaw to an equivalent Zone in the Edmonton Zoning Bylaw; or
 - ii. to replace existing Zones with new Zoning Bylaws which are generally consistent with the Uses and regulations of the Zone being replaced;
- d. the President of each Community League operating within the notification boundaries described in clause (c) above; and

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- e. the President of each Business Revitalization Zone Association operating within the notification boundaries described in clause (c) above.

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

- 2. Where, in the opinion of the Development Officer, a proposed Rezoning Amendment is likely to affect other owners of land beyond 60.0 m, the Development Officer must notify owners of land at such additional distance and direction from the Site as, in the opinion of the Development Officer, may experience any impact attributable to any development allowed under the proposed Zone or Direct Control Provision.
- 3. Prior to consideration by Council of an amendment to Parts I or II of this Bylaw, the Development Officer shall give such notice as is required by the Municipal Government Act.
- 4. a) Except as provided hereafter, the owner or applicant shall erect a Rezoning Amendment Application Information Sign within 14 days of making an application to amend Parts III or IV of this Bylaw, to change the Zone governing any land. A Rezoning Application Information Sign is not required for any of the following:

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- i. applications that propose to rezone lands in conformity with a Statutory Plan; and
 - ii. City-initiated Rezoning Amendments for land brought into the City through annexation.
 - iii. Where a Rezoning Application Information Sign is required, the public hearing for such Rezoning Applications before City Council may not take place until a minimum period of 21 days has passed since the date upon which the owner or applicant erects the Rezoning Application Information Sign.
- b) The Rezoning Application Information Sign shall be erected at a prominent location on the Site, or within 4.5 m of the Site between the Site and a public roadway, other than a Lane, shall be readable from a distance of 15.0 m 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 rezoning Application Information Sign(s) shall be required. Rezoning Application Information Signs shall be erected in a manner so as to be visible from each public roadway, other than a Lane.
- c) Rezoning Application Information Signs, as erected, shall be of a maximum Height above ground of 3.0 m, a minimum Area of 1 m² and a maximum Area of 3 m².
- d) Rezoning Application Information Signs shall contain the following information:
- i. the present Zone applicable to the Site;
 - ii. the Zone proposed by the applicant;
 - iii. a general description of the Use Classes which could develop within the Zone 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 Zone proposed by the applicant;
 - v. the Site's total area; and
 - vi. the telephone number of the Development Officer and an indication that at that telephone number, more information respecting the application shall be sought.

- e) In addition to the information requirements listed in subsection 24.4(1), the applicant shall, within seven days of the erection of the Rezoning Application Information Signs, submit to the Development Officer a letter indicating that the Sign has been erected in accordance with the requirements of the Zoning Bylaw.
- f) Where the applicant is not the owner of the subject Site, the Development Officer shall authorize an alternative notification, which does not meet all of the requirements of subsection 24.4(4), on public property adjacent to the subject Site.
- g) All Rezoning Application Information Signs shall be removed no later than 30 days following the date of the approval or rejection of the relevant application by City Council.

25. Zoning Bylaw Compliance Certificate and Certificate Fees

1. The applicant for a Compliance Certificate shall provide to the Development Officer a Real Property Report for the Site prepared by a registered Alberta Land Surveyor. The applicant shall pay all costs associated with the preparation of the Real Property Report.
2. In determining whether a Compliance Certificate can be issued for a Site, the Development Officer shall rely on the Real Property Report provided by the applicant. The Development Officer shall not undertake independent Site inspections.
3. The Development Officer may issue a Compliance Certificate when, in his opinion, the building(s) located on a Site, and shown on the Real Property Report, is located on the Site in accordance with the Yard regulations of this Bylaw and the Yards specified in any Development Permit which may have been issued for the Site. The Compliance Certificate shall only cover those buildings and structures, or parts thereof, shown on the Real Property Report submitted by the applicant.
4. The Development Officer may refuse to issue a Compliance Certificate when, in his opinion, he does not have sufficient information from the applicant to determine if a building(s) located on a Site is (are) located in accordance with the Yard regulations of this Bylaw and/or the Yards specified in any Development Permit which may have been issued for the Site.

5. The Development Officer shall not be liable for any damages arising from the use of a Compliance Certificate containing errors where the errors are the result of incorrect or incomplete information on the Real Property Report.
6. The fee for the provision of Compliance Certificates shall be as determined by City Council.

Development Regulations

40. *Applicability*

The General Development Regulations shall apply to all developments on all Sites, and shall take precedence except in the case of the Airport Protection Overlay or where the regulations of a Zone, Overlay or Development Control Provision specifically exclude or modify these provisions with respect to any Use.

41. *Lot Dimensions and Areas*

41.1 Subdivision

1. The Subdivision Authority may approve the subdivision of land in the AG Zone 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 by man-made features such as roadways or railways; or
 - b. parcels which are to be used for Essential Utility Services.
2. The Subdivision Authority may approve the subdivision of land which includes parcels of a size less than the minimum Site size required in the AGU Zone and in the AGI Zone, if:
 - a. these parcels are to be used for Essential Utility Services;
 - b. these parcels are remnants or other parcels which result from the planned subdivision process where such parcels are likely to be created for a temporary period and shall subsequently be incorporated into a consolidation or another subdivision or development pattern, and zoned in a manner consistent with proposed Land Use Zones prior to development; or
 - c. the AGU or AGI Zoning is to be temporary and is soon to be replaced with another Land Use Zone.

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

1. The Development Officer shall not refuse an application for a Development Permit for Single Detached Housing (with or without a Secondary Suite) on a Site with a depth of at least 30.0 m and a width of at least 10.0 m, or Semi-detached Housing or Duplex Housing on a Site with a Site area of at least 470 m² and a width of at least 13.5 m 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 October 2, 1961;
 - b. the Site in question is a lot approved by the Subdivision Authority; or
 - c. in the case of Single Detached Housing within the RF4 Zone, the Site is within a Zone Outline Plan area or Area Structure Plan area and the subdivision creating the Site was approved by the Municipal Planning Commission prior to the effective date of Bylaw 6934, that being June 14, 1982.

42. General Regulations for Yards, Separation Space, Amenity Area And Setbacks

1. Other than in the RPL Zone, 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 Zone, 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 48 of this Bylaw and therefore shall, where Section 48 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 Zone apply to Accessory Buildings or Structures, except those in Residential Zones, in which case subsection 50.3 applies.

43. Yards on Corner Sites and Double Fronting Sites in Residential Zones

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. Double Fronting Sites shall have two Front Yards. The Development Officer may exercise his variance powers under subsections 11.3 and 11.4 to allow only one Front Yard on a Double Fronting Site, but may not allow fewer than one Front Yard.

44. Projection into Yards and Separation Spaces

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

1. a) verandas, porches, eaves, shade projections, unenclosed steps, chimneys, belt courses, sills, together with any other architectural features which are of a similar character, provided such projections do not exceed 0.6 m in the case of required Yards or Separation Spaces of 1.2 m or greater. Where unenclosed steps extend into required Side Yards which are not used for vehicular access, such steps shall not exceed a Height of 1.0 m above Grade;

- b) the Development Officer may exercise his variance power to allow projections of eaves or similar architectural features on Accessory Buildings provided that such projections do not exceed 0.6 m in the case of required Yards or Separation Spaces of 1.2 m or greater, and 0.46 m for required Yards or Separation Spaces of less than 1.2 m;
- 2. a) cantilevered projections with windows, such as bay, oriel or similar windows, or cantilevered projections without windows, provided that such projections do not exceed 0.6 m in the case of required Yards or Separation Spaces. In all cases, a minimum distance of 0.6 m from the property line to the outside wall of such projection and all other portions of a Dwelling, including eaves, shall be maintained; and
 - b) where a cantilevered projection as specified in subsection 44(2)(a) above is proposed in a Side Yard, the length of any one projection shall not exceed a wall opening length of 3.1 m. In the case of more than one projection, the aggregate total shall not exceed one third of the length of that house side wall excluding attached Garage walls. In the case of a Corner Lot, this restriction is applicable only to the interior Side Yard and not the required flanking Side Yard. This restriction shall not apply to projections into the required Front or Rear Yard;
- 3. balconies, provided such projections do not exceed 2.0 m into Yards or Separation Spaces with a depth of at least 4.0 m, and 0.60 m for Yards or Separation Spaces less than 4.0 m;
 - 4. an open, hardsurfaced and uncovered terrace or patio in any Yard or Separation Space in a Residential Zone, 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. 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 Zone 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; and
8. notwithstanding any other provisions of Section 44, projections and steps shall not be allowed where a minimum Side Yard of 3.0 m is required for vehicular access to the rear of the Site unless a minimum vertical clearance of 3.0 m is maintained from the finished Grade to the lowest point of the projection.

45. *Objects Prohibited or Restricted in Residential Zones*

1. No person shall keep in any part of a Site in any Residential Zone:
 - a. any commercial vehicle, loaded or unloaded, of a maximum gross vehicle weight (G.V.W.) exceeding 4 500 kg; or
 - b. more than one commercial vehicle of a maximum gross vehicle weight (G.V.W.) of 4 000 kg or less, for longer than is reasonably necessary to load or unload such vehicle.
2. No person shall keep, in the required Front Yard in any Residential Zone, or in the case of a corner Site, in the required Front Yard or the required flanking Side Yard in any Residential Zone, any large Recreational Vehicle for any longer than is reasonably necessary to load or unload such vehicle.
3. Notwithstanding subsection 45.2, from April 1 through October 31 inclusive, on a residential Site with no rear Lane, large Recreational Vehicles may be parked to within 2.0 m of the interior edge of the sidewalk, or within 2.0 m of the curb if there is no sidewalk:
 - a. where vehicular access is solely available through the Front Yard; or
 - b. in the case of a corner Site, where vehicular access is solely available through the Front Yard or through the exterior flanking Side Yard,subject to the discretion of the Development Officer, who may exercise his variance power to decrease this minimum Setback requirement on a Site by Site basis, given the proximity and orientation of driveways, parking areas, buildings and other physical features which may affect sight lines and amenities on the subject property and on adjacent properties.

4. For the purposes of subsections 45.2 and 45.3, a "large Recreational Vehicle" shall include any motorhome, travel trailer, or fifth wheel trailer; any camper when it is not mounted on a truck, but placed on the ground, on a stand or otherwise stored; or any similar vehicles.
5. For the purposes of subsections 45.2 and 45.3, a "large Recreational Vehicle" shall not include: small utility trailers; camper van conversions; tent trailers; campers which are mounted in trucks; boats; snowmobiles; all-terrain vehicles; jet skis; or motorcycles and trailers to carry them.

46. Amenity Area

1. Where required in any Zone, a development shall provide Amenity Area in accordance with the requirements of the Zone.
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 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 Area shall be at no cost to the public.
3. Amenity Area may include:
 - a. with respect to Residential Uses Classes, patios, balconies with a minimum depth of 2.0 m, roof terraces, communal lounges and Recreational Facilities and other areas within the Site which 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 are of the nature described in clause (2)(b) above.

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.
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.

47. Private Outdoor Amenity Area

1. Where required in any Zone, a development shall provide Private Outdoor Amenity Area in accordance with the requirements of the Zone.
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 4.0 m, except that if it is provided above the first Storey the minimum dimensions shall be 3.0 m.
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.

48. Separation Space

48.1 Separation Space: General

1. Where required in any Zone, any residential or residential-related development shall provide Separation Space in accordance with this Section 48.
2. Except as provided for elsewhere in this Section 48, the Separation Space shall be contained fully within the Site of the proposed development unless otherwise specified in the applicable Land Use Zone.
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 48, 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 subsection 48.3(2) and Section 48.4(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 exercise variance power to reduce 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.

48.2 Principal Living Room Window

1. In front of a Principal Living Room Window, a Separation Space, with a minimum depth of 7.5 m or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 10.0 m shall be provided.
2. The following facilities or activity areas may be located within a required Separation Space adjacent to a Principal Living Room Window where a Privacy Zone of at least 4.5 m is provided between the window and facility/activity area:
 - a. local public roadway other than a Lane;
 - b. walkway;
 - c. on-site roadway;
 - d. on-site parking area;
 - e. on-site Amenity Area; and
 - f. Accessory buildings.

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 2.0 m above the elevation of the exterior area immediately outside the Window for a distance of at least 4.5 m out from the Window, no minimum Privacy Zone is required.

48.3 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 5.0 m or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 7.5 m 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 3.0 m.

3. The following facilities or activity areas may be located within a required Separation Space adjacent to a Habitable Room Window where a Privacy Zone of at least 4.5 m is provided between the window and facility/activity area:

- a. local public roadway other than a Lane;
- b. walkway;
- c. on-site roadway;
- d. on-site parking area;
- e. on-site Amenity Area; and
- f. Accessory buildings.

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 2.0 m above the elevation of the exterior area immediately outside the Window for a distance of at least 3.0 m out from the Window, no minimum Privacy Zone is required.

48.4 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 plus 0.3 m for each additional Storey above the first Storey to a maximum of 3.0 m 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.

49. Fences in Residential Zones

1. Except in the case of the RPL Zone, a fence on a Site in a Residential Zone shall not be higher, measured from the general ground level 0.5 m back of the property line of the Site on which the fence is to be constructed, than:
 - a. 1.85 m 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. 1.0 m 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 exercise his variance power to allow a fence to be erected to not more than 1.85 m in height.
2. On a Site in the RPL Zone, a fence shall not be higher than:
 - a. 1.85 m 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. 1.0 m 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 subsection 49.2(a) above.
 - c. In the case of Double Fronting Sites, the Development Officer may grant a variance to allow a fence of up to 1.85 m on one of the required Front Yards, having regard to the location of fences in the surrounding area and the requirement for screening.

50. Accessory Uses and Buildings

50.1 Accessory Uses and Buildings: General

1. A Use shall be Accessory 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 subsection 54.2(2) of this Bylaw.
2. Accessory Uses and Buildings are permitted in a Zone when Accessory to a principal Use which is a Permitted Use in that same Zone and for which a Development Permit has been issued.
3. Accessory Uses and Buildings are discretionary in a Zone when Accessory to a principal Use which is a Discretionary Use in that same Zone 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 Zone, shall be subject to the Front Yard requirements for the Site as determined by Section 43 of this Bylaw.

*Bylaw 13228
December 5, 2002*

6. Notwithstanding the foregoing, no Sign may be approved as an Accessory Use. Signs may only be approved as a Use if they are listed as a Use in a Direct Control Provision or if they are a Permitted or Discretionary Use in the Zone.

50.2 Accessory Buildings in Non-residential Zones

1. In any Zone other than a Residential Zone, an Accessory Building or Structure is subject to the Development Regulations for that Zone.
2. Notwithstanding clause (1) above, an Accessory Building or Structure on a Site in a Non-residential Zone which abuts a Site in a Residential Zone shall not be less than 1.5 m from the boundary of the Site in the Residential Zone.

50.3 Accessory Buildings in Residential Zones

In a Residential Zone:

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 nor one Storey in Height, except as provided in subsections 50.4 and 50.5;
3. the Site Coverage of Accessory Buildings or Structures shall not exceed 12%, except for the RPL Zone, where the Site Coverage shall not exceed 17%;
4. Accessory Buildings and Structures shall be located on an Interior Site as follows:
 - a. an Accessory Building or Structure shall be located not less than 18.0 m 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 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 Zone, 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 from a principal building;
 - d. subject to clauses (e) and (f) below, an Accessory Building or Structure which exceeds 1.85 m in Height shall be located at not less than 0.6 m from the Rear Lot Line;

- e. except in the RPL and RF4 Zones, 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 4.88 m from the Rear Lot Line. If the principal building was developed before October 2, 1961, this distance may be reduced, provided that the placement of the proposed Garage is consistent with the placement of other existing Garages in the same block; and
- f. on any Site governed by the RPL Zone, the minimum distance from the Rear Lot Line to a detached Garage where the vehicle doors face the Lane shall be 1.2 m; and

*Bylaw 12923
March 15, 2002*

- g. on any Site zoned RF4 that has a Site Width of less than 10.4 m, the minimum distance from the Rear Lot Line to a detached Garage where the vehicle doors face the Lane shall be 1.2 m.
5. Accessory Buildings and Structures shall be located on a corner Site as follows:
- a. in addition to the provisions of subsection 50.3(4)(b), and subject to subsection 50.3(5)(b), the distance between an Accessory Building and the lot line running parallel to any flanking public roadway, other than a Lane, shall not be less than the Side Yard required for the principal building; and
 - 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 lot line running parallel to that flanking public roadway shall not be less than 4.5 m. If the principal building was developed before October 2, 1961, the distance may be reduced, if the placement of the proposed Garage is consistent with the placement of other existing Garages in the same block.

50.4 Satellite Signal Receiving Antenna

- 1. A Satellite Signal Receiving Antenna shall, except as is provided in subsection 50.4(4):
 - a. be a free-standing, ground-mounted unit;
 - b. be located in a Rear Yard only;
 - c. be located so that no portion, when rotated, is within 0.9 m of any lot line, with the exception that no portion, when rotated, shall be closer than 4.5 m to a lot line abutting a flanking public roadway, other than a Lane;

- d. be limited to a maximum height of 5.0 m. For the purpose of this subsection 50.4 only, the maximum Height of an Antenna shall be determined by measurement from the point at which the main support enters the typical ground surface, to the highest point of the Antenna, resting in its highest possible position; and
 - e. form part of the calculation of total Site Coverage for Accessory Structures, to be calculated using the area of the dish circumference.
2. A Satellite Signal Receiving Antenna shall not be illuminated, nor shall it have any advertising words or graphics displayed on it.
 3. A Satellite Signal Receiving Antenna shall be Landscaped to screen the base of the antenna and reduce the negative visual impact on adjacent properties.
 4. a) Notwithstanding subsection 50.4 (1):
 - i. the Development Officer shall allow a Satellite Signal Receiving Antenna to be placed on the roof of a non-residential building or on the roof of Apartment Housing containing more than 12 Dwellings, provided that the Antenna complies with the provisions of this subsection 50.4(4); and
 - ii. a roof-mounted unit shall be allowed where the applicant can demonstrate that a ground-mounted unit would prohibit adequate reception of broadcasts. The impediments to the reception of broadcasts by a typical free-standing, ground-mounted unit shall be clearly identified on a diagram or Site Plan, provided in accordance with subsection 13.2 of this Bylaw;
 - b) In the case of a roof-mounted unit permitted pursuant to subsection 50.4 (4)(a)(i), an Antenna may exceed the Height of the building on which it is mounted, provided that the maximum height shall not be greater than that provided in the regulations of the Zone governing the Site.

- c) In the case of any roof-mounted unit which is allowed by the Development Officer pursuant to subsection 50.4(4)(a)(ii), a Satellite Signal Receiving Antenna shall:
 - i. if mounted on any other Accessory structure, have a maximum Height of 10.0 m;
 - ii. if mounted on the principal building, have a maximum Height of 11.5 m at its highest point, but in no case shall the Height of the Antenna's highest point exceed the highest point of the principal building; and
 - iii. not be visible from the Front Yard of the Site.

50.5 Amateur Radio Antenna and Support Structure

1. An Amateur Radio Antenna and Support Structure shall:
 - a. be a free-standing, ground-mounted unit;
 - b. be located in a Rear Yard only;
 - c. be located so that no portion is within 0.9 m of any lot line, except that, on a Corner Lot, no portion shall be closer than 4.5 m to any lot line abutting a flanking public roadway, other than a Lane; and
 - d. be limited to a maximum Height of 18.0 m at its highest point. For the purpose of this subsection 50.5 only, the Height of a ground-mounted Amateur Radio Antenna and Support Structure shall be determined by measurement from the point at which the Support Structure enters the typical ground surface, to the top of the Antenna at its highest position.
2. An Amateur Radio Antenna and Support Structure shall not be illuminated, nor shall it have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device.
3. An Amateur Radio Antenna shall be Landscaped to screen the base of the antenna and reduce the negative visual impact on adjacent properties. The Development Officer may require screening and Landscaping around the lower portion of the support structure where, in the opinion of the Development Officer, such measures would reduce potential negative visual impact of the structure on adjacent properties.

4. Notwithstanding subsection 50.5(1) of this Bylaw, a roof-mounted unit shall be allowed, where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The Antenna and Support Structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 18.0 m from the typical ground surface to its highest point.

51. 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.

52. Height

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

*Bylaw 12808
May 30, 2001*

1. In any Zone other than a residential zone, the following features shall not be considered for the purpose of Height determination: chimney stacks, either free-standing or roof mounted, steeples, belfries, domes, or spires, monuments, elevator housings, roof stairways, entrances, water or other tanks, ventilating equipment, skylights, fire walls, parapet walls, receiving or transmitting structures, masts, flag poles, clearance markers or other similar erections;
2. in any Residential Zone, those features specified in subsection 52.1 shall not be considered for the purpose of Height determination, except that the maximum Height of receiving or transmitting structures, where these are Satellite Signal Receiving Antennae or Amateur Radio Antennae and Support Structures, shall be calculated in accordance with the regulations of subsections 50.4 and 50.5, respectively, of this Bylaw. The maximum Height for all other receiving or transmitting structures, other than those which may normally be required for adequate local television reception, shall be the maximum Height in the Zone, and not the maximum Height for Accessory Buildings in Residential Zones specified in subsection 50.3(2);

3. notwithstanding clauses (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;
4. an applicant shall submit, for any Development Permit to construct, rebuild or increase the Height of a structure, a grading plan that shows the elevation of the Site at each corner of the Site before and after construction;
5. the Development Officer shall determine Grade by selecting, from the methods listed below, the method that best ensures compatibility with surrounding development:
 - a. if the applicant can show by reference to reliable topographical maps that the elevation of the Site varies by no more than one meter in 30 lineal meters, the Development Officer may determine Grade by calculating the average of the highest and lowest elevation on the Site;
 - b. the Development Officer may determine Grade by calculating the average of the elevation at the corners of the Site prior to construction as shown on the applicant's grading plan; or
 - c. the Development Officer may determine Grade by calculating the average elevation of the corners of the buildings on all properties abutting the Site or separated from the Site by a Lane;
6. the applicant shall submit all information the Development Officer requires to determine Grade by the method the Development Officer has chosen; and
7. the Development Officer may use his variance power to determine Grade by a method other than the ones described in subsection 52.5. If so, this shall be a Class B Discretionary Development.

53. Access to Sites

1. All access locations and curb crossings shall require the approval of the Transportation and Streets Department.
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 Transportation and Streets Department, carries or shall 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 shall 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 Transportation and Streets Department.

54. Parking, Loading and Passenger Drop-Off

54.1 Off-street Parking and Loading Regulations

1. Applicability and Exceptions
 - a. When any development takes place on any Site, off-street parking and loading facilities for each building type or Use, including Accessory Uses, shall be provided and maintained in accordance with the regulations and standards of this Bylaw.
 - b. Notwithstanding the above, the regulations contained within this Section shall not apply to buildings or Uses existing at the time of the adoption of this Bylaw, except that:
 - i. where any building or structure undergoes an increase in Floor Area due to addition or external renovation, off-street parking, including parking for the disabled and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or Use as modified in size:

- ii. where any building or Use undergoes a change of Use, intensity of Use or capacity and the change results in an increase in the parking requirements, the off-street parking, including parking for the disabled and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or Use as modified in use; and
- iii. where off-street parking facilities or loading facilities are provided when not required, the location, design and operation of such facilities shall comply with all the regulations of this Bylaw.
- c. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the building or Use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.

2. General Requirements

- a. Where provision of off-street vehicular parking, Garage spaces, Bicycle Parking or loading spaces is required by this Bylaw with the exception of Single Detached Housing, Duplex Housing, and Semi-detached Housing, a plan of the proposed Site layout shall be included with the Development Permit Application. The Site Plan must be drawn to scale and must clearly illustrate the lot size and configuration, building locations, site access, parking and loading spaces, on-site circulation and any other details relevant to the review of the development proposal.
- b. The number of off-street vehicular parking spaces, Bicycle Parking spaces and loading spaces required for any Use is specified in Schedule 1, Schedule 2 and Schedule 3 respectively.
- c. Where Schedules 1, 2 and 3 do not clearly define regulations for a particular development, the single Use Class or combination of Use Classes most representative of the proposed development shall be used by the Development Officer to determine the vehicular parking, Bicycle Parking and loading requirements.
- d. Where the total number of vehicular parking spaces, Bicycle Parking spaces or loading facilities is determined by reference to a unit such as the number of seats or Floor Area, the next higher whole number shall be required where the calculation results in a fractional number of required spaces.
- e. Where more than one calculation of parking space requirements is specified for a Use, the greater requirement shall be applied.

- f. Unless otherwise specified in this Bylaw, no required parking spaces shall be provided as Tandem Parking.
 - g. The Development Officer may use his variance power to relax the vehicular parking requirements in Schedule 1, the Bicycle Parking requirements in Schedule 2 and the loading requirements in Schedule 3, however such a variance shall only be considered in cases where the nature of the Use, the size of the Site, or other physical constraints result in a situation where the requirements cannot be met on-site without unnecessary hardship or practical difficulties.
 - h. In the case of the multiple Use of a Site, the Development Officer shall calculate the vehicular parking, Bicycle Parking and total off-street loading requirement for each individual Use and the total shall be deemed to be the required vehicular parking, Bicycle Parking or off-street loading for the Site, unless the applicant can demonstrate that there is complementary use of the parking or loading facilities which would warrant a reduction in the requirements. Where such reduction is made, this shall be considered a variance and the Development Officer shall state the reduction and the reasons for it on the Development Permit.
3. Parking for People with Disabilities
- a. Parking spaces for the disabled shall:
 - i. be provided in accordance with the Alberta Building Code in effect at the time of the Development Permit application, for which no discretion exists;
 - ii. be included, by the Development Officer, in the calculation of the applicable minimum parking requirement; and
 - iii. be identified as parking spaces for the disabled through the use of appropriate signage, in accordance with Provincial standards.

54.2 Required Off-street Vehicular Accessory Parking

1. Number of Vehicular Spaces
 - a. The minimum number of off-street parking spaces required for each Use is specified in Schedule 1.
 - b. Where the applicant for a Development Permit can demonstrate through a vehicular parking 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 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 Transportation and Streets Department for analysis, and the proposed reduction or increase may be approved by the Development Officer with the advice of the Transportation and Streets Department. In no case shall the resulting number of parking spaces be less than one per Dwelling in the case of Residential Uses.
 - c. For mixed use developments of greater than 28 000 m² of Floor Area, which accommodate restaurant, entertainment and or cinema uses exceeding 20% of the Floor Area, a shared use parking impact assessment shall be submitted to the Development Officer in order to assist in the determination of the required off-street vehicular parking supply. The Development Officer shall submit the parking study to the Transportation and Streets Department for analysis, and the proposed reduction or increase may be approved by the Development Officer with the advice of the Transportation and Streets Department.

2. Location of Vehicular Parking Facilities

- a. For all residential developments, the required parking spaces shall be wholly provided on the same Site as the building.
- b. For all other Uses, parking spaces may be provided on a Site located remotely, but no further than 120.0 m from the Site. Such distance shall be measured along the shortest public pedestrian route from the nearest point of the parking area to the nearest point of the Site where the building or Use is located. Where off-site parking is provided pursuant to this provision, the development shall be considered as Class B Development.
- c. Where required parking spaces are not on the same Site of the development or Use, these parking spaces shall be identified as parking spaces for that development or Use through the use of appropriate signage.
- d. Notwithstanding the definition of Accessory in this Bylaw, Accessory parking spaces for non-residential Uses may be located on another Site where:
 - i. 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 additional parking; or
 - ii. Non-accessory Parking is a Permitted or a Discretionary Use on the Site to be used for parking.
- d. Except as otherwise provided for in this Bylaw, parking spaces required in accordance with the minimum standards of this Bylaw shall be located in accordance with the following:
 - i. parking spaces shall not be located within a required Front Yard, except Single Detached, Duplex and Semi-detached Housing; and
 - ii. on a Corner Lot in a Residential Zone, parking spaces, in addition to complying with the other provisions of this Bylaw, shall not be located within the required Side Yard abutting the flanking public roadway, other than a Lane. Where the amount of parking provided on a Corner Lot is in excess of the minimum requirements of this Bylaw, the Development Officer shall have the discretion to allow such additional spaces within a required Side Yard flanking a public roadway, other than a Lane.

3. Landscaped Islands Within Parking Areas
 - a. Every off-street parking or loading area required by this Bylaw to accommodate 30 or more vehicles at grade, shall incorporate landscaped open space within the parking area, calculated on the basis of 2.0 m² of landscaped island area per required parking and loading space. This shall be Landscaped in accordance with this Bylaw.
 - b. For parking areas containing required parking for 40 or more vehicles, a minimum of two landscaped islands shall be required. These islands shall be placed to provide visual relief, to assist vehicular circulation and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Officer.
4. Vehicular Parking Dimensions and Configuration
 - a. All required parking spaces shall be clear of any access driveways, aisles, ramps, columns, Signs or other similar obstructions, and shall conform to the following minimum dimensions:
 - i. except as provided below, each required off-street parking space shall be a minimum of 2.6 m width with a minimum clear length of 5.5 m exclusive of access drives or aisles, ramps, columns. Parking spaces shall have a vertical clearance of at least 2.0 m. For parallel parking, the length of the parking spaces shall be increased to 7.0 m, except that an end space with an open end shall be a minimum length of 5.5 m.
 - ii. for parking spaces other than parallel parking spaces, up to 30% of the required parking spaces may be of a length shorter than that required above, to a minimum of 4.6 m . Such spaces shall be clearly signed as small car spaces, easily located and convenient to use;
 - iii. 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 3.0 m, 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.
 - iv. where the use of a parking space is limited to one side by a wall or a column, the unobstructed width of the parking space shall be 2.7 m, and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.0 m.
 - v. aisles shall be a minimum of 7.0 m wide for 90° parking, 5.5 m wide for 60° parking, and 3.6 m wide for 45° parking and parallel parking;

- vi. disabled parking spaces shall be a minimum of 3.7 m in width and 5.5 m in length; and
- vii. 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.

54.2 Schedule 1 - Vehicular Parking Requirement

Use of Building or Site	Minimum Number of Parking Spaces or Garage Spaces Required
Residential and Residential-Related (Except for Residential-Related Under Downtown Area Redevelopment Plan)	
1 Apartment Housing Row Housing Stacked Row Housing	1 parking space per Bachelor Suite and Bed Sitting Room, plus 1 parking space per 1 bedroom Dwelling, plus 1.5 parking spaces per 2 bedroom Dwelling, plus 1.75 parking spaces per 3 or more bedroom Dwelling, plus 1 parking space per 7 Dwellings for visitor parking. The visitor parking must be readily available to an entrance of the building and be clearly identified as visitor 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 visitor parking. Visitor parking spaces shall not be in tandem.
2 Boarding and Lodging Houses Fraternity and Sorority Housing Garage Suite Secondary Suite	1 parking space per 2 Sleeping Units in addition to the parking requirements for primary Dwelling. Tandem Parking is not allowed for Secondary Suites and Garage Suites.
3 Duplex Housing Mobile Homes (excluding Mobile Home Parks) Semi-detached Housing Single Detached Housing	2 parking spaces per Dwelling, may be in tandem and may include 1 Garage space. 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.
4 Group Home	1 parking space per 3 Sleeping Units and 1 parking space per resident staff member.
5 Major Home Based Business Except: a) Bed and Breakfast	1 parking space in addition to parking required for primary Dwelling. 1 parking space per guest room is required in addition to the parking required for the primary Dwelling.
6 Mobile Home Parks	1 parking space per Mobile Home Lot plus 1 parking space per 7 Mobile Home Lots as visitor parking. The visitor parking shall be dispersed, to be conveniently located for all lots.
7 Residential Sales Centres	5 parking spaces per 100 m2 of Floor Area

Use of Building or Site	Minimum Number of Parking Spaces or Garage Spaces Required
Residential and Residential-Related (Within the Boundaries of the Downtown Area Redevelopment Plan)	
1 Apartment Housing Row Housing Stacked Row Housing	0.5 parking spaces per Bachelor Suite and Bed Sitting Room, plus 0.75 parking spaces per 1 bedroom Dwelling, plus 1 parking space per 2 or-more bedroom Dwelling, plus 1 parking space per 7 Dwellings for visitor parking The visitor parking must be readily available to an entrance of the building and be clearly identified as visitor 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 visitor parking. Visitor parking spaces shall not be in tandem.
2 Duplex Housing Mobile Home (excluding Mobile Home Parks) Semi-detached Housing Single Detached Housing	2 parking spaces per Dwelling, may be in tandem and can include 1 Garage space 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.
Non-residential Use Classes (Outside the Boundaries of the Downtown Area Redevelopment Plan)	
Commercial Use Classes	
1 Any development within a Commercial Use Class not listed separately in this table, with a Floor Area of:	
a) less than 4 500 m ² b) 4 500m ² - 9 000m ² c) 9 000 m ² – 28 000 m ² d) greater than 28 000 m ²	2.5 parking spaces per 100 m ² of Floor Area 3.0 parking spaces per 100 m ² of Floor Area 3.5 parking spaces per 100 m ² of Floor Area 4.0 parking spaces per 100 m ² of Floor Area
2 Apartment Hotels Hotels and Motels	1 parking space per Sleeping Unit
3 Bars and Neighbourhood Pubs	1 parking space per 3.0 m ² of Public Space
4 Casinos and Other Gaming Establishments	1 parking space per 2.4 m ² of Public Space
5 Commercial Schools	1 parking space per 10 seats, plus auditorium requirements where applicable.
6 Flea Markets	6.5 parking space per 100 m ² of Floor Area in the building used for this Use Class.
7 Funeral, Cremation and Interment Services	1 parking space per 4 seats plus 1 parking space per funeral home vehicle
8 Health Services	4.5 parking space per 100 m ² of Floor Area
9 Major Alcohol Sales	4.3 parking space per 100 m ² of Floor Area
10 Minor Alcohol Sales	3.2 parking space per 100 m ² of Floor Area
11 Nightclubs	1 parking space per 3.0 m ² of Public Space
12 Professional, Financial and Office Support Services	3.4 parking space per 100 m ² of Floor Area
13 Restaurants	1 parking space per 3.6 m ² of Public Space
14 Speciality Food Services	1 parking space per 3.6 m ² of Public Space
15 Warehouse Sales	1 parking space per 100 m ² of Floor Area

Use of Building or Site	Minimum Number of Parking Spaces or Garage Spaces Required
Industrial	
1 Any development within the Industrial Use Classes and Industrial Performance Use Classes except for Adult Mini-Theatres	1 parking space per 100 m ² of Floor Area provided this is not less than 3 parking spaces per tenant or establishment
2 Adult Mini-Theatre	1 parking space per 3 seats, provided that a minimum of 1 parking space per each individual viewing area or booth with 3 seats or less, is provided.
Basic Service Use Classes	
1 Extended Medical Treatment Services Except: a) Auxiliary Hospitals b) Nursing Homes	1.1 parking spaces per 100 m ² of Floor Area 1 parking space per 3 beds 1 parking space per 3 beds
Community, Educational, Recreational and Cultural Service Use Classes	
1 Any development within the Community, Educational, Recreational and Cultural Service Use Class not listed separately.	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m ² of Floor Area used by patrons
2 Child Care Services	1 parking space per employee
3 Community Recreation Services	16 parking spaces, plus where multipurpose room greater than 93 m ² is present and is used for general assembly purposes, an additional 2.2 parking spaces per 10 m ² over 93 m ² of Floor Area in a multipurpose room is required. The multipurpose area 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 Services. Where the Community Recreation Service facility parking area immediately abuts a parking area for a school, a maximum of 50% of the additional parking spaces required pursuant to the above clause may be provided by including the parking facilities on the abutting school parking area.
4 Conversions of existing Public or Private Elementary, Junior High and High Schools to any other Public or Private Education Service	1.4 parking spaces for each classroom, plus 1 parking space for every 12 students.
5 Colleges, Business or Technical Schools	1 parking space per 10 seats, plus auditorium requirements where applicable.
6 Exhibition and Convention Facilities	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m ² of Floor Area used by patrons

Use of Building or Site	Minimum Number of Parking Spaces or Garage Spaces Required
<p>1 Indoor Participant Recreation Services Except:</p> <ul style="list-style-type: none"> a) Bowling Alleys b) Curling Rinks c) Health and Fitness Clubs d) Hockey Rink and Swimming Pools e) Racket Sport Facilities 	<p>1 parking space per 3.5 seats or 3.1 parking spaces per 10 m2 of Floor Area used by patrons</p> <p>4 parking spaces per Lane plus parking requirements for Accessory Uses</p> <p>8 parking spaces per sheet plus parking requirements for Accessory Uses</p> <p>1 parking space per 10 m2 of Floor Area</p> <p>1 parking space per 3.5 seats or 1 parking space per 5 m2 playing/water surface or assembly area</p> <p>2 parking spaces per court plus parking requirements for Accessory Uses</p>
<p>2 Natural Science Exhibits</p>	<p>1 parking space per 3.5 seats or 3.1 parking spaces per 10 m2 of Floor Area used by patrons</p>
<p>3 Outdoor Participant Recreation Services Except:</p> <ul style="list-style-type: none"> a) Golf Course or Driving Range b) Sports Fields in association with school / park sites 	<p>1 parking space per 3.5 seats or 3.1 parking spaces per 10 m2 of Floor Area used by patrons</p> <p>5 parking spaces per hole (Golf Course) or 1 parking space per T-box (Driving Range) plus parking requirements for Accessory Uses</p> <p>A maximum of 10 parking spaces per field to be developed provided that the sports and playing fields are developed prior to the development of other Uses on the Site, such as Community Recreation Service facilities or other school Uses. The number and design of the parking spaces and the surface treatment of the parking area shall be approved by the Development Officer in consultation with Transportation and Streets Department, Community Services Department and the School Boards.</p>
<p>4 Private Clubs</p>	<p>1 parking space per 3.6 m2 of Public Space</p>
<p>5 Public Libraries and Cultural Exhibits</p>	<p>1 parking space per 10 m2 of Floor Area used by patrons</p>
<p>6 Public or Private Elementary and Junior High Schools</p>	<p>1.4 parking spaces per classroom</p> <p>This calculation shall include the ultimate parking requirements for all potential future school development on-site, whether contained in a core facility or in attached portable pods. Actual development of parking spaces may, however, be phased in accordance with each phase of school development.</p> <p>Where the school parking area immediately abuts a parking area for a Community Recreation Service facility, a maximum of 50% of the smaller parking requirement between the school and the Community Recreation Service facility may be provided by including the parking facilities on the abutting Community Recreation Service parking area.</p>

Use of Building or Site	Minimum Number of Parking Spaces or Garage Spaces Required
7 Public or Private High Schools	<p>1.4 parking spaces for each classroom, plus 1 parking space for every 12 students.</p> <p>This calculation shall include the ultimate parking requirements for all potential future school development on-site, whether contained in a core facility or in attached portable pods. Actual development of parking spaces may, however, be phased in accordance with each phase of school development.</p> <p>Where the school parking area immediately abuts a parking area for a Community Recreation Service facility, a maximum of 50% of the smaller parking requirement between the school and the Community Recreation Service facility may be provided by including the parking facilities on the abutting Community Recreation Service parking area.</p>
8 Religious Assembly	1 parking space per 4 seats
9 Spectator Entertainment Establishments	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m2 of Floor Area used by patrons
10 Spectator Sports Establishments	1 parking space per 5 seats
Non-residential Use Classes (Within the Boundaries of the Downtown Area Redevelopment Plan)	
1 Non-residential Use Classes	1 parking space per 300 m2 of Floor Area; notwithstanding this minimum, the maximum shall be 1 parking space per 100 m2 of Floor Area.

54.3 Bicycle Parking Facilities

1. Number of Bicycle Spaces
 - a. In addition to the required vehicular parking, Bicycle Parking shall be provided in accordance with Schedule 2.
2. Size and Location of Bicycle Parking Facilities
 - a. Each Bicycle Parking space shall be a minimum of 0.6 m in width with a minimum clear length of 1.8 m. Bicycle Parking spaces shall have a vertical clearance of at least 2.0 m.
 - b. Required Bicycle Parking spaces shall be wholly provided on the same Site as the building.
 - c. Adequate access to and exit from individual Bicycle Parking spaces shall be provided with an aisle of not less than 1.5 m in width, to be provided and maintained beside or between each row of Bicycle Parking.
 - d. Required Bicycle Parking spaces and accesses shall be located on hard paved surfaces.
 - e. Bicycle parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5 m of open space.
 - f. Bicycle Parking spaces shall be visibly located where possible and provided in one or more of the following ways:
 - i. secure bicycle storage rooms, lockers, racks, railings or other such device inside the building, preferably at the ground level;
 - ii. secure bicycle storage rooms, lockers, racks, railings or other such device in any Accessory parking area; or
 - iii. within a required or non-required Yard or building Setback of a Site but not more than 15.0 m from a principal entrance of the building, except: in the case of educational services developments where the students are restricted from using the principal entrance of the building, Bicycle Parking spaces may be provided in the required or non-required Yards of a Site, no more than 15.0 m from the principal entrance of the building designated for student use.
 - g. Where Bicycle Parking is not visibly located on site, directional signage shall be displayed indicating its location.
 - h. All Bicycle Parking spaces shall be situated to maximize visibility so as to discourage theft and vandalism, and shall be illuminated.

3. Design of Bicycle Parking Facilities

- a. Bicycle Parking shall be designed so that bicycles may be securely locked to the rack, railing or other such device without undue inconvenience and shall be reasonably safeguarded from intentional or accidental damage, in accordance with the following standards:
 - i. Bicycle Parking shall hold the bicycle securely by means of the frame. The frame shall be supported so that the bicycle cannot fall or be pushed over causing damage to the bicycle.
 - ii. Bicycle parking shall accommodate:
 - v. locking both the frame and the wheels to the rack, railing or other such device with a high security U-shaped shackle lock, if the cyclist removes the front wheel;
 - vi. locking the frame and one wheel to the rack, railing or other such device with a high security U-shaped shackle lock, if the cyclist leaves both wheels on the bicycle; and
 - vii. locking the frame and wheels both to the rack, railing or other such device with a chain or cable not longer than 2.0 m without the removal of any wheels.
- b. Bicycle parking racks, railings or other such devices shall be anchored securely to a hardsurface or fixed structure.

54.3 Schedule 2 - Bicycle Parking Requirement

Use of Building or Site	Minimum Number of Bicycle Parking Spaces
1 Minimum Number of Bicycle Parking Spaces	5% of the number of vehicular parking spaces required under Schedule 1 to a maximum of 50 Bicycle Parking spaces with 5 Bicycle Parking spaces being the minimum to be provided.
2 Administration Use and Educational Facilities	10% of the number of vehicular parking spaces required under Schedule 1, with 5 Bicycle Parking spaces being the minimum number of spaces to be provided.
3 All Residential and Residential-Related Use Classes of 20 Dwellings or more, and all Non-residential Use Classes within the boundaries of the Downtown Area Redevelopment Plan	20% of the number of vehicular parking spaces required under Schedule 1 to a maximum of 50 Bicycle Parking spaces, with 5 Bicycle Parking spaces being the minimum to be provided.

54.4 Off-street Vehicular Loading Facilities

1. Number of Spaces
 - a. The number of off-street loading spaces, required for each Use is specified in Schedule 3.
 - b. Location of Loading Spaces
2. Off-street loading spaces shall be provided entirely within the property of the development being served, and shall be subject to all Setbacks and Yard requirements specified elsewhere in this Bylaw.
 - a. Off-street loading shall be oriented away from residential developments.
 - b. All required loading spaces shall be clear of any access driveways, aisles, ramps, columns, Signs or other similar obstructions.

3. Size and Access
 - a. Each off-street loading space shall be of adequate size and accessibility to accommodate the vehicles expected to load and unload. Each required loading space shall be a minimum of 3.0 m in width, a minimum of 9.0 m in length and maintain a minimum overhead clearance of 4.0 m, unless larger dimensions are required, having regard to the type of vehicle loading and unloading without projecting into a public roadway.
 - b. Access to any loading area shall be provided, wherever possible, internally to the development or from a Lane abutting the development.
 - c. Access to any loading area shall be arranged such that no backing or turning movement of vehicles going to or from the Site causes interference with traffic on the abutting streets or Lanes.

54.4 Schedule 3 - Loading Spaces Requirement

Use of Building or Site	Total Floor Area of Building	Minimum Number of loading Spaces Required
1 Any development within the Commercial or Industrial Use Classes, excluding Professional, Financial and Office Support Services	Less than 465 m ² 465 m ² to 2 300 m ² Each additional 2 300 m ² , or fraction thereof	1 2 1 additional
2 Any development within the Residential-Related, Basic Services or Community, Educational, Recreational and Cultural Service Use Classes and Professional, Financial and Office Support Services	Up to 2 800 m ² Each additional 2 800 m ²	1 1 additional

54.5 Passenger Drop-off Spaces for Public and Private Elementary, Junior High and High Schools

1. Applicability
 - a. When any new school development is proposed, Passenger Drop-off Spaces shall be provided in accordance with Schedule 4.
 - b. Where an existing school building is to be enlarged to accommodate an increased enrolment of more than 100 students, or of more than 20% of existing student enrolment, whichever is less, the Development Officer shall apply the standards for Passenger Drop-off Spaces, as identified in Schedule 4, to the total school enrolment capacity. Where Site constraints do not feasibly permit the full application of the standards identified in Schedule 4, the Development Officer, may use his variance power to apply a lesser standard, at his discretion.
 - c. Where the calculation of the number of Drop-off Spaces results in a fractional number of spaces, the next highest whole number of Drop-off Spaces shall be required.
 - d. Required on-site parking spaces shall not be used to satisfy the requirements for the provision of Passenger Drop-off Spaces.
2. Location of Passenger Drop-off Spaces
 - a. Passenger Drop-off Spaces located on-site shall be placed on land other than that used or designated for future use as required on-site parking, and shall be located so as to provide for safe and efficient movement of vehicles.
 - b. Passenger Drop-off Spaces may be located within the roadway plan in accordance with Schedule 4 and subject to the approval of the Transportation and Street Department.
 - c. The Development Officer shall consult with the Transportation and Streets Department and Community Services Department, as well as the applicable School Board, to obtain information relevant to the determination of the number and location of Passenger Drop-off Spaces for school developments.
 - d. Notwithstanding the foregoing, the Development Officer may use his variance power to reduce or eliminate the required number of Passenger Drop-off Spaces for the development of new schools in new subdivisions, in consultation with the Transportation and Streets Department and Community Services Department, as well as the applicable School Board, where:

- i. there are demonstrated physical Site constraints for a specific development which shall limit the location and number of on-site Passenger Drop-off Spaces which can be provided; or
 - ii. there are no physical Site constraints, but where all parties are agreed on alternate solutions to the development of Passenger Drop-off Spaces, and where the Development Officer is satisfied that such alternate solutions are adequate.
- e. The total number of Passenger Drop-off Spaces shall be calculated on the basis of the ultimate Drop-off requirements for all potential future school development on the Site in question, whether contained in a core facility or in attached portable pods.
3. Design of Passenger Drop-off Spaces
- a. Passenger Drop-off Spaces shall be a minimum of 7.0 m in length and a minimum of 2.6 m in width.
 - b. Passenger Drop-off Spaces shall be oriented parallel to the flow of traffic to accommodate through-movement of vehicles and to eliminate the need for backing or significant turning movements.
4. Drive-through/Turn Around Route

When any new school development is proposed, provision must be made, to the satisfaction of the Transportation and Streets Department, for vehicles that are dropping off or picking up passengers, to safely turn around.

54.5 Schedule 4 - Passenger Drop-off Spaces for Public and Private Elementary, Junior High School and High Schools

	Total Number of Drop -Off Spaces Required	Number of On-Site Drop-Off Spaces Required
1 Elementary or Junior High School	3 spaces per 100 students, but in no case less than 5 spaces.	1 spaces per 100 students, or 5 spaces, whichever is greater.
2 High School	1.5 spaces per 100 students, but in no case less than 5 spaces.	0.5 spaces per 100 students, or 5 spaces, whichever is greater.
Note: For the purposes of this Schedule, "On-site Drop-off Spaces" means those Drop-off Spaces located on school lands, and "Total Number of Drop-off Spaces" means the total of On-site Drop-off Spaces plus any Drop-off Spaces located on City-owned property within the roadway plan, as approved by the Transportation and Streets Department.		

54.6 Hardsurfacing and Curbing of Parking and Loading Spaces

1. General Requirements

- a. Required parking and loading facilities shall provide for, and include, an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, loading of motor vehicles all in relation to buildings and entry points to buildings on the Site. Such facilities shall comply with the following design, development and maintenance standards:
 - i. all required parking and loading facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities, and be hardsurfaced. Hardsurfacing shall mean the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement capable of withstanding expected vehicle loads;
 - ii. where the street or Lane from which access is available to any loading 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 or loading 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;
 - iii. notwithstanding anything contained in the above clause, 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 as the Transportation and Streets Department approves;
 - iv. 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;
 - v. continuous raised or pre-cast curbing of not less than 100 mm in height shall be provided adjacent to streets and required landscaped areas, 600 mm from the front of the parking stall. Concrete curb stops shall be placed to ensure that vehicles do not overhang boulevards, sidewalks, or required landscaped areas. Curbing shall also be required to clearly demarcate the required portion of driveway leading to an internal roadway, aisle, ramp, parking space or loading space;

- i. where continuing curbs are used as wheel stops, the measured size of parking spaces shall be reduced 1.0 m in length than otherwise required. In such instances, the parking layout should allow for the vehicle to overhang the curb by 1.0 m and such overhang areas must be clear of all obstructions (Signs, shrubs, trees, etc.) and shall not be regarded as a required landscaped area; and
- ii. in situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land Uses.

2. Residential Zones

- a. Every off-street parking or loading space, and access provided or required in any Residential Zone, 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.
- b. For an on-site driveway in any Residential Zone, the area required to be hardsurfaced may be constructed on the basis 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 hardsurface.

3. Commercial and Industrial Zones

- a. Every off-street parking or loading space provided or required in any Commercial Zone, 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.
- b. Every off-street parking or loading space provided or required in an Industrial Zone, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applied, 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 or loading space need not be hardsurfaced, but shall be of such a surface that shall minimize the carrying of dirt or foreign matter upon the highway.

54.7 Parking Garages

1. Parking Garages shall be developed in accordance with the following:
 - a. in any Commercial Zone, Commercial Uses other than the 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;
 - b. in any Commercial Zone, a Parking Garage with queuing access shall provide a minimum of 30.0 m for queuing of motor vehicles on-site before any control device is reached. A reduced queuing space may be considered at the discretion of the Development Officer in consultation with the Transportation and Streets Department;
 - c. 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;
 - d. Parking Garages and interior stairwells shall be designed for visual accessibility. Machine rooms, heating systems, elevators and stairwell shafts, building columns and other major visual obstructions shall be located to enable visual supervision of the parking spaces and stairwells;
 - e. entrapment spots in a Parking Garage shall be eliminated wherever possible. Potential entrapment areas such as storage rooms shall be provided with locking mechanisms. Entrapment areas can be closed with chain link fence or other types of intrusion resistant material;
 - f. clear safety glass panels shall be incorporated in all doors leading to stairwells, corridors and entrances including elevator lobbies to allow for clear sightlines;
 - g. sharp blind corners on stairs or corridors in a Parking Garage shall be eliminated wherever possible. If blind corners can not be avoided, security mirrors or others devices such as video cameras shall be utilized;
 - h. landscaping around the Parking Garage shall be of a type that permits the widest possible view from the street of all pedestrian entry and exit areas; and

- i. directional and information signage consistent in design, colour, symbols and graphics shall be provided to:
 - ii. direct patrons to pedestrian exits;
 - iii. direct patrons to vehicular exits;
 - iv. identify areas so that patrons can locate their vehicles;
 - v. advise patrons to lock their vehicles and remove all valuables;
 - vi. direct patrons to the nearest intercom system;
 - vii. advise patrons of the presence of security patrols; and
 - viii. advise patrons of the presence of CCTV security cameras.
2. The Development Officer shall require a Crime Prevention Through Environmental Design (CPTED) assessment prepared by a qualified security consultant for any development which includes a Parking Garage.
 3. The Development Officer shall advise the applicant of and strongly encourage compliance with the security management guidelines contained within subsection 3.1 of the Design Guide for a Safer City.

55. Landscaping

55.1 General Purpose

The intent of these Landscaping regulations is to contribute to a reasonable standard of liveability and appearance for developments, from the initial placement of the Landscaping through to its mature state, to provide a positive overall image for Edmonton and to encourage good environmental stewardship.

55.2 Applicability

1. The provision of Landscaping, in accordance with this Bylaw, shall be a condition of the issuance of a Development Permit for any of the following types of new development:
 - a. Single Detached, Semi-detached, Duplex and Secondary Suite Housing in the RF1, RSL, RF2, RPL, RF3 and RF4 Zones;
 - b. Row Housing and Apartment Housing in the RF3 Zone;
 - c. any development in the HDR, RA7, RA8, RA9, RF5, RF6 and RMU Zones;
 - d. any Religious Assembly development in any Residential Zone;

- e. any development in all Commercial Zones;
 - f. any development in all Industrial Zones;
 - g. any development in the US, PU, AP, MA, MA1, MA2, and MA3 Zones; and
 - h. any development in all Direct Control Provisions unless specifically modified or excluded in a Direct Control Provision Bylaw or Area Redevelopment Plan Bylaw.
2. The provision of Landscaping, in accordance with this Bylaw, shall also be a condition of the issuance of a Development Permit related to an existing development if the existing development shall be, as a consequence of the work that is the subject of the Development Permit, substantially enlarged or increased in capacity. This Section shall not apply to developments that consist solely of interior alterations or improvements or change of use that does not alter the building shell.
3. Landscaping in the RPL Zone shall be provided in accordance with subsection 130.4(17) of this Bylaw.
4. Landscaping for Single Detached, Semi-detached, Duplex and Secondary Suite Housing in the RF1, RSL, RF2, RF3, RF4 and RF5 Zones shall be provided in accordance with the following:
- a. the owner of the property, or the owner's successors or assignees, shall be responsible for the placement and proper maintenance of landscaping on the Site. The Development Officer may require, as a condition of Development Permit approval, that the owner provide a guaranteed security in accordance with the provisions of subsection 55.6 of this Bylaw;
 - b. all yards, visible from a public roadway, other than a Lane, on a Site developed with Single Detached, Semi-detached, Duplex or Secondary Suite Housing, shall be seeded or sodded within 18 consecutive months of the occupancy of the development. Alternate forms of Landscaping, including hard decorative pavers, washed gravel, shale or similar treatments, flower beds or cultivated gardens, may be substituted for seeding or sodding, provided that all areas of exposed earth are designed as either flower beds or cultivated gardens; and
 - c. except as required in subsection 130.4(17), the tree and shrub planting requirements of subsection 55.4(6) shall not apply to Single Detached, Semi-detached, Duplex or Secondary Suite Housing.

55.3 Landscape Plan and Content

1. Every application for a development listed in subsection 55.2 shall include a Landscape Plan, drawn at a scale of 1 300 or larger, which clearly indicates and accurately identifies the following:
 - a. a key plan with a north arrow;
 - b. the property lines and dimensions of the Site;
 - c. the approximate or estimated location of land uses, building perimeters, and Landscaping on adjacent Sites;
 - d. adjacent public area features, such as streets, Lanes, driveways, vehicular entrances, street furniture and boulevard trees;
 - e. overhead, surface and underground utilities, and limits of easements;
 - f. outlines of all Site structures to include the building footprints at grade, location and type of underground structures and overhangs within the first two Storeys;
 - g. building entrances, porches, decks, steps, walkways, other hardsurfacing or hard landscaping features, parking areas, curbs, lighting, fencing, walls, screens, recreational facilities and garbage collection areas. Materials, colours and patterns shall be indicated;
 - h. existing and final Site grading, including the established lot boundaries, elevations, berming shown in half-metre contours, direction of Site drainage, proposed catch basin rim elevations, top and bottom of retaining wall elevations and existing elevations of plant material to be retained;
 - i. the height and materials of all fencing, screens and walls;
 - j. existing trees and shrubs labelled by common name, botanical name, size, and condition of health. The sizes shall be graphically illustrated by the spread or canopy. In addition, the Calliper of tree trunks shall be identified. The Landscape Plan shall graphically illustrate the spread of the trees to be removed or relocated by the proposed construction;
 - k. proposed trees, shrubs, flower beds and ground covers labelled by common name, cross-referenced with a plant list identifying botanical name, quantity, size and method of planting; and
 - l. the method of watering the proposed Landscaping.

2. The Development Officer may consider an application for a Development Permit that does not provide all the information required by subsection 55.3(1) if, in the opinion of the Development Officer, the information provided is sufficient to show that the Landscaping provisions of the Bylaw shall be met.
3. The Development Officer shall approve the Landscape Plan as a condition of the Development Permit approval. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.

55.4 General Requirements

1. All open space including required Yards, at grade Amenity Areas, Private Outdoor Amenity Areas and Separation Spaces shall be landscaped with trees, shrubs, flower beds, grass, ground cover or suitable decorative hardsurfacing, in accordance with the Landscape Plan submitted pursuant to subsection 55.3 and approved by the Development Officer. This requirement shall not apply to those areas designated for parking and circulation, which shall be landscaped in accordance with subsection 55.8 of this Bylaw. The Development Officer may require Landscaping of areas within a Site that are intended for future development if, in the opinion of the Development Officer, the lack of Landscaping creates a potential negative visual impact, given the visibility of these areas from adjacent properties and public roadways.
2. Hardsurfaced areas such as walkways and plazas shall be enhanced with Landscaping, at the discretion of the Development Officer. Provision shall be made for adequate on-site pedestrian circulation, by means of sidewalks or walkways, to connect with public sidewalks and walkways adjacent to roadways or within right-of-ways abutting the Site.
3. Any parking lot having eight or more parking spaces that is visible from an adjoining Site in a Residential or Commercial Zone, or from a public roadway other than a Lane, or from a Light Rail Transit line, shall have perimeter planting. The location, length, thickness and height of such perimeter planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial Zone, and enhance the view of the parking area from any adjacent public roadway or Light Rail Transit line.

4. Any trash collection area, open storage area, or outdoor service area, including any loading, unloading or vehicular service area that is visible from an adjoining Site in a Residential or Commercial Zone, or from a public roadway other than a Lane, or from a Light Rail Transit line, shall have screen planting. The location, length, thickness and height of such screen planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to block the view from any adjoining Residential or Commercial Zone, 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. If, in the opinion of the Development Officer, screen planting cannot reasonably be expected to survive, earth berming, masonry walls, wood fencing or other man-made features may be permitted as a substitution.
5. If the height of materials in an outdoor storage area would limit the effectiveness of screen planting required by subsection 55.4(4), a fence, wall, earth berm, or a combination thereof, may be substituted, subject to the approval of the Development Officer.
6. Trees and shrubs shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees and shrubs provided shall be determined on the basis of the following:
 - a. one tree for each 35 m² and one shrub for each 15 m² of any required Yard or Setback at grade; and
 - b. one tree for each 20 m² and one shrub for each 10 m² of required parking area islands. In no case shall there be less than one tree per required parking area island.
7. For development consisting of Non-residential Use Classes, the number of trees and shrubs provided shall be determined on the basis of the following:
 - a. one tree for each 25 m² and one shrub for each 15 m² of any required Yard or Setback at grade; and
 - b. one tree for each 20 m² and one shrub for each 10 m² of required parking area islands. In no case shall there be less than one tree per required parking area island
8. Existing vegetation shall be preserved and protected unless removal is demonstrated, to the satisfaction of the Development Officer, to be necessary or desirable to efficiently accommodate the proposed development. Trees and shrubs preserved on the Site may, at the discretion of the Development Officer, be credited to the total landscaping requirements.

9. All planting shall be installed to the finished Grade. Where this is not practical in the opinion of the Development Officer, planters may be used. Such planters shall be of adequate design, having sufficient soil capacity and insulation to promote healthy growth.
10. Landscaping that extends onto or over City-owned lands shall be developed in accordance with the Boulevard Bylaw 7829, as amended.
11. The Development Officer may, where the Development Officer considers it appropriate, vary any or all of the General Landscaping regulations of this Bylaw. Before granting a variance of the landscaping regulations, the Development Officer may require the applicant seeking the reduction of the minimum landscaping standards of this Bylaw to submit a report from a qualified landscape professional, such as a horticulturist, or landscape architect, explaining and justifying the reduction.

55.5 Additional Landscaping Regulations for Specific Land Uses

1. The Development Officer shall require the application of additional Landscaping regulations to those specified in subsection 55.4:
 - a. there is a likelihood that the proposed development shall generate undesirable impacts on surrounding Sites, such as poor appearance, excessive noise, light, odours, traffic, litter or dust;
 - b. there is a likelihood that undesirable impacts may be generated on the Site, and cause conflicts among Use Classes within the development; or
 - c. such additional Landscaping is warranted due to combinations of Use Classes including, but not limited to the following:
 - i. Row Housing development, where the Private Outdoor Amenity Area of the Row Housing units faces Single Detached Housing or Sites zoned for Single Detached Housing as a Permitted Use, public roadways other than Lanes, or Light Rail Transit lines;
 - ii. Low Rise Apartments, where developed on an infill basis abutting existing Single Detached Housing or land Sites for Single Detached Housing as a Permitted Use;
 - iii. Religious Assembly development directly adjacent to a Residential Use Class;
 - iv. any Non-accessory Parking development; or
 - v. Vehicle Oriented Uses where located on a Site adjacent to residential uses.

2. The additional Landscaping that may be required at the discretion of the Development Officer may include, but is not limited to, the following:
 - a. additional Separation Space between incompatible Use Classes;
 - b. the use of trees, shrubs, fences, walls and berms to buffer or screen Use Classes that generate negative impacts; and,
 - c. the use of trees, shrubs, planting beds, street furniture and surface treatments to enhance the appearance of a proposed development.
3. The Development Officer may consult with a qualified landscape professional, such as a horticulturist or landscape architect, in determining if additional Landscaping requirements are to be imposed, and the type of additional Landscaping required.

55.6 Letters of Credit

1. The Development Officer may require, as a condition of Development Permit approval, a guaranteed security, from the property owner, to ensure that Landscaping is provided and maintained for two growing seasons. Only the following forms of security are acceptable:
 - a. cash to a value equal to 100% of the Landscaping cost; or
 - b. an irrevocable Letter of Credit in the amount of 100% of the Landscaping cost.
2. The projected cost of the Landscaping shall be calculated by the owner or the owner's representative and shall be based on the information provided on the Landscape Plan. If, in the opinion of the Development Officer, these projected costs are inadequate, the Development Officer may establish a higher Landscaping cost figure for the purposes of determining the value of the Landscaping security.
3. If cash is offered as the Landscaping security, it shall be held, by the City, without interest payable, until, by confirmation through inspection by the Development Officer, the Landscaping has been installed and successfully maintained for two growing seasons. Partial refund after installation of the Landscaping or after one growing season shall be considered upon request of the owner, at the sole discretion of the Development Officer.

4. If a Letter of Credit is offered as the Landscaping security, it shall be in a form satisfactory to the Development Officer. The initial term of the Letter of Credit shall be one year. The Letter of Credit shall be renewed by the owner 30 days prior to expiry and delivered to the Development Officer until such time as the Landscaping has been installed and maintained for two growing seasons.
5. Upon application by the owner or the owner's representative, a Letter of Credit may be amended to a reduced amount, for attachment to the original Letter of Credit, at the discretion of the Development Officer, when any of the following events occur:
 - a. the required Landscaping has been properly installed; and
 - b. the required Landscaping has been well maintained and is in a healthy condition after one growing season.
6. Upon application by the owner or the owner's representative, a Letter of Credit shall be fully released if the required Landscaping has been well maintained and is in a healthy condition after two growing seasons.
7. Any Letter of Credit shall allow for partial draws by the City if the Landscaping is not completed in accordance with the approved Landscape Plan(s) within one growing season after completion of the development; or the Landscaping is not well maintained and in a healthy condition two growing seasons after completion of the Landscaping. The City may draw on a cash security or a Letter of Credit and the amount thereof shall be paid to the City for its use absolutely. All expenses incurred by the City, to renew or draw upon any Letter of Credit, shall be reimbursed by the owner to the City by payment of invoice or from the proceeds of the Letter of Credit.
8. In the event the owner does not complete the required Landscaping, or fails to maintain the Landscaping in a healthy condition for the specified periods of time, and the cash or the proceeds from the Letter of Credit are insufficient for the City to complete the required work, should it elect to do so, then the owner shall pay such deficiency to the City immediately upon being invoiced. The City shall provide an accounting to the owner indicating how the proceeds of the Letter of Credit were applied, within 60 days of completing or maintaining the landscaping.

55.7 Inspections

Upon receipt of a written request from the parties involved in the development, including but not limited to the property owner, condominium association or the issuer of the Letter of Credit, an inspection of the finished Landscaping shall be completed by the Development Officer. Inspections shall be made during the normal growing season, between May 01 and September 30. All reasonable effort shall be made by the Development Officer to perform the inspection within 20 working days of receipt of the inspection request.

55.8 Specifications for Plant Materials

1. All plant materials shall be hardy to the Edmonton area and to the actual Site conditions. The most current edition of the "Alberta Horticultural Guide" shall be used as a reference by the Development Officer.
2. All plant materials shall meet the horticultural standards of the most current edition of the "Guide Specifications for Nursery Stock", produced by the Canadian Nursery Trade Association.
3. All planting shall conform to the following:
 - a. the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50; and
 - b. the following mix of tree sizes shall be used:
 - i. 50% of required deciduous trees shall be a minimum 50 mm Calliper and 50% shall be a minimum 75 mm Calliper; and
 - ii. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum 3.5 m in height.
4. The regulations regarding the required Specifications for Plant Materials of this Bylaw may be waived by the Development Officer at the request of a qualified landscape professional, such as a horticulturist or landscape architect, acting on behalf of the property owner.

56. 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 are complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action that is to be taken for restoring the condition of the surface of the land to be affected, for preventing, controlling or lessening the creation of erosion or dust from the land, and for preventing any siltation or erosion into any surrounding water courses.
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 shall be carried out so as to create a minimum of dust and environmental disturbance;
 - b. the operation is one that, 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;
 - c. the operation shall not destroy, disturb, or alter any historical resource designated in accordance with the Alberta Historical Resources Act; and
 - d. the operation shall not sterilize the Site for future development.
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.

5. A person who reclaims a Site must obtain a letter of completion from the Transportation and Streets Department.

57. General Performance Standards

57.1 General Performance Standards for Industrial Developments

Any development or Site used for any Permitted or Discretionary Use in the IS, IB, IM or IH Zones shall comply with the performance standards of this Section.

1. Any Use or activity in the IS and IB Zones shall comply with the following appearance standards:
 - a. all Uses and activities, except those noted in clauses (b) and (c) 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;
 - b. 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;
 - c. 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, and from adjacent Sites if such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of this Zone; and
 - d. 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 such walls are inconsistent with the finishing materials or appearance characteristic of surrounding development.

2. Any Use or activity in the IM or IH Zones shall comply with the following appearance standards:
 - a. 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 Zone, or the adjacent Site is Zoned IM or IH. Notwithstanding the above, trash collection areas located to the front of the principal building shall be screened from view from any public roadway, including a Lane, and from any adjacent Site; and
 - b. outside display areas are allowed to be located 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.

57.2 General Performance Standards for Non-industrial Developments

1. In all non-industrial developments, the design and use of exterior finishing materials shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials shall be used that ensure that the standard of the proposed buildings and structures shall be similar to, or better than, the standard of surrounding development.

58. *General Performance Standards for a Safe Physical Environment*

The Development Officer shall encourage the inclusion of design elements that readily allow for casual surveillance, particularly for commercial, industrial, multi-unit residential Uses and parkade structures. These elements may include, but are not limited to, large window areas, high quality interior and exterior lighting, physical layout that reduces the vulnerability of pedestrians (avoiding long public corridor spaces, stairwells, or other movement predictors), the placement and use of Landscaping that limits areas of concealment, and the location of parking areas close to building access points. The Development Officer shall require a Crime Prevention Through Environmental Design assessment prepared by a qualified security consultant for multi-unit residential/commercial/institutional/industrial developments that, in the opinion of the Development Officer, requires such an assessment. The Development Officer shall advise applicants of the approved crime prevention design guidelines contained in the Design Guide for a Safer City, such as the layout and design of buildings and associated parking and loading areas, yards and landscaped areas, to promote a safe, well-lit physical environment. In addition, the Development Officer shall apply the requirements of subsection 54 (7) to Parking Garages.

59. *Sign Regulations*

59.1 *Applicability*

Any person applying to erect any Sign, or to change or relocate any existing Sign shall comply with the provisions of this Section and the applicable Sign Schedule, unless exemption from the regulations of this Section has been granted elsewhere in this Bylaw.

59.2 *General Provisions*

1. No Sign shall be erected, operated, used or maintained that:
 - a. due to its position, shape, colour, format or illumination obstructs the view of, or shall be confused with, an official traffic Sign, signal or device, as determined by the Development Officer in consultation with the Transportation and Streets Department;
 - b. displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles; and

- c. uses spot or reflector lights directed at on-coming traffic or displays travelling or flashing messages that create a hazard to traffic on a public roadway from which the Sign is visible.
2. Animated Signs shall be allowed where specified in a Sign Schedule, and shall be located or constructed such that the illumination from light sources does not project onto any surrounding residential premises.
3. The intensity of exposed bulbs on a Sign shall not exceed 75 watts.
4. For all Sign Applications, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development. The Development Officer shall refuse any Sign Application that may adversely impact the amenities or character of the Zone.
5. The scale and placement of Changeable Copy shall not appear to visually dominate any Sign.
6. All Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign.
7. The Development Officer shall not approve an application for an On-premises Sign for a business that does not have a valid development approval to operate from the Site.
8. An approved Sign is not an approval for development on the Site.
9. The Development Officer may attach conditions to any Sign permit to ensure compliance to the regulations and to mitigate any effect that a Sign may have on surrounding properties. Conditions may include the duration that a permit is valid, the landscaping of a Sign, the maximum size of a Sign, the appearance of a Sign and the lighting of a Sign.
10. All Freestanding Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of a Freestanding Sign may project beyond the property lines unless otherwise specified in a Sign Schedule.
11. Unless otherwise stated on an application, all Signs are permanent.

59.3 Comprehensive Sign Design Plan

1. An applicant may submit a Comprehensive Sign Design Plan for Sign development that shall comply with the regulations of the applicable Sign Schedule. A Comprehensive Sign Design Plan is subject to the provisions of this subsection and subsection 13.4. A Comprehensive Sign Design Plan may be applied for in any Zone.
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 allowable Signs listed in the land use Zones and the maximum Sign Area regulations.
3. The Development Officer shall assess the merits of the Comprehensive Sign Design Plan and may use his variance power to grant exceptions to the Sign Schedule to permit the Comprehensive Sign Design Plan if the Plan complies with the following requirements:
 - a. the Comprehensive Sign Design Plan is consistent with the Sign development intended in the Sign Schedule which applies to the Zone in that 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 (a) above.

Schedule 59A

59A.1 Regulations for Permitted Signs

1. On a Site for a Show Home or Residential Sales Centre, Fascia On-premises Signs 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 2.0 m² and the top of the Sign shall not be located higher than the second Storey.
2. A maximum of two Fascia On-premises Signs on any Site of a Non-residential Use shall be allowed. The Signs shall only face a public roadway other than a Lane and the Signs may be illuminated. The maximum Area for any such single Sign shall not exceed 2.0 m². A Fascia Sign shall not extend higher than 75 cm above the floor of the second Storey. The top of a Fascia Sign on a one Storey building shall not extend more than 30 cm above the building roof or parapet wall. Any Fascia Sign, which extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m.
3. A maximum of two Freestanding On-premises Signs may be placed at each entrance to a subdivision, neighbourhood or Mobile Home Park. The Signs shall not exceed a Height of 1.8 m and shall have a maximum Area of 4 m². The Copy on such Signs shall be restricted to the marketing name of the subdivision and the official municipal name of the neighbourhood. The marketing name of the subdivision and the official municipal name of the neighbourhood shall be of equal prominence and shall be located entirely upon private property within the Area they refer. The marketing name shall not be the same as an official municipal name previously assigned to another neighbourhood in the City of Edmonton.
4. A maximum of two Fascia On-premises Signs may be placed on permitted structures at each entrance to a subdivision, neighbourhood or Mobile Home Park. The Signs shall not exceed the Height of the structure and shall have a maximum Area of 4 m². The Copy on such Signs shall be restricted to the marketing name of the subdivision and the official municipal name of the neighbourhood. The marketing name of the subdivision and the official municipal name of the neighbourhood shall be of equal prominence and shall be located entirely upon private property within the Area to which they refer. The marketing name of a neighbourhood shall not be the same as an official municipal name previously assigned to another neighbourhood in the City of Edmonton.

59A.2 Regulations for Discretionary Signs

1. On any Site of a Non-residential Use, the Development Officer may approve a Freestanding On-premises Sign if the design of the Sign is compatible with the character of the existing development and the neighbourhood. A maximum of two Freestanding On-premises Signs shall be allowed. The Signs shall only face a public roadway other than a Lane, and the Signs may be illuminated. The maximum Area for any such Sign shall not exceed 3 m² and the maximum Height shall be 1.8 m.
2. In developing areas, one Temporary Sign shall be allowed for each entrance roadway, to a maximum of three Signs. The Temporary Sign shall be located wholly within the boundary of the subdivision or neighbourhood that it identifies, and shall not encroach onto any public roadway, City right-of-way or boulevard. The maximum Height and Area of the Sign shall be determined in the following manner:
 - a. where the proposed Temporary Sign location is within 60.0 m of an existing developed residential area, the maximum Height of the Sign shall be 3.0 m and the maximum Area shall be 3 m². The Sign must be non-illuminated; and
 - b. where the proposed Temporary Sign location is not within 60.0 m of an existing residential area, the maximum Height of the Sign shall be 4.0 m and the maximum Area shall be 6 m². The Sign may be illuminated.
3. The Temporary Sign shall be removed once Development Permits have been issued to more than 90% of the area under development to which it refers, provided that in all cases the Sign shall be removed within two years.
4. On a Site for a Show Home or Residential Sales Centre, one Temporary Sign shall be allowed. The maximum Area of this Sign shall not exceed 3 m² and the maximum Height shall not exceed 3.0 m.
5. Freestanding Off-premises Signs shall be subject to the following Regulations:
 - a. Freestanding Off-premises Sign permits may be approved for a period of up to five years; and

- b. all proposed Freestanding Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Off-premises Sign or may refuse a permit that adversely impacts the built environment.

Schedule 59B

59B.1 Regulations for Permitted Signs

1. Fascia On-premises Signs other than those Fascia On-premises Signs listed in clause (b) below, shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. the maximum Area for any Fascia On-premises Sign shall not exceed 3 m²;
 - c. Fascia On-premises Signs shall not extend higher than 75 cm above the floor of the second Storey. The top of a Fascia On-premises Sign shall not extend more than 30 cm above the building roof or parapet wall;
 - d. any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
 - e. Fascia On-premises Signs may be illuminated.
2. A maximum of two Freestanding On-premises Signs may be placed at each entrance to a subdivision, neighbourhood or Mobile Home Park. The Signs shall not exceed a Height of 1.8 m and shall have a maximum Area of 4 m². The Copy on such Signs shall be restricted to the marketing name of the subdivision and the official municipal name of the neighbourhood. The marketing name of the subdivision and an official municipal name of the neighbourhood shall be of equal prominence and shall be located entirely upon private property within the area they refer. The marketing name shall not be the same as the official municipal name previously assigned to another neighbourhood in the City of Edmonton.

3. A maximum of two Fascia On-premises Signs may be placed on permitted structures at each entrance to a subdivision, neighbourhood or Mobile Home Park. The Signs shall not exceed the Height of the structure and shall have a maximum Area of 4 m². The Copy on such Signs shall be restricted to the marketing name of the subdivision and the official municipal name of the neighbourhood. The marketing name of the subdivision and the official municipal name of the neighbourhood shall be of equal prominence and shall be located entirely upon private property within the area to which they refer. The marketing name of a neighbourhood shall not be the same as an official municipal name previously assigned to another neighbourhood in the City of Edmonton.
4. Projecting On-premises Signs shall be subject to the following regulations:
 - a. Projecting On-premises Signs shall not be less than 2.4 m above grade;
 - b. the top of any Projecting On-premises Signs on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
 - c. any Projecting On-premises Sign and its supporting structure may project a maximum of 1.5 m;
 - d. the horizontal separation distance between any Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - e. Projecting On-premises Signs may be illuminated;
 - f. not more than one Projecting On-premises Sign shall be allowed for each individual premises Frontage; and
 - g. Projecting On-premises 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.

59B.2 Regulations for Discretionary Signs

1. Freestanding On-premises Signs shall be subject to the following regulations:
 - a. Freestanding On-premises Signs may be allowed on Frontages abutting a public roadway other than a Lane to a maximum of two Freestanding On-premises Signs;
 - b. Freestanding On-premises Signs shall only face a public roadway other than a Lane;
 - c. the maximum Height for Freestanding On-premises Signs shall be 1.8 m;
 - d. the maximum Area for any Freestanding On-premises Sign shall not exceed 3 m²; and
 - e. Freestanding On-premises Signs may be illuminated.
2. Temporary Signs shall be subject to the following regulation:
 - a. in developing areas, one Temporary Sign shall be allowed for each entrance roadway, 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 maximum Height and Area of the Sign shall be determined in the following manner:
 - i. where the proposed Temporary Sign location is within 60.0 m of an existing residential area, the maximum Height of the Sign shall be 3.0 m and the maximum Area shall be 3 m². The Sign shall not be illuminated;
 - ii. where the proposed Temporary Sign location is not within 60.0 m of an existing residential area, the maximum Height of the Sign shall be 4.0 m and the maximum Area shall be 6 m². The Sign may be illuminated; and
 - iii. the Temporary Sign shall be removed once Development Permits have been issued to more than 90% of the Sites within the area under development to which it refers, provided that in all cases the Sign shall be removed within two years.

Schedule 59C

59C.1 Regulations for Permitted Signs

1. Fascia On-premises Signs shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. The maximum Area for any single Fascia On-premises Sign shall not exceed 3 m²;
 - c. Any Fascia On-premises Sign shall not extend higher than 75 cm above the floor of the second Storey. The top of a Fascia Sign shall not extend more than 30 cm above the building roof or parapet wall;
 - d. Any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
 - e. Fascia On-premises Signs may be illuminated.
2. Projecting On-premises Signs shall be subject to the following regulations:
 - a. Projecting On-premises Signs shall only face a public roadway other than a Lane;
 - b. the maximum area for any single Projecting On-premises Sign shall not exceed 3 m²;
 - c. any Projecting On-premises Sign shall not be less than 2.4 m above grade;
 - d. the top of a Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
 - e. any Projecting On-premises Sign and its supporting structure may project a maximum of 1.5 m;
 - f. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - g. not more than one Projecting On-premises Sign shall be allowed for each individual premises Frontage;

- h. Projecting On-premises 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; and
 - i. Projecting On-premises Signs may be illuminated.
- 3. Temporary Signs shall be subject to the following regulations:
 - a. one Temporary Sign shall be allowed per Site;
 - b. the maximum duration of display for each Temporary Sign shall be a total of 180 days in a calendar year, provided that no Temporary Sign shall remain at a location for more than 90 consecutive days, during which time, unlimited changes to the Copy of the Signs shall be allowed. Following each removal of a Temporary Sign, the location shall remain free of Temporary Signs for a minimum of 30 consecutive days;
 - c. for activities of a seasonal or short-term nature that operate for six months or less in a calendar year, a Temporary Sign shall be allowed for the operating period of the business;
 - d. Temporary Signs shall be located within the property lines of the Site and be located at least 1.0 m inside of the property line. A Temporary Sign shall not interfere with access to or from the Site and shall not impair the sight lines for vehicular traffic;
 - e. Temporary Signs may be illuminated but shall not have any flashing or running lights;
 - f. Temporary Signs shall have a maximum Height of 3.0 m and a maximum Area of 3 m²;
 - g. All Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign; and
 - h. Temporary Signs shall be removed on or before the date that the permit expires.

59C.2 Regulations for Discretionary Signs

- 1. Freestanding On-premises Signs shall be subject to the following regulations:
 - a. Freestanding On-premises Signs may be allowed on Frontages abutting a public roadway other than a Lane to a maximum of two Freestanding On-premises Signs;

- b. Freestanding On-premises Signs shall only face a public roadway other than a Lane;
 - c. where the Freestanding On-premises Sign location is within 60.0 m of a Residential Zone and not separated by an arterial roadway, the maximum Height of the Sign shall not exceed 3.0 m and the maximum Area shall not exceed 3 m². The Sign shall not be illuminated;
 - d. Where a Freestanding On-premises Sign location is more than 60.0 m from a Residential Zone and abuts an arterial roadway or a Sign location is more than 60.0 m from a Residential Zone and abuts a Commercial Zone, the maximum Height of the Sign shall not exceed 8.0 m and the maximum Area shall not exceed 20 m²;
 - e. Freestanding On-premises Signs may be illuminated;
 - f. Freestanding On-premises Signs may have corporate sponsor's Logogram(s) up to a total of 25% of the Sign Area; and
 - g. The Development Officer may consider the use of Animation or Changeable Copy on up to 50% of the Freestanding On-premises Sign Area on Sites that are used as major recreational or athletic facilities.
2. Freestanding Off-premises Signs shall be subject to the following Regulations:
- a. Freestanding Off-premises Sign permits may be approved for a period of up to five years;
 - b. all proposed Freestanding Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Off-premises Sign or may refuse a permit that adversely impacts the built environment; and
 - c. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw.

*Bylaw 12832
July 4, 2001*

Schedule 59D

59D.1 Regulations for Permitted Signs

1. Fascia On-premises Signs shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. any Fascia On-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;
 - c. any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m;
 - d. any Fascia On-premises Sign may cover up to 50% of the face of the wall where it is displayed; and
 - e. Fascia On-premises Signs may be illuminated.
2. Projecting On-premises Signs shall be subject to the following regulations:
 - a. Projecting On-premises Signs shall only face a public roadway other than a Lane;
 - b. any Projecting On-premises Sign shall not be less than 2.4 m above Grade;
 - c. the top of a Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
 - d. any Projecting On-premises Sign and its supporting structure may project a maximum of 2.0 m;
 - e. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - f. not more than one Projecting On-premises Sign shall be allowed for each individual business premises Frontage;
 - g. Projecting On-premises 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; and

- h. Projecting On-premises Signs may be illuminated.
3. Freestanding On-premises Signs shall be subject to the following regulations:
- a. the maximum Height of a Freestanding On-premises Sign shall be 8.0 m;
 - b. the maximum Area of a Freestanding On-premises Sign shall not exceed 20 m²;
 - c. the maximum number of Freestanding On-premises Signs shall not exceed one per Frontage abutting a public roadway;
 - d. On-premises Signs locations shall be set back 3.0 m where the Site shares a property line with another parcel;
 - e. Freestanding On-premises Signs shall have a 30.0 m radial separation distance from any other Freestanding On-premises Sign on the same Site; and
 - f. Freestanding On-premises Signs may be illuminated.
4. Temporary Signs shall be subject to the following regulations:
- a. for a single tenant Site with a Frontage of greater than 30.0 m, not more than one Temporary Sign shall be allowed per Frontage;
 - b. for a multiple tenant development (Shopping Centre) with a Frontage of greater than 30.0 m, one Temporary Sign shall be allowed for each 30.0 m of Frontage provided that not more than a maximum of four Temporary Signs shall be displayed on the same street Frontage with a minimum separation space of 30.0 m between each Sign; in no case shall there be more than four Temporary Signs per Site;
 - c. notwithstanding the above, where a Site with a Frontage of less than 30.0 m exists, an applicant may, by providing to the Development Officer written consent from the owners of adjacent Sites, identify to the Development Officer, a combination of Sites having a total Frontage of 30.0 m or more, in order to allow placement of a Sign;
 - d. the maximum duration of display for each Temporary Sign location shall be a total of 180 days in a calendar year, provided that no Temporary Sign shall remain at a location for more than 90 consecutive days, during which time, unlimited changes to the Copy of the Signs shall be allowed. Following each removal of a Temporary Sign, the location shall remain free of Temporary Signs for a minimum of 30 consecutive days;
 - e. for Uses of a seasonal or short-term nature that operate for six months or less in a calendar year, a Temporary Sign shall be allowed for the operating period of the Use;

- f. Temporary Signs shall be located within the property lines of the Site and be located at least 1.0 m inside of the property line. A Temporary Sign shall not interfere with access to or from the Site and shall not impair the sight lines for vehicular traffic;
- g. Temporary Signs may be illuminated but shall not have any flashing or running lights;
- h. Temporary Freestanding Signs shall have a maximum Height of 3.0 m and a maximum Area of 5 m²;
- i. Temporary Inflatable Signs shall not exceed the maximum Building Height of the Zone and shall not be located within any required Yard or Setback;
- j. all Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign; and
- k. Temporary Signs shall be removed on or before the date that the permit expires.

59D.2 Regulations for Discretionary Signs

- 1. Roof On-premises Signs shall be subject to the following regulations:
 - a. Roof On-premises Signs shall only be allowed on shopping centre Sites with a minimum Area of 2 ha;
 - b. the combined Height of any Roof On-premises Sign and building shall not exceed the Height of the Zone;
 - c. Roof On-premises Signs shall not face an abutting Residential Zone;
 - d. a Roof On-premises Sign may be allowed as a replacement for one Freestanding Sign. However, if the Site has a single Frontage, the Development Officer may exercise discretion to allow a Roof On-premises Sign if the addition of the Sign does not adversely impact the amenities or character of the Zone;
 - e. the maximum Area of any Roof On-premises Sign shall not exceed 20 m²;
 - f. Roof On-premises Signs may be illuminated;
 - g. Roof On-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department staff. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic;

- h. all proposed Roof On-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; and any streetscape improvements;
 - i. the maximum number of Freestanding On-premises Signs and Roof On-premises Signs on a Site shall be four; and
 - j. support elements for any Roof On-premises Sign shall be concealed.
2. Freestanding Off-premises Signs shall be subject to the following Regulations:
- a. Freestanding Off-premises Sign permits may be approved for a period of up to five years;
 - b. all proposed Freestanding Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Off-premises Sign or may refuse a permit that adversely impacts the built environment.
 - c. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw.

*Bylaw 12832
July 4, 2001*

Schedule 59E

59E.1 Regulations for Permitted Signs

- 1. Fascia On-premises Signs shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. any Fascia On-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;

- c. any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m;
 - d. any Fascia On-premises Sign may cover up to 50% of the face of the wall where it is displayed; and
 - e. Fascia On-premises Signs may be illuminated.
2. Projecting On-premises Signs shall be subject to the following regulations:
- a. any Projecting On-premises Sign shall not be less than 2.4 m above Grade;
 - b. the top of a Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
 - c. any Projecting On-premises Sign and its supporting structure may project a maximum of 2.0 m;
 - d. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - e. not more than one Projecting On-premises Sign shall be allowed for each individual business premises Frontage;
 - f. Projecting On-premises Signs shall be erected such 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; and
 - g. Projecting On-premises Signs may be illuminated.
3. Freestanding On-premises Signs shall be subject to the following regulations:
- a. the maximum Height of a permitted Freestanding On-premises Sign is 8.0 m. The Development Officer may use his variance power to allow a Freestanding On-premises Sign up to 10.0 m in Height if a Site zoned residential is not within 60.0 m of the commercial Site;
 - b. the maximum allowable Freestanding On-premises Sign Area shall be 20 m²;
 - c. the maximum number of Freestanding On-premises Signs and Roof On-premises Signs on a Site shall be four;
 - d. Freestanding On-premises Sign locations shall be set back 3.0 m where the Site shares a property line with another Site;

- e. Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Sign on the same Site; and
 - f. Freestanding On-premises Signs may rotate. Freestanding On-premises Signs may have Animation that is integral to the Sign design.
4. Temporary Signs shall be subject to the following regulations:
- a. for a single tenant Site with a Frontage of greater than 30.0 m, not more than one Temporary Sign shall be allowed;
 - b. for a multiple tenant development (Shopping Centre) with a Frontage of greater than 30.0 m, one Temporary Sign shall be allowed for each 30.0 m of Frontage provided that not more than four Temporary Signs shall be displayed on the same street Frontage with a minimum separation space of 30.0 m between each Temporary Sign; in no case shall there be more than four Temporary Signs per Site;
 - c. notwithstanding clause (b) above, where a Site with a Frontage of less than 30.0 m exists, an applicant may, by providing to the Development Officer written consent from the owners of adjacent Sites, identify to the Development Officer, a combination of Sites having a total Frontage of 30.0 m or more, in order to allow placement of a Temporary Sign;
 - d. the maximum duration of display for each Temporary Sign location shall be a total of 180 days in a calendar year, provided that no Temporary Sign shall remain at a location for more than 90 consecutive days, during which time, unlimited changes to the Copy of the Signs shall be allowed. Following each removal of a Temporary Sign, the location shall remain free of Temporary Signs for a minimum of 30 consecutive days;
 - e. for businesses of a seasonal or short term nature that operate for six months or less in a calendar year, a Temporary Sign shall be allowed for the operating period of the business;
 - f. Temporary Signs shall be located within the property lines of the Site and be located at least 1.0 m inside of the property line. A Temporary Sign shall not interfere with access to or from the Site and shall not impair the sight lines for vehicular traffic;
 - g. Temporary Signs may be illuminated but shall not have any flashing or running lights;
 - h. Temporary Freestanding Signs shall have a maximum Height of 3.0 m and a maximum Area of 5 m²;

- i. Temporary Signs that are inflated shall not exceed the maximum Building Height of the Zone and shall not be located within any required Yard or Setback. When the inflated Sign is located on a building, the combined Height of the Sign and building shall not exceed the Height of the Zone;
- j. all Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign; and
- k. Temporary Signs shall be removed on or before the date that the permit expires.

59E.2 Regulations for Discretionary Signs

- 1. Roof On-premises Signs shall be subject to the following regulations:
 - a. Roof On-premises Signs shall only be allowed on shopping centre Sites with a minimum area of 2 ha;
 - b. the combined Height of the Roof On-premises Sign and building shall not exceed the Height of the Zone;
 - c. Roof On-premises Signs shall not face an abutting Residential Zone;
 - d. A Roof On-premises Sign may be allowed as a replacement for one Freestanding Sign. However, if the Site has a single Frontage, the Development Officer may exercise discretion to allow a Roof On-premises Sign if the addition of the Sign does not adversely impact the amenities or character of the Zone;
 - e. the maximum Area of any Roof On-premises Sign shall not exceed 20 m²;
 - f. Roof On-premises Signs may be illuminated;
 - g. Roof On-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic;
 - h. all proposed Roof On-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; and any streetscape improvements;
 - i. the maximum number of Freestanding On-premises Signs and Roof On-premises Signs on a Site shall be four; and

- j. support elements for any Roof On-premises Sign shall be concealed.
2. Freestanding Off-premises Signs shall be subject to the following Regulations:
- a. Freestanding Off-premises Signs may be allowed only on Sites that are an integral part of a commercial strip;
 - b. Freestanding Off-premises Sign permits may be approved for a period of up to five years;
 - c. all proposed Freestanding Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Off-premises Sign or may refuse a permit that adversely impacts the built environment;
 - d. the maximum Height of Freestanding Off-premises Sign shall be 8.0 m;
 - e. the maximum Area of Freestanding Off-premises Sign shall be 20 m²;
 - f. no part of any Freestanding Off-premises Sign shall be located within any required Yard or Setback;
 - g. Freestanding Off-premises Sign locations shall be separated from any other Off-premises Sign location by a minimum of 100.0 m. For Off-premises Signs with an Area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
 - h. Freestanding Off-premises Signs may be Illuminated; and
 - i. Freestanding Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic.

*Bylaw 12832
July 4, 2001*

- j. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw
3. Fascia Off-premises Signs shall be subject to the following regulations:
- a. Fascia Off-premises Signs may be allowed only on Sites that are an integral part of a commercial strip;
 - b. Fascia Off-premises Sign permits may be approved for a period of up to five years;
 - c. the maximum Area of any Fascia Off-premises Sign shall be 20 m²;
 - d. any Fascia Off-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia Off-premises Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;
 - e. any Fascia Off-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m;
 - f. Fascia Off-premises Sign locations shall be separated from any other Off-premises Sign location by a minimum of 100.0 m. For Off-premises Signs with an Area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
 - g. Fascia Off-premises Signs may be illuminated;
 - h. Fascia Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic;
 - i. all proposed Fascia Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; the civic square plan; and any streetscape improvements; and
 - j. Fascia Off-premises Signs shall have the structural elements concealed from view.

Schedule 59F

59F.1 Regulations for Permitted Signs

1. Fascia On-premises Signs shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. any Fascia On-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia On-premises Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;
 - c. any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
 - d. Fascia On-premises Signs may be illuminated and have Animation.
2. Projecting On-premises Signs shall be subject to the following regulations:
 - a. Projecting On-premises Sign shall not be less than 2.4 m above grade;
 - b. the top of any Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
 - c. any Projecting On-premises Sign and its supporting structure may project a maximum of 2.0 m;
 - d. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - e. not more than one Projecting On-premises Sign shall be allowed for each Frontage of a business premises;
 - f. Projecting On-premises Signs shall be erected such 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; and
 - g. Projecting On-premises Signs may be illuminated.

*Bylaw 12961
February 4, 2002*

3. Freestanding On-premises Signs shall be subject to the following regulations:
 - a. the maximum Height of a Freestanding On-premises Sign is 8.0 m. The Development Officer may allow a Freestanding On-premises Sign up to 10.0 m in Height if a Residential Zone is not within 60.0 m of the commercial Site. The distance shall be measured from the Sign location to the nearest Site zoned residential;
 - b. the maximum allowable Freestanding On-premises Sign Area shall be 30 m²;
 - c. Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Sign on the same Site;
 - d. Freestanding On-premises Sign locations shall be set back 3.0 m where the Site shares a property line with another parcel;
 - e. The maximum number of Freestanding On-premises Signs and Roof On-premises Signs on a Site shall be four; and
 - f. Freestanding On-premises Signs may rotate. Freestanding On-premises Signs may have Animation that is integral to the Sign design.

4. Temporary Signs shall be subject to the following regulations:
 - a. for a single tenant Site with a Frontage greater than 30.0 m, not more than one Temporary Sign shall be allowed;
 - b. for a multiple tenant development (Shopping Centre) with a Frontage greater than 30.0 m, one Temporary Sign shall be allowed for each 30.0 m of Frontage provided that not more than of four Temporary Signs shall be displayed on the same street Frontage with a minimum separation space of 30.0 m between each Temporary Sign; in no case shall there be more than four Temporary Signs per Site;
 - c. notwithstanding the above, where a Site with a Frontage of less than 30.0 m exists, an applicant may, by providing to the Development Officer written consent from the owners of adjacent Sites, identify to the Development Officer, a combination of Sites having a total Frontage of 30.0 m or more; in order to allow placement of a Temporary Sign;
 - d. the maximum duration of display for each Temporary Sign location shall be a total of 180 days in a calendar year, provided that no Temporary Sign shall remain at a location for more than 90 consecutive days, during which time, unlimited changes to the Copy of the Signs shall be allowed. Following each removal of a Temporary Sign, the location shall remain free of Temporary Signs for a minimum of 30 consecutive days;

- e. for businesses of a seasonal or short-term nature that operate for six months or less in a calendar year, a Temporary Sign shall be allowed for the operating period of the business;
- f. Temporary Signs shall be located within the property lines of the Site and be located at least 1.0 m inside of the property line. A Temporary Sign shall not interfere with access to or from the Site and shall not impair the sight lines for vehicular traffic;
- g. Temporary Signs may be illuminated but shall not have any flashing or running lights;
- h. Temporary Freestanding Signs shall have a maximum Height of 3.0 m and a maximum Area of 5 m²;
- i. Temporary Signs that are inflated shall not exceed the maximum Building Height of the Zone and shall not be located within any required Yard or Setback. When the inflated Sign is located on a building, the combined height of the Sign and building shall not exceed the Height of the Zone;
- j. all Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign; and
- k. Temporary Signs shall be removed on or before the date that the permit expires.

59F.2 Regulations for Discretionary Signs

1. Roof On-premises Signs shall be subject to the following regulations:
 - a. Roof On-premises Signs are prohibited in the civic centre area bounded by 105 Avenue to the north, the North Saskatchewan River Valley to the south, 97 Street to the east, and 100 Street to the west;
 - b. Roof On-premises Signs are prohibited when the Sign location is within 30.0 m of a Residential Zone. The distance shall be measured from the Sign location to the nearest Site zoned residential;
 - c. the combined height of any Roof On-premises Sign and building shall not exceed the Height of the Zone;
 - d. Roof On-premises Signs shall not face an abutting Residential Zone;

- e. any Roof On-premises Sign may be allowed as a replacement for one Freestanding Sign. However, if the Site has a single Frontage, the Development Officer may exercise discretion to allow a Roof On-premises Sign if the addition of the Sign does not adversely impact the amenities or character of the Zone;
 - f. The maximum Area of any Roof On-premises Sign shall not exceed 20 m²;
 - g. Roof On-premises Signs may be illuminated;
 - h. Roof On-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic;
 - i. all proposed Roof On-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; and any streetscape improvements;
 - j. the maximum number of Freestanding On-premises Signs and Roof On-premises Signs on a Site shall be four; and
 - k. support elements for any Roof On-premises Sign shall be concealed.
2. Freestanding Off-premises Signs shall be subject to the following regulations:
- a. Off-premises Signs are prohibited in the civic centre area bounded by 105 Avenue to the north, the North Saskatchewan River Valley to the south, 97 Street to the east, and 100 Street to the west;
 - b. Freestanding Off-premises Sign permits may be approved for a period of up to five years;
 - c. all proposed Freestanding Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Freestanding Off-premises Sign or may refuse a permit adversely impacts the built environment;
 - d. the maximum Height of any Freestanding Off-premises Sign shall be 8.0 m;

- e. the maximum Area of any Freestanding Off-premises Sign shall be 65 m²;
- f. no part of any Freestanding Off-premises Sign shall be located within any required Yard or Setback;
- g. Freestanding Off-premises Sign locations shall be separated from any other Off-premises Sign location by a minimum of 100.0 m. For Off-premises Signs with an Area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
- h. Freestanding Off-premises Signs may be illuminated; and
- i. Freestanding Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic.

*Bylaw 12832
July 4, 2001*

- j. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw

- 3. Fascia Off-premises Signs shall be subject to the following regulations:
 - a. Off-premises Signs are prohibited in the civic centre area bounded by 105 Avenue to the north, the North Saskatchewan River Valley to the south, 97 Street to the east, and 100 Street to the west;
 - b. Fascia Off-premises Sign permits may be approved for a period of up to five years;
 - c. all proposed Fascia Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; the civic square plan; and any streetscape improvements;
 - d. the maximum Area of any Fascia Off-premises Sign shall be 65 m²;
 - e. any Fascia Off-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;

- f. any Fascia Off-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m;
 - g. Fascia Off-premises Sign locations shall be separated from any other Off-premises Sign location by a minimum of 100.0 m. For Off-premises Signs with an Area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
 - h. Fascia Off-premises Signs may be illuminated;
 - i. Fascia Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic; and
 - j. Fascia Off-premises Signs shall have the structural elements concealed from view.
4. Roof Off-premises Signs shall be subject to the following regulations:
- a. the maximum Area of a Roof Off-premises Sign shall be 20 m²;
 - b. Roof Off-premises Sign permits may be approved for a period of up to five years;
 - c. all proposed Roof Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Freestanding Off-premises Sign or may refuse a permit adversely impacts the built environment;
 - d. the combined Height of the Roof Off-premises Sign and building shall not exceed the Height of the Zone;
 - e. any Roof Off-premises Sign shall be located 30.0 m from the property line of a Residential Zone;

- f. Roof Off-premises Sign locations shall be separated from any other Off-premises Sign location by a minimum of 100.0 m. For Off-premises Signs with an Area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
- g. Roof Off-premises Signs may be illuminated;
- h. Roof Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic; and
- i. Roof Off-premises Signs shall have the structural elements concealed from view.

Schedule 59G

59G.1 Regulations for Permitted Signs

1. Fascia On-premises Signs shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. any Fascia On-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;
 - c. any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
 - d. Fascia On-premises Signs may be illuminated and have Animation.
2. Projecting On-premises Signs shall be subject to the following regulations:
 - a. Projecting On-premises Signs shall not be less than 2.4 m above Grade;
 - b. the top of a Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;

- c. any Projecting On-premises Sign and its supporting structure may project a maximum of 2.0 m;
 - d. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - e. not more than one Projecting On-premises Sign shall be allowed for each individual business premises Frontage;
 - f. Projecting On-premises Signs shall be erected such 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; and
 - g. Projecting On-premises Signs may be illuminated.
3. Freestanding On-premises Signs shall be subject to the following regulations:
- a. the maximum Height of a Freestanding On-premises Sign is 10.0 m;
 - b. the maximum allowable Freestanding On-premises Sign Area shall be 30 m²;
 - c. Freestanding On-premises Signs shall have a 30.0 m radial separation distance from any other Freestanding On-premises Sign on the same Site;
 - d. the maximum number of Freestanding On-premises Signs and Roof On-premises Signs on a Site shall be four; and
 - e. Freestanding On-premises Signs may rotate. Freestanding On-premises Signs may have Animation that is integral to the Sign design.
4. Roof On-premises Signs (not within 100.0 m of a Residential Zone) shall be subject to the following regulations:
- a. the combined Height of the Roof On-premises Sign and building shall not exceed the Height of the Zone;
 - b. Roof On-premises Signs shall not face an abutting Residential Zone;
 - c. any Roof On-premises Sign may be allowed as a replacement for one Freestanding Sign. However, if the Site has a single Frontage, the Development Officer may exercise discretion if the addition of the Sign does not adversely impact the amenities or character of the Zone;
 - d. the maximum Area of the Roof On-premises Sign shall not exceed 20 m²;

- e. Roof On-premises Signs may be illuminated;
 - f. Roof Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic;
 - g. all proposed Roof On-premises Sign locations shall be reviewed in the context to the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; and any streetscape improvements; and
 - h. support elements for Roof On-premises Signs shall be concealed.
5. Freestanding Off-premises Signs (not within 100.0 m of a Residential Zone) shall be subject to the following regulations:
- a. the maximum Height of any Freestanding Off-premises Sign shall be 8.0 m;
 - b. the maximum Area of any Freestanding Off-premises Sign shall be 65 m²;
 - c. no part of any Freestanding Off-premises Sign shall be located within any required Yard or Setback;
 - d. Freestanding Off-premises Sign locations shall be separated from any other Off-premises Sign location by a minimum of 100.0 m. For Off-premises Signs with an area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
 - e. Freestanding Off-premises Signs may be illuminated;
 - f. Freestanding Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic; and

- g. all proposed Freestanding Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Sign or may refuse a permit that adversely impacts the built environment.

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- h. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw.
6. Fascia Off-premises Signs (not within 100.0 m of a Residential Zone) shall be subject to the following regulations:
- a. the maximum Area of any Fascia Off-premises Sign shall be 65 m²;
 - b. any Fascia Off-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia Off-premises Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;
 - c. any Fascia Off-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m;
 - d. Fascia Off-premises Sign locations shall be separated from each other by a minimum of 100.0 m. For Off-premises Signs with an Area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
 - e. Fascia Off-premises Signs may be illuminated;
 - f. Fascia Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic;

- g. all proposed Fascia Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area, any historic designations; the requirements of any Statutory Plan; the civic square plan; and any streetscape improvements; and
 - h. Fascia Off-premises Signs shall have the structural elements concealed from view.
7. Temporary Signs shall be subject to the following regulations:
- a. for a single tenant Site with a Frontage greater than 30.0 m, not more than one Temporary Sign shall be allowed;
 - b. for a multiple tenant development (Shopping Centre) with a Frontage greater than 30.0 m, one Temporary Sign shall be allowed for each 30.0 m of Frontage, provided that not more than a maximum of four Temporary Signs shall be displayed on the same street Frontage with a minimum separation space of 30.0 m between each Sign; in no case shall there be more than four Temporary Signs per Site;
 - c. notwithstanding the above, where a lot with a Frontage of less than 30.0 m exists, an applicant may, by providing to the Development Officer written consent from the owners of adjacent Sites, identify to the Development Officer, a combination of Sites having a total Frontage of 30.0 m or more, in order to allow placement of a Temporary Sign;
 - d. the maximum duration of display for each Temporary Sign location shall be a total of 180 days in a calendar year, provided that no Temporary Sign shall remain at a location for more than 90 consecutive days, during which time, unlimited changes to the Copy of the Signs shall be allowed. Following each removal of a Temporary Sign, the location shall remain free of Temporary Signs for a minimum of 30 consecutive days;
 - e. for businesses of a seasonal or short term nature that operate for six months or less in a calendar year, a Temporary Sign shall be allowed for the operating period of the business;
 - f. Temporary Signs shall be located within the property lines of the Site and be located at least 1.0 m inside of the property line. A Temporary Sign shall not interfere with access to or from the Site and shall not impair the sight lines for vehicular traffic;
 - g. Temporary Signs may be illuminated but shall not have any flashing or running lights;
 - h. Temporary Signs shall have a maximum Height of 3.0 m and a maximum Area of 5 m²;

- i. Temporary Signs that are inflated shall not exceed the maximum Building Height of the Zone and shall not be located within any required Yard or Setback. When the inflated Sign is located on a building, the combined Height of the Sign and building shall not exceed the Height of the Zone;
- j. all Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign; and
- k. Temporary Signs shall be removed on or before the date that the permit expires.

59G.2 Regulations for Discretionary Signs

1. Roof Off-premises Signs shall be subject to the following regulations:
 - a. the maximum Area of a Roof Off-premises Sign shall be 65 m²;
 - b. the combined Height of the Roof Off-premises Sign and building shall not exceed the Height of the Zone;
 - c. any Roof Off-premises Sign shall be located 30.0 m from the property line of a Residential Zone;
 - d. Roof Off-premises Sign locations shall be separated from any other Off-premises Sign location by a minimum of 100.0 m. For Off-premises Signs with an Area of 20 m² to 40 m², this separation shall be increased to 200.0 m. For Off-premises Signs with an Area over 40 m², this separation shall be increased to 300.0 m. The separation shall be applied from the larger Off-premises Sign location regardless of the size of any proposed Off-premises Sign;
 - e. Roof Off-premises Signs may be illuminated;
 - f. Roof Off-premises Signs may include electronic Copy or Animation subject to review of the Development Officer in consultation with the Transportation and Streets Department. The applicant shall provide evidence that the proposed Copy or Animation does not cause undue distraction to pedestrian or vehicular traffic; and
 - g. Roof Off-premises Signs shall have the structural elements concealed from view.
2. Roof On-premises Signs (within 100.0 m of a Residential Zone) shall comply with the permitted regulations above and the following additional regulations:
 - a. any Roof On-premises Sign shall be located 30.0 m from the property line of any Residential Zone; and

- b. any Roof On-premises Sign shall be set back 6.0 m from the front property line.
- 3. Freestanding Off-premises Signs (within 100.0 m of a Residential Zone) shall be subject to the following regulations:
 - a. any Freestanding Off-premises Sign shall be located 30.0 m from the property line of any Residential Zone; and
 - b. any Freestanding Off-premises Sign shall be set back 6.0 m from the front property line.
 - c. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw
- 4. Fascia Off-premises Signs (within 100.0 m of a Residential Zone) shall comply with the permitted regulations above and the following additional regulations:
 - a. any Fascia Off-premises Sign shall be located 30.0 m from the property line of any Residential Zone; and
 - b. any Fascia Off-premises Sign shall be set back 6.0 m from the front property line.

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Schedule 59H

59H.1 Regulations for Discretionary Signs

- 1. Signs requiring a Development Permit shall be Discretionary Developments in the DC1 Provision and HA Zone. The Development Officer may consider Sign Applications having 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 regulations of a Sign Schedule specified for the DC1 Provision 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 Historical Resources Act, 1980 in consultation with the City of Edmonton Heritage Planner; and
 - e. the Sign regulations of the Sign Schedules applicable to the Land Use Zones abutting the DC1 Provision and HA Zone in cases where there are no Sign regulations for the DC1 Provision and HA Zone, pursuant to clauses (a), (b) and (d) above.
2. Where there is no Sign Schedule or criteria contained within the DC2 Provision, Signs requiring a Development Permit shall be Discretionary Developments in a DC2 Provision. The Development Officer may consider Sign Applications having 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 regulations of the Sign Schedules applicable to the Land Use Zones 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.
3. The following shall apply for Signs in the AJ Zone:
- a. On-premises Signs in the AJ Zone do not require a Development Permit if the Signs are for a Use in this Zone that is consistent with those Uses, activities and operations prescribed in the appropriate superior legislation;
 - b. Off-premises Signs shall be at the discretion of the Development Officer in consideration with those Uses, activities and operations prescribed in the appropriate superior legislation and the Sign Schedule applicable to the most restrictive abutting Zone;
 - c. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw; and
 - d. No Signs are allowed in an AJ Zone that do not meet the criteria as stated in clauses (a), (b) and (c) above.

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Schedule 59I

59I.1 Regulations for Permitted Signs

1. Fascia On-premises Signs shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. any Fascia On-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia On-premises Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;
 - c. any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
 - d. Fascia On-premises Signs may be illuminated and have Animation.
2. Projecting On-premises Signs shall be subject to the following regulations:
 - a. Projecting On-premises Signs shall not be less than 2.4 m above grade;
 - b. the top of any Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
 - c. any Projecting On-premises Sign and its supporting structure may project a maximum of 2.0 m;
 - d. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - e. not more than one Projecting On-premises Sign shall be allowed for each Frontage of a business premises;
 - f. Projecting On-premises Signs shall be erected such 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; and
 - g. Projecting On-premises Signs may be illuminated.

3. Freestanding On-premises Signs shall be subject to the following regulations:
 - a. the maximum Height of any Freestanding On-premises Sign is 8.0 m. The Development Officer may allow a Freestanding On-premises Sign up to 10.0 m in Height if a residential area is not within 60.0 m of the location;
 - b. the maximum allowable Freestanding On-premises Sign Area shall be 20 m²;
 - c. Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Sign on the same Site;
 - d. Freestanding On-premises Sign locations shall be set back 3.0 m where the Site shares a property line with another parcel;
 - e. the maximum number of Freestanding On-premises Signs on a Site shall be four; and
 - f. Freestanding On-premises Signs may rotate. Freestanding On-premises Signs may have Animation that is integral to the Sign design.

4. Temporary Signs shall be subject to the following regulations:
 - a. for a single tenant Site with a Frontage greater than 30.0 m, not more than one Temporary Sign shall be allowed;
 - b. for a multiple tenant development (Shopping Centre) with a Frontage of greater than 30.0 m, one Temporary Sign shall be allowed for each 30.0 m of Frontage provided that not more than four Temporary Signs shall be displayed on the same street Frontage with a minimum separation space of 30.0 m between each Temporary Sign; in no case shall there be more than four Temporary Signs per Site;
 - c. notwithstanding the above, where a Site with a Frontage of less than 30.0 m exists, an applicant may, by providing to the Development Officer written consent from the owners of adjacent Sites, identify to the Development Officer, a combination of Sites having a total Frontage of 30.0 m or more, in order to allow placement of a Temporary Sign;
 - d. the maximum duration of display for each Temporary Sign location shall be a total of 180 days in a calendar year, provided that no Temporary Sign shall remain at a location for more than 90 consecutive days, during which time, unlimited changes to the Copy of the Signs shall be allowed. Following each removal of a Temporary Sign, the location shall remain free of Temporary Signs for a minimum of 30 consecutive days;

- e. for businesses of a seasonal or short-term nature that operate for six months or less in a calendar year, a Temporary Sign shall be allowed for the operating period of the business;
- f. Temporary Signs shall be located within the property lines of the Site and be located at least 1.0 m inside of the property line. A Temporary Sign shall not interfere with access to or from the Site and shall not impair the sight lines for vehicular traffic;
- g. Temporary Signs may be illuminated but shall not have any flashing or running lights;
- h. Temporary Freestanding Signs shall have a maximum Height of 3.0 m and a maximum Area of 5 m²;
- i. Temporary Signs that are inflated shall not exceed the maximum Building Height of the Zone and shall not be located within any required Yard or Setback. When the inflated Sign is located on a building, the combined Height of the Sign and building shall not exceed the Height of the Zone;
- j. all Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign; and
- k. Temporary Signs shall be removed on or before the date that the permit expires.

591.2 Regulations for Discretionary Signs

1. Freestanding Off-premises Signs shall be subject to the following regulations:
 - a. Freestanding Off-premises Sign permits may be approved for a period of up to five years; and
 - b. all proposed Freestanding Off-premises Sign locations shall be reviewed in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; and proximity to residential development. The Development Officer may require revisions to the application to mitigate the impact of a proposed Off-premises Sign or may refuse a permit that adversely impacts the built environment.

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- c. An application for the renewal of a Sign with a lawful permit existing at the time of the passage of this Bylaw will not be refused for the sole reason that it does not comply with development regulations of this Bylaw

Schedule 59J

59J.1 Regulations for Permitted Signs

1. Fascia On-premises Signs shall be subject to the following regulations:
 - a. Fascia On-premises Signs shall only face a public roadway other than a Lane;
 - b. any Fascia On-premises Sign shall not extend higher than 75 cm above the floor of the third Storey. The top of a Fascia On-premises Sign on a one Storey building or two Storey building shall not extend more than 30 cm above the building roof or parapet wall;
 - c. any Fascia On-premises Sign that extends over a public right-of way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
 - d. Fascia On-premises Signs may be illuminated and have Animation.
2. Projecting On-premises Signs shall be subject to the following regulations:
 - a. Projecting On-premises Signs shall not be less than 2.4 m above Grade;
 - b. the top of any Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
 - c. any Projecting On-premises Sign and its supporting structure may project a maximum of 2.0 m;
 - d. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
 - e. not more than one Projecting On-premises Sign shall be allowed for each Frontage of a business premises;

- f. Projecting On-premises Signs shall be erected such 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; and
 - g. Projecting On-premises Signs may be illuminated.
3. Freestanding On-premises Signs shall be subject to the following regulations:
- a. the maximum Height of any Freestanding On-premises Sign is 8.0 m for a business premises or multiple occupancy development having a Frontage of at least 30.0 m but not greater than 60.0 m. The Development Officer may allow a Freestanding On-premises Sign up to 10.0 m in Height for a business premises or multiple occupancy development having a Frontage greater than 60.0 m;
 - b. the maximum allowable Freestanding On-premises Sign Area shall be 24 m²;
 - c. Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Sign on the same Site;
 - d. Freestanding On-premises Sign locations shall be set back 3.0 m where the Site shares a property line with another Site;
 - e. Freestanding On-premises Signs shall not have animated graphics, flashing lights or running lights; and
 - f. Freestanding On-premises Signs shall not rotate.
4. Temporary Signs shall be subject to the following regulations:
- a. for a single tenant Site with a Frontage greater than 30.0 m, not more than one Temporary Sign shall be allowed;
 - b. for a multiple tenant development (Shopping Centre) with a Frontage greater than 30.0 m, one Temporary Sign shall be allowed for each 30.0 m of Frontage provided that not more than four Temporary Signs shall be displayed on the same street Frontage with a minimum separation space of 30.0 m between each Temporary Sign; in no case shall there be more than four Temporary Signs per Site;
 - c. notwithstanding clause (b) above, where a Site with a Frontage of less than 30.0 m exists, an applicant may, by providing to the Development Officer written consent from the owners of adjacent Sites, identify to the Development Officer, a combination of Sites having a total Frontage of 30.0 m or more, in order to allow placement of a Temporary Sign;

- d. the maximum duration of display for each Temporary Sign location shall be a total of 180 days in a calendar year, provided that no Temporary Sign shall remain at a location for more than 90 consecutive days, during which time, unlimited changes to the Copy of the Signs shall be allowed. Following each removal of a Temporary Sign, the location shall remain free of Temporary Signs for a minimum of 30 consecutive days;
- e. for businesses of a seasonal or short-term nature that operate for six months or less in a calendar year, a Temporary Sign shall be allowed for the operating period of the business;
- f. Temporary Signs shall be located within the property lines of the Site and be located at least 1.0 m inside of the property line. A Temporary Sign shall not interfere with access to or from the Site and shall not impair the sight lines for vehicular traffic;
- g. Temporary Signs may be illuminated but shall not have any flashing or running lights;
- h. Temporary Freestanding Signs shall have a maximum Height of 3.0 m and a maximum Area of 5 m²;
- i. Temporary Signs that are inflated shall not exceed the maximum Building Height of the Zone and shall not be located within any required Yard or Setback. When the inflated Sign is located on a building, the combined height of the Sign and building shall not exceed the Height of the Zone;
- j. all Temporary Signs shall have a permanent tag, label, plate, marking or other means of identifying ownership of the Sign for enforcement purposes. The ownership information shall be located in a visible location on the Sign; and
- k. Temporary Signs shall be removed on or before the date that the permit expires.

Special Land Use Provisions

70. Special Land Use Provisions

70.1 Applicability

The Special Land Use Provisions apply to the Uses listed in the Land Use Zone in which they are located. They shall take precedence and be applied in addition to the requirements of the Zone, except in the case of an Airport Protection Overlay or where a Zone or Overlay specifically excludes or modifies these provisions with respect to any Use.

71. Religious Assembly

A Religious Assembly shall comply with the following special provisions:

1. the minimum Frontage shall be 30.0 m and the minimum Site area shall be 930 m²;
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 minimum Site area shall be 1 300 m²;
3. where the a Religious Assembly is to be developed on a Site that is within 60.0 m of a Site zoned to allow a Single Detached Dwelling as a Permitted Use, the following regulations shall apply:
 - a. the maximum Site area shall be 4 000 m²;
 - b. the maximum total Site Coverage shall not exceed 40%;
 - c. a minimum building Setback of 4.5 m shall be required along a Side Yard flanking an abutting Site Zoned Residential;
 - d. a minimum building Setback of 7.5 m along a Rear Yard shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone or is not separated from it by a public roadway more than 10.0 m wide;
 - e. a minimum building Setback of 6.0 m shall be required along a Front Yard separated by a public roadway not wider than 20.0 m from any Site zoned residential. Where the roadway is wider than 20.0 m, the Front Yard applicable in the relevant Zone shall apply;

- f. vehicular access to on-site parking and loading spaces shall be provided from an abutting arterial or collector roadway, except that the Development Officer may allow access from a public roadway including a Lane in accordance with the following guidelines:
 - i. access may be allowed from a local roadway that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other Sites abutting the roadway and shall not direct excess traffic onto a local roadway;
 - ii. access may be allowed from a Lane that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other abutting Sites and shall not direct excess traffic onto a local residential roadway; and
 - iii. access to a maximum of five parking spaces may be allowed from a Lane that abuts a Site zoned to allow a Single Detached Dwelling as a Permitted Use.
 - iv. Where a Religious Assembly is a Discretionary Use, the Development Officer may impose conditions intended to reduce the perceived mass of the structure through techniques including, but not limited to, increased Setbacks, articulation of elevations and rooflines, and the colour of finishing materials.

72. Vehicular - Oriented Uses

72.1 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; and
 - 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, such as drive-through automated teller machines or other similar Uses, shall comply with the regulations of this Section if such developments provide drive-in service or service in which patrons remain within their vehicle.

72.2 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 Transportation and Streets Department is satisfied that the development shall not adversely affect the functioning of surrounding public roadways, or traffic circulation on the Site.
2. The minimum Frontage shall be 30.0 m.
3. Service Stations and Rapid Drive-through Vehicle Services shall have a minimum lot depth of 30.0 m.
4. Site area and Coverage shall be provided as follows:
 - a. the minimum Site area for Drive-in Food Services, or developments defined in subsection 82.1(2), shall be 930 m², 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 m² and the maximum Site Coverage, including pump islands, shall not exceed 20%;
 - c. 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-through service window, a minimum of six in-bound queuing spaces shall be provided for vehicles approaching the drive-through 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. for Rapid Drive-through Vehicle Services and Drive-in Food Services, access aisles and queuing spaces associated with these Use Classes shall be located no less than 7.5 m from any property line where the Site containing these Use Classes abuts any Site containing existing residential or residential-related Uses, including situations where such Sites are separated by a road or Lane 10.0 m or less in width. The orientation of access aisles, queuing spaces and on-site vehicular circulation shall be designed to the satisfaction of the Development Officer, in consultation with the Transportation and Streets Department, having regard to the minimization of traffic circulation conflicts, and to other on-site and off-site impacts, particularly with regard to existing off-site and adjacent Residential or Residential-Related Uses; and
 - d. all queuing spaces shall be a minimum of 6.5 m long and 3.0 m 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 6.0 m from any boundary of the Site, parking area on the Site, or Laneways intended to control traffic circulation on the Site; and
 - b. any canopy over a gas pump island shall be no closer than 3.0 m to any boundary of the Site, and shall be designed, finished, and of a height such that the canopy is not obtrusive, and maintains consistency with the design and eave line of the principal building on Site. The canopy area shall not be included in the calculation of Site Coverage for the purpose of this subsection 82.2; and
 - c. where these Use Classes are adjacent to Sites zoned residential or separated from them by a Lane, or are directly visible to residential Uses across a public roadway, the design, finishing, lighting and siting of development, including the orientation of gas pump islands and service bays with the intent of achieving a compatible relationship with surrounding development and a high standard of appearance when viewed from adjacent roadways.

7. Rapid Drive-through Vehicle Services shall adhere to the following additional regulations:
 - a. the orientation of service bays, vehicular circulation and queuing aisles shall be to the satisfaction of the Development Officer, in consultation with the Transportation Department, having regard to the minimization of on-site and off-site traffic impacts; and
 - b. where the proposed development includes an automatic car wash, the Development Permit application shall include information identifying the anticipated noise impacts of the development as identified in the manufacturer's specifications. The Development Officer may require, as a condition of Development Permit approval, that the applicant provide a Noise Impact Assessment identifying the noise attenuation measures necessary to ensure compliance with City of Edmonton Noise Bylaw, or any other measures determined by the Development Officer and that may be determined in consultation with the Transportation and Streets Department.

8. Rapid Drive-through Vehicle Services and Drive-in Food Services shall adhere to the following additional regulations:
 - a. the design, finishing and siting of such development shall achieve a compatible relationship with surrounding development and a high standard of appearance when viewed from adjacent roadways; and
 - b. these Use Classes shall be located not less than 15.0 m from any property line where the Site containing these Use Classes abuts any Site zoned residential or any Site containing residential or residential-related Uses, including situations where such Sites are separated by a road or Lane 10.0 m or less in width. This 15.0 m minimum Setback distance may be reduced at the discretion of the Development Officer if the Development Officer is satisfied that impacts on the Residential or Residential-Related Uses shall be minimal due to structural and design measures incorporated into the proposed development;
 - c. where these Use Classes and associated access aisles and queuing spaces are located within 30 m of a property line where the Site containing these Use Classes abuts any Site zoned residential or any Site containing existing residential or residential-related Uses, including situations where such Sites are separated by a road or Lane 10.0 m or less in width, the following fencing and Landscaping requirements shall apply:

- i. solid, screen fencing constructed of wood or suitable wood-like synthetic substitute, 1.83 m in height; and

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- ii. required fencing shall be augmented with tree and shrub planting designed to soften the visual effect of the required fencing, and shall be provided in accordance with the standards identified in Section 55.

9. Drive-in Food Services and other developments having a drive-through service window shall adhere to the following additional regulations:
 - a. the location, orientation and setback of drive-through service windows shall be to the satisfaction of the Development Officer in consultation with the Transportation and Streets Department, having regard to the minimization of on-site and off-site traffic impacts.

73. Carnivals

73.1 Applicability

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

73.2 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 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 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; and
- c. where a Carnival is listed as a Permitted or Discretionary Use in any other Zone 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.

74. *Minor Home Based Business*

A Minor Home Based Business shall comply with the following regulations:

- 1. there shall be no exterior signage, display or advertisement other than a business identification plaque or Sign 10.0 cm x 30.5 cm in size located on the Dwelling;
- 2. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;
- 3. the Minor Home Based Business shall not employ any person on-site other than a resident of the Dwelling;
- 4. there shall be no outdoor business activity, or outdoor storage of materials or equipment associated with the business allowed on the Site. Indoor storage shall only be allowed inside the Dwelling;
- 5. the Minor Home Based Business shall not change the principal character or external appearance of the Dwelling involved; and
- 6. in addition to the information requirements of subsection 13.1 of this Bylaw, each application for a Development Permit for the Use Class Minor Home Based Business shall include a description of the business to be undertaken in the Dwelling, an indication of the anticipated number of business visits per week and details for the provision of parking.

75. Major Home Based Business

A Major Home Based Business shall comply with the following regulations:

1. there shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling;
2. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;
3. the Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located;
4. the number of non-resident employees or business partners working on-site shall not exceed two at any one time;
5. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings;
6. the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings;
7. a Bed and Breakfast Operation, operating as a Major Home Based Business shall have a maximum of two Sleeping Units. Cooking facilities shall not be located within the Sleeping Units. In addition to any other parking requirements of this Bylaw, one additional parking space shall be provided for each Sleeping Unit;
8. in addition to the information requirements of subsection 13.1 of this Bylaw, each application for a Development Permit for the Use Class Major Home Based Business shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for parking, and where any materials or equipment associated with the business use are to be stored; and
9. the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.

76. *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.

77. *Conversion of Single Detached, Semi-detached, or Duplex Dwellings to Professional, Financial and Office Support Services.*

1. In considering any application for the Conversion of a Single Detached, Semi-detached, or Duplex Dwelling to a Professional, Financial and Office Support Service, the Development Officer shall ensure the development complies with the following requirements:
 - a. parking shall be provided in accordance with Section 54 of this Bylaw;
 - b. where the Conversion involves exterior renovation, such renovation shall be of a nature that maintains a Height and coverage that 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 subsection 55.4(8) of this Bylaw, provided that any replacement vegetation shall be of a species that is in keeping with other vegetation in the area; and
 - d. exterior lighting shall be provided in a manner that provides safety for pedestrians on the Site and adjacent to it, and in accordance with Section 51 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; and

- d. the Conversion should maintain an external appearance that 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.

78. Mobile Homes

Mobile Homes shall comply with the following:

1. in any Zone, other than the RMH Zone, 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 in width or length; and
 - b. the Mobile Home shall be placed on a permanent foundation.

79. 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 Zone in which it is located; and
2. the Group Home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the Zone in which it is located.

80. Child Care Services

A Child Care Service shall comply with the following regulations:

1. a Child Care Service shall provide outdoor play space in accordance with the following regulations:
 - a. drop-in centres, or those facilities that provide part-time and casual care for children for three or more consecutive hours each day, up to 40 hours a month per child, and nursery schools, or those facilities that provide play-based activities for children for three or less consecutive hours each day, do not require outdoor play space;

- b. out-of-school care centres, or those facilities that provide care for school-aged children before and after school, at lunch, and those days schools are closed, shall provide at least 7 m² of outdoor play space per child. This space does not have to be fenced or adjacent to the facility. Alternative play space, such as a public park, is acceptable as long as the alternative play space is within 500.0 m walking distance of the facility;
- c. daycare centres, or those facilities that provide regular and extended periods of care for pre-school-aged children for more than three but less than 24 consecutive hours each day, shall provide outdoor play space and include the following elements:
 - i. each facility shall provide at least 7 m² of outdoor play space per child and this space shall be abutting the daycare facility;
 - ii. outdoor play space shall be located at ground level in a safe location. Noisy, noxious or hazardous adjacent Uses such as loading/unloading areas, garbage bins, large parking lots, arterial roads, passenger drop-off areas, rail lines, Light Rail Transit lines or stormwater lakes should either be avoided or their effects mitigated through Landscaping, buffering, fencing, or other means;
 - iii. if no reasonable or safe opportunity exists for at grade outdoor play space, the Development Officer may approve an above grade outdoor play space provided that the following conditions are met:
 - a. secure perimeter fencing is provided that is at least 1.83 m in height and is set back a reasonable distance from the edge of the building and designed so that children cannot climb over it;
 - b. roof top mechanical equipment is located a reasonable distance away from the play space to avoid sources of noise and fumes unless, the mechanical equipment is designed so that it does not create adverse effects related to noise and fumes and can be integrated into the play area;
 - c. all landscaping and playground equipment is securely anchored against the effects of wind and normal use; and
 - d. the play space and location of playground equipment is designed to provide a safe location for the play space;
 - iv. outdoor play space shall be securely enclosed on all sides with the exception for developments proposed on zoned Sites US and AP where existing play fields are proposed as outdoor play space;

- v. in a Residential Zone, outdoor play space may be allowed in any required Yard, providing it is designed to limit any interference with other Uses, or the peaceful enjoyment of the properties of nearby residents, through landscaping, buffering and the placement of fixed play equipment;
 - vi. in any Non-residential Zone, the outdoor play space shall not be located in any required Yard that abuts a public roadway unless the design, size and other characteristics of the proposed play space shall mitigate the potential impact of the traffic on the public roadway on children using the play space;
 - vii. the length of the outdoor play space shall be no more than 1.5 times the width to maximize the usability of the space and allow opportunities for a variety of outdoor activities;
 - viii. the outdoor play space shall have a shaded area, wind protection, adequate sunlight, and 25% of the total required area shall have a hardsurface for the use of wheeled toys; and
 - ix. in the case of a Child Care Service Use that includes both a daycare centre and an out-of-school care centre, the facility must meet the outdoor play space requirements of each facility;
- 2. exterior lighting of the facility shall provide for a well lit environment;
 - 3. parking shall be provided according to the regulations outlined in Schedule 1 to Section 54 of this Bylaw. In addition, drop-off parking shall be provided as follows:
 - a. a separate on-site drop-off area shall be provided at the rate of one On-site Drop-off Space for every ten children;
 - b. each drop-off space shall be a minimum of 2.6 m in width and a minimum of 5.5 m in length; and
 - c. the Drop-Off area shall be located within 60.0 m from the main entrance of the Child Care Service facility;
 - 4. all major indoor play spaces used by children shall have direct source of natural light from windows with an area equivalent to a minimum of 10% of the total Floor Area of the room;

5. in Residential Zones, the following conditions shall apply:
 - a. in all low density Residential Zones the Development Officer shall, in making a decision on the suitability of the Child Care Service for the location proposed, give preference to those facilities that would be located on a collector or an arterial road, on a corner Site, adjacent to or in community facilities such as a school, park, church or community centre, or adjacent to commercial areas or multi-family development;
 - b. Child Care Services in the HDR, RA7, RA8, RA9, RF5, RF6, RMU or TTMU Zones 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
 - c. a Child Care Service in any Residential Zone shall not change the principal character or external appearance of the Dwelling in which it is located. If a new building is constructed, it must retain the character of a residential Dwelling. Any associated signage on the Dwelling must not detract from the residential character of the neighbourhood;
6. no portion of a Child Care Service Use, including the building or bay of building and outdoor play space, shall be located within 50.0 m of a Major or Minor Service Station or a Gas Bar. This distance shall be measured from the pump island, fill pipes, vent pipes, or service station or gas bar building, depending on whichever is closest to the child care facility;
7. the Development Officer, in deciding whether to approve or refuse a Child Care Service in a Commercial Zone, shall consider the suitability of surrounding development, taking into account, among other matters, traffic, noise and proximity to hazardous uses, to ensure the proposed Child Care Service is in a safe location; and
8. all Development Permit applications for Child Care Services shall include plans that show all elevations, floor plans that show indoor play and rest areas including the location of windows, and a Site Plan that shows the required on-site parking, drop-off facilities and, where appropriate, the outdoor play area, its access from the building, location and type of fixed play equipment, shaded and sheltered areas, the hardsurfaced area, as well as fencing, Landscaping and any buffering to be provided.

81. Fraternity and Sorority Housing

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

1. the minimum Site area shall be 400 m² in all cases and a minimum of 100 m² of Site area shall be provided for each Sleeping Unit;
2. in the RF3 Zone not more than four 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 Zones, the minimum Site Width, Amenity Area and Separation Space requirements of these Zones shall not apply.

82. Residential Sales Centres

The following regulations shall apply to all Residential Sales Centres except those developments provided for in subsections 12.2(8) and 12.2(15) 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 60.0 m of existing development, the applicant shall demonstrate that sufficient parking is available on or adjacent to the Site so that parking congestion shall 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 m² of Floor Area of the Residential Sales Centre;
3. the siting and development of Residential Sales Centre buildings shall comply with the regulations of the Land Use Zone applying to the Site except that:
 - a. the Development Officer may attach conditions requiring 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 hoardings or false fronts shall not exceed one Storey or 4.0 m; and
 - c. all curb crossings and access points shall be designed and located so as to minimize on-site and off-site traffic impacts and, in consultation with the Transportation and Street Department;
4. where a Site is located within a Residential Zone or is visible from residential development located within 60.0 m 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 Zones;
5. any exterior lighting shall be developed in accordance with Section 51 of this Bylaw;
6. a Development Application for a Residential Sales Centre shall be accompanied by the following information in addition to the information required by subsection 13.3 of this Bylaw:
 - a. a context plan identifying the nature of the land uses and development within a 60.0 m 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 shall be displayed on a hoarding or false front; and
 - d. drawings showing the area, Height, construction materials and method of support for any proposed off-site Directional Signs that shall exceed 1.0 m² in area 1.5 m in Height, and a description of the proposed location for the Signs; and
7. 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.

83. Adult Mini-Theatre

An Adult Mini-Theatre shall comply with the development regulations of the Zone in which it is to be located, subject to the following exceptions:

1. there shall be no minimum Site area requirement; and
2. an Adult Mini-Theatre shall be located only on a Site with a minimum radial separation distance of 150.0 m or more from the property line of any Site zoned residential, any Site with an existing Public or Private Education Service, any Site with an existing Religious Assembly, Public Park or other Use that may have a playground as an ancillary element, and any Site with another existing Adult Mini-Theatre.

84. Recycled Materials Drop-off Centres

A Recycled Materials Drop-off Centre shall comply with the following regulations:

1. the maximum area of this Use Class on a given Site shall not exceed 650 m² ;
2. the area of the Drop-off Centre shall be demarcated by a curb and temporary screening at least 1.82 m in height. When this use is Discretionary the Development Officer may attach conditions relating to the design and appearance of this screening;
3. the Drop-off Centre shall be suitable for vehicular access and egress;
4. Landscaping shall be placed along the sides of the Drop-off Centre that are visible from any adjacent roadway, not including a Lane, or are visible from adjacent lands Sites zoned residential. The Landscaping shall consist of coniferous trees and shrubs, or a mix of coniferous and deciduous trees and shrubs, of a height and density sufficient to substantially screen the development from view from an adjacent roadway, not including a Lane, or adjacent Sites zoned residential. Such Landscaping may be placed in temporary, movable planters or containers;
5. any on-site lighting provided specifically for a Drop-off Centre development shall comply with the provisions of Section 51 of this Bylaw; and
6. any signage placed on or within a Drop-off Centre shall comply with both the applicable Sign regulations contained in Section 59 of this Bylaw, and the applicable Sign Schedule for the Land Use Zone governing the Site on which the Drop-off Centre is located.

85. Major and Minor Alcohol Sales

Major and Minor Alcohol Sales shall comply with the following regulations:

1. the Development Officer may require lighting, signage or screening measures that, in his opinion, make the proposed development compatible with adjacent or nearby residential or commercial development;
2. the Development Officer may require that a Traffic Impact Study be conducted for Major Alcohol Sales Use Classes prior to the issuance of a Development Permit, if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. This Traffic Impact Study shall be prepared to the satisfaction of the Transportation and Streets Department;
3. any Site containing Major or Minor Alcohol Sales Use Classes shall not be located closer than 100.0 m to any Site being actively used for community or recreation activities, public parks, or public or private education at the time of the application for the Development Permit for the Alcohol Sales Use Class. Sites that are greater than 2 ha in size and that are zoned either as CSC or as DC2, are exempted from this restriction. For the purposes of this subsection only:
 - i. the 100.0 m separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
 - ii. the term "community or recreation activities" is limited to Community Recreation Services Uses, as defined in subsection 7.9(1) of this Bylaw, which includes community league buildings and facilities, and children's playgrounds and play areas. This term does not include arenas or other public assembly Uses, Child Care Services, Public Libraries or Religious Assemblies;
 - iii. the term "public or private education facilities" is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other commercial schools; and
 - iv. the term "public parks" is limited to park Sites zoned as AP Zone, and active recreation areas in the river valley that are zoned as A Zone; it does not include passive river valley areas and other areas zoned as Zone; and

4. the Development Officer may consider Crime Prevention Through Environmental Design Criteria by ensuring:
 - a. the exterior of all stores have ample glazing from the street to allow natural surveillance;
 - b. exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society;
 - c. any landscaping around the facilities be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;
 - d. no customer parking is in behind a facility and that all parking areas in front of the building be well-lighted; and
 - e. customer access to the store is limited to a store front that is visible from the street, shopping centre parking lot or a mall access that allows visibility from the interior.

86. Secondary Suites

A Secondary Suite shall comply with the following regulations:

1. the Floor Area occupied by a Secondary Suite shall be considered as part of the principal Use of the structure for the purpose of calculating Site Coverage;
2. there shall be no more than one Secondary Suite developed in conjunction with a principal Dwelling;
3. in developing a Secondary Suite, the owner shall comply with all relevant requirements of the Alberta Building Code, as amended from time to time;
4. on-site parking shall be required in accordance with Section 54 of this Bylaw;
5. notwithstanding subsection 6.1(34) of this Bylaw, the number of unrelated persons occupying a Secondary Suite shall not exceed three; and
6. the principal Use in the structure intended to contain the Secondary Suite shall exist prior to the application for the Development Permit for the Secondary Suite.

*Bylaw 12961
February 4, 2002*

87. Uses With Special Siting, Access and Traffic Impact Requirements

1. The siting, vehicular access and traffic movements generated by the development of the following Use Classes may be reviewed by the Transportation and Streets Department, to ensure that the traffic impacts generated by these developments are acceptable and do not prejudice safety and traffic movements on adjacent public roadways:
 - a. Child Care Services, where a passenger drop-off area is to be provided;
 - b. General Retail Uses with more than 2 500 m² of Floor Area;
 - c. Hotels;
 - d. Major Amusement Establishments;
 - e. Bars and Neighbourhood Pubs;
 - f. Nightclubs
 - g. Professional, Financial and Office Support Services;
 - h. Spectator Entertainment Establishments; and
 - i. Warehouse Sales.
2. The Development Officer, based upon the advice of the Transportation and Streets Department, may as a condition of approval, limit the gross Floor Area and seating capacity for any of the Use Classes listed in this section, in order to minimize the adverse traffic impact of the development.

88. Food and Beverage, Hotel and Entertainment Uses

1. Any application for a Development Permit for a Hotel, an Indoor Participant Recreation Service, a Neighbourhood Pub and Bar, a Nightclub, a Motel, a Private Club, a Spectator Entertainment Establishment, or any combination thereof, where parking is required pursuant to subsection 54.2, Schedule 1 of this Bylaw for combined seating and/or occupancy by 500 patrons or more, and where the full provision of such parking is not provided for in the application, shall include a comprehensive Parking Demand Study. This Study shall contain, but not be limited to, the following:
 - a. design of the proposed development;
 - b. the parking requirements of all Use Classes within the development in accordance with the standards identified in Schedule 1 to Section 54 of this Bylaw;

- c. the amount and location of parking available on the Site and available on nearby Sites; and
 - d. the means by which sufficient parking and circulation are to be provided for the proposed development, if not fully available on site.
2. The Development Officer shall review such a Parking Demand Study, in consultation with the Transportation and Streets Department, in order to determine the appropriate number and location of parking spaces for the development. This number may be higher or lower than the standard identified for parking in Section 54.2, Schedule 1 of this Bylaw, at the discretion of the Development Officer, based on the individual circumstances of the application, such as excessive demand for parking during certain hours, the staggered hours of operation of some Uses on the Site, which may allow complementary use of parking stalls, or the availability of guaranteed off site parking.

89. *Outdoor Seating Associated With Speciality Food Services, Restaurants, Bars and Neighbourhood Pubs, and Nightclubs*

1. If any Specialty Food Service, Restaurant, Bar and Neighbourhood Pub or Nightclub abuts or is across a Lane from a Site zoned residential or a Site with a residential development, the Development Officer shall draw a line parallel to the boundary or Lane separating each such residential development or Zone and bisecting the Site containing the Specialty Food Service, Restaurant, Bar and Neighbourhood Pub or Nightclub Uses and shall not allow any outdoor seating on the side of any such line that is closest to the Residential Zone or development.
2. Outdoor speakers or amplification systems shall not be allowed on a Site that abuts or is across the Lane from a Site zoned residential.

90. *Flea Markets*

A Flea Market shall comply with the following regulations:

1. no Flea Market shall be developed within 50.0 m of a Residential Zone. This distance shall be measured from the closest portion of the Site containing the Flea Market to the closest portion of a Residential Zone;

2. parking shall be provided in accordance with the provisions of Section 54.2, Schedule 1, subject to the following additional regulations:
 - a. no more than 33% of the minimum required on-site parking, as specified in Schedule 1 shall be allowed on nearby properties as prescribed in subsection 54.2(2)(b) of this Bylaw. Parking for Flea Markets provided in excess of the minimum requirement is not subject to this provision;
 - b. for Flea Markets located on Sites where on-site parking is shared with other businesses having space in the same building or complex, the calculation for required parking shall not include parking spaces required for these other businesses, subject to clause (c) below; and
 - c. the Development Officer may allow use of off-site or other on-site parking spaces used by other businesses to fulfil up to 33% of the minimum parking requirement for the Flea Market, if these other businesses have hours of operation that have no overlap with the hours of operation of the Flea Market, and if the applicant can produce a written agreement with the owners/lessees of such other businesses that guarantees the complementary use of these spaces to the satisfaction of the Development Officer; and
3. Sites containing Flea Market development should have direct vehicular access to arterial roadways, unless the Site is located within an industrial park. The Development Officer shall consult with the Transportation and Streets Department to determine if vehicular access to a Flea Market Site is satisfactory.

Residential Zones

110. (RF1) Single Detached Residential Zone

110.1 General Purpose

The purpose of this Zone is to provide primarily for Single Detached Housing.

110.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Single Detached Housing
4. Fascia On-premises Signs

110.3 Discretionary Uses

1. Child Care Services
2. Group Homes
3. Major Home Based Business
4. Religious Assembly
5. Residential Sales Centre
6. Semi-detached Housing, Duplex Housing and Secondary Suites, where the Side Lot Line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide
7. Freestanding On-premises Signs
8. Temporary On-premises Signs

110.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site area shall be 360 m² per Dwelling.
2. The minimum Site Width shall be 12.0 m.
3. The minimum site depth shall be 30.0 m.
4. The maximum Height shall not exceed 10.0 m nor 2 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 Site Coverage for the principal building shall be 40%.
6. The minimum Front Yard shall be 6.0 m.
7. The minimum Rear Yard shall be 7.5 m, except in the case of a corner Site it shall be 4.5 m.
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, except that the minimum Side Yard for buildings over 7.5 m in Height shall be 2.0 m;
 - b. where there is no Lane abutting the Site, one Side Yard shall be at least 3.0 m for vehicular access, unless there is an attached Garage or a Garage that 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; and
 - 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.
9. Separation Space shall be provided between two or more Dwellings or portions thereof on the same Site, in accordance with Section 48 of this Bylaw.
10. Except where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this Zone, and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.
11. Signs shall comply with the regulations found in Schedule 59A.

110.5 Additional Development Regulations for Discretionary Uses

1. Notwithstanding Section 110.4, Semi-detached and Duplex Housing, and Secondary Suites shall be developed in accordance with the provisions of the RF2 Zone.
2. The Development Officer may exercise discretion in considering Secondary Suite development having regard to:

- a. compatibility of the Use with the siting, Grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development, where a Secondary Suite is developed in whole or in part as an above grade addition to an existing residential structure;
- b. the effect on the privacy of adjacent properties; and
- c. the policies and guidelines for Secondary Suite Housing contained in a Statutory Plan.

115. (RSL) Residential Small Lot Zone

115.1 General Purpose

The purpose of this Zone is to provide for smaller lot Single Detached Housing with attached Garages in a suburban setting that provides the opportunity for the more efficient utilization of undeveloped suburban areas.

115.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Single Detached Housing
4. Fascia On-premises Signs

115.3 Discretionary Uses

1. Child Care Services
2. Group Homes
3. Major Home Based Business
4. Religious Assembly
5. Residential Sales Centre
6. Semi-detached Housing, Duplex Housing and Secondary Suites, where the Side Lot Line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.4 m wide
7. Freestanding On-premises Signs
8. Temporary On-premises Signs

115.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site area shall be 312 m² per Dwelling.
2. The minimum Site Width shall be 10.4 m. In the RSL Zone the Site Width on pie shaped lots shall be measured 9 m into the Site from the front property line.
3. The minimum Site depth shall be 30.0 m.
4. The maximum Height shall not exceed 10.0 m nor 2 1/2 Storeys.
5. The maximum total Site Coverage shall not exceed 45%, inclusive of the attached Garage and any other Accessory Buildings.
6. The minimum Front Yard shall be 5.5 m.
7. The minimum Rear Yard shall be 7.5 m, except in the case of a corner Site it shall be 4.5 m.
8. Side Yards shall be established on the following basis:
 - a. Side Yards shall be a minimum of 1.2 m;
 - b. 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; and
 - 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.
9. Single Detached Housing shall be developed in accordance with the following regulations:
 - a. all Dwellings shall include a front attached Garage;
 - b. identical floor plans with similar front elevations must be separated by a minimum of one lot unless finishing treatments are substantially different;
 - c. the Development Officer may require a graduated transition between different housing styles which shall be accommodated by varied roof lines, architectural projections and the interjection of bi-level or split-level designs between bungalow and two Storey designs; and
 - d. Dwellings on corner Sites shall have flanking side treatments similar to the front elevation.
10. Separation Space shall be provided in accordance with Section 48 of this Bylaw, except that Separation Space shall not be required between Dwellings where a minimum Side Yard of 1.2 m has been provided on the abutting lot.

11. Except where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this Zone, and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.
12. Signs shall comply with the regulations found in Schedule 59A.

115.5 Additional Development Regulations for Discretionary Uses

1. In addition to subsection 115.4, Semi-detached and Duplex Housing, and Secondary Suites in this Zone, shall be developed in accordance with the provisions of the RF2 Zone.
2. The Development Officer may exercise discretion in considering Secondary Suite development having regard to:
 - a. compatibility of the Use with the siting, Grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development, where a Secondary Suite is developed in whole or in part as an above grade addition to an existing residential structure;
 - b. effect on the privacy of adjacent properties; and
 - c. the policies and guidelines for Secondary Suite Housing contained in a Statutory Plan.

120 (RF2) Low Density Infill Zone

120.1 General Purpose

The purpose of the Zone to retain Single Detached Housing, while allowing sensitive infill at a slightly higher density.

120.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Single Detached Housing
4. Fascia On-premises Signs

120.3 Discretionary Uses

1. Child Care Services
2. Duplex Housing and Secondary Suites, where the Side Lot Line abuts a Site in an Industrial, Commercial, Row Housing or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide
3. Group Homes
4. Major Home Based Business
5. Religious Assembly
6. Residential Sales Centre
7. Semi-detached Housing
8. Freestanding On-premises Signs
9. Temporary On-premises Signs

120.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site area shall be 360 m² for each Single Detached Dwelling, 300 m² for each Duplex or Semi-detached Dwelling, and 100 m² for each Secondary Suite.
2. The minimum Site Width shall be 7.5 m for each Duplex or Semi-detached Dwelling and 12.0 m for each Single Detached Dwelling, with or without a Secondary Suite.
3. The minimum Site depth shall be 30.0 m.
4. The maximum Height shall not exceed 10.0 m nor 2 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 6.0 m.
7. The minimum Rear Yard shall be 7.5 m, except in the case of a corner Site it shall be 4.5 m.
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, except that the minimum Side Yard for buildings over 7.5 m in Height shall be 2.0 m;
 - 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 of 4.5 m; and

- 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.

*Bylaw 13117
July 8, 2002*

9. Separation Space shall be provided between two or more Dwellings or portions thereof on the same Site, in accordance with Section 48 of this Bylaw.
10. Except where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this Zone and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.
11. Signs shall comply with the regulations found in Schedule 59A.
12. Notwithstanding the Landscaping regulations of Section 55 of this Bylaw, where new development consists of replacement or infill within areas of existing housing, landscaping shall be implemented as a component of such new development in order to replace vegetation removed during construction or to reinforce an established landscaping context in the area.

120.5 Additional Development Regulations for Discretionary Uses

1. The Development Officer may exercise discretion in considering Duplex, Semi-detached Housing and Secondary Suite development having regard to:
 - a. compatibility of the Duplex or Semi-detached Housing Use with the siting, Grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development, or where a Secondary Suite is developed in whole or in part as an above grade addition to an existing residential structure;
 - b. the effect on the privacy of adjacent properties; and
 - c. the policies and guidelines for Duplex and Semi-detached Housing and Secondary Suite development contained in a Statutory Plan for the area.

130. (RPL) Planned Lot Residential Zone

130.1 General Purpose

The purpose of this Zone is to provide for small lot Single Detached Housing that provides the opportunity for the more efficient utilization of suburban areas, while maintaining the privacy and independence afforded by Single Detached Housing forms; and also, a Zone that provides greater flexibility for infill development.

130.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Single Detached Housing
4. Fascia On-premises Signs

130.3 Discretionary Uses

1. Child Care Services
2. Group Homes
3. Major Home Based Business
4. Residential Sales Centre
5. Freestanding On-premises Signs
6. Temporary On-premises Signs

130.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Area shall be 270 m² except that:

*Bylaw 12923
March 15, 2002*

- a. the minimum Site Area shall be 258 m² for Sites with a Site Width of less than 9.0 m and not less than 8.6 m; and
- b. the minimum Site Area shall be 270 m² for Sites in neighbourhoods located within the boundary of the Mature Neighbourhood Overlay.

2. The minimum Site Width shall be 9.0 m; except that:

*Bylaw 12923
March 15, 2002*

- a. the minimum Site Width shall be 8.6 m for up to 30% of the RPL Sites within a registered plan of subdivision; and
- b. the minimum Site Width shall be 9.0 m for Sites in neighbourhoods located within the boundary of the Mature Neighbourhood Overlay.

3. The minimum Site Depth shall be 30.0 m.
4. The maximum Height shall not exceed 10.0 m nor 2 ½ Storeys.

5. The following minimum Yards shall be provided on each lot or potential lot:
 - a. the minimum Front Yard shall be 4.5 m; however, the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face, may increase the Front Yard requirement to improve sunlight exposure, views, privacy and to add general interest to the streetscape;
 - b. identical floor plans with similar front elevations must be separated by a minimum of one lot unless finishing treatments are substantially different;
 - c. the Development Officer may require a graduated transition between different house styles, which shall be accommodated by varied roof lines, architectural projections, and the interjection of bi-level or split level designs between bungalow and two-Storey designs;
 - d. corner Sites shall have flanking side treatments similar to the front elevation;
 - e. the minimum required Side Yard shall be 1.2 m; and
 - f. the minimum Side Yard abutting a public roadway other than a Lane shall be 20% of the Site Width or 2.4 m, whichever is greater. 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. The minimum Side Yard abutting a Lane shall be 1.2 m.
6. Notwithstanding subsection 130.4(5)(e) above, the Development Officer may exercise his variance power to allow the Side Yard to be less than 1.2 m where:
 - a. the wall facing onto such Side Yard shall be a blank wall; and
 - b. a maintenance easement shall be granted by the owner of the adjacent lot that shall:
 - i. be registered by caveat against the title of the adjacent lot; and
 - ii. include any required encroachment easements to establish a minimum separation distance of 2.4 m.
7. The Rear Yard shall be based on a consideration of the requirements of clauses 8., 9., 10. and 11. and in no case shall be less than 4.0 m.
8. The maximum total Site Coverage shall not exceed 47% with a maximum of 35% for a principal building, and a maximum Site Coverage of 17% for Accessory buildings. Where a Garage is attached to or designed as an integral part of a Dwelling, the maximum Site Coverage for the principal building shall be 47%.

9. Separation Space shall be provided in accordance with Section 48 of this Bylaw, except that Separation Space shall not be required between Dwellings where a minimum Side Yard of 1.2 m has been provided on the abutting Site.
10. A minimum private yard area of 30 m² 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 4.0 m. This minimum private yard may be located within a required Yard, other than a Front Yard. This yard shall be permanently retained as open space, unencumbered by an Accessory Building or future additions.
11. One Garage, or site for one Garage shall be clearly demarcated both on the Site and on the plan accompanying any application for a principal building, and access to one Garage or Garage Site, per Dwelling shall be provided on the Site, located in accordance with the regulations of this Bylaw. A granular parking pad a minimum of 4.5 m in width and a minimum of 5.5 m in length shall be constructed at the rear of each lot.
12. All roof drainage shall be directed away from buildings and to a public roadway, including a Lane, or to a drainage work. Applications for a Development Permit shall include a detailed drainage plan showing the proposed drainage of the Site.
13. 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 activities typical of Rear Yard use.
14. Individual Development Permit applications shall be evaluated in terms of compatibility with existing structures on the block face, taking into account proposed development Setbacks, Dwelling entrances and orientation, massing, roof-lines, the location of windows and other openings in walls and elevational treatment of wall openings, building façades, and finishing materials.
15. 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 and elevational treatment of wall openings, building façades, and finishing materials for all of the developments. The Development Officer shall require that the exteriors of the Dwellings that are the subject of the applications provide individuality and variety of building design in terms of Setbacks, entrances, elevations and finishing materials.
16. New plans of subdivision for RPL development must ensure that each proposed lot is serviced by both a public roadway and a Lane.

17. General Site Landscaping shall be developed in accordance with the following:
 - a. one deciduous tree, one coniferous tree and four shrubs shall be required for each Dwelling;
 - b. all applications for a Development Permit shall include a site plan that identifies the location, species and size of landscaping required in subsection 130.4(17)(a);
 - c. the required Site Plan shall also identify the proposed Landscaping and screening for any required private yard area, which is not provided with external access from a Lane, Side Yard or passageway through a Garage; and
 - d. all required Landscaping shall be consistent with the relevant requirements of subsection 55.4.
18. A maximum of one Dwelling per lot shall be allowed.
19. Signs shall comply with the regulations found in Schedule 59A.

140. (RF3) Low Density Development Zone

140.1 General Purpose

The purpose of this Zone is to provide 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. Duplex Housing and Secondary Suites, where the Side Lot Line abuts a site in an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide
2. Limited Group Homes
3. Minor Home Based Business
4. Semi-detached Housing
5. Single Detached Housing
6. Fascia On-premises Signs

140.3 Discretionary Uses

1. Apartment Housing or Stacked Row Housing, provided that each building contain not more than four Dwellings
2. Boarding and Lodging Houses
3. Child Care Services
4. Duplex Housing and Secondary Suites, other than those that are permitted
5. Fraternity and Sorority Housing, where lawfully existing on a Site within the Garneau Area Redevelopment Plan area at the effective date of Bylaw 6220
6. Group Homes
7. Major Home Based Business
8. Religious Assembly
9. Residential Sales Centre
10. Row Housing, except Semi-detached Housing, in buildings of up to four Dwellings, each Dwelling having Frontage on a public roadway, other than a Lane
11. Freestanding On-premises Signs
12. Temporary On-premises Signs

140.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site area shall be provided as follows:
 - a. 360 m² for each Single Detached Dwelling;
 - b. 300 m² for each Semi-detached or Duplex Dwelling;
 - c. 200 m² for each Row Housing end Dwelling that is not a Semi-detached Dwelling;
 - d. 150 m² for each Row Housing internal Dwelling;
 - e. 100 m² for each Secondary Suite; and
 - f. 800 m² for each Apartment Housing or Stacked Row Housing Development.

2. The minimum site width shall be provided as follows:
 - a. 12.0 m for each Single Detached Dwelling, with or without a Secondary Suite;
 - b. 7.5 m for each Semi-detached or Duplex Dwelling;
 - c. 6.0 m for each Row Housing end Dwelling that is not a Semi-detached Dwelling;
 - d. 5.0 m for each Row Housing internal Dwelling; and
 - e. 20.0 m for each Apartment Housing or Stacked Row Housing development.
3. The minimum Site depth shall be 30.0 m;
4. The maximum Height shall not exceed 10.0 m nor 2 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 is 40%.
6. The minimum Front Yard shall be 6.0 m
7. The minimum Rear Yard shall be 7.5 m, except in the case of a corner Site it shall be 4.5 m.
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 with a minimum Side Yard of 1.2 m except that the minimum Side Yard for buildings over 7.5 m in Height shall be 2.0 m;
 - 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; and
 - 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;
9. Separation Space shall be provided between two or more Dwellings or portions thereof on the same Site, in accordance with Section 48 of this Bylaw.
10. Notwithstanding the Landscaping regulations of Section 55 of this Bylaw, where new development consists of replacement or infill within areas of existing housing, Landscaping shall be implemented as a component of such new development in order to replace vegetation removed during construction or to reinforce an established Landscaping context in the area.

11. Where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this Zone, a maximum of two Dwellings per lot shall be allowed. Where Single Detached Housing is developed in this Zone, a maximum of one Dwelling per lot shall be allowed.
12. Signs shall comply with the regulations found in Schedule 59A.

140.5 Additional Development Regulations for Discretionary Uses

1. For Boarding and Lodging Houses, the following regulations shall apply:
 - a. no more than four Sleeping Units may be developed, whether or not in combination with a Dwelling;
 - b. the minimum Site area shall be 360 m² in all cases and the Site area shall be comprised of the aggregate of 200 m² for each Sleeping Unit, or for each of the Dwelling and each Sleeping Unit when they are in combination; and
 - 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.
2. The Development Officer shall have regard to the following guidelines when exercising discretion in considering applications for Stacked Row Housing and Apartment Housing:
 - a. the Use is compatible with the siting, Grade elevations, and Height of surrounding development;
 - b. the Side Lot Line abuts a Site zoned for an Industrial, Commercial, or Urban Service Zone or a Residential Zone where Single Detached Housing is not a Permitted Use, or is not separated from it by a public roadway more than 10.0 m wide;
 - c. the Site is a Corner Site or is adjacent to a Site containing a Row Housing, Stacked Row Housing or Apartment Housing development; and
 - d. the Use does not substantially affect privacy of adjacent properties.

150. (RF4) Semi-detached Residential Zone

150.1 General Purpose

The purpose of this Zone is to provide a zone primarily for Semi-detached Housing.

150.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Semi-detached Housing
4. Single Detached Housing
5. Fascia On-premises Signs

150.3 Discretionary Uses

1. Child Care Services
2. Duplex Housing
3. Group Homes
4. Major Home Based Business
5. Religious Assembly
6. Residential Sales Centre
7. Secondary Suites
8. Freestanding On-premises Signs
9. Temporary On-premises Signs

150.4 Development Regulations for Permitted and Discretionary Uses

*Bylaw 12923
March 15, 2002*

1. The minimum Site Area shall be established on the following basis:
 - a. the minimum Site Area shall be 360 m² for Single Detached Housing, 225 m² for each Semi-detached, or Duplex Dwelling, and 100 m² for each Secondary Suite; and
 - b. the minimum Site Area shall be 360 m² for Single Detached Housing, 300 m² for each Semi-detached, or Duplex Dwelling, and 100 m² for each Secondary Suite for Sites in neighbourhoods located within the boundary of the Mature Neighbourhood Overlay.
2. The minimum Site Width shall be 7.5 m for each Semi-detached or Duplex Dwelling and 12.0 m for each Single Detached Dwelling, with or without a Secondary Suite.
3. The minimum Site Depth shall be 30.0 m.

4. The maximum Height shall not exceed 10.0 m nor 2 1/2 Storeys.

*Bylaw 12923
March 15, 2002
Bylaw 13259
January 22, 2003*

5. Site Coverage shall be established on the following basis:
 - a. 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%; and
 - b. if the Site Width is less than 9.2 m, the maximum total Site Coverage shall not exceed 43%, with a maximum of 28% for a principal building and a maximum of 17% 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 established on the following basis:
 - a. 6.0 m for Single Detached Housing;

*Bylaw 12923
March 15, 2002*

- b. 5.5 m for Semi-detached or Duplex Housing with front access to required off-street parking space or an attached Garage or a Garage that is an integral part of the Dwelling; and
 - c. 4.5 m for Semi-detached or Duplex Housing with rear or flanking access to required off-street parking space or a Garage.
7. The minimum Rear Yard shall be 7.5 m, except in the case of a corner Site where it shall be 4.5 m.
8. Side Yards shall be established on the following basis:
 - a. Side Yards shall be a minimum of 1.2 m;
 - b. where there is no Lane abutting the Site, one Side Yard shall be at least 3.0 m for vehicular access, unless there is an attached Garage or a Garage that 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; and
 - 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.

*Bylaw 12923
March 15, 2002
Bylaw 13259
January 22, 2003*

9. If the Semi-detached Housing includes an attached Garage or a Garage that is an integral part of the Dwelling, and if:
 - a. Site Width is less than 8.6 m; and
 - b. access is provided from a fronting public roadway
 - c. the Garage may protrude a maximum of 2.5 m beyond the front wall and entry of the Dwelling and have a maximum width of 5.6 m. There shall be a minimum of 1.8 m frontage of the first storey of the principal building, other than a Garage, such that the front entry to the Dwelling is exposed to the public roadway.

*Bylaw 12923
March 15, 2002*

10. Where the required off-street parking space is located at the rear of any Site for Semi-detached or Duplex Housing, a Garage site shall be clearly demarcated both on the Site and on the plan accompanying any application for a principal building, and access to one Garage or Garage site per Dwelling shall be provided on the Site, located in accordance with the regulations of this Bylaw. A granular or paved parking pad a minimum of 4.5 m in width and a minimum of 5.5 m in length shall be constructed for each Dwelling at the rear of each Site.
11. General Site Landscaping shall be developed in accordance with the following:

*Bylaw 12923
March 15, 2002*

- a. one deciduous tree or one coniferous tree, and two shrubs shall be required in the Front Yard for each Dwelling;
 - b. all applications for a Development Permit shall include a Site plan that identifies the location, species and size of Landscaping required in subsection 150.4(11)(a); and
 - c. all required Landscaping shall be consistent with the relevant requirements of subsection 55.4.
12. Separation Space shall be provided in accordance with Section 48 of this Bylaw, except that Separation Space shall not be required between Dwellings where a minimum Side Yard of 1.2 m has been provided on the abutting lot;
 13. Where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this Zone, a maximum of two Dwellings per lot shall be allowed. Where Single Detached Housing is developed in this Zone, a maximum of one Dwelling per lot shall be allowed.
 14. Signs shall comply with the regulations found in Schedule 59A.

160. (RF5) Row Housing Zone

160.1 General Purpose

The purpose of this Zone is to provide for relatively low to medium density housing, generally referred to as Row Housing.

160.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Row Housing, including Semi-detached Housing, on a Site of 1.4 ha or less
4. Fascia On-premises Signs

160.3 Discretionary Uses

1. Child Care Services
2. Group Homes
3. Major Home Based Business
4. Religious Assembly
5. Residential Sales Centre
6. Row Housing, including Semi-detached Housing, on a Site larger than 1.4 ha
7. Secondary Suites, where developed within a Single Detached Housing form
8. Single Detached Housing
9. Stacked Row Housing, provided that each building contain not more than four 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. Freestanding On-premises Signs
11. Temporary On-premises Signs

160.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Density shall be 42 Dwellings/ha; provided that this shall be increased by 1 Dwelling/ha for every 6 required resident parking spaces and associated maneuvering aisles which are provided underground, up to a maximum density of 54 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above the grade of the surface covering such parking shall be less than 1.0 m; 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 10.0 m nor 2½ 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 6.0 m.
5. The minimum Rear Yard shall be 7.5 m.
6. Minimum Side Yards of 2.0 m each shall be provided, except that where the Side Yard abuts a flanking public roadway other than a Lane, not less than 4.5 m shall be provided.
7. Separation Space shall be provided in accordance with Section 48 of this Bylaw.
8. Minimum Private Outdoor Amenity Areas, at grade, of 30 m² 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 m² of Amenity Area per Dwelling shall be provided as communal recreational space, and be aggregated into areas of not less than 50 m².
10. Dwellings shall be Family Oriented, in accordance with the requirements of this Bylaw.
11. Notwithstanding the other regulations of this Zone, where Stacked Row Housing or Row Housing developments abut a Site zoned to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:

- a. a minimum landscaped Setback of 7.5 m shall be required from any Stacked Row House or Row House unit to any property line common with Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may use his variance power to reduce this minimum Setback to a minimum of 3.0 m against the flanking wall of a Stacked Row House or Row House unit where:
 - i. the unit is part of an infill redevelopment in an inner city area of existing development; and
 - ii. where lot dimensions prevent large Setbacks within such infill projects.

The Development Officer shall not reduce the 7.5 m minimum Setback for Stacked Row Housing or Row Housing in new suburban developments;

- b. no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m of any property line that abuts a Site zoned to allow Single Detached Housing as a Permitted Use;
- c. a solid screen fence, 1.83 m in height, shall be installed along all property lines that abut a Site zoned to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;
- d. design techniques including, but not limited to, the use of sloped roofs, variations in building Setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways; and
- e. building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing.
- f. shall comply with the regulations found in Schedule 59A.

160.5 Additional Development Regulations for Discretionary Uses

1. Notwithstanding subsection 160.4, Single Detached Housing in this Zone shall be developed in accordance with the provisions of the RF1 Zone and Semi-detached Housing and Secondary Suites in this Zone shall be developed in accordance with the provisions of the RF2 Zone.

170. (RF6) Medium Density Multiple Family Zone

170.1 General Purpose

The purpose of this Zone is to provide for medium density housing, where some units may not be at grade.

170.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Stacked Row Housing, including Row Housing, Semi-detached Housing and Duplex Housing, on a Site 1.4 ha or less
4. Fascia On- premises Signs

170.3 Discretionary Uses

1. Child Care Services
2. Fraternity and Sorority Housing, where lawfully existing on a site within the Garneau Area Redevelopment Plan area at the effective date of Bylaw 6220
3. Group Homes
4. Major Home Based Business
5. 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
6. Religious Assembly
7. Residential Sales Centre
8. Secondary Suites, where developed within a Single Detached House
9. Single Detached Housing
10. Stacked Row Housing including Row Housing, Semi-detached Housing and Duplex Housing on a Site larger than 1.4 ha
11. Freestanding On-premises Signs
12. Temporary On-premises Signs

170.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Density shall be 80 Dwellings/ha; provided that this shall be increased by one Dwelling/ha for every six required resident parking spaces and associated maneuvering aisles which are provided underground, up to a maximum density of 105 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above grade of the surface covering such parking shall be less than 1.0 m; 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 14.0 m nor four 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 6.0 m.
5. The minimum Rear Yard shall be 7.5 m.
6. Minimum Side Yards of 1.0 m for each Storey or partial Storey shall be provided, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 4.5 m where it abuts a flanking public roadway, other than a Lane.
7. Separation Space shall be provided in accordance with Section 48 of this Bylaw.
8. Minimum Private Outdoor Amenity Area of 30 m² per Dwelling for Dwellings any part of which is contained in the lowest Storey, and 15 m² per Dwelling for Dwellings no part of which is contained in the lowest Storey shall be provided.
9. Except for developments where all Dwellings have Frontage on a public roadway, or those that contain less than 20 Dwellings, a minimum of 2.5 m² of Amenity Area per Dwelling shall be provided and be developed as communal recreational space and be aggregated into areas of not less than 50 m².
10. Dwellings shall be Family Oriented, in accordance with the requirements of subsection 6.1(23) of this Bylaw.
11. Notwithstanding the other regulations of this Zone, where Stacked Row Housing or Row Housing developments abut a Site zoned to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:
 - a. a minimum landscaped Setback of 7.5 m shall be required from any Stacked Row House or Row House Dwelling to any property line abutting Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may use his variance power to reduce this minimum Setback to a minimum of 3.0 m against the flanking wall of a Stacked Row House or Row House Dwelling where:
 - i. the Dwelling is part of an infill redevelopment in an inner city area of existing development; and
 - ii. where lot dimensions prevent large Setbacks within such infill projects.

The Development Officer shall not reduce the 7.5 m minimum Setback for Stacked Row Housing or Row Housing in new suburban developments;

- b. no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m of any property line that abuts a Site zoned to allow Single Detached Housing as a Permitted Use;
 - c. a solid screen fence, 1.83 m in Height, shall be installed along all property lines that abut a Site zoned to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;
 - d. design techniques including, but not limited to, the use of sloped roofs, variations in building Setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways; and
 - e. building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing.
12. shall comply with the regulations found in Schedule 59A.

170.5 Additional Development Regulations for Discretionary Uses

- 1. Notwithstanding subsection 170.4, Single Detached Housing in this Zone shall be developed in accordance with the provisions of the RF1 Zone, and Duplex and Semi-detached Housing and Secondary Suites in this Zone shall be developed in accordance with the provisions of the RF2 Zone.
- 2. The following regulations shall apply to Personal Service Shops and Convenience Retail Stores developments:
 - a. the total Floor Area of these Uses on any Site shall not exceed 275 m²; and
 - 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.

210. (RA7) Low Rise Apartment Zone

210.1 General Purpose

To provide a Zone for Low Rise Apartments.

210.2 Permitted Uses

1. Apartment Housing, on a Site of 1.4 ha or less, which does not isolate another Site within this Zone of less than 800 m²
2. Boarding and Lodging Houses, on a site that does not isolate another site within this Zone of less than 800 m²
3. Limited Group Homes
4. Minor Home Based Business
5. Stacked Row Housing, including Row Housing but excluding Semi-detached and Duplex Housing, on a Site of 1.4 ha or less, which does not isolate another Site within this Zone of less than 800 m²
6. Fascia On-premises Signs
7. Projecting On-premises Signs

210.3 Discretionary Uses

1. Apartment Housing, on a Site larger than 1.4 ha
2. A Permitted Use listed in this Zone, the site of which isolates another Site within this Zone of less than 800 m²
3. Child Care Services
4. Conversion of Single Detached, Semi-detached and Duplex Dwellings to Professional, Financial and Office Support Services
5. Fraternity and Sorority Housing
6. Group Homes
7. Major Home Based Business
8. 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
9. Religious Assembly
10. Residential Sales Centre
11. Secondary Suites, where developed within a Single Detached Housing form
12. Single Detached, Semi-detached, and Duplex Housing
13. Stacked Row Housing, including Row Housing on a site larger than 1.4 ha
14. Freestanding On-premises Signs
15. Temporary On-premises Signs

210.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Density shall be 125 Dwellings/ha.
2. The minimum Site Area shall be 800 m².
3. The minimum Site Width shall be 20.0 m.

*Bylaw 13117
July 8, 2002*

4. The maximum Height shall not exceed 14.0 m nor 4 Storeys. Floor Area may be developed in attic areas as additional space to a Dwelling, and not counted as a Storey, provided the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height. In cases where dormers or other windows are proposed, the development shall be considered a Discretionary Development.
5. The maximum Floor Area Ratio shall be 1.3. The maximum Floor Area Ratio may be increased to 1.4 when underground parking is provided. In such a case, the application will be a Discretionary Development.
6. The minimum Front Yard shall be 6.0 m.
7. The minimum Rear Yard shall be 7.5 m.
8. The minimum Side Yard shall be 1.0 m for each Storey or partial Storey, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 4.5 m when it abuts a flanking public roadway other than a Lane.
9. Separation Space shall be provided in accordance with Section 48 of this Bylaw;
10. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.
11. Notwithstanding the other regulations of this Zone, where Apartment Housing, Stacked Row Housing or Row Housing developments abut a Site zoned to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:
 - a. a minimum landscaped Setback of 7.5 m shall be required from any Apartment, Stacked Row House or Row House Dwelling to any property line common with Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may use his variance power to reduce this minimum Setback to a minimum of 3.0 m where an acceptable combination of screening and berming is provided to screen the parking and loading area from the abutting site;
 - b. no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m of any property line that abuts a Site zoned to allow Single Detached Housing as a Permitted Use;

- c. a solid screen fence, 1.83 m in height, shall be installed along all property lines that abut a Site zoned to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;
- d. design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways;
- e. building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing; and
- f. where Apartment Housing is to be developed directly adjacent to a Site zoned to allow Single Detached Housing as a Permitted Use, the maximum Building Height for the directly adjacent façade of such Apartment Housing shall not exceed 10.0 m nor 2 1/2 Storeys, except that such directly adjacent Apartment Housing may exceed this Height, to a maximum of 14.0 m or four Storeys, provided that the portion of the building above 10.0 m or 2 1/2 Storeys is set back or stepped back from the façade so that the adjacent Single Detached Housing shall not be adversely impacted by excessive building massing or sun/shadow.

12. Signs shall comply with the regulations found in Schedule 59B.

210.5 Additional Development Regulations for Discretionary Uses

1. Notwithstanding subsection 210.4, Single Detached, Semi-detached and Duplex Housing, and Secondary Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.
2. The following regulations shall apply to Personal Service Shops and Convenience Retail Stores development:
 - a. the total Floor Area of these Uses on any Site shall not exceed 275 m²; and
 - 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.
3. 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 Zone of less than 800 m² having regard to the location, age and nature of the use or uses on the Site that would be isolated.
4. Conversion of Single Detached, Semi-detached and Duplex Dwellings to Professional, Financial and Office Support Services shall be in accordance with Section 77 of this Bylaw.

220. (RA8) Medium Rise Apartment Zone

220.1 General Purpose

The purpose of this Zone is to provide for Medium Rise Apartments.

220.2 Permitted Uses

1. Apartment Housing on a Site of 1.0 ha or less, which does not isolate another Site within this Zone of less than 800 m²
2. Boarding and Lodging Houses, on a Site that does not isolate another Site within this Zone of less than 800 m²
3. Limited Group Homes
4. Minor Home Based Business
5. Stacked Row Housing, including Row Housing but excluding Semi-detached and Duplex Housing, on a Site of 1.0 ha or less, which does not isolate another Site within this Zone of less than 800 m²
6. Fascia On-premises Signs
7. Projecting On-premises Signs

220.3 Discretionary Uses

1. Apartment Housing, on a Site larger than 1 ha
2. Permitted Use listed in this Zone, the Site of which isolates another Site within this Zone of less than 800 m²
3. Child Care Services
4. Conversion of Single Detached, Semi-detached and Duplex Dwellings to Professional, Financial and Office and Support Services
5. Fraternity and Sorority Housing
6. Group Homes
7. Major Home Based Business
8. 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
9. Religious Assembly
10. Residential Sales Centre
11. Secondary Suites, where developed within a Single Detached Housing Form

12. Single Detached, Semi-detached and Duplex Housing
13. Stacked Row Housing, including Row Housing on a Site larger than 1 ha
14. Freestanding On-premises Signs
15. Temporary On-premises Signs

220.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Density shall be:
 - a. 125 Dwellings/ha for any Site less than 885 m²; or
 - b. 224 Dwellings/ha for any Site of 885 m² or greater.
2. The minimum Site Area shall be 800 m².
3. The minimum Site Width shall be 20.0 m.
4. The maximum Floor Area Ratio shall be 1.5.
5. The maximum Height shall not exceed 23.0 m nor six Storeys.
6. The minimum Front Yard shall be 6.0 m.
7. The minimum Rear Yard shall be 7.5 m.
8. The minimum Side Yard shall be 1.0 m for each Storey or partial Storey, up to a maximum of 4.5 m, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 4.5 m when it abuts a flanking public roadway, other than a Lane.
9. Separation Space shall be provided in accordance with Section 48 of this Bylaw.
10. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.
11. Notwithstanding the other regulations of this Zone, where Apartment Housing developments abut a site zoned to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:
 - a. a minimum landscaped Setback of 7.5 m shall be required from any Apartment, Stacked Row House or Row House Dwelling to any property line common with Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may use his variance power to reduce this minimum Setback to a minimum of 3.0 m against the flanking wall of a Stacked Row House or Row House Dwelling where:
 - i. the Dwelling is part of an infill redevelopment in an inner city area of existing development; and
 - ii. where lot dimensions preclude large Setbacks within such infill projects.

The Development Officer shall not reduce the 7.5 m minimum Setback for Apartments, Stacked Row Housing or Row Housing in new suburban developments.

- b. no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m of any property line that abuts a Site zoned to allow Single Detached Housing as a Permitted Use;
- c. a solid screen fence, 1.83 m in height, shall be installed along all property lines that abut a Site zoned to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;
- d. design techniques including, but not limited to, the use of sloped roofs, variations in building Setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways.
- e. building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing; and
- f. where Apartment Housing is to be developed directly adjacent to a site zoned to allow Single Detached Housing as a Permitted Use, the maximum Building Height for the directly adjacent façade of such Apartment Housing shall not exceed 10.0 m nor 2 1/2 Storeys, except that such directly adjacent Apartment Housing may exceed this Height, to a maximum of 14.0 m or four Storeys, provided that the portion of the building above 10.0 m or 2 1/2 Storeys is set back or stepped back from the façade such that the adjacent Single Detached Housing shall not be adversely impacted by excessive building massing or sun/shadow effects.

12. Signs shall comply with the regulations found in Schedule 59B.

220.5 Special Height Regulation

On any Site in this Zone which was zoned RA8* under Land Use Bylaw 5996, at the Effective Date of this Bylaw, and which is designated as such on the Zoning Map, the maximum Height shall be 45 m.

220.6 Additional Development Regulations for Discretionary Uses

1. Notwithstanding subsection 220.4, Single Detached, Semi-detached and Duplex Housing, and Secondary Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

2. The following regulations shall apply to Personal Service Shops and Convenience Retail Stores:
 - a. the total Floor Area of these Uses on any Site shall not exceed 275 m² ;
 - 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.
3. The Development Officer may exercise his discretion in considering Apartment Housing or Boarding and Lodging Houses, which would isolate another Site within this Zone of less than 800 m², having regard to the location, age and nature of the Use or Uses on the Site that would be isolated.

230. (RA9) High Rise Apartment Zone

230.1 General Purpose

The purpose of this Zone is to provide for High Rise Apartment Buildings.

230.2 Permitted Uses

1. Apartment Housing on a Site of 1.0 ha or less, that does not isolate another Site within this Zone of less than 800 m²
2. Boarding and Lodging Houses, on a Site which does not isolate another Site within this Zone of less than 800 m²
3. Limited Group Homes
4. Minor Home Based Business
5. Stacked Row Housing including Row Housing but excluding Semi-detached and Duplex Housing, on a Site of 1.0 ha or less, which does not isolate another Site within this Zone of less than 800 m²
6. Fascia On-premises Signs
7. Projecting On-premises Signs

230.3 Discretionary Uses

1. Apartment Housing, on a Site larger than 1.0 ha
2. Apartment Hotels
3. A Permitted Use listed in this Zone, the Site of which isolates another Site within this Zone of less than 800 m²

4. Child Care Services
5. Conversion of Single Detached, Semi-detached or Duplex Dwellings to Professional, Financial and Office Support Services
6. Convenience Retail Stores
7. Fraternity and Sorority Housing
8. Group Homes
9. Health Services
10. Major Home Based Business
11. Personal Service Shops
12. Private Clubs

*Bylaw 13228
December 5, 2002*

13. Professional, Financial and Office Support Services
14. Religious Assembly
15. Residential Sales Centre
16. Secondary Suites, where developed within a Single Detached Housing form
17. Single Detached Housing, Semi-detached and Duplex Housing
18. Specialty Food Services, for less than maximum seating of 40 occupants and 48 m² of Public Space, within developments containing 150 Dwellings or more
19. Stacked Row Housing, including Row Housing, on a Site larger than 1.0 ha
20. Freestanding On-premises Signs
21. Temporary On-premises Signs

230.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Density shall be:
 - a. 225 Dwellings/ha for any Site less than 1 350 m²; or
 - b. 325 Dwellings/ha for any Site of 1 350 m² or greater; and
 - c. 125 Dwellings/ha for any Site less than 885 m².
2. The minimum Site Area shall be 800 m².

3. The maximum Floor Area Ratio shall be 3.0, except that the Development Officer may use his variance power to increase this maximum for developments with larger individual unit floor plates and additional indoor Amenity Areas and facilities, and which comply with the density provisions of this Section. Any application for a development proposed to exceed 3.0 F.A.R. shall be a Class B Development.
4. The maximum Building Height shall be 45.0 m, except that the Development Officer may use his variance power to increase this maximum for developments with individual Dwellings ceiling heights over 2.75 m, and that comply with the density provisions of this Section. Any application for a development proposed to exceed 45.0 m in Height shall be processed as a Class B Development.
5. The minimum Front Yard shall be 6.0 m.
6. The minimum Rear Yard shall be 7.5 m.
7. The minimum Side Yard shall be 1.0 m for each Storey or partial Storey, up to a maximum of 7.5 m, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 4.5 m where it abuts a flanking public roadway other than a Lane.
8. Separation Space shall be provided in accordance with Section 48 of this Bylaw.
9. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.
10. Signs shall comply with the regulations found in Schedule 59B.

230.5 Additional Development Regulations for Discretionary Uses

1. Notwithstanding subsection 230.4, Single Detached, Semi-detached and Duplex Housing, and Secondary Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.
2. Personal Service Shops, Convenience Retail Stores, Professional Financial and Office Support Services, Health Services and Specialty Food Services 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. The Development Officer may exercise his discretion in considering Apartment Housing or Boarding and Lodging Houses, which would isolate another Site within this Zone of less than 800 m² having regard to the location, age, and nature of the Use or Uses on the Site that would be isolated.

240. (RR) Rural Residential Zone

240.1 General Purpose

The purpose of this Zone is to provide for Single Detached Residential development of a permanent nature in a rural setting, generally without the provision of the full range of urban utility services. The RR Zone is intended to regulate rural residential development within existing rural residential subdivisions that existed prior to the passage of this Bylaw, and is not intended to facilitate future rural residential development and subdivision, which is contrary to the Municipal Development Plan.

240.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Single Detached Housing
4. Fascia On-premises Signs

240.3 Discretionary Uses

1. Child Care Services
2. Group Homes
3. Major Home Based Business
4. Non-commercial Farms
5. Small Animal Breeding and Boarding Establishments
6. Veterinary Services
7. Temporary On-premises Signs
8. Freestanding On-premises Signs

240.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Area shall be 1.0 ha.
2. The maximum Site Area shall be 4 ha.
3. The minimum Mean Width shall be 30.5 m.
4. The maximum Building Height shall be 10.0 m.
5. The minimum Front Yard shall be 7.5 m.
6. The minimum Rear Yard shall be 7.5 m.

7. The minimum Side Yard shall be 5.0 m.
8. Water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.
9. The maximum number of Dwellings per Site shall be one.
10. Signs shall comply with the regulations found in Schedule 59A.

240.5 Additional Development Regulations for Discretionary Uses

1. Non-commercial Farms, Small Animal Breeding and Boarding Establishments and 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.

250. (RMH) Mobile Home Zone

250.1 General Purpose

The purpose of this Zone is to provide for Mobile Homes developed within a Mobile Home Park or Mobile Home Subdivision.

250.2 Permitted Uses

1. Limited Group Homes
2. Minor Home Based Business
3. Mobile Homes
4. Fascia On-premises Signs

250.3 Discretionary Uses

1. Child Care Services
2. Major Home Based Business
3. Residential Sales Centre
4. Single Detached Housing, not including Mobile Homes when in a Mobile Home Subdivision
5. Freestanding On-premises Signs
6. Temporary On-premises Signs

250.4 Development Regulations for Permitted and Discretionary Uses

1. The following regulations shall apply to all Permitted Uses:
 - a. each Mobile Home Lot shall have an area of not less than 400 m²;
 - b. the maximum Height shall not exceed 5.0 m;
 - c. the maximum total Site Coverage shall be 45% with the coverage of a principal building not to exceed 35%;
 - d. the minimum Front Yard shall be 4.5 m, which may, in the case of a Mobile Home Park, be reduced to 3.0 m where the Front Yard abuts an internal access road;
 - e. the minimum Rear Yard shall be 3.0 m, 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;
 - f. the minimum Side Yard shall be established as follows:
 - i. Dwellings shall be separated from each other by a minimum of 4.5 m, provided that the minimum Side Yard shall be 1.2 m;
 - ii. the minimum Side Yard for an addition to a Dwelling shall not be less than 1.2 m. Where the addition contains a Habitable Room Window, which faces any opposing Habitable Room Window of a Dwelling or an addition thereto, the addition shall be separated from such Dwelling or addition to it by not less than 4.5 m; and
 - iii. the Side Yard abuts a public roadway other than a Lane, the Side Yard shall not be less than 4.5 m;
 - g. the undercarriage of each Mobile Home shall be completely screened from view by the foundation or skirting, within 60 days of the placement of the Mobile Home;
 - h. 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 shall complement the Dwelling. Additions to a Mobile Home shall have a foundation and skirting equivalent to the finish of the Mobile Home;
 - i. the Mobile Home Park or Subdivision shall be designed to accommodate Dwelling 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; and
 - j. any application to develop a Mobile Home Park shall be subject to Section 55 the Landscaping Regulations 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;
 - 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 hardsurfaced, durable base on that the Mobile Home shall be placed;
 - d. all roads in a Mobile Home Park shall be hardsurfaced, well drained and maintained. The Mobile Homes and all community facilities in a Mobile Home Park shall be connected by a safe, convenient, hardsurfaced pedestrian walkway that shall be at least 1.0 m 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 the Mobile Home Lot is not capable of storing. Such storage areas shall be enclosed or screened by trees, landscape features or fences; and
 - 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 1.0 m above grade; and
 - 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 subsections 250.4(1)(f) and (g), the Development Officer may require, as a further condition, that the applicant deliver to the Development Officer an irrevocable Letter of Credit in a sum to be fixed by the Development Officer, naming as surety a corporation licensed as such in Alberta, the condition of the letter being that, if the development is completed but is not in accordance with subsections 250.4(1)(f) and (g) of this Bylaw, and any conditions of approval arising from them, then the surety shall pay to the City, for its use absolutely, the sum fixed.
4. Signs shall comply with the regulations found in Schedule 59A.

*Bylaw 12961
February 4, 2002*

250.5 Additional Development Regulations for Discretionary Uses

*Bylaw 12961
February 4, 2002*

1. Notwithstanding subsection 250.4, Single Detached Housing in this Zone shall be developed in accordance with the provisions of the RF1 Zone only.

300 Commercial Zones

310. (CNC) Neighbourhood Convenience Commercial Zone

310.1 General Purpose

The purpose of this Zone is to provide for convenience commercial and personal service uses, which are intended to serve the day-to-day needs of residents within residential neighbourhoods.

310.2 Permitted Uses

1. Convenience Retail Stores
2. Health Services
3. Personal Service Shops
4. Professional, Financial and Office Support Services
5. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
6. Fascia On-premises Signs
7. Freestanding On-premises Signs
8. Projecting On-premises Signs
9. Temporary On-premises Signs

310.3 Discretionary Uses

1. Apartment Housing
2. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m² of Public Space
3. Child Care Services
4. Commercial Schools
5. Drive-in Food Services
6. Gas Bars
7. General Retail Stores
8. Individual business premises for a Permitted Use having a Floor Area greater than 275 m²

9. Indoor Participant Recreation Services
10. Minor Amusement Establishments
11. Minor Secondhand Stores with a Floor Area less than 275 m²
12. Minor Service Stations
13. Public Libraries and Cultural Exhibits
14. Rapid Drive-through Vehicle Services
15. Religious Assemblies
16. Residential Sales Centre
17. Restaurants, for less than 100 occupants and 120 m² of Public Space
18. Veterinary Services
19. Freestanding Off-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback and required Yard provisions of this Zone
20. Roof On-premises Signs

310.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Floor Area of any individual business premises for a Permitted Use shall not exceed 275 m²
2. The maximum Floor Area of any individual business premises for a Discretionary Use shall not exceed 1 000 m², except that a grocery store or supermarket may be permitted a Floor Area of up to 2 500 m².
3. The maximum Site Area shall be 2.0 ha.
4. The maximum Floor Area Ratio shall be 1.0.
5. A minimum landscaped Yard of 4.5 m shall be required where a Site abuts a public roadway, other than a Lane.
6. A minimum Yard of 3.0 m shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone.
7. 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 subsection 55.4 of this Bylaw. If the rear or sides of a Site are used for parking, an outdoor service display area or both, and abut a Residential Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.

8. The maximum Building Height shall not exceed 10.0 m nor 2 ½ Storeys.
9. Where Use Classes, that may in the opinion of the Development Officer, create negative impacts such as noise, light or odours, which may be noticeable on adjacent properties, and where the Site containing such Use Classes is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: Landscaping; berming or screening, which may exceed the requirements of Section 55 of this Bylaw; noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting on to the proposed development; and any other measures as the Development Officer may deem appropriate.
10. Signs shall comply with the regulations found in Schedule 59D.

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; and
 - c. if a development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area is required per Dwelling, in accordance with the provisions of Section 46 of this Bylaw.
2. The following regulations shall apply to Rapid Drive-through Vehicle Services developments:
 - a. the total number of bays shall not exceed one for any given Site; and
 - b. all operations and mechanical equipment associated with this Use Class shall be located within an enclosed building.

320. (CSC) Shopping Centre Zone

320.1 General Purpose

The purpose of this Zone is to provide 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. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space
2. Business Support Services
3. Child Care Services
4. Commercial Schools
5. Convenience Retail Stores
6. Drive-in Food Services
7. Gas Bars
8. General Retail Stores
9. Government Services
10. Health Services
11. Indoor Participant Recreation Services
12. Major Alcohol Sales, on a Site of 2 ha or larger
13. Major Amusement Establishments, on a Site of 2 ha or larger
14. Minor Alcohol Sales, on a Site of 2 ha or larger
15. Minor Amusement Establishments
16. Minor Service Stations
17. Nightclubs, for less than 200 occupants and 240 m² of Public Space, on a Site 2 ha or larger
18. Personal Service Shops
19. Professional, Financial and Office Support Services
20. Public Libraries and Cultural Exhibits
21. Restaurants, for less than 200 occupants and 240 m² of Public Space
22. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
23. Spectator Entertainment Establishments
24. Fascia On-premises Signs
25. Freestanding On-premises Signs
26. Projecting On-premises Signs
27. Temporary On-premises Signs

320.3 Discretionary Uses

1. Apartment Housing
2. Apartment Hotels
3. Automotive and Equipment Repair Shops
4. Bars and Neighbourhood Pubs, for more than 200 occupants and 240 m² of Public Space, on a Site 2 ha or larger
5. Broadcasting and Motion Picture Studios
6. Carnivals

*Bylaw 13117
July 8, 2002*

7. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
8. Flea Markets
9. Hotels
10. Major Alcohol Sales, on a Site of less than 2 ha
11. Major Amusement Establishments, on a Site of less than 2 ha
12. Minor Alcohol Sales, on a Site of less than 2 ha
13. Minor Secondhand Stores
14. Mobile Catering Food Services
15. Nightclubs, for less than 200 occupants and 240 m² of Public Space, on a site 2 ha or smaller
16. Nightclubs, for more than 200 occupants and 240 m² of Public Space, on a site 2 ha or larger
17. Private Clubs
18. Rapid Drive-through Vehicle Services
19. Recycled Materials Drop-off Centres
20. Religious Assembly
21. Residential Sales Centre
22. Restaurants, for more than 200 occupants and 240 m² of Public Space, on a Site 2 ha or larger
23. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space
24. Warehouse Sales
25. Veterinary Services

- 26. Fascia Off-premises Signs
- 27. Freestanding Off-premises Signs
- 28. Roof On-premises Signs

320.4 Development Regulations for Permitted and Discretionary Uses

- 1. The minimum Site Area shall be 2 ha.
- 2. The maximum Floor Area Ratio shall be 1.0.
- 3. A minimum Yard of 6.0 m shall be required where a Site abuts a public roadway, other than a Lane, or the property line of a Site in a Residential Zone.
- 4. In addition to the minimum Yard required by clause (3) above, a minimum building Setback of 15.0 m shall be required for all buildings, structures and Accessory Parking Garages other than at-grade parking lots where a Site abuts a Site zoned residential. 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 façade treatment or other design features adequately protect the amenities of nearby residential areas.

*Bylaw 12961
Feb. 4, 2002*

- 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 subsection 55.4 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 Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.
- 6. The maximum Building Height shall be 14.0 m.
- 7. All Uses shall be part of a purpose-designed shopping centre.
- 8. Signs shall comply with the regulations found in Schedule 59E.

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 m² of Amenity Area per Dwelling is required in accordance with the provisions of Section 46 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.

330. (CB1) Low Intensity Business Zone

330.1 General Purpose

The purpose of this Zone is to provide for low intensity commercial, office and service uses located along arterial roadways that border residential areas. Development shall be sensitive and in scale with existing development along the commercial street and any surrounding residential neighbourhood.

330.2 Permitted Uses

1. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space.
2. Business Support Services
3. Commercial Schools
4. Convenience Retail Stores
5. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
6. General Retail Stores, up to a maximum Floor Area of 1 000 m²
7. Health Services
8. Household Repair Services
9. Minor Amusement Establishments
10. Personal Service Shops
11. Professional, Financial and Office Support Services
12. Restaurants, for less than 200 occupants and 240 m² of Public Space

13. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
14. Veterinary Services
15. Fascia On-premises Signs
16. Freestanding On-premises Signs
17. Projecting On-premises Signs
18. Temporary On-premises Signs

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 and Minor Recreation Vehicle Sales/Rentals
4. Bars and Neighbourhood Pubs, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across the Lane from a Site zoned residential
5. Broadcasting and Motion Picture Studios
6. Child Care Services
7. Convenience Vehicle Rentals
8. Custom Manufacturing Establishments
9. Drive-in Food Services
10. Funeral, Cremation and Interment Services
11. Gas Bars
12. General Retail Stores with a Floor Area greater than 1 000 m²
13. Greenhouses, Plant Nurseries and Market Gardens
14. Hotels
15. Indoor Participant Recreation Services
16. Limited Contractor Services
17. Major Secondhand Stores
18. Major Amusement Establishments
19. Minor Alcohol Sales
20. Minor Secondhand Stores
21. Minor Service Stations

22. Mobile Catering Food Services
23. Nightclubs, but not to exceed 200 occupants and 240 m² of Public Space, if the site is adjacent to or across a lane from a Site zoned residential
24. Non-accessory Parking
25. Private Clubs
26. Rapid Drive-through Vehicle Services
27. Recycling Depots
28. Recycled Materials Drop-off Centres
29. Residential Sales Centres
30. Restaurants, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across the Lane from a Site zoned residential
31. Spectator Entertainment Establishments
32. Specialty Food Services, for more than 100 occupants and 240 m² of Public Space
33. Fascia Off-premises Signs
34. Freestanding On-premises Signs
35. Roof Off-premises Signs
36. Roof On-premises Signs

330.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Floor Area for a Permitted Use shall be 2500 m²; otherwise the use shall be discretionary.
2. The maximum Floor Area Ratio shall be 2.0.
3. A minimum Yard of 3.0 m 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, buildings shall be built at the property line of the Site;
4. A minimum Yard of 3.0 m shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone;

5. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Vehicular parking, 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 subsection 55.4 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 Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.
6. Any business premises or multiple occupancy building having a Floor Area greater than 2 000 m² or a single wall length greater than 20.0 m that is visible from a public road, shall comply with the following criteria:
 - a. the roof line and building façade shall include design elements and add architectural interest; and
 - b. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
7. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
8. Where the Site is part of a pedestrian oriented shopping street, the following regulations shall apply, at the discretion of the Development Officer:
 - a. the architectural treatment of the building shall include features such as:
 - i. placement of windows to allow for viewing in the building by pedestrians;
 - ii. entrance features;
 - iii. canopies;
 - iv. features that lend visual interest and create a human scale; and
 - v. on corner Sites, the façade treatment shall wrap around the side of the building to provide a consistent profile;
 - b. vehicular access shall be from the abutting Lane. In the event there is no abutting Lane, the vehicular access shall be designed in a manner that has minimal impact on the pedestrian-oriented shopping street; and
 - c. vehicular parking, loading and facilities shall be located at the rear of the building.
9. The maximum Building Height shall not exceed 12.0 m nor three Storeys.
10. Signs shall comply with the regulations found in Schedule 59F.

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 Dwellings, a minimum of 7.5 m² of Amenity Area per Dwelling is required, in accordance with the provisions of Section 46 of this Bylaw; and
 - d. The maximum Floor Area Ratio of Apartment Housing shall be 1.5.
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 m²;
 - b. servicing and repair operations shall be permitted only as Accessory Uses;
 - c. all storage, display or parking areas shall be hardsurfaced in accordance with subsection 54.6(1) of this Bylaw;
3. all outdoor display areas that abut a Residential Zone or a Lane serving a Residential Zone shall be obscured from direct view by providing a visual screen at least 1.8 m in height, in accordance with the provisions of subsection 55.4(4) of this Bylaw; and
4. lighting for the display area shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.
5. The following regulations shall apply to Rapid Drive-through Vehicle Services developments:
 - a. the total number of bays shall not exceed four for any given Site; and
 - b. all operations and mechanical equipment associated with this Use Class shall be located within an enclosed building.

340 (CB2) General Business Zone

340.1 General Purpose

The purpose of this Zone is to provide for businesses that require large Sites and a location with good visibility and accessibility along, or adjacent to, major public roadways.

340.2 Permitted Uses

1. Apartment Hotels, to a maximum Height of 14.0 m
2. Automotive and Equipment Repair Shops
3. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space
4. Business Support Services
5. Commercial Schools
6. Custom Manufacturing Establishments
7. Drive-in Food Services
8. Equipment Rentals
9. Funeral, Cremation and Interment Services
10. Gas Bars
11. General Retail Stores
12. Greenhouses, Plant Nurseries and Market Gardens
13. Health Services
14. Hotels, to a maximum Height of 14.0 m
15. Household Repair Services
16. Indoor Participant Recreation Services
17. Limited Contractor Services
18. Major Amusement Establishments and Minor Amusement Establishments
19. Minor Service Stations
20. Personal Service Shops
21. Professional, Financial and Office Support Services
22. Recycling Depots
23. Restaurants, for less than 200 occupants and 240 m² of Public Space
24. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
25. Veterinary Services
26. Warehouse Sales
27. Fascia Off-premises Signs
28. Freestanding On-premises Signs
29. Projecting On-premises Signs
30. Temporary On-premises Signs

340.3 Discretionary Uses

1. Animal Hospitals and Shelters
 2. Apartment Hotels
 3. Apartment Housing
 4. Automotive/Minor Recreation Vehicle Sales/Rentals
 5. Auctioneering Establishments
 6. Bars and Neighbourhood Pubs, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a lane from a Site zoned Residential
 7. Broadcasting and Motion Picture Studios
 8. Carnivals
 9. Child Care Services
 10. Convenience Vehicle Rentals
 11. Flea Markets
 12. Fleet Services
 13. Funeral, Cremation and Interment Services
 14. Government Services
 15. Hotels to a Height greater than 14.0 m
 16. Major Alcohol Sales
 17. Major Secondhand Stores
 18. Major Service Stations
 19. Minor Alcohol Sales
 20. Minor Secondhand Stores
 21. Mobile Catering Food Services
 22. Motels
- Bylaw 13117
July 8, 2002*
23. Nightclubs, for less than 200 occupants and 240 m² of Public Space, if the Site is adjacent to or across a lane from a Site zoned Residential
 24. Non-accessory Parking
 25. Outdoor Amusement Establishments
 26. Private Clubs
 27. Rapid Drive-through Vehicle Services
 28. Recycled Materials Drop-off Centres

29. Religious Assembly
30. Residential Sales Centre
31. Restaurants, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a lane from a Site zoned residential
32. Spectator Sports Establishments
33. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space
34. Spectator Entertainment Establishments
35. Truck and Mobile Home Sales/Rentals
36. Fascia Off-premises Signs
37. Freestanding Off-premises Signs
38. Roof Off-premises Signs
39. Roof On-premises Signs

340.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Frontage shall be 30.0 m unless access is provided from a service road.
2. The maximum Floor Area Ratio shall be 3.5.
3. A minimum Yard of 4.5 m shall be required where a Site abuts a public roadway, other than a Lane. Where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required.
4. A minimum landscaped Yard of 6.0 m shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site zoned residential.
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 subsection 55.4 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 Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.
6. The maximum Building Height shall not exceed 14.0 m nor four Storeys, except for Hotel Developments and Apartment Hotels.

7. Any business premises or multiple occupancy building having a Floor Area greater than 3 000 m² or a single wall length greater than 25.0 m visible from a public road, shall comply with the following criteria:
 - a. the roof line and building façade shall include design elements that reduce the perceived mass of the building and add architectural interest; and
 - b. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
8. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
9. Signs shall comply with the regulations found in Schedule 59F.

340.5 Additional Development Regulations for Discretionary Uses

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 and parking areas shall be hardsurfaced in accordance with subsection 54.6(1) of this Bylaw;
 - b. all display areas that abut a Residential Zone or a Lane serving a Residential Zone shall be screened in accordance with the provisions of subsection 55.4(4) of this Bylaw; and
 - c. lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.
2. The following regulations shall apply to Hotel Developments and Apartment Hotels:
 - a. the maximum building Height shall be 30.0 m; and
 - b. in addition to the Yard requirements of subsection 340.4(3), the Development Officer may, as a condition of approval, require an additional Setback for that portion of a Hotel that exceeds 14.0 m in Height in order to protect the amenity and privacy of development in any adjacent Residential Zone. The Development Officer shall not require a total Setback greater than the Height of the building.
3. 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 Dwellings, a minimum of 7.5 m² of Amenity Area per Dwelling is required, in accordance with the provisions of Section 46 of this Bylaw; and
- d. the maximum Floor Area Ratio of Apartment Housing shall be 2.0.

350. (CHY) Highway Corridor Zone

350.1 General Purpose

The purpose of this Zone is to provide 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. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a Lane from a Site zoned residential
2. Business Support Services
3. Convenience Retail Stores
4. Convenience Vehicle Rentals
5. Drive-in Food Services
6. Gas Bars
7. Hotels
8. Minor Alcohol Sales
9. Minor Amusement Establishments
10. Minor Service Stations
11. Motels
12. Personal Service Shops
13. Rapid Drive-through Vehicle Services
14. Restaurants, for less than 200 occupants and 240 m² of Public Space
15. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
16. Fascia On-premises Signs
17. Freestanding Off-premises Signs
18. Projecting On-premises Signs
19. Temporary On-premises Signs

350.3 Discretionary Uses

1. Apartment Hotels
2. Automotive and Equipment Repair Shops
3. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space, if the Site is adjacent to or across a Lane from a Site zoned residential
4. Bars and Neighbourhood Pubs, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a Lane from a Site zoned residential
5. Broadcasting and Motion Picture Studios
6. Government Services
7. Indoor Participant Recreation Services
8. Major Alcohol Sales
9. Major Amusement Establishments
10. Major Service Stations

*Bylaw 13117
July 8, 2002*

11. Nightclubs, for less than 200 occupants and 240 m² of Public Space, if the Site is adjacent to or across a Lane from a Site zoned residential
12. Professional, Financial and Office Support Services
13. Recycled Materials Drop-off Centres
14. Residential Sales Centre
15. Restaurants, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a Lane from a Site zoned residential
16. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space
17. Tourist Campsites
18. Veterinary Services
19. Fascia Off-premises Signs
20. Freestanding Off-premises Signs
21. Roof Off-premises Signs
22. Roof On-premises Signs

350.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Frontage shall be 30.0 m, unless access is provided from a service road.
2. The maximum Floor Area Ratio shall be 1.5.
3. A minimum Yard of 7.5 m shall be required where a Site abuts a public roadway including a Lane that serves a Residential Zone, or where a Site abuts the lot line of a Site zoned Residential;
4. In addition to the Yard requirements of clause (3) above, the Development Officer may, as a condition of approving a Discretionary Use, require an additional Setback for that portion of any development that exceeds 14.0 m 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 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 subsection 55.4 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 Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw;
6. The maximum Building Height shall be 14.0 m, except the maximum Height for a Hotel or Apartment Hotel which shall be 30.0 m. Hotel or Apartment Hotel Developments exceeding 14.0 m in Height shall be a Class B Development.
7. Any business premises or multiple occupancy building having a Floor Area of 3 000 m² or a single wall length greater than 25.0 m visible from a public road shall comply with the following:
 - a. the roof line and the building façade shall include design elements that reduce the perceived mass of the building; and
 - b. Landscaping adjacent to exterior walls shall be used to reduce the perceived mass of the building and provide visual interest.
8. All mechanical equipment, including roof mechanical units, shall be screened in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
9. All exposed building faces shall have consistent and harmonious exterior finishing materials.
10. Signs shall comply with the regulations found in Schedule 59F.

350.5 Additional Development Regulations for Permitted and Discretionary Uses

1. Convenience Retail Stores, Convenience Vehicle Rentals and Personal Service Shops may be developed only for uses ancillary to a Professional, Financial and Office Support Service, Motel, Hotel, Gas Bar, or Minor or Major Service Station development.
2. Indoor Participant Recreation Services may be developed only for a use ancillary to a Hotel, Motel or to a Professional, Financial, and Office Support Service development.
3. The following regulations shall apply to Convenience Vehicle Rentals developments:
 - a. all storage, display or parking areas shall be hardsurfaced in accordance with subsection 54.6(1) of this Bylaw;
 - b. all display areas that abut a Residential Zone or a Lane serving a Residential Zone shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw; and
 - c. lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

360. (CO) Commercial Office Zone

360.1 General Purpose

The purpose of this Zone is to provide for medium intensity office, commercial and residential development in the inner city, around Light Rail Transit station areas or other locations offering good accessibility by both private automobile and transit.

360.2 Permitted Uses

1. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a Lane from a Site zoned Residential
2. Business Support Services
3. Commercial Schools
4. Government Services
5. Health Services
6. Minor Alcohol Sales
7. Minor Amusement Establishments

8. Professional, Financial and Office Support Services
9. Restaurants, for less than 200 occupants and 240 m² of Public Space
10. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
11. Fascia On-premises Signs
12. Freestanding Off-premises Signs
13. Projecting On-premises Signs
14. Temporary On-premises Signs

360.3 Discretionary Uses

1. Apartment Hotels
 2. Apartment Housing
 3. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space, if the Site is adjacent to or across a Lane from a Site zoned residential
 4. Bars and Neighbourhood Pubs, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a Lane from a Site zoned residential
 5. Broadcasting and Motion Picture Studios
 6. Child Care Services
 7. Convenience Retail Stores
 8. Funeral, Cremation and Interment Services
 9. General Retail Stores
 10. Hotels
 11. Indoor Participant Recreation Services
 12. Major Alcohol Sales
- Bylaw 13117
July 8, 2002*
13. Nightclubs, for less than 200 occupants and 240 m² of Public Space, if the Site is adjacent to or across a Lane from a Site zoned residential
 14. Personal Service Shops
 15. Private Clubs
 16. Restaurants, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a Lane from a Site zoned residential

17. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space
18. Fascia Off-premises Signs
19. Freestanding Off-premises Signs
20. Roof Off-premises Signs
21. Roof On-premises Signs

360.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Floor Area Ratio shall be 4.0 for office and commercial development. This may be increased to a maximum Floor Area Ratio of 7.0 if the development includes Apartment Housing, provided the office and commercial development shall not exceed a Floor Area Ratio of 4.0.
2. A minimum Yard of 4.5 m shall be required where a Site abuts a public roadway, other than a Lane, and where the Site abuts the lot line of a Site zoned residential except:
 - a. where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required.
3. In addition to the Yard requirements in clause (2), above, the Development Officer may, as a condition of approval of a Discretionary Use, require an additional Setback for that portion of the development that exceeds 14.0 m in Height. The Development Officer shall consider privacy and a Sun Shadow Impact Study when any development is adjacent to a Residential Zone.
4. 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 subsection 55.4 of this Bylaw. If the rear or sides of a Site are used for parking, an outdoor service or display area and abut a Residential Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.
5. The maximum Building Height shall not exceed 23.0 m nor six Storeys, except that the Development Officer may, at his discretion, allow a greater Height, not to exceed a maximum of 40.0 m nor 10 Storeys where this would not adversely affect the privacy and amenity of development in any adjacent Residential Zone. Any development exceeding 23.0 m in Height shall be a Class B Development.
6. Signs shall comply with the regulations found in Schedule 59F.

360.5 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 that is separate from the access for the commercial premises; and
 - c. if a development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area per Dwelling is required, in accordance with the provisions of Section 46 of this Bylaw.

400 Industrial Zones

400. (I) Industrial Zone

400.1 General Purpose

The purpose of this Zone is to provide for a wide range of Industrial Uses in conjunction with an Industrial Statutory Plan, where uses are based on assessments of their on-site and off-site development impacts and their ability to deal with those impacts, as set out in the regulations of this Bylaw and the requirements of an Industrial Statutory Plan.

400.2 Uses

Development Applications shall be assessed according to their development impacts in Schedule 400A in determining whether the development is permitted or discretionary and, therefore subject to the related regulations and provisions of this Bylaw.

1. Industrial Use
2. Reserve Use
3. Fascia Off-premises Sign, where they are not within 100.0 m of a Residential Zone
4. Fascia Off-premises Signs, where they are within 100.0 m of a Residential Zone
5. Fascia On-premises Signs
6. Freestanding Off-premises Signs, where they are not within 100.0 m of a Residential Zone
7. Freestanding Off-premises Signs, where they are within 100.0 m of a Residential Zone
8. Freestanding On-premises Signs
9. Projecting On-premises Signs
10. Roof Off-premises Signs
11. Roof On-premises Signs, where they are not within 100.0 m of a Residential Zone
12. Roof On-premises Signs, where they are within 100.0 m of a Residential Zone
13. Temporary On-premises Signs

400.3 General Development Regulations

The following regulations shall apply to any development, except where altered by either Section 400.4 or an Industrial Plan Overlay:

1. The maximum Floor Area Ratio shall be 2.0.
2. A minimum Yard of 3.0 m shall be required where any lot line of a Site abuts a public roadway other than a Lane.
3. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard.
4. Notwithstanding clause (2) above, the Development Officer may require a greater Setback for those components of an industrial development that may interfere with the safety or amenity of developments upon abutting lands, having particular regard to any Separation Spaces required by Provincial regulations.
5. The maximum Building Height shall be 30.0 m;
6. Any development shall comply with the following noise standards:
 - a. no activity or operation shall cause, or permit to be caused, a noise level at or inside the boundary line of a Residential Zone that exceeds the regulations of Part 5 of the Noise Abatement Bylaw; and
 - b. no activity or operation shall cause or permit to be caused, a noise level that exceeds the regulations of Part 6 of the Noise Abatement Bylaw.
7. No Use or operation shall cause or permit to be caused, any conditions that may be objectionable or dangerous beyond the boundary line of the Site that contains it, such as the following:
 - a. odorous and toxic matter;
 - b. dust, fly ash or other particulate matter;
 - c. vibrations;
 - d. air pollution;
 - e. industrial waste;
 - f. water quality deterioration;
 - g. groundwater quality or quantity deterioration;
 - h. glare;
 - i. radiation emissions; or
 - j. high brightness light sources.

This does not relieve against compliance with any other standards established by federal, provincial or municipal enactment.

8. Any development shall comply with the following appearance standards:
 - a. 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. Notwithstanding the above, trash collection areas located to the front of the principal building shall be screened from view from any public roadway, including a Lane, and from any adjacent Site; and
 - b. outdoor display areas may be located 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.
9. A Development Application may be accompanied by a Parking Demand Study where any development is deficient of parking, as prescribed in this Bylaw or an Overlay.
10. Where any development generates special servicing requirements such as, but not limited to on-site sewage or storm water storage or treatment, the Development Officer shall require that these special municipal servicing requirements are met to the satisfaction of the appropriate responsible City Departments.
11. Signs developed in conjunction with an Industrial Use or on a Site designated by an Industrial Statutory Plan for Industrial Use shall comply with the regulations in Schedule 59G.
12. Signs developed in conjunction with an Industrial Reserve Use or on a Site designated by an Industrial Statutory Plan for Industrial Reserve Use shall comply with the regulations in Schedule 59A and shall be limited to the following Sign Classes:
 - a. Freestanding On-premises Signs; and
 - b. Temporary On-premises Signs.

400.4 Development Regulations for Sensitive or Special Areas

Sensitive or special areas include Sites situated on collector or arterial roadways; Sites abutting or adjacent to a Residential Zone; Sites with special servicing requirements; Sites that are suspected of being environmentally contaminated; Sites that emit air or water contaminants and contain activities that require approval or registration under the Environmental Protection and Enhancement Act; and Sites that contain substances that if released could cause fatalities off site.

The following development regulations for Sensitive or Special Areas shall apply, except where altered by an Industrial Plan Overlay:

1. Any development on a Site abutting a major roadway (collector or arterial) shall comply with the following regulations as well as those of clause (3):
 - a. the minimum Site Frontage shall be 30.0 m, unless access is provided from a service road;
 - b. a minimum Yard of 6.0 m shall be required where any property line of a Site abuts a public roadway, other than a Lane or abuts the property line of a Site in a Residential Zone; and
 - c. no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard.
2. Any development on a Site abutting or adjacent to a Residential Zone shall comply with the following regulations as well as those of clause (3):
 - a. the maximum Floor Area Ratio shall be 1.2;
 - b. the maximum Height shall not exceed 12.0 m nor three Storeys;
 - c. a minimum Yard of 7.5 m 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 Zone; and
 - d. no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard.
3. Any development on a Site abutting a major roadway or abutting or adjacent to a Residential Zone shall comply with the following appearance standards:
 - a. all Uses and activities, except those noted in clauses (b) and (c), below, shall be located and carried on within an enclosed building and there shall be no outdoor display areas;
 - b. 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, to the satisfaction of the Development Officer;

- c. 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, and from adjacent Sites if such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of this Zone; and
 - d. 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 such walls are inconsistent with the finishing materials or appearance characteristic of surrounding development.
4. The Development Officer shall require a Traffic Impact Assessment, prepared by a qualified Professional Engineer, for a Site located on a collector or arterial roadway, where the total on site parking is in excess of 300 spaces.
5. Any development that cannot be serviced to urban standards in accordance with the City of Edmonton Design and Construction Standards, shall comply with the following regulations:
- a. the minimum Site area shall be 8 ha;
 - b. the minimum Front Yard shall be 7.5 m;
 - c. the minimum Rear Yard shall be 7.5 m;
 - d. the minimum Side Yard shall be 4.5 m;
 - e. the maximum Building Height shall be 10.0 m; and
 - f. water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations;
6. Where a Site has been identified in an Industrial Statutory Plan as having, or is suspected of having environmental contamination, no application for development approval shall be made to the Development Officer, unless it has been determined to the satisfaction of the City, that the Site is suitable for the intended Use. The Development Officer may impose any conditions to a development approval pertaining to Site remediation works, Site development specifications and operational and performance requirements that are appropriate, including restrictions on the sector, subsector and industry grouping of the Industrial Use.

7. No operation or activity shall emit air or water contaminants in excess of the standards prescribed by the Province of Alberta, pursuant to the Environmental Protection and Enhancement Act or by the City, pursuant to the Sewer Use Bylaw. Where any activity is designated for either approval or registration under the Environmental Protection and Enhancement Act, the applicant shall submit an Environmental Nuisance and Health Impacts Assessment, as set out in Section 14.5 of this Bylaw.
8. An Assessment of Risk may be required for any proposed development that, based on the MIACC (Major Industrial Accidents Council of Canada) List 2 of Hazardous Substances, may be expected to generate a level of risk through fire, explosion, major release or other hazardous event that could have an adverse impact beyond the Site of the facility. The Assessment of Risk shall be in accordance with subsection 14.6 of this Bylaw and to the satisfaction of the Emergency Response Department.
9. Roof On-premises Signs within 100 m of a Residential Zone, Fascia Off-premises Signs within 100 m of a Residential Zone, Freestanding Off-premises Signs within 100 m of a Residential Zone and Roof Off-premises Signs shall be Discretionary Developments.

Schedule 400A - Development Impact Assessment and Permit Classification

Development Impact	Permitted	Discretionary	Section 400.3	Section 400.4	Overlay
A. Built Form and Site Envelopes					
1. The size, scale and mass of buildings as well as the location of buildings on site, and all separation, yard and related requirements meet the regulations of this Bylaw or an Industrial Plan Overlay	X		1) to 5)	. 1), 2), 5)	X
2. Development exceeds the regulations of this Bylaw or of an Industrial Plan Overlay for built form and Site envelopes.		X			X
B. Aesthetics					
1. There is no outdoor storage, or outdoor storage complies with this Bylaw or an Industrial Plan Overlay	X		8)	3)	X
2. The general appearance of the development meets the regulations of this Bylaw.	X		8)	3)	
3. The general appearance of the development meets the special site and building appearance and design guidelines or regulations established in an Industrial Plan Overlay.		X			X
4. Landscaping meets the regulations of this Bylaw or an Industrial Plan Overlay.	X				X
5. A street orientation for buildings meets the guidelines or regulations of an Industrial Plan Overlay.	X				X
6. Signs comply with the regulations of this Bylaw or an Industrial Plan Overlay. X 11)	X		11) 12)		X
Signs are designated as "discretionary" by the regulations of this Bylaw or an Industrial Plan Overlay. X 9) X		X		9)	
C. Environmental Site Assessment					
1. An application for development includes documentation prepared by a qualified environmental professional about a known or suspected environmental contamination of a Site and its suitability for the intended development, requiring the Development Officer to consider the imposition of conditions to a development approval pertaining to the suitability of the Site for the intended use.	x			8)	

Development Impact	Permitted	Discretionary	Section 400.3	Section 400.4	Overlay
D. Environmental Nuisance and Health Impacts					
1. Industrial activities generate off-site environmental nuisance or health impacts such as, but not limited to air, water, soil and man-made disturbances or emissions that are regulated by municipal, provincial and federal statutes and regulations, by this Bylaw or by an Industrial Plan Overlay.	X		6), 7)	7)	X
D. Risk Management					
1. Industrial activities are not identified in the MIACC (Major Industrial Accidents Council of Canada) list "Municipal and Industrial Activities Where Hazardous Substances May be Found" (Table 1 of MIACC Lists of Hazardous Substances) or alternatively, activities are identified from Table 1 but involve quantities of hazardous substances below the thresholds identified in "MIACC List 2 – Hazardous Substances."	X			8)	
2. Industrial activities are identified in MIACC list "Municipal and Industrial Activities Where Hazardous Substances May be Found" (Table 1 of "MIACC lists of Hazardous substances") and involve quantities at or above the thresholds identified in "MIACC List 2 – Hazardous Substances."		X		8)	
F. Other Off-Site Development Impacts					
1. Development meets the parking and loading regulations of this Bylaw or an Industrial Plan Overlay.	X				
2. A Parking Demand Study may be required where development is deficient of parking, as prescribed by this Bylaw or an Industrial Plan Overlay.		X	9)		X
3. A Traffic Impact Assessment is required where a Site located on an arterial or collector roadway generates a demand for parking in excess of 300 spaces.	X			4)	X
4. Development generates special servicing requirements, such as but not limited to on-site sewage or storm water storage or treatment.	X		10)	5)	X

Development Impact	Permitted	Discretionary	Section 400.3	Section 400.4	Overlay
G. Best Site Factors					
1. Lot size and supply meets the regulations of this Bylaw or an Industrial Plan Overlay.	X			5)	
2. Development does not meet minimum lot size regulations of this Bylaw or an Industrial Plan Overlay.		X			X
3. Development meets all municipal servicing requirements, as prescribed by an Industrial Plan Overlay.	X				X
4. Development meets transportation and access requirements as prescribed by an Industrial Plan Overlay.	X				X
H. Clustering Benefiting Industries					
1. The development activity is a listed activity in an Industrial Plan Overlay.	X				X
2. Development is subject to land use, transportation, servicing development phasing and other requirements of an Industrial Sub-Area Plan.		X			X

410. (IB) Industrial Business Zone

410.1 General Purpose

The purpose of this Zone is to provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.

410.2 Permitted Uses

1. Business Support Services
2. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
3. Gas Bars
4. General Industrial Uses
5. Major Alcohol Sales
6. Minor Alcohol Sales
7. Minor Service Stations and Major Service Stations
8. Professional, Financial and Office Support Services
9. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
10. Fascia On-premises Signs
11. Freestanding On-premises Signs
12. Projecting On-premises Signs
13. Temporary On-premises Signs

410.3 Discretionary Uses

1. Animal Hospitals and Shelters
2. Auctioneering Establishments, provided that all goods and equipment to be auctioned are stored and displayed within an enclosed building
3. Automotive and Equipment Repair Shops
4. Automotive and Minor Recreation Vehicle Sales/Rentals

*Bylaw 13117
July 8, 2002*

5. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space if adjacent to or across a Lane from a Site zoned residential
6. Broadcasting and Motion Picture Studios
7. Commercial Schools
8. Convenience Retail Stores
9. Convenience Vehicle Rentals
10. Drive-in Food Services
11. Flea Markets
12. Fleet Services
13. Funeral, Cremation and Interment Services
14. Greenhouses, Plant Nurseries and Market Gardens
15. Health Services
16. Indoor Participant Recreation Services
17. Limited Contractor Services
18. Minor Amusement Establishments
19. Mobile Catering Food Services

*Bylaw 13117
July 8, 2002*

20. Nightclubs, for less than 200 occupants and 240 m² of Public Space, if adjacent to or across a Lane from a Site zoned residential
21. Outdoor Participant Recreation Services
22. Personal Service Shops
23. Private Clubs
24. Rapid Drive-through Vehicle Services
25. Recycling Depots
26. Recycled Materials Drop-off Centres
27. Religious Assembly, excluding rectories, manses, dormitories, convents, monasteries and other residential buildings
28. Residential Sales Centres

*Bylaw 13117
July 8, 2002*

29. Restaurants, for less than 200 occupants and 240 m² of Public Space, if adjacent to or across a Lane from a Site zoned residential
30. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space

31. Truck and Mobile Home Sales/Rentals
32. Warehouse Sales
33. Vehicle and Equipment Sales/Rentals
34. Veterinary Services
35. Fascia Off-premises Signs
36. Freestanding Off-premises Signs
37. Roof On-premises Signs

410.4 Development Regulations for Permitted and Discretionary Uses

1. Where this Zone is applied along a major collector or higher standard public roadway, the minimum Site Frontage shall be 30.0 m, unless access is provided from a service road.
2. The maximum Floor Area Ratio shall be 1.2.
3. A minimum Yard of 6.0 m 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 zoned residential.
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 nor three Storeys, except that the Development Officer may, notwithstanding subsection 11.4, grant a variance to permit a greater Height for a building housing a General Industrial Use up to a maximum of 14.0 m, where this is required to facilitate the industrial development of the Use involved.
6. Signs shall comply with the regulations found in Schedule 59F.

410.5 Additional Development Regulations for Discretionary Uses

1. The following regulations shall apply to Convenience Vehicle Rentals developments:
 - a. all storage, display or parking areas shall be hardsurfaced in accordance with subsection 54.6 of this Bylaw;
 - b. all display areas that abut a Residential Zone or a Lane serving a Residential Zone shall be screened, in accordance with the provisions of subsection 55.4(4) of this Bylaw; and
 - c. lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

2. Automotive and Minor Recreational Vehicle Sales/Rentals, Vehicle and Equipment Sales/Rentals shall comply with provisions of this Zone for Convenience Vehicle Rentals developments. The Development Officer may attach conditions to this Discretionary Use regarding the size, location, screening and landscaping of the outdoor vehicular display areas, to ensure that development is compatible with the appearance of surrounding developments.
3. The minimum Floor Area for a Warehouse Sales establishment shall not be less than 1 000 m² unless at least 50% of the Floor Area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.

420. (IM) Medium Industrial Zone

420.1 General Purpose

The purpose of this Zone is to provide for manufacturing, processing, assembly, distribution, service and repair Uses that carry out a portion of their operation outdoors or require outdoor storage areas. Any nuisance associated with such Uses should not generally extend beyond the boundaries of the Site. This Zone should 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 Zone.

420.2 Permitted Uses

1. Animal Hospitals and Shelters
2. Equipment Rentals
3. Fleet Services
4. General Contractor Services
5. General Industrial Uses
6. Vehicle and Equipment Sales/Rentals
7. Land Treatment
8. Recycling Depots
9. Recycled Materials Drop-off Centres
10. Temporary Storage
11. Fascia On-premises Signs
12. Fascia Off-premises Signs, where they are not within 100.0 m of a Residential Zone

13. Freestanding On-premises Signs
14. Freestanding Off-premises Signs, where they are not within 100.0 m of a Residential Zone
15. Projecting On-premises Signs
16. Roof On-premises Signs, where they are not within 100.0 m of a Residential Zone
17. Temporary On-premises Signs

420.3 Discretionary Uses

1. Auctioneering Establishments
2. Automotive and Equipment Repair Shops
3. Flea Markets
4. Natural Resource Developments
5. Residential Sales Centres
6. Fascia Off-premises Signs, where they are within 100.0 m of a Residential Zone
7. Freestanding Off-premises Signs, where they are within 100.0 m of a Residential Zone
8. Roof Off-premises Signs
9. Roof On-premises Signs, where they are within 100.0 m of a Residential Zone

420.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Floor Area Ratio shall be 2.0.
2. A minimum Yard of 3.0 m 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 Zone, a minimum Yard of 6.0 m 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 18.0 m.
5. Signs shall comply with the regulations found in Schedule 59G.

430. (IH) Heavy Industrial Zone

430.1 General Purpose

The purpose of this Zone is to provide for industrial Uses that, due to their appearance, noise, odour, risk of toxic emissions, or fire and explosion hazards are incompatible with residential, commercial, and other land Uses. This Zone should 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 Zones.

430.2 Permitted Uses

1. General Industrial Uses that are characterized by one or more of the following features:
 - a. large land requirements for storage, outdoor service, assembly, processing or fabricating operations;
 - b. the creation of nuisances that extend beyond the boundaries of the Site and that may have a deleterious effect on other Zones due to their appearance, noise, or odour; and
 - c. the use of materials or processing operations that requires separation from other developments, due to risk of toxic emissions or fire and explosion hazards.
2. Land Treatment
3. Fascia On-premises Signs
4. Fascia Off-premises Signs, where they are not within 100.0 m of a Residential Zone
5. Freestanding On-premises Signs
6. Freestanding Off-premises Signs, where they are not within 100.0 m of a Residential Zone
7. Projecting On-premises Signs
8. Roof On-premises Signs, where they are not within 100.0 m of a Residential Zone
9. Temporary On-premises Signs

430.3 Discretionary Uses

1. Adult Mini-Theatres
2. Flea Markets
3. General Contractor Services
4. General Industrial Uses, other than those listed as Permitted Uses
5. Natural Resource Developments
6. Recycled Materials Drop-off Centres
7. Residential Sales Centres
8. Temporary Storage
9. Fascia Off-premises Signs, where they are within 100.0 m of a Residential Zone
10. Freestanding Off-premises Signs, where they are within 100.0 m of a Residential Zone
11. Roof Off-premises Signs
12. Roof On-premises Signs, where they are within 100.0 m of a Residential Zone

430.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Area shall be 1 ha.
2. The maximum Floor Area Ratio shall be 2.0.
3. A minimum Yard of 3.0 m 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 that 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 30.0 m.

*Bylaw 12808
May 30, 2001*

7. Notwithstanding Clause (6), above, the Development Officer, using discretion may vary Height to a maximum of 75.0m to accommodate building features necessary to the operation of an existing Industrial Use where the Height of the structure is consistent with the Height of existing development. This shall apply to additions to existing development but not to new development.
8. Signs shall comply with the regulations found in Schedule 59G.

440. (IS) Special Industrial Zone

440.1 General Purpose

The purpose of this Zone is to provide for special industrial Uses in such a manner to create an attractive environment characterized by quality in architectural design, site planning and landscaping, where land Uses do not create or cause undesirable off-site impacts.

440.2 Permitted Uses

1. Special Industrial Uses
2. Fascia On-premises Signs
3. Freestanding On-premises Signs
4. Projecting On-premises Signs
5. Temporary On-premises Signs

440.3 Development Regulations for Permitted and Discretionary Uses

1. All Uses are to carry out their operations such that no nuisance factor is created or apparent outside an enclosed building and such that the Zone is compatible with any Non-industrial Zone.
2. The maximum Floor Area Ratio shall be 1.2.
3. Where this Zone is applied along a major collector or higher standard public roadway the minimum Frontage shall be 60.0 m unless access is provided from a service road.
4. The maximum Height shall be 14.0 m, except that the Development Officer may, notwithstanding subsection 11.4, use his variance power to permit a greater Height, up to a maximum of 30.0 m where this is required to facilitate the development of the Use. Where the Height of a structure exceeds 14.0 m, the Development Officer may require a greater landscaped Yard and building Setback than specified in subsections 440.3(5), 440.3(6), 440.3(7) and 440.3(8) on the basis of one additional metre for the landscaped Yard and Setback, for each additional metre in Height.

5. A minimum landscaped Yard of 7.5 m shall be required adjacent to any lot line of a Site.
6. A minimum Setback of 15.0 m shall be required adjacent to any lot line of a Site.
7. Vacant, undeveloped, or unused portions of a Site shall be maintained in grass, landscaping materials or other ground cover deemed appropriate by the Development Officer. The Development Officer may allow vacant, undeveloped or unused portions of a Site to be utilized for agricultural crop production but shall not permit these portions of a Site to be utilized for animal husbandry operations.
8. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard.
9. The perceived massing of structures when viewed from adjacent public roadways, shall be minimized through the use of building Setbacks, the articulation of the building façade and roof lines, the use of shrubbery and other Landscaping against building walls, and the effective use of colour and finishing materials. The Development Officer shall ensure that such design measures are used for structures with exterior walls exceeding 30.0 m in length.
10. Exterior finishing materials shall be durable and attractive, using primarily neutral or pastel tones, with brighter colours reserved for accents and feature elements, where there is justification to apply such conditions in the interest of achieving or maintaining continuity of streetscape or similar planning objective.
11. The Development Officer may require that all development on a Site be constructed using a specified, consistent architectural theme, which may include, but is not limited to, elements such as sloped roofs, specific roofing materials, roof and parapet details, exterior finishing materials and colours, and window and door dimensions and placement.
12. All mechanical equipment on the roof of any building shall be completely screened or incorporated in the building roof so that it is not visible from at-grade view.
13. Appropriate lighting of the project shall be undertaken to augment security and add visual interest.
14. Development within this Zone shall comply with the provisions of Section 54.6, except that any area at the rear or the side of the principal building provides or is required for off-street parking, loading, or unloading space shall be hardsurfaced.
15. Notwithstanding the provisions of Section 59 of the Zoning Bylaw, the design, placement and scale of all Signs in this Zone shall be to the satisfaction of the Development Officer so as to ensure that the signage does not detract from the overall appearance of the development and is not obtrusive, having regard to the scale of the buildings on the Site and the distance of the building Setback.

16. All on-site services for power, telephone and C.A.T.V., including those required for signage, shall be underground, except that the Development Officer may permit overhead power supply where they are required to facilitate development of the Use.
17. Any Temporary Storage Accessory to the principal Use shall be screened from the view of abutting public roadways and adjacent development Sites.
18. Signs shall comply with the regulations found in Schedule 59F.

500 Urban Service Zones

510. (US) Urban Services Zone

510.1 General Purpose

The purpose of this Zone is to provide for publicly and privately owned facilities of an institutional or community service nature.

510.2 Permitted Uses

1. Cemeteries
2. Child Care Services
3. Community Recreation Services
4. Government Services
5. Public Education Services and Private Education Services
6. Public Libraries and Cultural Exhibits
7. Religious Assembly
8. Fascia On-premises Signs
9. Projecting On-premises Signs
10. Temporary On-premises Signs

510.3 Discretionary Uses

1. Boarding and Lodging Houses for Senior Citizens, where integrated with any other Permitted or Discretionary Use of this Zone
2. Commercial Schools, only when a temporary or part time use of an existing Permitted Use development
3. Detention and Correction Services
4. Exhibition and Convention Centres
5. Extended Medical Treatment Service
6. Health Services
7. Indoor Participant Recreation Services
8. Natural Science Exhibits

9. Outdoor Participant Recreation Services
10. Private Clubs
11. Protective and Emergency Services
12. Recycled Materials Drop-off Centres
13. Specialty Foods Services, Restaurants, and Bars and Neighbourhood Pubs may be considered as Accessory Uses when integrated with another Permitted or Discretionary Use development provided they are for less than 100 occupants and 120 m² of Public Space and that the Site location is not adjacent to or across from a Site zoned residential
14. Spectator Entertainment Establishments
15. Spectator Sports Establishments
16. Temporary Shelter Services
17. Freestanding Off-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback and required Yard provisions of this Zone
18. Freestanding On-premises Signs

510.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Front Yard shall be 6.0 m.
2. The minimum Rear Yard shall be 7.5 m.
3. The minimum Side Yard shall be 4.5 m.
4. The maximum Building Height shall be 10.0 m.
5. Where, in the opinion of the Development Officer, it is unreasonable for a development to comply with clause (1), (2), (3) or (4) due to characteristics fundamental to the nature of the Use, the Development Officer 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. Signs shall comply with the regulations found in Schedule 59C.

510.5 Additional Development Regulations for Discretionary Uses

1. Where development does not comply with the requirements of subsection 510.4 (1), its design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Zones.

2. Where this Zone abuts the A Zone, the Development Officer, in consultation with the General Manager of the Community Services Department, may require an environmental review, in accordance with subsection 540.4(5) of this Bylaw.

520. (PU) Public Utility Zone

520.1 General Purpose

The purpose of this Zone is to provide for a system or works that is used to provide for public consumption, benefit, convenience or use such as water or steam, sewage disposal, public transportation, irrigation, drainage, fuel, electric power, heat, waste management and telecommunications.

520.2 Permitted Uses

1. Land Treatment
2. Minor Impact Utility Services
3. Protective and Emergency Services
4. Fascia On-premises Signs
5. Projecting On-premises Signs
6. Temporary On-premises Signs

520.3 Discretionary Uses

1. Major Impact Utility Services
2. Public Parks
3. Recycled Materials Drop-off Centres
4. Freestanding Off-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback and required Yard provisions of this Zone
5. Freestanding On-premises Signs

520.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Front Yard shall be 6.0 m.
2. The minimum Rear Yard shall be 7.5 m.
3. The minimum Side Yard shall be 4.5 m.
4. The maximum Building Height shall be 10.0 m.
5. Except as provided for in clause (6), developments in this Zone shall comply with the Industrial Performance Standards applicable to the IB Zone.
6. Notwithstanding clause (5), if this Zone is located in the interior of an industrial area mainly abutting the IM or IH Zone for the most part and does not abut any Residential Zone, it shall comply with the Performance Standards applicable to the IM and IH Zone.
7. Where 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, the Development Officer may relax requirements of clause (1), (2), (3) or (4), as required, and he may relax the requirements of clause (5), provided the development complies with the Performance Standards of the IM or IH Zones. In either case, a Permitted Use shall become a Discretionary Use.
8. Signs shall comply with the regulations found in Schedule 59C.

520.5 Additional Development Regulations for Discretionary Uses

1. Where a development does not comply with the requirements of subsections 520.4(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 Zones.
2. Where this Zone abuts the A Zone, the Development Officer, in consultation with the General Manager of the Community Services Department, may require an Environmental Impact Assessment in accordance with the requirements of subsection 540.4(5) of this Bylaw.
3. Public Parks shall be developed in this Zone only in conjunction with and on the same Site as a Permitted or another Discretionary Use in this Zone.

530. (AP) Public Parks Zone

530.1 General Purpose

The purpose of this Zone is to provide an area of public land for active and passive recreational uses.

530.2 Permitted Uses

1. Carnivals, for periods not exceeding four days
2. Child Care Services
3. Community Recreation Services
4. Indoor Participant Recreation Services
5. Outdoor Participant Recreation Services
6. Public Park
7. Fascia On-premises Signs
8. Projecting On-premises Signs
9. Temporary On-premises Signs

530.3 Discretionary Uses

1. Natural Science Exhibits
2. Public Libraries and Cultural Exhibits
3. Restaurants, for less than 100 occupants and 120 m² of Public Space
4. Specialty Foods Services, for less than 100 occupants and 120 m² of Public Space
5. Spectator Entertainment Establishments
6. Spectator Sports Establishments
7. Tourist Campsites
8. Freestanding On-premises Signs

530.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Front Yard shall be 6.0 m.
2. The minimum Rear Yard shall be 7.5 m.
3. The minimum Side Yard shall be 4.5 m.
4. The maximum building Height shall be 10.0 m unless otherwise approved by the Development Officer where deemed appropriate for the Use and having regard to the Height allowed in adjacent Zones.
5. Signs shall comply with the regulations in Schedule 59C

540. (A) Metropolitan Recreation Zone

540.1 General Purpose

The purpose of this Zone is to preserve natural areas and parkland along the river, creeks, ravines and other designated areas for active and passive recreational uses and environment protection in conformance with Plan Edmonton and the North Saskatchewan River Valley Area Redevelopment Plan.

540.2 Permitted Uses

1. Farms
2. Minor Home Based Business
3. Public Park
4. Fascia On-premises Signs
5. Projecting On-premises Signs
6. Temporary On-premises Signs

540.3 Discretionary Uses

1. Carnivals
2. Child Care Services
3. Community Recreation Services
4. Exhibition and Convention Centres
5. Greenhouses, Plant Nurseries and Market Gardens
6. Indoor Participant Recreation Services
7. Major Home Based Business

8. Minor Impact Utility Services
9. Natural Resource Development
10. Natural Science Exhibits
11. Outdoor Participant Recreation Services
12. Protective and Emergency Services
13. Public Libraries and Cultural Exhibits
14. Single Detached Dwelling
15. Spectator Entertainment Establishments
16. Spectator Sports Establishments
17. Tourist Campsites
18. Freestanding On-premises Signs

540.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Front Yard shall be 7.5 m.
2. The minimum Rear Yard shall be 7.5 m.
3. The minimum Side Yard shall be 7.5 m.
4. The maximum Building Height shall be 10.0 m unless otherwise approved by the Development Officer where deemed appropriate for the Use.
5. An environmental review for all developments may be required prior to the issuance of a Development Permit at the discretion of the Development Officer.
6. Where a Single Detached Dwelling is developed in this Zone, a maximum of one Dwelling per lot shall be allowed.

*Bylaw 12961
February 4, 2002*

7. Signs shall comply with the regulations found in Schedule 59H.

541. (AN) River Valley Activity Node Zone

*Bylaw 12835
September 5, 2001*

541.1 General Purpose

The purpose of this Zone is to allow for limited commercial development within activity nodes in designated areas of parkland along the river, creeks and ravines, for active and passive recreational uses, tourism uses, and environmental protection in conformance with Plan Edmonton, the Ribbon of Green Master Plan, and the North Saskatchewan River Valley Area Redevelopment Plan.

541.2 Permitted Uses

1. Community Recreation Services
2. Exhibition and Convention Centres
3. Farms
4. Greenhouses, Plant Nurseries and Market Gardens
5. Natural Science Exhibits
6. Outdoor Participant Recreation Services
7. Public Libraries and Cultural Exhibits
8. Public Park
9. Fascia On-premises Signs
10. Projecting On-premises Signs
11. Temporary On-premises Signs

541.3 Discretionary Uses

Discretionary Uses are listed in the Appendices.

541.4 Development Regulations for Permitted and Discretionary Uses

1. No development, except essential sewer utility crossings, shall be allowed in the Environmental Protection Sector as shown on the Maps in the Appendices.
2. The maximum building Height shall be 10.0 m unless otherwise approved by the Development Officer, where deemed appropriate for the Use.

3. The Development Officer shall require the submission of an environmental review for all major facility permits, as defined by the North Saskatchewan River Valley Area Redevelopment Plan Bylaw, and all major development permits, and recommendations contained within the review shall be met as a condition of the issuance of a Development Permit, to the satisfaction of the Development Officer.
4. The Development Officer may require the submission of an environmental review for other uses, and recommendations contained within the review shall be met as a condition of the issuance of a Development Permit, to the satisfaction of the Development Officer.
5. A parking impact assessment shall be required for all major facility and major development permit applications, and recommendations for the provision of parking facilities contained within the review shall be met as a condition of the issuance of a Development Permit, to the satisfaction of the Development Officer.
6. Development Permits for signs shall be reviewed both independently and as a component of the general streetscape of the applicable portion of the park to ensure that the sign is compatible with the general intent of the Master Plan, to the satisfaction of the Development Officer.

541.5 Development Regulations for Discretionary Uses

1. As listed on the individual attached Appendices.

1. Area of Application

The Fort Edmonton Park, located on Lot Block A, Plan 852 1469, north of Brander Drive and 66 Avenue and west of Whitemud Drive, is a unique historical, recreational, educational and cultural attraction nestled in the North Saskatchewan River Valley in Edmonton. The Park is divided into two Sectors, as shown on the attached map. The Environmental Protection Sector includes environmentally sensitive areas which will be preserved in their natural state, with development permitted only in the Activity Sector with such development to be guided by Council approved Master Plans.

2. Discretionary Uses

1. Carnivals
2. Child Care Services
3. Indoor Participant Recreation Services
4. Minor Impact Utility Services
5. Natural Resource Development
6. Single Detached Dwelling
7. Spectator Entertainment Establishments
8. Spectator Sports Establishments
9. Freestanding On-premises Signs and all other types of Signs
10. Restaurants, not to exceed 100 occupants nor 120 m² of public space for establishments approved after the date of this Bylaw
11. Specialty Foods Services, not to exceed 100 occupants nor 120 m² of public space for establishments approved after the date of this Bylaw
12. Bars and Neighbourhood Pubs, only as accessory use to a Hotel, and not to exceed 100 occupants nor 120 m² of public space for establishments approved after the date of this Bylaw
13. Hotels, not to exceed 85 rooms
14. General Retail Stores, as accessory use to a permitted use
15. Automotive and Equipment Repair Shops
16. Such accessory uses as required for the operation, administration, maintenance, customer information and service, temporary storage, and visitor amenities for the park, to the satisfaction of the Development Officer

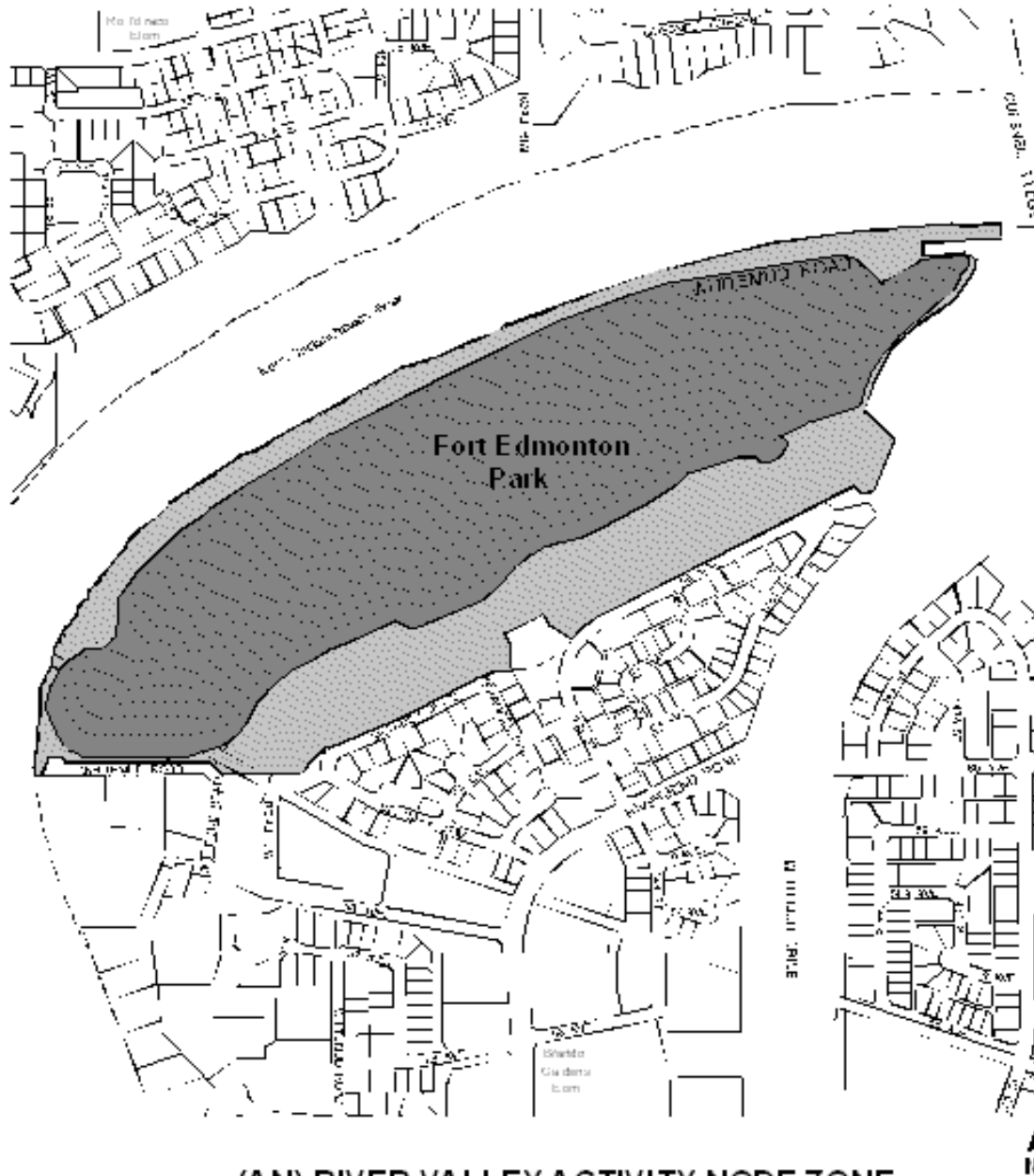
3. Additional Development Regulations for Discretionary Uses

1. Development permits shall only be issued for Specialty Food Services, Restaurants and Hotels uses contained in either buildings listed on the *Register of Historical Resources in Edmonton* or modern reproductions of such Heritage Buildings.
2. Where a Single Detached Dwelling is developed in this Zone, a maximum of one Dwelling per lot shall be allowed.
3. Where an Equipment Repair Shop is developed in this Zone, this use is limited to servicing the vehicular and equipment repair and maintenance needs of other uses within the site.



4. The Development Officer may approve a custom brewery and up to two custom bakery facilities on the site as accessory to the General Retail Stores uses.
5. The following uses will be limited on this site, for establishments approved after the date of this Bylaw, as described below:
 - a. the number of Hotels shall not exceed 3;
 - b. the number of Specialty Food Services will not exceed 5;
 - c. the number of Restaurants will not exceed 5; and
 - d. the number of Bars and Neighbourhood Pubs will not exceed 1 per Hotel use.

FORT EDMONTON PARK

Map for Appendix I to Section 541



(AN) RIVER VALLEY ACTIVITY NODE ZONE

-  Environmental Protection Sector
-  Activity Sector

PLANNING AND DEVELOPMENT

Appendix II - Muttart Conservatory

1. Area of Application

The Muttart Conservatory, located on portions of River Lots 17 and 19, Plan Edmonton, and Block A, Plan 1096EO, south of 98 Avenue and west of 96A Street, is a unique recreational and educational attraction nestled in the North Saskatchewan River Valley in Edmonton. The site is divided into two Sectors, as shown on the attached map. The Environmental Protection Sector will be preserved in its current state, with development permitted only in the Activity Area Sector with such development to be guided by Council approved Master Plans.

2. Discretionary Uses

1. Child Care Services
2. Indoor Participant Recreation Services
3. Minor Impact Utility Services
4. Natural Resource Development
5. Spectator Entertainment Establishments
6. Freestanding On-premises Signs and all other types of Signs
7. Specialty Foods Services, not to exceed 100 occupants nor 120 m² of public space for establishments approved after the date of this Bylaw
8. Restaurants, not to exceed 225 occupants nor 270m² of public space for establishments approved after the date of this Bylaw
9. General Retail Stores, as accessory to a permitted use
10. Such accessory uses as required for the operation, administration, maintenance, customer information and service, temporary storage, and visitor amenities for the park, to the satisfaction of the Development Officer

3. Additional Development Regulations for Discretionary Uses

1. Specialty Food Services and Restaurants shall be accessory to the community, recreational, educational and cultural uses, and limited to one of each type of establishment for the site.



MUTTART CONSERVATORY

Map for Appendix II to Section 541



(AN) RIVER VALLEY ACTIVITY NODE ZONE



-  Environmental Protection Sector
-  Activity Sector

PLANNING AND DEVELOPMENT

550. (MA) Municipal Airport Zone

550.1 General Purpose

The purpose of this Zone is to provide 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; and
 - b. Government Services
3. Fascia On-premises Signs
4. Freestanding On-premises Signs
5. Projecting On-premises Signs
6. Temporary On-premises Signs

550.3 Discretionary Uses

1. The following Use Classes, provided they directly service the operation or users of the Municipal Airport:
 - a. Convenience Vehicle Rentals
 - b. Fleet Services
 - c. Hotels
 - d. Specialty Foods Services, Restaurants, Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m² of Public Space, when integrated with another Permitted or Discretionary Use
2. Spectator Sports Establishments
3. Train Stations
4. Freestanding Off-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback and required Yard provisions of this Zone
5. Temporary On-premises Signs

550.4 Development Regulations for Permitted and Discretionary Uses

1. The maximum Floor Area Ratio shall be 2.0.
2. A minimum Yard of 6.0 m 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 zoned residential.
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 14.0 m, except that the Development Officer may, notwithstanding subsection 11.4, grant a variance to permit a greater Height for: General Industrial Uses used for the storage, maintenance and servicing of aircraft; Aircraft Sales or 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 Zone.
6. Signs shall comply with the regulations found in Schedule 59I.

550.5 Additional Development Regulations for Discretionary Uses

1. Notwithstanding any other provision of this Bylaw, the following regulations shall apply to Spectator Sports Establishments:
 - a. this Use Class shall be limited to Auto Racing;
 - b. the location of the use shall be generally contained to the northern half of the Site, within an area bound on the north by the Yellowhead Highway, bound on the east by 109 Street, bound on the south by the projection of 120 Avenue, and bound on the west by the projection of 120 Street;
 - c. this Use Class shall be restricted to a single event per calendar year, of no greater duration than four (4) days, inclusive of set up and removal time, and a Development Permit must be obtained for each event;
 - d. race vehicles shall only be allowed to operate between the hours of 10:00 and 18:00;
 - e. the Development Officer may apply conditions that, are necessary to ensure compatibility with airport operations, community interests and race requirements;

- f. in addition to the notification requirements of this Bylaw, notification of the issuance of a Development Permit for this Use Class shall also be sent to the Presidents of the following Community Leagues and Business Associations:
- Calder;
 - Central McDougall;
 - Inglewood;
 - Lauderdale;
 - Prince Charles;
 - Prince Rupert;
 - Queen Mary Park;
 - Sherbrooke;
 - Spruce Avenue;
 - Westwood;
 - Inglewood Business Association; and
 - Kingsway Business Association;
- g. each applicant for a Development Permit shall monitor noise at distances set by the Development Officer, and shall submit the results of this monitoring to the Development Officer within two weeks of the event for which the Development Permit has been issued.

551. (MA1) Municipal Airport Airfield Zone

551.1 General Purpose

The purpose of this Zone is to provide for the operation of the municipally owned airport (Edmonton City Centre Airport), which carries over the development rights of the former MA Zone and allows additional opportunity for airport related office development.

551.2 Permitted Uses

1. Aircraft Sales/Rentals
2. The following Use Classes, provided they directly serve the operations or users of the Edmonton City Centre Airport or are directly related to the maintenance or operation of private and commercial aircraft:
 - a. General Industrial Uses;
 - b. Government Services; and
 - c. Professional, Financial and Office Support Services
3. Fascia On-premises Signs
4. Freestanding On-premises Signs
5. Projecting On-premises Signs
6. Temporary On-premises Signs

551.3 Discretionary Uses

1. The following Use Classes, provided they directly service the operations or users of the Edmonton City Centre Airport:
 - a. Convenience Vehicle Rentals
 - b. Fleet Services
 - c. Hotels
 - d. Specialty Foods Services, Restaurants and Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m² of Public Space, when integrated with another Permitted or Discretionary Use
2. Spectator Sports Establishments
3. Freestanding Off-premises Signs a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback and required Yard provisions of this Zone

551.4 Development Regulations for Permitted and Discretionary Uses

1. In considering any application for development, the Development Officer shall have regard for the Edmonton City Centre Airport Concept Plan, originally approved July 27, 1998, as it may be amended from time to time.
2. The maximum Floor Area Ratio shall be 2.0.
3. A minimum Yard of 6.0 m 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. The maximum building Height shall be 14.0 m, except that the Development Officer may, notwithstanding Section 11.4, grant a variance to permit a greater Height for General Industrial Uses used for the storage, maintenance and servicing of aircraft; Aircraft Sales or Rentals; and Hotels provided that the Height complies with any Height regulations of Transport Canada and the Airport Protection Overlay.
6. All General Industrial Uses shall comply with the Industrial Performance Standards for the IB Zone.
7. Signs shall comply with the regulations found in Schedule 59I.

551.5 Additional Development Regulations for Discretionary Uses

1. Notwithstanding any other provision of this Bylaw, the following regulations shall apply to Spectator Sports Establishments:
 - a. this Use Class shall be limited to Auto Racing;
 - b. the location of the Use shall be generally contained to the northern half of the Site, within an area bound on the north by the Yellowhead Highway, bound on the east by 109 Street, bound on the south by the projection of 120 Avenue, and bound on the west by the projection of 120 Street;
 - c. this Use Class shall be restricted to a single event per calendar year, of no greater duration than four (4) days, inclusive of set up and removal time, and a Development Permit must be obtained for each event;
 - d. race vehicles shall only be allowed to operate between the hours of 10:00 and 18:00;

- e. the Development Officer may apply conditions that are necessary to ensure compatibility with airport operations, community interests and race requirements;
- f. in addition to the notification requirements of this Bylaw, notification of the issuance of a Development Permit for this Use Class shall also be sent to the Presidents of the following Community Leagues and Business Associations:
 - Calder;
 - Central McDougall;
 - Inglewood;
 - Lauderdale;
 - Prince Charles;
 - Prince Rupert;
 - Queen Mary Park;
 - Sherbrooke;
 - Spruce Avenue;
 - Westwood;
 - Inglewood Business Association; and
 - Kingsway Business Association;
- g. each applicant for a Development Permit shall monitor noise at distances set by the Development Officer, and shall submit the results of this monitoring to the Development Officer within two weeks of the event for the Development Permit has been issued.

552. (MA2) Municipal Airport Business Industrial Zone

552.1 General Purpose

The purpose of this Zone is to establish a Zone adjacent to the runways and taxiways of the (Edmonton City Centre Airport), which carries over the development rights of the former MA Zone and allows some additional business industrial opportunities, based on the IB Zone.

552.2 Permitted Uses

1. Aircraft Sales/Rentals
2. Business Support Services
3. Commercial Schools
4. Equipment Rentals
5. Gas Bars
6. General Industrial Uses
7. Government Services
8. Non-accessory Parking
9. Professional, Financial and Office Support Services
10. Recycling Depots
11. Fascia On-premises Signs
12. Freestanding On-premises Signs
13. Projecting On-premises Signs
14. Temporary On-premises Signs

552.3 Discretionary Uses

1. The following Use Classes, provided they directly service the operations or users of the Edmonton City Centre Airport:
 - a. Convenience Vehicle Rentals
 - b. Fleet Services
 - c. Hotels
 - d. Specialty Foods Services, Restaurants and Bars and Neighbourhood Pubs, of less than 100 seats and less than 120 m² of Public Space when integrated with another Permitted or Discretionary Use
2. Auctioneering Establishments
3. Automotive and Equipment Repair Shops
4. Automotive and Minor Recreation Vehicle Sales/Rentals
5. Broadcasting and Motion Picture Studios
6. Convenience Retail Stores
7. Drive-in Food Services

8. Health Services
9. Indoor Participant Recreation Services
10. Limited Contractor Services
11. Mobile Catering Food Services
12. Personal Service Shops
13. Rapid Drive-through Vehicle Services
14. Spectator Sports Establishments
15. Veterinary Services
16. Warehouse Sales
17. Freestanding Off-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback and required Yard provisions of this Zone

552.4 Development Regulations for Permitted and Discretionary Uses

1. In considering any application for development, the Development Officer shall have regard for the Edmonton City Centre Airport Concept Plan, originally approved July 27, 1998, as it may be amended from time to time.
2. Where this Zone is applied along a major collector or higher standard public roadway, the minimum Site Frontage shall be 30.0 m, unless access is provided from a service road.
3. The maximum Floor Area Ratio shall be 1.2.
4. A minimum Yard of 6.0 m shall be required where any lot line of a Site abuts a public roadway, other than a Lane.
5. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard.
6. The maximum building Height shall be 14.0 m, except that the Development Officer may, notwithstanding Section 11.4, grant a variance to permit a greater Height for General Industrial Uses used for the storage, maintenance and servicing of aircraft; and Aircraft Sales or Rentals, provided that the Height complies with any Height regulations of Transport Canada and the Airport Protection Overlay.
7. All developments shall comply with the Performance Standards of the IB Zone.
8. Signs shall be developed in accordance with Schedule 59I of this Bylaw.

552.5 Additional Development Regulations for Discretionary Uses

1. The following regulations shall apply to Convenience Vehicle Rentals developments:
 - a. all storage, display or parking areas shall be hardsurfaced, in accordance with subsection 54.6 of this Bylaw; and
 - b. lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.
2. Automotive and Minor Recreational Vehicle Sales/Rentals shall comply with provisions of this Zone for Convenience Vehicle Rentals developments and the size, locations, screening and landscaping of the outdoor vehicular display areas. The Development Officer may attach conditions so as to achieve compatibility with the appearance of surrounding developments.
3. The minimum Floor Area for a Warehouse Sales establishment shall not be less than 1 000 m², unless at least 50% of the Floor Area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.
4. Notwithstanding any other provision of this Bylaw, the following regulations shall apply to Spectator Sports Establishments:
 - a. this Use Class shall be limited to Auto Racing;
 - b. the location of the Use shall be generally contained to the northern half of the Site, within an area bound on the north by the Yellowhead Highway, bound on the east by 109 Street, bound on the south by the projection of 120 Avenue, and bound on the west by the projection of 120 Street;
 - c. this Use Class shall be restricted to a single event per calendar year, of no greater duration than four (4) days, inclusive of set up and removal time, and a Development Permit must be obtained for each event;
 - d. race vehicles shall only be allowed to operate between the hours of 10:00 and 18:00;
 - e. the Development Officer may apply conditions which are necessary to ensure compatibility with airport operations, community interests and race requirements;

- f. in addition to the notification requirements of this Bylaw, notification of the issuance of a Development Permit for this Use Class shall also be sent to the Presidents of the following Community Leagues and Business Associations:
- Calder;
 - Central McDougall;
 - Inglewood;
 - Lauderdale;
 - Prince Charles;
 - Prince Rupert;
 - Queen Mary Park;
 - Sherbrooke;
 - Spruce Avenue;
 - Westwood;
 - Inglewood Business Association; and
 - Kingsway Business Association;
- g. each applicant for a Development Permit shall monitor noise at distances set by the Development Officer and shall submit the results of this monitoring to the Development Officer within two weeks of the event for which the Development Permit has been issued.

553. (MA3) Municipal Airport General Business Zone

553.1 General Purpose

The purpose of this Zone is to establish a Zone for Sites with good visibility and accessibility along, or adjacent to, major public roadways at the Edmonton City Centre Airport, which carries over the development rights of the former MA Zone, and that allows some additional general business opportunities, based on the CB2 Zone.

553.2 Permitted Uses

1. The following Use Classes, provided they directly serve the operations or users of the Edmonton City Centre Airport or are directly related to the maintenance or operation of private and commercial aircraft:
 - a. General Industrial Uses; and
 - b. Government Services

2. Aircraft Sales/Rentals
3. Business Support Services
4. Commercial Schools
5. Drive-in Food Services
6. Fleet Services
7. Gas Bars
8. General Retail Stores, up to a maximum Floor Area of 2 500 m²
9. Health Services
10. Indoor Participant Recreation Services
11. Minor Amusement Establishments and Major Amusement Establishments
12. Minor Service Stations and Major Service Stations
13. Personal Service Shops
14. Professional, Financial and Office Support Services
15. Public Education Services, when the location of this Use is contained within the Edmonton City Centre Airport Air Terminal Building and within the location shown in Schedule 553A.
16. Rapid Drive-through Vehicle Services
17. Restaurants
18. Specialty Foods Services
19. Train Stations
20. Veterinary Services
21. Warehouse Sales, up, to a maximum Floor Area of 2 500 m²
22. Fascia On-premises Signs
23. Freestanding On-premises Signs
24. Projecting On-premises Signs
25. Temporary On-premises Signs

553.3 Discretionary Uses

1. The following Use Classes, provided they directly service the operations or users of the Edmonton City Centre Airport:
 - a. Convenience Vehicle Rentals; and
 - b. Hotels

2. Automotive and Minor Recreation Vehicle Sales/Rentals
3. Bars and Neighbourhood Pubs
4. Broadcasting and Motion Picture Studios
5. General Retail Stores with a Floor Area greater than 2 500 m²
6. Major Alcohol Sales and Minor Alcohol Sales
7. Nightclubs
8. Mobile Catering Food Services
9. Motels
10. Non-accessory Parking
11. Warehouse Sales, with a Floor Area greater than 2 500 m²
12. Roof On-premises Signs
13. Freestanding Off-premises Signs
14. Fascia Off-premises Signs
15. Roof Off-premises Signs

553.4 Development Regulations for Permitted and Discretionary Uses

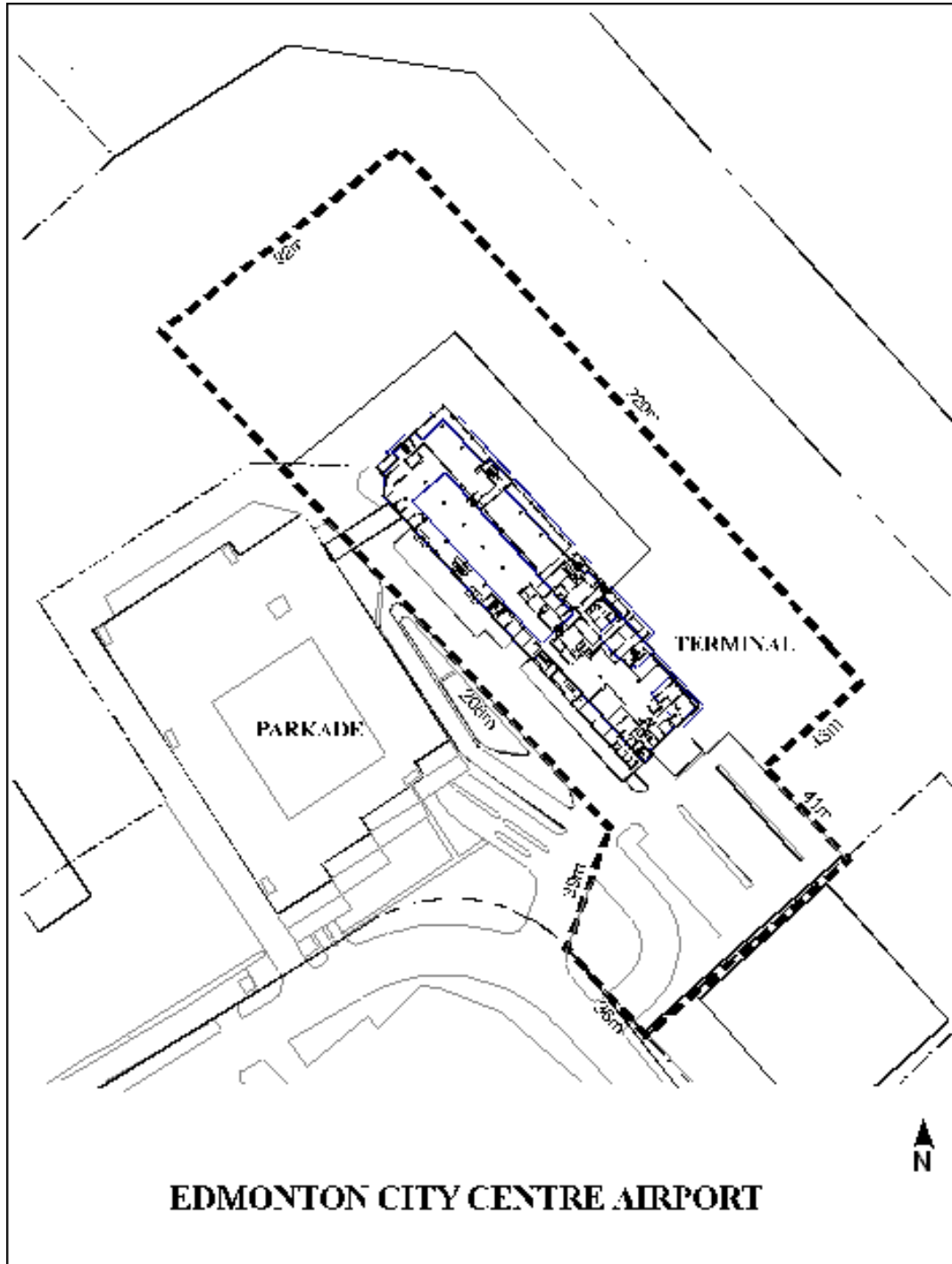
1. In considering any application for development, the Development Officer shall have regard to the Edmonton City Centre Airport Concept Plan, originally approved July 27, 1998, as it may be amended from time to time.
2. The minimum Site Frontage shall be 30.0 m, unless access is provided from a service road. For the purposes of this section, Site shall refer to the leased developable area.
3. The maximum Floor Area Ratio shall be 3.0.
4. A minimum Yard of 4.5 m 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; and
 - b. where there is no vehicular access to the Site from the public roadway, the minimum Yard shall be not less than 3.0 m.
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 subsection 55.4 of this Bylaw.

6. The maximum building Height shall be 14.0 m, except that the Development Officer may, notwithstanding Section 11.4, grant a variance to permit a greater Height for General Industrial Uses used for the storage, maintenance and servicing of aircraft; Aircraft Sales or Rentals; and Hotels, provided that the Height complies with any Height regulations of Transport Canada and the Airport Protection Overlay.
7. Signs shall be developed in accordance with Section 59F of this Bylaw.
8. The following regulations shall apply to Public Education Services:
 - a. shall be limited to high school and adult education only;
 - b. shall ensure the safety of students and maintain the integrity of the general aviation activities at the City Centre Airport through the installation of a "double containment" security system consisting of an outer perimeter chain link fence (Primary Containment Fence), 2.4 m in height topped with 3 strands of barbed wire, and an inner fence (Secondary Containment Fence), a minimum of 2.4 m in height. There will be no gates permitted in the Primary Containment Fence. Secured access gates will be permitted in the Secondary Containment Fence;
 - c. shall provide a safe outdoor environment adjacent to the Terminal Building by constructing earth berms, a maximum of 2.4 m in Height. The final design and configuration of these berms shall be consistent with the recommendations of a Professional Acoustic Engineer;
 - d. Landscaping located between the Terminal Building and the Secondary Containment Fence may include the planting of native short grasses and shrubs. No Landscaping shall be permitted in the area between the Primary and Secondary Containment Fences;
 - e. shall be developed in accordance with Schedule 810A Airport Protection Overlay Schedule for the City Centre Airport of this Bylaw; and
 - f. in addition to the regulations contained in this Bylaw, all development must comply with Federal and Provincial regulations as they pertain to the operation of the Edmonton City Centre Airport including those of Transport Canada, NAVCAN and the Edmonton Regional Airports Authority's Facility Alteration Permit (FAP) process.

553.5 Additional Development Regulations for Discretionary Uses

1. The following regulations shall apply to Automotive and Minor Recreation Vehicle Sales/Rentals, Convenience Vehicle Rentals and Truck and Mobile Home Sales/Rentals developments:
 - a. all storage, display or parking areas shall be hardsurfaced in accordance with subsection 54.6 of this Bylaw.

Schedule 553A



560 (AJ) Alternative Jurisdiction Zone

560.1 General Purpose

The purpose of this Zone is to provide for lands that do not require a Development Permit when operating under the jurisdiction of federal legislation, provincial legislation or the *Constitution Act*, and to prescribe land uses and regulations for these lands if the legal status of these lands change and they become subject to this Bylaw.

560.2 Permitted Uses

1. Any Use that is consistent with those Uses, activities and operations prescribed in the appropriate superior legislation.

560.3 Discretionary Uses

1. All Uses listed in the most restrictive Zone adjacent to the Site.

560.4 Development Regulations for Permitted and Discretionary Uses

1. A Development Permit is not required for Permitted Uses
2. If for any reason (including a change in use, ownership or legislation) lands to which this Zone applies become subject to this Bylaw, the most restrictive Zone on the adjacent lands shall apply. Any development shall be considered a Class B Discretionary Development.
3. 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 Plan Edmonton, any other applicable Statutory Plan, existing surrounding development and abutting Zones.

*Bylaw 12961
February 4, 2002*

4. Signs shall comply with regulations found in Schedule 59H.

600 Agriculture and Reserve Zones

610. (AG) Agricultural Zone

610.1 General Purpose

The purpose of this Zone is to conserve agricultural and rural land use activities.

610.2 Permitted Uses

1. Farms
2. Fascia On-premises Signs

610.3 Discretionary Uses

1. Community Recreation Services
2. Greenhouses, Plant Nurseries and Market Gardens
3. Major Home Based Business
4. Minor Home Based Business
5. Minor Impact Utility Services
6. Natural Resource Development
7. Protective and Emergency Services
8. Single Detached Housing
9. Small Animal Breeding and Boarding Establishments
10. Freestanding On-premises Signs
11. Temporary On-premises Signs

610.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Area shall be 32 ha.
2. The minimum Front Yard shall be 7.5 m.
3. The minimum Rear Yard shall be 7.5 m.
4. The minimum Side Yard shall be 7.5 m.
5. The maximum building Height shall be 10.0 m, except in the case of buildings or structures Accessory to a Farm, other than the single detached Dwelling.

6. Signs shall comply with the regulations found in Schedule 59A.

620. (AGU) Urban Reserve Zone

620.1 General Purpose

The purpose of this Zone is to allow for agricultural and rural land use activities and a limited range of other uses, that do not prejudice the future use of these lands for urban use.

620.2 Permitted Uses

1. Farms
2. Fascia On-premises Signs

620.3 Discretionary Uses

1. Drive-in Motion Picture Theatres
2. Greenhouses, Plant Nurseries and Market Gardens
3. Major Home Based Business
4. Minor Home Based Business
5. Minor Impact Utility Services
6. Natural Resource Development
7. Public Education Services, where the Site is designated as a school/park Site by a Neighbourhood Structure Plan
8. Public Park
9. Residential Sales Centre
10. Single Detached Housing
11. Small Animal Breeding and Boarding Establishments
12. Tourist Campsites
13. Freestanding On-premises Signs
14. Temporary On-premises Signs

620.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Area shall be 8 ha.
2. The minimum Front Yard shall be 7.5 m.
3. The minimum Rear Yard shall be 7.5 m.
4. The minimum Side Yard shall be 7.5 m.
5. The maximum building Height shall be 10.0 m, except in the case of buildings or structures Accessory to a Farm, other than a single detached Dwelling.
6. Signs shall comply with the regulations found in Schedule 59A.

620.5 Additional Development Regulations for Discretionary Uses

1. 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 Zone, having regard to the intent of clause (1), above, and the staging of servicing and general residential development of the subject land.

630. (AGI) Industrial Reserve Zone

630.1 General Purpose

The purpose of this Zone is to allow for agricultural and rural land use activities that do not prejudice future use when the lands are required for Industrial Use.

630.2 Permitted Uses

1. Farms
2. Fascia On-premises Signs

630.3 Discretionary Uses

1. Drive-in Motion Picture Theatres
2. Greenhouses, Plant Nurseries and Market Gardens
3. Land Treatment
4. Minor Impact Utility Services
5. Natural Resource Development
6. Outdoor Amusement Establishments
7. Recycled Materials Drop-off Centres
8. Small Animal Breeding and Boarding Establishments
9. Temporary Storage
10. Freestanding On-premises Signs
11. Freestanding Off-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback and required Yard provisions of this Zone
12. Temporary On-premises Signs

630.4 Development Regulations for Permitted and Discretionary Uses

1. The minimum Site Area shall be 8 ha.
2. The minimum Front Yard shall be 7.5 m.
3. The minimum Rear Yard shall be 7.5 m.
4. The minimum Side Yard shall be 7.5 m.
5. The maximum building Height shall be 10.0 m, except in the case of buildings or structures Accessory to a Farm, other than a single detached Dwelling.
6. Signs shall comply with the regulations found in Schedule 59A.

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 Zone, having regard to the intent of clause (1), above, and the staging of servicing and general industrial development of the subject land.

700 Direct Control Provisions

710. (DC1) Direct Development Control Provision

710.1 General Purpose

The purpose of this Provision is to provide 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 historical, cultural, paleontological, archaeological, prehistorical, natural, scientific or aesthetic interest, as designated under the Historical Resources Act.

710.2 Application

1. This Provision shall only be applied:
 - a. where specified by an Area Structure Plan or Area Redevelopment Plan; or
 - b. to those historical resources that have been designated by the Minister or by Council, in accordance with the Historical Resources Act.

710.3 Uses

1. A Development 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 Historical Resources Act.

710.4 Development Regulations

1. All developments shall comply with the development regulations contained in an approved Area Redevelopment Plan or Area Structure Plan, except that any regulations or conditions applying as a result of designation of a historical resource under the Historical Resources Act, 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.
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; and
 - c. the regulations of abutting Zones.
4. Signs shall comply with the regulations found in Schedule 59H.

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 Provision.
2. If the Development Application concerns a historical resource designated under the Historical Resources Act, a Copy of the Minister's written approval or Council's written approval, as may be required, shall be submitted with the application.
3. The Development Officer may request any additional information he deems appropriate in order to determine whether the proposed Use or development is consistent with an approved Statutory Plan.

720. (DC2) Site Specific Development Control Provision

720.1 General Purpose

The purpose of this Provision is to provide for direct control over a specific proposed development where any other Zone would be inappropriate or inadequate.

720.2 Application

1. The Provision shall only be applied to a Site to regulate a specific proposed development under the following circumstances:
 - a. the proposed development exceeds the development provisions of the closest equivalent conventional Zone;
 - b. the proposed development requires specific/comprehensive regulations to ensure land use conflicts with neighbouring properties are minimized;
 - c. the Site for the proposed development has unique characteristics that require specific regulations; or
 - d. the ongoing operation of the proposed development requires specific regulations.

720.3 Contents

1. The applicant shall provide a proposed Direct Control Provision that must contain the following:
 - a. the legal description of the Site to which the proposed Provision shall apply;
 - b. Use Class Opportunities; and
 - c. Development Regulations for Use Class Opportunities.
2. The applicant shall submit a Site Plan. The Site Plan shall be appended to the Bylaw that adopts this Provision, and all development in the Provision shall be in accordance with the Site Plan. Building elevations may also be required. The Site Plan will illustrate the issues that necessitated the use of Direct Control and may include:
 - a. location on the Site of specific Uses, including any accessory Uses and activities;
 - b. details or elements necessary to better achieve land Use compatibility, such as Urban Design and architectural treatment of structures, increased separation spaces, Landscaping, and the like; and
 - c. any staging of the development.

The Site Plan will not restrict other provisions of the Zoning Bylaw that were not at issue at the time of the application of the Direct Control Provision.

3. All Regulations in the Zoning Bylaw shall apply to development in the Direct Control Provision, unless such Regulations are specifically excluded or modified in a Direct Control Provision.
4. Signs shall comply with the regulations found in Schedule 59H.

720.4 Information Requirements

1. In addition to the requirements of Section 24, the applicant shall:
 - a. submit the proposed Direct Control Provision;
 - b. submit a narrative explaining why the Direct Control Provision is warranted, having regard for the criteria specified in subsection 720.2;

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- c. contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League and the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Rezoning Application;
- d. outline to the affected parties, the details of the application and solicit their comments on the application;
- e. document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
- f. submit the documentation as part of the Rezoning Application.

800 Overlays

800. City-Wide Master Overlay

800.1 General Purpose

The purpose of this Overlay is to provide a means to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Zones, in order to achieve the local planning objectives in specially designated areas, throughout the City of Edmonton, as provided for in the Edmonton Municipal Development Plan.

800.2 Application

1. This Master Overlay shall only be applied to Zones where specified through an amendment to the Zoning Bylaw in the form of an Overlay other than an Industrial Plan Overlay, which shall include:
 - a. the name of any applicable Statutory Plan and its boundaries;
 - b. a map of the location(s) or neighbourhood(s) affected by the Overlay at an appropriate scale, which may indicate the designation, location and boundaries of each underlying Zone; and
 - c. every Regulation specified or changed by the Overlay.
2. The Overlay shall not be used:
 - a. in conjunction with a Direct Control Provision;
 - b. to alter Permitted or Discretionary Uses, Floor Area Ratio or Density except in accordance with subsection 800.4;
 - c. where the proposed regulations or changes to the regulations of an underlying Zone:
 - i. are significant enough to be inconsistent with the general purpose of that Zone and the designation of another Zone 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 Zone 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 Provision would be more appropriate;

- d. to allow more than one Single Detached Dwelling on a lot;
- e. to alter the following Sections of this Bylaw:
 - i. Sections 1 through 10, inclusive;
 - ii. Sections 11 through 25, inclusive, except that new fees may be established for new Use Classes and new Zones, with respect to rezoning and Development Permit Applications;
 - iii. Section 41;
 - iv. Sections 56 and 57, inclusive;
 - v. Sections 710 and 720, inclusive; and
 - vi. Section 900.

800.3 Uses

The Permitted Uses specified in the underlying Zones are permitted and the Discretionary Uses specified in the underlying Zone are discretionary, subject to the regulations concerning land Use, as specified in the Overlays.

800.4 Development Regulations

1. The regulations provided in the Overlay shall be substituted for the specified regulations of the underlying Zone. Where there appears to be a conflict between the provisions of the Overlay and those of the underlying Zone, the provisions of the 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 any other Overlay.
3. The Overlay may change or specify regulations and submission requirements, as provided below, and may specify the conditions under which such changed or specified regulations would apply:
 - a. the total residential Density;
 - b. Site dimensions and Area;
 - c. the building Height;
 - d. the size and Floor Area Ratio for each Use Class or group of Use Classes;
 - e. Yard and Setback requirements;
 - f. Separation Spaces;
 - g. Amenity Area requirements;

- h. parking requirements for each Use Class or groups of Use Classes;
- i. architectural and Site design requirements;
- j. performance criteria;
- k. Landscaping requirements;
- l. canopy and arcade requirements;
- m. regulations pertaining to Accessory structures;
- n. signage requirements;
- o. regulations pertaining to special environmental considerations, which may include such things as geotechnical, flood proofing, noise attenuation and servicing requirements; and
- p. regulations pertaining to special public consultation requirements for any Development Permit Application.

810. APO - Airport Protection Overlay

810.1 General Purpose

The purpose of this Overlay is to provide for the safe and efficient operation of airports within and 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 Zones 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 those areas described as the Localizer, the Receiver Site and the Glide Path; and
 - d. land situated under the boundaries of the Control Tower View Plane.

810.3 Development 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 52 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 45.72 m above the airport reference point and extending outward to a radius of 2438.4 m;
 - 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 above the level of the Inner Horizontal Surface;
 - 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 with 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; and
 - 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; and
 - b. no non-metallic objects shall be permitted higher than 2.44 m.
5. Applications to erect or construct on any land within the Glide Path shall be forwarded to Transport Canada for technical comment. Applications to develop any building, metallic fence, sign, overhead line, mast, tower, or similar development shall 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 shall interfere with the operation of electronic equipment.
6. Applications to erect or construct on any land within the Receiver Site as defined by Transport Canada shall be forwarded to Transport Canada. Applications that include vehicular parking facilities, heavy electrical equipment, electric welding or high tension power lines shall 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 shall 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 above the airport reference point, shall not exceed in Height the elevation at that point of the Control Tower View Plane identified in a Schedule to this Bylaw.
8. The Use or development of any land within this Overlay must not 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, ready-mixed concrete, or gravel crushing, or meat packing;
 - ii. Major Impact Utility Services;
 - iii. 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 through the use of electric or electronic equipment such as:
 - i. diathermy equipment;
 - ii. industrial x-ray equipment; and
 - iii. equipment used for commercial purposes that employ an electric arc;
 - c. fire and explosive hazards; and
 - 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; and
 - iv. drive-in restaurants.
9. All buildings within the Airport Protection Overlay shall have clearance lights of a size and design necessary to ensure aviation safety.

810.4 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 an 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 is 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 metric 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; and
- c. a narrative explaining any effects that the proposed development may have on the environment, with respect to those matters listed in subsection 810.4(8).

810A. Airport Protection Overlay Schedule for the City Centre Airport

810A.1 Application

1. This Schedule to Section 810, the Airport Protection Overlay for the City Centre Airport, applies to the lands within the boundaries of the Surfaces described below and as shown in Appendix I. All regulations of Section 810 shall apply in accordance with this Schedule.

810A.2 Description of Surfaces

The surfaces referred to in subsection 810.4 that apply to the City Centre Airport are located and described as follows:

- a. the Inner Horizontal Surface, the centre of which is the airport reference point, is located at 19480526.136 North and 105214.606 East, the radius is 2438.4 m and the elevation is 45.72 m above the baseline measurement of 670.56 m above sea level;
- b. the Conical Surface is measured outward from the outer circumference of the Inner Horizontal Surface and rises in a 1:20 slope to 76.21 m above the level of the Inner Horizontal Surface;
- c. the several runway approach surfaces abutting each end of the runways are described as follows:
 - i. Runway 16 - extends outward from a point at 19483298.210 North and 106070.140 East and measures 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 7620 m from the point of commencement where the approach surface measures 1295.4 m on either side of the projected centre line of the runway at an elevation of 152.43 m above the base line the measurement is 668.12 m above sea level;
 - ii. Runway 34 - extends outward from a point at 19477598.360 North and 106110.210 East and measures 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 7 620 m from the point of commencement where the approach surface measures 1 295.4 m on either side of the projected centre line of the runway at an elevation of 152.43 m above the base line the measurement is 664.46 m above sea level;

- iii. Runway 11 - extends outward from a point at 19482323.450 North and 102637.560 East and measures 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 4 876.8 m from the point of commencement where the approach surface measures 609.6 m on either side of the projected centre line of the runway at an elevation of 121.92 m above the base line, the measurement is 670.56 m above sea level; and
- iv. Runway 29 - extends outward from a point at 19477966.240 North and 106632.340 East and measures 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 4 876.8 m from the point of commencement where the approach surface measures 609.6 m on either side of the projected centre line or the runway at an elevation of 121.92 m above the base line, the measurement is 664.46 m above sea level; and
- d. the following surfaces are defined in Appendix I to this Schedule:
 - a. Localizer;
 - b. Localizer Protection Surfaces;
 - c. Control Tower View Plane;
 - d. Receiver Site;
 - e. Glide Path;
 - f. Transitional Surfaces; and
 - g. Transitional Surfaces west of the Downtown Development Area.

810A.3 Special Regulations for the Downtown Development Area

Notwithstanding subsection 810.4, the maximum Height of a development within the Downtown Development Area, defined in Appendix I to this Schedule, shall not exceed a Height of 815.34 m above sea level.

811. North Saskatchewan River Valley and Ravine System Protection Overlay

811.1 General Purpose

The purpose of this Overlay is to provide a development setback from the North Saskatchewan River Valley and Ravine System.

811.2 Application

1. This Overlay applies to:
 - a. all lands within the North Saskatchewan River Valley and Ravine System, as shown on Appendix I to this Overlay; and
 - b. all lands within 7.5 m of the North Saskatchewan River Valley and Ravine System as shown on Appendix I to this Overlay.
2. Notwithstanding the boundary, as referenced in subsection 811.2 (1), the boundary is a general boundary and is subject to more precise location where such location is established through the approval of Plans of Subdivision or survey plans of the top-of-the-bank. In such cases, the Development Officer will amend the map to reflect the more precise boundary.

811.3 Development Regulations

1. All developments shall maintain a minimum 7.5 m Setback from the North Saskatchewan River Valley and Ravine System, as shown on Appendix I to this Overlay.
2. The Development Officer may allow a variance to the Setback requirements of subsection 811.3(1), under the provisions of Sections 11.3 and 11.4 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 staff from the Planning and Development and Community Services Departments who shall, 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 recorded on the survey and filed with the Development Permit Applications affecting the Site.

3. Any development on a Site that abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System, as shown in Appendix I to this Overlay, shall be accompanied by a report prepared by a registered Professional Engineer, and as set out in subsection 14.1 of this Bylaw, that details:
 - a. the required Setback for structures on the Site; and
 - b. any development conditions for the property required to prolong the stability of the bank.

The Development Officer shall seek the advice of the Transportation and Streets Department with respect to these applications and may approve the conditions or refuse such applications accordingly.

812. FPO - Floodplain Protection Overlay

812.1 General Purpose

The purpose of this Overlay is 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 Zone in their vicinity.

812.2 Application

1. This Overlay applies to those lands identified on the Appendices to this Overlay.

812.3 Development Regulations and Submission Requirements

1. For all developments situated within a Floodplain Protection Overlay, subsection 14.4 of this Bylaw shall apply.
2. Submission of a certificate from a Professional Engineer or Architect shall be required in accordance with the guidelines of the Floodplain Management Policies of the applicable plan, as follows:
 - a. North Saskatchewan River Valley Area Redevelopment Plan;
 - b. Cloverdale Area Redevelopment Plan;
 - c. Rossdale Area Redevelopment Plan; and
 - d. Riverdale Area Redevelopment Plan.

813. Major Commercial Corridors Overlay

813.1 General Purpose

The purpose of this Overlay is to ensure that development along Major Commercial Corridors is visually attractive and that due consideration is given to pedestrian and traffic safety.

813.2 Application

1. This Overlay applies to those lands identified as Major Commercial Corridors in the Appendices to this Overlay Schedule.
2. Where the provisions of this Overlay are in conflict with regulations of any other Section of this Bylaw, the more restrictive provisions shall take precedence. Where there is no conflict, the provisions of this Overlay shall be applied in conjunction with the regulations of the underlying Zone(s) and other Sections of the Zoning Bylaw.

813.3 Definitions

1. For the purposes of this Overlay, the following definitions shall apply:
 - a. Major Arterial Roads: those portions of the following roads shown on the Appendices to this Overlay:
 - i St. Albert Trail;
 - ii 137 Avenue;
 - iii 127 Street;
 - iv Stony Plain Road;
 - v 100 Avenue;
 - vi 170 Street;
 - vii Anthony Henday Drive;
 - viii Calgary Trail, Calgary Trail Northbound and Calgary Trail Southbound;
 - xi 103 Street;
 - x. 103A Street;
 - xi 104 Street;
 - xii Whitemud Drive;
 - xiii Fort Road; and
 - xiv Manning Drive.

- b. Arterial Roads: - those roads, shown on the Appendices to this Overlay, other than those listed in clause (a), above, which are defined as arterial roads in the City of Edmonton Transportation System Bylaw.

813.4 Development Regulations

1. All development on a Site shall be constructed using similar architectural themes. An exception may be made to this general requirement where the function of an individual business dictates a specific style or image associated with a company. In such cases, the development shall maintain harmony in terms of overall project design and appearance.
2. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or shall be concealed by incorporating it within the building roof.
3. Any business premises or multiple occupancy building having a Floor Area greater than 3 000 m² or a single wall length greater than 40.0 m that is visible from an adjacent Arterial Road or Major Arterial Road shall comply with the following development regulations:
 - a. the roof line and building façade shall include design elements that reduce the perceived mass of the building and add architectural interest;
 - b. the exterior wall finishing materials shall be predominantly composed of muted colours, with strong colours limited to use as an accent, so as to minimize the perceived mass of the building; and
 - c. Landscaping adjacent to exterior walls visible from an adjacent Arterial Road or Major Arterial Road shall be used to minimize the perceived mass of the building and to create visual interest.
4. A minimum building Setback of 14.0 m shall be provided adjacent to the Major Arterial Roads and the intersecting Arterial Roads within the Major Commercial Corridors. The Development Officer may use his variance power to reduce this minimum building Setback to the minimum applicable landscaped Yard requirement specified by this Overlay where:
 - a. the proposed development or the proposed development in conjunction with any existing development, does not exceed a Floor Area of 1 000 m², nor 7.0 m in Height; or
 - b. the proposed development lies adjacent to an existing service road;provided that the Landscaping and building treatments minimize the perception of massing and create a high standard of building appearance.

5. For buildings greater than 3 000 m² in Floor Area and with a Height greater than 8.0 m, the Development Officer shall require that the building Setbacks required in subsection 813.4(4), above be increased to minimize the perceived mass of the building and to ensure a high standard of appearance. The maximum building Setback required by the Development Officer shall not exceed one-half of the length of the building wall located next to the property line from which the Setback is measured. For the purpose of determining Height in this subsection, an architectural feature, such as a tower or peak, which is proposed to reduce the perceived mass of the building or to add architectural interest, as required by subsection 813.4(3)(a), above, shall be excluded from the calculation of the Height of the building.
6. a) Landscaped Yards with a minimum Width of 7.5 m shall be provided adjacent to Major Arterial Roads within the Major Commercial Corridors and adjacent Arterial Roads that directly intersect such Major Arterial Roads. However, the Development Officer may use his variance power to reduce this Yard requirement to a minimum Width of 4.5 m, provided that:
 - i. the average Width of the landscaped Yard is not less than 6.0 m; and
 - ii. this Yard width relaxation is required to allow for a more efficient utilization of the Site and the relaxation shall result in an articulation of the Yard width that shall enhance the overall appearance of the Site.
- b) within the Yards specified above, a minimum of five deciduous trees (with a minimum Calliper of 6 cm), three coniferous trees (with a minimum Height of 3.0 m), and 20 shrubs shall be required for each 35.0 m of lineal Yard Frontage. A continuous screen, an average of 0.75 m in Height, shall be provided within the required Yard, through a combination of berming and shrub planting.
7. a) Where:
 - i. the proposed development, or the proposed development in conjunction with any existing development, does not exceed a Floor Area of 1 000 m² nor 7.0 m in Height; and
 - ii. the architectural treatment of the building façades, as well as the juxtaposition of the buildings on the Site minimizes the perceived massing of the development when viewed from the adjacent arterial roads,

The Development Officer may use his variance power to reduce the required minimum landscaped Yard Width specified in subsection 813.4(6) above to 4.5 m or to the minimum Yard Width specified in the underlying Zone, whichever is greater, adjacent to those Arterial Roads that directly intersect the Major Arterial Roads. This Yard Width of 4.5 m may be further reduced to that specified by the underlying Zone, for that portion of the Site beyond a distance of 15.0 m from the adjacent intersecting Major Arterial Roads.

- b) The berming provision specified by subsection 813.4(6) above shall not be required in this reduced Yard; however, the planning treatment specified by subsection 813.4(6) shall apply.
8. An application for a new development or for an addition to existing building(s) shall be accompanied by a Site Plan that shows the location of easement area(s) for all existing and proposed servicing infrastructure on the Site. The Development Officer, in consultation with the affected utility departments, shall require that the minimum building Setbacks and the minimum Width of landscaped Yards specified in this Overlay, be varied where such adjustments may be necessary to ensure:
- a. that proposed buildings do not conflict with existing or proposed servicing infrastructure; and
 - b. that the type, amount and location of Landscaping, including berms, can be provided in a manner that does not conflict with existing or proposed servicing infrastructure.
9. Conceptual Landscape Plans shall be submitted, with the initial Development Permit Application, for review by the Development Officer. Prior to the issuance of the Development Permit, detailed Landscaping Plans shall be submitted to and approved by the Development Officer. All Landscaping Plans shall comply with the requirements specified by this Overlay to ensure a high standard of appearance and a sensitive transition for the surrounding land Uses.
10. Vehicular entrances and exits, as well as on-site and off-site traffic and pedestrian routes, shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both on-site and off-site vehicular traffic and pedestrian movements, including handicapped movements. Loading bays shall be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land Uses.
11. Adjoining Sites shall be integrated by direct on-site access connections to facilitate convenient, efficient and free flowing vehicular traffic and pedestrian movements between Sites, wherever such access is not prohibitive due to such factors as Grade, Site configurations and the location of existing development, including utility services, and where integration is desirable due to the existing or potential type of adjacent Use. The Development Officer shall waive this requirement if the applicant for the development permit can show that after reasonable effort, exercised over a period of no less than 60 days, the applicant has been unable to obtain the required consent from the adjacent property owner(s) for integration and inter-site connections.

12. All on-site services for power, telephone and C.A.T.V. shall be underground. Underground power services shall also be provided for Signs requiring such services.
13. Notwithstanding any other provisions of the Zoning Bylaw, individual business identification signs located on the facades of buildings, shall be similar in proportion, construction materials and placement. The Sign shall be designed and located so as to ensure that the signage does not detract from the overall appearance of the development and is not obtrusive, having regard to the scale of the buildings on the Site and to the distance of the building Setback.
14. Gas Bars, Minor and Major Service Stations and Rapid Drive-through Vehicle Services shall be developed in accordance with the following additional criteria: in addition to the requirements of Section 72, any canopy located over the gas pump islands shall be designed and finished in a manner consistent with the design and finishing of the principal building, such that the canopy is not obtrusive and maintains consistency with the eave line of the principal building.

814. Mature Neighbourhood Overlay

814.1 General Purpose

The purpose of this Overlay is to ensure that new low density development in Edmonton's mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants and neighbouring affected parties when a development proposes to vary the Overlay regulations.

814.2 Area of Application

1. This Overlay applies to all Sites zoned RF1, RF2, RF3, RF4 and RF5 within the areas shown on the Appendix to this Overlay.

814.3 Development Regulations

1. The minimum Front Yard shall be consistent with the Setback of development on adjacent Sites and with the general context of the block face, but shall not be less than 3.0 m and the principal building shall be located at or within 1.0 m of the Front Yard. Separation Space shall be reduced to accommodate the Front Yard requirement where a Principal Living Room Window faces directly onto a local public roadway, other than a Lane.

2. A single Storey Unenclosed Front Porch or Veranda may project a maximum of 2.0 m into a required Front Yard, provided that a minimum of 3.0 m is maintained between the front property line and the projected space and that the Height of the front porch or veranda does not exceed one Storey.
3. A single Storey Unenclosed Porch or Veranda may project a maximum of 2.0 m into a required Side Yard abutting a flanking public roadway other than a Lane, providing there is at least 1.5 m between the property line and the projected space and that the Height of the Porch or Veranda does not exceed one Storey.
4. Where the underlying Zone allows Semi-detached or Row Housing development, the following shall apply:
 - a. the identity of individual Semi-detached or Row Housing Dwellings shall be defined through the use of architectural features that may include such things as individual rooflines or roofline features, projection or recession of the façade, individual porches or entrance features and other treatments;
 - b. there shall be continuous frontage of Dwellings along the Site Frontage; and
 - c. each Dwelling, with street frontage shall have an entrance that fronts onto the street.
5. On Corner Lots the façades of a structure that face the front and flanking public roadways shall have consistent design elements, in terms of building materials and architectural features.
6. Each Dwelling that is adjacent to a public roadway other than a Lane, shall have an entrance door or entrance feature such as a front porch, deck or landing area, at the front of the structure and oriented to the roadway.
7. There shall be no vehicular access from the front or flanking public roadway where an abutting Lane exists, and
 - a. a Treed Landscaped Boulevard is present along the roadway adjacent to the property line; or
 - b. the Site Width is less than 15.5 m.
8. If vehicular access is provided from the fronting public roadway, a Garage may protrude a maximum of 1.0 m beyond the front wall of the principal building and have a maximum width of 7.3 m or 35% of the Site Width, whichever is less. In no case shall the Garage be located less than 3.0 m from the front property line.
9. The maximum Height shall not exceed 8.6 m nor 2 1/2 Storeys.
10. The Floor Area of the upper half Storey of a 2 1/2 Storey building shall not exceed 50% of the structure's second Storey Floor Area.

11. When a structure is more than 7.5 m in Height,
 - a. dormers shall be recessed from the exterior walls of the structure;
 - b. there shall be no dormer or gable roof on the side of the structure where a Side Yard is less than 2.0 m; and
 - c. notwithstanding clauses (a) and (b), above, an exception shall be made to allow a dormer that accommodates a stairwell to the upper 1/2 Storey, provided that the dormer does not exceed the width of the stairway and that it provides only the minimum required headroom for a staircase, as outlined in the Alberta Building Code.
12. the Basement elevation of structures of two or more Storeys in Height shall be no more than 1.2 m above grade. The Basement elevation shall be measured as the distance between Grade level and the floor of the first Storey.
13. Where the Site Width is 12.0 m or less,
 - a. the minimum for each interior Side Yard shall be 1.2 m, regardless of building Height;
 - b. the minimum Side Yard abutting a flanking public roadway, other than a Lane, shall be 1.5 m;
 - 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 3.0 m, and
 - d. Separation Space shall be reduced to accommodate the Side Yard requirements.
14. Where the Site Width is greater than 12.0 m and less than 18.3 m, the Side Yard requirements of the underlying Residential Zone shall apply.
15. Where the Site Width is 18.3 m or greater:
 - a. Side Yards shall total 20% of the Site Width but shall not be required to exceed 6.0 m in total;
 - b. the minimum interior Side Yard shall be 2.0 m; and
 - c. on a corner Site, the Side Yard requirements on the flanking public roadway, other than a Lane, shall be in accordance with the requirements of the underlying Zone.
16. Where a structure is two or more Storeys in Height and an interior Side Yard is less than 2.0 m, the applicant may be required to provide information regarding the location of windows and Amenity Areas on adjacent properties, and the windows of the proposed development shall be located to minimize overlook into adjacent properties.
17. The minimum Rear Yard shall be 40% of Site depth. Row Housing not oriented to a public roadway, is exempt from this Overlay requirement.

18. Decks and balconies greater than 1.0 m above grade may project up to 3.0 m into the Rear Yard, provided that privacy screening prevents visual intrusion into adjacent properties.

*Bylaw 12961
February 4, 2002*

19. The minimum distance from the Rear Lot Line to a detached Garage where the vehicle doors face the Lane shall be 1.2 m
20. A rear detached Garage shall be fully contained within the rear 12.8 m of the Site.
21. A principal building shall be separated from a rear-detached Garage by a minimum of 3.0 m.
22. The Development Officer shall have regard for any applicable Statutory Plan and may where a Statutory Plan specifies, notwithstanding subsection 11.4 of this Bylaw, vary the regulations of both this Overlay and the underlying Zone as they affect Height, Density and Floor Area Ratio. In all cases, the variances shall be within the ranges specified in the Statutory Plan. In all such cases, the application shall be a Class B Development Permit and the pre-application consultation provisions shall apply.
23. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:
 - a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League, at least 21 days prior to submission of a Development Application;
 - b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
 - c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
 - d. the applicant shall submit this documentation as part of the Development Application.

815. Medium Density Residential Overlay

815.1 General Purpose

The purpose of this Overlay is to accommodate the development of medium density housing in established areas of the City that is compatible, in mass and scale, with existing forms of lower and medium density development and that maintains the pedestrian-friendly character and streetscape of these established areas.

815.2 Application

This Overlay applies to lands zoned RF6, RA7 and RA8 in the areas shown on the Appendices to this Overlay.

815.3 Development Regulations for Stacked Row Housing and Apartment Housing

*Bylaw 12808
May 30, 2001*

1. The minimum Front Yard shall be consistent with the Setback of development on adjacent Sites and with the general context of the block face but shall not be less than 5.0m, and the principal building shall be located at or within 1.0m of the Front Yard.
2. Where the underlying Zone is RF6 or RA7, the maximum Height shall not exceed 11.0 m or three Storeys. This Height requirement shall also apply to Apartment or Stacked Row Housing located adjacent to property where Single Detached Housing is a Permitted Use.
3. Where the underlying Zone is RA8, the maximum Height shall not exceed 14.0 m or four Storeys and when a fourth Storey is constructed, at least 50% of the upper Storey shall be set back a minimum of 2.0 m from the front wall of the building. In the case of a Corner Lot, this Setback shall apply to both street facing façades. Where the development abuts a property where Single Detached Housing is a Permitted Use, the entire fourth Storey shall be set back a minimum of 2.0 m adjacent to the property where Single Detached Housing is a Permitted Use.
4. Any habitable Basement development shall be counted as a Storey of development. Where the Basement consists of non-habitable development, the floor of the first Storey shall not be constructed more than 1.2 m above grade.

5. Vehicular access to parking shall be from the abutting Lane. Where there is no Lane, parking access shall be designed to minimize disruption to the yard, sidewalk and existing trees.
6. There shall be a regular pattern of front entrances along an abutting public roadway, other than a Lane. This may be achieved through such means as:
 - a. all ground floor Dwellings, with street frontage, shall have an entrance that fronts onto the street; or
 - b. all Dwellings shall have direct access to a front entrance hall. A front entrance hall shall serve only those units on either side of the entrance, with each front entrance serving no more than 12 Dwellings.
7. One Storey features, such as bay windows, front porches, entrance features, etc., shall be allowed to project into a Front Yard or Side Yard abutting a flanking roadway to a maximum of 2.0 m, provided that a minimum Setback of 3.0 m is maintained between the property line and the projection. Separation Space shall be reduced to accommodate these projections.
8. Architectural treatment of all façades of the building shall create a unified building exterior. The building shall include the following design elements to reduce the perceived mass and add architectural interest:
 - a. articulation of the façade;
 - b. creation of architectural pattern;
 - c. the use of recessions and projections, such as porches, bay windows and entrance features; and
 - d. the use of a variety of exterior building cladding materials and colours.
9. Where the Basement consists of non-habitable development, that portion of the Basement above grade, which faces onto a public roadway, other than a Lane, shall be concealed through such means as extension of the façade treatment, use of planters and Landscaping.
10. Balconies shall not comprise more than 50% of a façade facing a public roadway, other than a Lane. Balconies facing a public roadway, other than a Lane, shall appear to be recessed or partially recessed.
11. The minimum Side Yard shall be 1.5 m. This Side Yard requirement shall also apply to Apartments or Stacked Row Housing located adjacent to a Site where Single Detached Housing is a Permitted Use. Where the Side Yard abuts an arterial public roadway other than a lane, the minimum Side Yard shall be 4.5 m. Separation Space shall be reduced to accommodate these Side Yard requirements, except where a Principal Living Room Window faces an interior Side Yard.

*Bylaw 12808
May 30, 2001*

12. The Development Officer shall have regard for any applicable Statutory Plans and may, where a Statutory Plan specifies, notwithstanding subsection 11.4 of this Bylaw, vary the regulations of both this Overlay and the underlying Zone as they affect Height, Density and Floor Area Ratio. In all cases the variances shall be within the ranges specified in the Statutory Plan. In all such cases, the application shall be a Class B Discretionary Development and the pre-application consultation provisions shall apply.
13. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:
 - a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League, at least 21 days prior to submission of a Development Application;
 - b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
 - c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
 - d. the applicant shall submit this documentation as part of the Development Application.

815.4 Development Regulations for Permitted and Discretionary Uses, Except Stacked Row Housing and Apartment Housing

1. Development shall comply with the regulations contained in the Mature Neighbourhood Overlay.

816. High Rise Residential Overlay

816.1 General Purpose

The purpose of this Overlay is to accommodate the development of high density housing in established areas of the City that is compatible, in mass and scale, with existing forms of lower and medium density development and maintains the pedestrian friendly character and streetscape of these established areas.

816.2 Application

This Overlay applies to Sites zoned RA9 in the areas shown on Appendices to this Overlay.

816.3 Development Regulations

1. The minimum Front Yard shall be consistent with the Setback of development on adjacent Sites and with the general context of the block face but shall not be less than 5.0 m, and the principal building shall be located at or within 1.0 m of the Front Yard.
2. The maximum Height shall not exceed 23.0 m or six Storeys.
3. Any habitable Basement development shall be counted as a Storey of development. Where the Basement consists of non-habitable development, the floor of the first Storey shall not be constructed more than 1.2 m above Grade.
4. Vehicular access to parking shall be from the abutting Lane. Where there is no Lane, parking access shall be designed to minimize disruption to the yard, sidewalk and existing trees.
5. Architectural treatment of all façades of the building shall create a unified building exterior. The building shall include the following design elements that shall reduce the perceived mass and add architectural interest:
 - a. articulation of the façade;
 - b. creation of architectural pattern;
 - c. the use of recessions and projections, such as porches, bay windows and entrance features; and
 - d. the use of a variety of exterior building cladding materials and colours.
6. Where the Basement consists of non-habitable development, that portion of the Basement above grade, which faces onto a public roadway, other than a Lane, shall be concealed through such means as extension of the façade treatment, use of planters and Landscaping.
7. Balconies shall not comprise more than 50% of a façade facing a public roadway, other than a Lane. Balconies facing a public roadway, other than a Lane, shall be recessed or the building shall be articulated to provide some privacy to the balcony areas.
8. One Storey features, such as bay windows, front porches, entrance features, etc., shall be allowed to project into a Front Yard or Side Yard abutting a flanking roadway, other than a Lane, to a maximum of 2.0 m, provided that a minimum Setback of 3.0 m is maintained between the property line and the projection. Separation Space requirements shall be reduced to accommodate these projections.

9. A minimum Side Yard of 2.0 m shall be required. Where the Side Yard abuts a flanking public roadway, other than a Lane, a minimum Side Yard of 3.0 m shall be required. Where the Side Yard abuts an arterial roadway, a minimum Yard of 4.5 m shall be required. Separation Space shall be reduced to accommodate these Side Yard requirements, except where a Principal Living Room Window faces an interior Side Yard.
10. The Development Officer shall have regard for any applicable Statutory Plan and may, where a Statutory Plan specifies, notwithstanding subsection 11.4 of this Bylaw, vary the regulations of both this Overlay and the underlying Zone as they affect Height, Density and Floor Area Ratio. In all cases, the variances shall be within the ranges specified in the Statutory Plan. In all such cases, the application shall be a Class B Discretionary Development and the pre-application consultation provisions shall apply.
11. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:
 - a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League, at least 21 days prior to submission of a Development Application;
 - b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
 - c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
 - d. the applicant shall submit this documentation as part of the Development Application.

817. Suburban Neo-Traditional Residential Overlay

817.1 General Purpose

The purpose of this Overlay is to accommodate the development of neo-traditional housing in suburban neighbourhoods of the City, (as defined in the Municipal Development Plan), which, in part, are characterized by streetscapes that promote a pedestrian-friendly environment.

817.2 Application

This Overlay applies to Single Detached, Semi-detached, Duplex, Row and Stacked Row Housing, and Apartment Housing development on Sites zoned RF1, RPL, RF4 and RF5 in the areas shown on Appendix I to this Overlay and shall in no case apply to an area less than that of an entire neighbourhood.

817.3 Development Regulations

1. All Dwellings noted under subsection 817.2 of the RF1, RPL, RF4 and RF5 Zones shall front onto a public roadway, other than a Lane.
2. All Dwellings noted under subsection 817.2 of the RF1, RPL, RF4 and RF5 Zones shall have at least one entryway oriented toward a fronting or flanking public roadway.
3. Plans of subdivision for RF1, RPL, RF4 and RF5 development must ensure that each proposed lot is serviced by both a public roadway and a Lane.
4. There shall be no vehicular access to an RF1, RPL, RF4 or an RF5 Site from a public roadway, other than a Lane.
5. The minimum Front Yard for RF1, RPL, RF4 and RF5 development shall be 3.0 m and, in no case, shall it be greater than 4.5 m, having regard for:
 - a. the siting and appearance of adjoining Dwellings and other Dwellings within the block face; and
 - b. sunlight exposure, views, privacy and added general interest to the streetscape.
6. On a corner Site where the building fronts on the Front Yard, the minimum Side Yard for RF1, RPL, RF4 and RF5 development abutting the flanking public roadway, other than a Lane, shall be 20% of the Site Width, to a maximum of 3.0 m.
7. On a corner Site where the building fronts on a flanking public roadway, other than a Lane, the minimum Side Yard for RF1, RPL, RF4 and RF5 development abutting the flanking public roadway shall be 3.0 m.
8. Notwithstanding subsection 50.3 of this Bylaw, where the vehicle doors of a detached Garage face a Lane abutting the Site, no portion of the Garage shall be located less than 3.0 m from the abutting property line.
9. Individual Semi-detached and Row Housing Dwellings shall be defined through architectural features that may include individual rooflines or roofline features, projection or recession of the façade, individual porches or entrance features and other treatments.

10. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:
 - a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League, at least 21 days prior to submission of a Development Application;
 - b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
 - c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
 - d. the applicant shall submit this documentation as part of the Development Application.

818. Major And Minor Secondhand Stores Overlay

818.1 General Purpose

The purpose of this Overlay is to supplement the regulations of Commercial Zones regarding Major and Minor Secondhand Stores in order to require parties interested in developing such Uses to consult with surrounding property owners, prior to applying for a Development Permit.

818.2 Application

1. This Overlay applies additional regulations to Major Secondhand Stores and Minor Secondhand Stores Use Classes when contained in the underlying Commercial Zones of those lands identified in the Appendices to this Overlay.
2. Notwithstanding that a Major or Minor Secondhand Store development does not conform to this Overlay, where a Development Permit was issued for the development prior to the adoption of this Overlay, such development shall be deemed to conform to the regulations contained within this Overlay.

818.3 Development Regulations

When there is a Development Application for Minor or Major Secondhand Stores:

*Bylaw 13228
December 5, 2002*

1. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League and the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;
2. the applicant shall outline, to the affected parties, the details of the application and solicit their comments on the application;
3. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
4. the applicant shall submit this documentation as part of the Development Application.

819. Pedestrian Commercial Shopping Street Overlay

819.1 General Purpose

The purpose of this Overlay is to maintain the pedestrian-oriented character of commercial areas, comprised of shopping streets in close proximity to residential areas of the City.

819.2 Application

This Overlay applies to all Commercial Zones on those lands shown in the Appendices to this Overlay.

819.3 Development Regulations

1. Where the underlying Zone allows Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, or Nightclubs as a Permitted or Discretionary Use, these Uses shall not exceed an occupant load of 200 nor 240 m² of Public Space. Notwithstanding subsections 11.3 and 11.4, and that larger facilities may be listed as Discretionary Uses, variances shall not be granted to this regulation unless otherwise specified by a Statutory Plan applicable to the Site

2. The maximum Frontage for Sites abutting a commercial shopping street shall be 10.06 m or consistent with the Frontage of other Sites abutting the shopping street and, where the Frontage for Sites abutting the commercial shopping street exceeds 10.06 m or the consistent development pattern for the street, the front façade of the building shall be designed to break the appearance into 10.06 m sections or modules consistently sized with other buildings on the shopping street.
3. Buildings shall be built to the front and side property lines. The Development Officer may allow building Setbacks up to 2.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area.
4. The maximum Height for Hotel and Apartment Hotel developments shall not exceed 23.0 m nor six Storeys for buildings fronting onto an arterial roadway, and shall not exceed 15.0 m nor four Storeys for buildings fronting onto a collector or local roadway.
5. At Grade Frontage shall be developed for Commercial Uses and, 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 Commercial Uses.
6. The minimum Setback of the principal front wall of a residential development, above the second Storey, for buildings on all Sites not fronting onto an arterial roadway, shall be 4.5 m.
7. Vehicular access to properties from a public roadway shall be restricted to the abutting Lanes to preclude breaks in the street façade and strengthen the pedestrian-oriented character of the area. Where there is no abutting Lane, vehicular access shall be provided from a flanking public roadway.
8. The minimum number of off-street parking spaces required shall be in accordance with the provisions of Section 54, Schedule 1 of this Bylaw, except that:
 - a. for Professional, Financial and Office Support Services at grade, parking shall be provided on the basis of 1.1 parking spaces per 100 m² of Floor Area and no parking spaces shall be required for this Use on upper floors;
 - b. for Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, and Nightclubs, parking shall be provided on the basis of one parking space per 4.8 m² of Public Space;
 - c. for all other Commercial Use Classes, parking shall be provided on the basis of 1.1 parking spaces per 100 m² of Floor Area; and
 - d. Accessory vehicular parking shall be located at the rear of the building.

9. Whenever Non-accessory Parking is a Discretionary Use, it shall not be approved on a Site fronting or flanking onto an arterial roadway.
10. All new development and major renovations shall create a pedestrian-friendly environment on the shopping street, which may include such things as entrance features, outdoor sitting areas, canopies, landscaping and other features that lend visual interest and a human scale to development along the street.
11. Architectural treatment of new developments and substantial renovations shall ensure that each Storey has windows on the front façade of the building, and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented shopping street.
12. On Corner Lots the façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.
13. Signage shall be provided in accordance with Schedule 59E of this Bylaw, with the intent to compliment the pedestrian-oriented commercial environment, except that:
 - a. the maximum Height of a Freestanding Sign shall be 6.0 m;
 - b. a Projecting Sign may be used to identify businesses that are located entirely at or above the second Storey level; and
 - c. the top of a Projecting Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second or third Storey, nor higher than the windowsill level of the second or third Storey.
14. A Comprehensive Sign Design Plan and Schedule, consistent with the overall intent of subsection 59.3 of the Zoning Bylaw, shall be prepared for the development and submitted, with the Development Application, to be approved by the Development Officer.
15. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:

*Bylaw 13228
December 5, 2002*

- a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League and the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;
- b. the applicant shall outline to the affected parties, any requested variances to the Overlay and solicit their comments on the application;

- c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
- d. the applicant shall submit this documentation as part of the Development Application.

850. Industrial Plan Overlays

850.1 General Purpose

The purpose of this Overlay is to provide a means to alter land Use and to alter or specify regulations for land Uses and land Use activities, in order to achieve the local planning objectives of an Industrial Statutory Plan.

850.2 Application

1. This Overlay shall only be applied to Zones, land Uses, land Use activities or geographic areas where specified in an Industrial Statutory Plan.
2. This Overlay shall only be applied, through an amendment to the Zoning 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 an appropriate scale, which indicates the designation, location and boundaries of each underlying Zone with altered or specified regulations, as provided for by this Overlay; and
 - c. every use and regulation that is specified or altered by the Overlay, in accordance with the provisions of this Section.
3. This Overlay shall not be used:
 - a. to alter Part I of this Bylaw, except as provided for in this Section or to alter Part IV of this Bylaw;
 - b. in conjunction with a Direct Control provision; or
 - c. to allow more than one Single Detached Dwelling on a lot.

850.3 Development Regulations

1. Where this Overlay is applied, the regulations provided in its schedules shall be substituted for the specified regulations of the underlying Zone. Where there appears to be a conflict between the provisions of this Overlay and those of the underlying Zone, the provisions of this Overlay shall take precedence and effect.

2. Where an Overlay for a Sub-Area Plan or Industrial Statutory Plan is applied, the regulations provided in its schedules shall replace those of the underlying Zone. Where the direction provided in a Sub-Area Plan departs from or enhances the direction, regarding land Use or regulations as directed by the Industrial Statutory Plan, the appropriate substitution of specific regulations shall occur.
3. A schedule to this Overlay may establish development classes, may change or specify regulations and submission requirements and may specify the conditions under which such altered or specified regulations would apply, and, without limiting the generality of this clause, may include:
 - a. regulations pertaining to environmental considerations, which may include such things as geotechnical, flood protection, noise or emissions attenuation and servicing requirements;
 - b. regulations pertaining to application requirements, public consultation or notification;
 - c. regulations pertaining to parking and signage requirements;
 - d. regulations pertaining to Landscaping, screening, architectural and Site design requirements; and
 - e. regulations pertaining to Accessory Uses, activities or Structures.
4. 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.

900 Special Areas

900. Special Areas General Provisions

900.1 General Purpose

The purpose of these Provisions is to provide a means to regulate the Use, design and extent of development within specific geographic areas of the City in order to achieve the planning objectives of an Area Structure Plan or Area Redevelopment Plan for those areas with special or unique attributes, which cannot be satisfactorily addressed through conventional land Use zoning.

900.2 Application

1. A Special Area can only be established if the following conditions are satisfied:
 - a. an approved Area Structure Plan or Area Redevelopment Plan states that a Special Area shall be established in order to achieve clearly stated objectives; and
 - b. the approved Area Structure Plan or Area Redevelopment Plan explains why conventional zoning or other land Use control techniques, applied through this Bylaw, could not appropriately or adequately deal with the special or unique attributes of the specified geographic area.
2. Special Areas shall only be applied through an amendment to the Zoning Bylaw and shall include the following:
 - a. the applicable Special Area and its boundaries;
 - b. a map at an appropriate scale, of the affected location(s) or neighbourhood(s) that indicates the designation, location, and boundaries of:
 - i. all conventional Zones, with or without varied regulations, within the Special Area;
 - ii. all Direct Control Provisions within the Special Area; and
 - iii. all unique Zones within the Special Area.
 - c. detailed text describing the content of:
 - i. the General Purpose of the Special Area and its provisions;
 - ii. all conventional Zones with varied regulations, in the Special Area; and
 - iii. all unique Zones within the Special Area.

3. If conventional Zones are to be modified for application within a Special Area, the modified regulations shall be in accordance with subsection 900.4 and shall include a statement of rationale for use in the modified regulations.
4. If Direct Control Provisions are to be used within a Special Area, such Direct Control Provisions shall be established in accordance with the provisions of Sections 710 and 720 of this Bylaw.
5. If unique Zones are to be created for use within the Special Area, the section in this Bylaw, establishing the Special Area must:
 - a. specify a unique Zone name that shall not be confused with any conventional Zone;
 - b. include a statement describing the General Purpose of the unique Zone;
 - c. contain Permitted and Discretionary Uses;
 - d. contain regulations pertaining to the permitted and discretionary use opportunities; and
 - e. contain any additional regulations that may be deemed necessary, pertaining to discretionary use opportunities.
6. All unique Zones created through the provisions of Section 900, for use within a Special Area, are only to be used within a Special Area.

900.3 Permitted and Discretionary Uses

1. Permitted and Discretionary Uses specified in any conventional Zone, within a Special Area, shall be those of that conventional Zone.
2. Any unique Zones may specify any Permitted and Discretionary Uses deemed to be in accordance with the approved Area Structure Plan or Area Redevelopment Plan for that area.
3. Any Direct Control Provision within a Special Area may specify those major or minor developments that shall be considered as Permitted or as Discretionary Uses deemed to be in accordance with the approved Area Structure Plan or Area Redevelopment Plan for that area and in accordance with Section 12 of the Zoning Bylaw.

900.4 Development Regulations

1. Where the regulations of a conventional Zone are varied, those regulations of the Special Area shall be substituted for the specified regulations of the underlying Zone. Where there appears to be a conflict between the provisions of this Overlay and those of the underlying Zone, the Special Area Provisions shall take precedence and effect.

2. Notwithstanding clause (1), above, the provisions of the Airport Protection Overlay and the Floodplain Protection Overlay shall take precedence over the provisions of any Special Area.
3. Special Area provisions shall not be used:
 - a. to alter Permitted or Discretionary Uses, Floor Area Ratio or Density in any underlying conventional Zone;
 - b. where the proposed regulations or changes to the regulations of an underlying conventional Zone:
 - i. are significant enough to be inconsistent with the General Purpose of the underlying Zone and the designation of another Zone 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 Zone itself; and
 - 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 Provision would be more appropriate.
 - c. to allow more than one Single Detached Residential Dwelling on a lot; or
 - d. to alter the following regulations of the Zoning Bylaw:
 - i. Sections 1 through 6, inclusive;
 - ii. Section 7, except that new Use Classes may be added to Section 7 and listed in newly created Zones or Direct Control Provisions within Special Areas;
 - iii. Sections 11 through 25 inclusive, except that new fees may be established for new Use Classes and new Zones, with respect to rezonings and Development Permit Applications;
 - iv. Section 41;
 - v. Sections 56 and 57;
 - vi. Sections 710 and 720;
 - vii. Section 800; and
 - viii. Section 900.

910 Special Area Downtown

910.1 General Purpose

The purpose of this Designation is to designate the Downtown area, as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land Use regulations for this Special Area to achieve the objectives of the Downtown Area Redevelopment Plan (ARP), as adopted under Bylaw 11400.

910.2 Application

The designation, location and boundaries of each underlying Zone affected or created through Section 910 shall apply, as indicated on Appendix I to this Section.

910.3 Zones Created by Special Area Provisions

1. Zones, as contained in Sections 910.4, 910.5, 910.6, 910.7, 910.8, 910.9 and 910.10, have been created in accordance with Section 900 of this Bylaw.
2. The following regulations contained in the Zoning Bylaw and as they may be amended from time to time, shall apply to developments within Sites zoned as HDR, RMU, HA, EZ, CCA, CMU or MSC, unless such regulations are specifically excluded or modified therein:
 - a. all General Development Regulations;
 - b. all Special Land Use Provisions, where the applicable Use Class is listed in the Zone; and
 - c. any Overlay provision including, but not limited to, the Airport Protection Overlay and the Floodplain Protection Overlay.
3. When a Development Permit Application for the development of a Site within the Downtown Special Area is considered by the Development Officer to be a Class B Development application or where any application that, in the opinion of the Development Officer may have urban design implications, the Development Officer shall, prior to making a decision on the Development Permit Application, refer the application to be reviewed by the Urban Design Review Panel, (as established by the Downtown Business Association).

910.4 (HDR) High Density Residential Zone

1) General Purpose

The purpose of this Zone is to accommodate high density housing with minor local commercial uses in a predominantly residential environment and to support the concept of a livable urban village with a strong sense of identity and place, where community activities and amenities are focused on a neighbourhood main street.

2) Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Minor Home Based Business
- d. Row Housing
- e. Fascia On-premises Signs
- f. Projecting On-premises Signs

3) Discretionary Uses

- a. Boarding and Lodging Houses
- b. Child Care Services
- c. Convenience Retail Stores
- d. Duplex Housing
- e. Group Homes
- f. Major Home Based Business
- g. Personal Service Shops
- h. Professional, Financial and Office Support Services
- i. Religious Assembly
- j. Residential Sales Centres
- k. Semi-detached Housing
- l. Single Detached Housing
- m. Freestanding On-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw.
- n. Temporary On-premises Signs

*Bylaw 12961
February 4, 2002*

4) Development Regulations

The following regulations shall apply to all Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum total Floor Area Ratio for all combined Uses shall be 4.5;
 - ii. the maximum Floor Area Ratio for Residential Uses shall be 4.0; and
 - iii. the maximum Floor Area Ratio for non-residential Uses shall be 0.5.
- b. Residential Density:
 - i. for Sites greater than 1 350 m² the maximum Density shall be 500 dwellings/ha; and
 - ii. for Sites less than 1 350 m² the maximum Density shall be 370 Dwellings/ha.
- c. Minimum Site Area:
 - i. the minimum Site Area for low to medium rise apartments of up to six Storeys shall be 600 m²; and
 - ii. the minimum Site Area for high-rise apartments from seven Storeys and up shall be 800 m².
- d. Maximum Height:
 - i. the maximum Height shall be 45.0 m.
- e. Yards:
 - i. the minimum Front Yard shall be 3.0 m, except that buildings fronting onto 99 Avenue and 104 Street (the "local main street") shall not require a Front Yard;
 - ii. the maximum Front Yard shall be 4 m;
 - iii. the minimum Rear Yard shall be 7.5 m;
 - iv. the minimum Side Yard shall be 1.0 m per Storey, to a maximum of 7.5 m, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 4.5 m when it abuts a flanking public roadway other than a Lane; and
 - v. notwithstanding the above, where a consistent front Setback exists on the block, that Setback should be respected with all new development neither projecting in front nor creating a gap in the established building line.

- f. Parking Spaces:
 - i. parking shall be in accordance with Section 54 of the Zoning Bylaw; and
 - ii. notwithstanding the above, existing parking on-site shall remain and additional parking shall not be required for Conversions to Residential Uses.
- g. Vehicular Access:
 - i. the access to parking structures and Sites shall be from the Lane, except where there is no Lane or where steep slopes prohibit access. Access shall then be from the street; and
 - ii. the passenger drop-off areas and laybys on private properties may be allowed in the Front Yard, provided there is adequate space available and that sidewalk continuity is maintained to the satisfaction of the Transportation and Streets Department.
- h. Amenity Area:
 - i. Non-residential Uses shall not be required to provide Amenity Area;
 - ii. Amenity Area for Apartment Housing shall not be required;
 - iii. a minimum Private Outdoor Amenity Area of 15 m² per Dwelling for Dwellings any part of which is contained in the lowest Storey, and 7.5 m² per Dwelling, for Dwellings no part of which is contained in the lowest Storey; and
 - iv. neither the Width nor the Length of any Private Outdoor Amenity Area shall be less than 3.0 m, except that if it is provided above the first Storey the minimum dimensions shall be 2.0 m.
- v. Signs shall comply with the regulations found in Schedule 59B.

*Bylaw 13117
July 8, 2002*

5) Additional Regulations for Specific Uses

- a. Apartment Housing with commercial Uses on the main floor shall have access at grade that is separate from the commercial component.
- b. Personal Service Shops, Convenience Retail Stores and Professional, Financial and Office Support Services shall not be in any free standing structure separate from any structure containing Residential Uses and shall not be developed above the lowest Storey, except along McKay Avenue neighbourhood's "main street" (99 Avenue and 104 Street) and in the case of the Conversion of Dwellings.
- c. Surface Accessory parking lots shall not be permitted abutting 99 Avenue between 104 and 107 Streets and 104 Street, between 99 Avenue and 100 Avenue.

- d. Any Yard abutting a public roadway other than a Lane, may require an additional Setback and Landscaping, as per subsection 55.5 of the Zoning Bylaw.

6) Development Guidelines

The Development Officer shall encourage the application of the following development guidelines to all developments within this Zone.

- a. Urban Character and Built Form:
 - i. developments should reinforce the existing residential character of medium to high-density apartments on larger Sites. A variety of housing forms and styles which support a pedestrian environment should be encouraged;
 - ii. new developments or additions to existing developments should be designed to provide a transition to lower scale developments and Public Spaces so as to reduce the impact of sun, shadow and wind on adjacent public spaces, boulevards and buildings;
 - iii. medium to high density housing, with commercial and community oriented facilities at ground level, should be designed to front onto McKay Avenue neighbourhood's "main street" (99 Avenue and 104 Street within this Zone) in support of the urban village concept and should be compatible with the character envisioned for Heritage Trail; and
 - iv. buildings should be designed to enhance important views and vistas from Heritage Trail and other prominent or historic locations.
- b. Street Level Architecture:
 - i. primary emphasis should be placed on the design and improvement of street level architecture, particularly to façade improvements at the first and second levels of buildings, so as to create a pedestrian friendly environment. Buildings on corner Sites should address both the street and avenue; and
 - ii. new or substantially renovated commercial or mixed use developments or conversions along 99 Avenue and 104 Street, the "local main street", should, wherever practical, incorporate the following architectural and urban design elements:
 - a. multiple and varied street entrances that relate to the street;
 - b. canopies, awnings and arcades;
 - c. lower portions of the façades should be strongly articulated to add variety, interest and a human scale dimension; and
 - d. clear glazing along the lower portions of the façade to promote pedestrian interaction and safety.

910.5 RMU (Residential Mixed Use) Zone

1) General Purpose

The purpose of this Zone is to provide a Zone for primarily medium to high density residential mixed-use developments, with limited commercial, institutional, office and service Uses distributed on-site in a manner sensitive to the street environment and adjacent residential areas; to support an urban village where amenities are focused on a local main street; and to enhance the institutional and hotel cluster along the north edge of the sub-area.

2) Permitted Uses

- a. Apartment Housing
- b. Community Recreation Services
- c. Convenience Retail Stores
- d. Government Services
- e. Minor Home Based Business
- f. Personal Service Shops
- g. Professional, Financial and Office Support Services
- h. Public Libraries and Cultural Exhibits
- i. Row Housing
- j. Stacked Row Housing
- k. Fascia On-premises Signs
- l. Projecting On-premises Signs

3) Discretionary Uses

- a. Apartment Hotels
- b. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m² of Public Space
- c. Boarding and Lodging Houses
- d. Child Care Services
- e. Commercial Schools
- f. General Retail Stores

- g. Group Homes
- h. Health Service
- i. Hotels
- j. Household Repair Services
- k. Indoor Participant Recreation Services
- l. Major Home Based Business
- m. Minor Amusement Establishments
- n. Minor Impact Utility Services
- o. Minor Secondhand Stores
- p. Veterinary Services
- q. Motels
- r. Natural Science Exhibits
- s. Private Clubs
- t. Professional, Financial and Office Support Services
- u. Protective and Emergency Services
- v. Public Education Services and Private Education Services
- w. Recycled Materials Drop-off Centres
- x. Religious Assembly
- y. Residential Sales Centres
- z. Restaurants, for less than 100 occupants and 120 m² of Public Space
- aa. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
- bb. Spectator Entertainment Establishments
- cc. Freestanding On-premises Signs
- dd. Temporary On-premises Signs

4) Development Regulations

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum total Floor Area Ratio for all combined Uses shall be 5.5;
 - ii. the maximum Floor Area Ratio for Residential Uses shall be 4.0;
and
 - iii. the maximum Floor Area Ratio for Non-residential Uses shall be 1.5.

- b. Residential Density:
 - i. the maximum Density shall be 500 Dwellings/ha.
- c. Maximum Height:
 - i. the maximum Height shall be 45.0 m.
- d. Yards:
 - i. the minimum Front Yard shall be 3.0 m;
 - ii. there shall be no Rear Yard required, except that residential buildings shall provide at least a 3.0 m Setback;
 - iii. there shall be no Side Yard required for non-residential buildings; and
 - iv. the minimum Side Yard shall be 1.0 m per Storey to a maximum of 7.5 m, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 3.0 m where it abuts a flanking public roadway, other than a Lane.
- e. Building Setbacks:
 - i. buildings fronting onto 100 Avenue and 105 Street shall provide a Setback of 3.0 m or align with adjacent buildings; and
 - ii. 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.
- f. Parking Spaces:
 - i. parking shall be in accordance with Section 54 of the Zoning Bylaw; and
 - ii. notwithstanding the above, existing parking on-site shall remain and additional parking shall not be required for Conversions to Residential Uses.
- g. Vehicular Access:
 - i. vehicular access to properties shall be from the abutting Lanes, (except where there is no Lane or where steep slopes prohibit access) in order to maintain uninterrupted breaks along pedestrian boulevards, Heritage Trail and major arterials.
- h. Amenity Area:
 - i. a minimum Amenity Area of 4% of the non-residential Floor Area shall be provided and such Amenity Area shall be exempted from Floor Area calculations to a maximum of 10% of the Floor Area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;

- ii. non-residential buildings of less than 1 394 m² shall not be required to provide the 4% Amenity Area;
 - iii. Amenity Area for Apartment Housing shall not be required;
 - iv. a minimum Private Outdoor Amenity Area of 15 m² per Dwelling, for Dwellings any part of which is contained in the lowest Storey, and 7.5 m² per Dwelling, for Dwellings no part of which is contained in the lowest Storey shall be provided; and
 - v. neither the Width nor the Length of any Private Outdoor Amenity Area shall be less than 3.0 m, except that if it is provided above the first Storey, the minimum dimensions shall be 2.0 m.
- i. Signs shall comply with the regulations found in Schedule 59B.

5) Additional Regulations for Specific Uses

- a. Apartment Housing with commercial Uses on the main floor shall have access at grade which is separate from the commercial component.
- b. within this Zone, surface parking lots shall not be permitted directly abutting 99 Avenue and 104 Street.
- c. Any Yard abutting the property line of a public roadway other than a Lane, may require an additional Yard setback and Landscaping, as per subsection 55.5 of the Zoning Bylaw.

6) Development Guidelines

The Development Officer shall encourage the application of the following development guidelines to all developments within this Zone.

- a. Urban Character and Built Form:
 - i. developments in this Zone should enhance the diversity of mixed-use and built form through sympathetic infill, Conversions and additions to establish a work/live community with appropriate amenities and Landscaping in a high quality pedestrian environment;
 - ii. higher density developments that contains Hotels, institutional and office commercial Uses, with street level retail and orientation, would be allowed along 100 Avenue to consolidate the sub-area's cluster of hotel and institutional uses;
 - iii. medium to high density housing with commercial and community oriented facilities at ground level should be designed to front onto McKay Avenue neighbourhood's " local main street" (99 Avenue and 104 Street) in support of the urban village concept; and

- iv. buildings or additions to existing developments that are greater than six Storeys in Height should be designed to provide a transition to lower scale developments so as to reduce the impact of sun, shadow and wind on adjacent public spaces, boulevards and buildings.
- b. Street Level Architecture:
 - i. façade treatments of new or substantially renovated buildings should incorporate, wherever practical, the following architectural and urban design elements along 99 Avenue and 104 Street, the "local main street", and on commercial developments along 100 Avenue, 105 Street and 106 Street:
 - a. canopies, awnings and arcades;
 - b. façades, with the lower portions designed to add variety, interest and a human scale dimension;
 - c. clear glazing along the lower portions of the façade to promote pedestrian interaction and safety; and
 - d. pedestrian - oriented streetscape elements, such as lighting, landscaping and benches.

910.6 (HA) Heritage Area Zone

1) General Purpose

The purpose of this Zone is to establish a special historical Zone, in which the existing concentration of historical resources shall be preserved, rehabilitated and reused, and to ensure that new developments, in the form of medium density residential infill and street oriented commercial uses, are compatible in scale, built form and design continuity with the historical and architectural character of the area.

2) Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m² of Public Space
- d. Boarding and Lodging Houses
- e. Business Support Services
- f. Commercial Schools

- g. Community Recreation Services
- h. Convenience Retail Stores
- i. Government Services
- j. Hotels
- k. Household Repair Services
- l. Indoor Participant Recreation Services
- m. Limited Contractor Services
- n. Minor Alcohol Sales
- o. Minor Amusement Establishments
- p. Minor Home Based Business and Major Home Based Business
- q. Personal Service Shops
- r. Public Education Services and Private Education Services
- s. Professional, Financial and Office Support Services
- t. Public Libraries and Cultural Exhibits
- u. Religious Assembly
- v. Restaurants, for less than 100 occupants and 120 m² of Public Space
- w. Row Housing
- x. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
- y. Stacked Row Housing

3) Discretionary Uses

- a. Auctioneering Establishments
- b. Bars and Neighbourhood Pubs, for more than 100 occupants and 120 m² of Public Space
- c. Broadcasting and Motion Picture Studios
- d. Carnivals
- e. Convenience Vehicle Rentals
- f. Custom Manufacturing Establishments
- g. Flea Markets
- h. Fraternity and Sorority Housing
- i. General Retail Stores

- j. Group Homes
- k. Health Services
- l. Major Secondhand Stores
- m. Minor Impact Utility Services
- n. Minor Secondhand Stores
- o. Nightclubs, but not to exceed 200 occupants and 240 m² of Public Space, if the Site is adjacent to or across a Lane from a Site zoned residential
- p. Non-accessory Parking
- q. Private Clubs
- r. Protective and Emergency Services
- s. Residential Sales Centres
- t. Restaurants, for more than 100 occupants and 120 m² of Public Space
- u. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space
- v. Temporary Shelter Services
- w. Veterinary Services
- x. Warehouse Sales

4) Development Regulations

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum Floor Area Ratio north of 102 Avenue shall be 8.0; and
 - ii. the maximum Floor Area Ratio south of 102 Avenue shall be 10.0.
- b. Maximum Height:
 - i. the maximum Height north of 102 Avenue: shall be 32.0 m; and
 - ii. the maximum Height south of 102 Avenue: shall not exceed that established by the City Centre Airport Protection Overlay of the Zoning Bylaw.

- c. Building Setbacks:
 - i. buildings shall be built to the front and side property lines. The Development Officer, in consultation with the Heritage Officer, may allow building Setbacks up to 2.5 m to accommodate street related activities such as sidewalk cafes, architectural features and Landscaping that contribute to the historical character of the area. The Development Officer may allow a building Setback of 3.0 m for residential buildings. (The required Private Outdoor Amenity Area can be within the 3.0 m building Setback).
- d. Parking Spaces:
 - i. parking shall be in accordance with Section 54 of the Zoning Bylaw; and
 - ii. notwithstanding the above, existing parking on-site shall remain and additional parking shall not be required when older and historical buildings are being rehabilitated or converted to Residential Uses.
- e. Vehicular Access:
 - i. vehicular access to properties shall be from the abutting rear Lanes so as to maintain uninterrupted breaks in the street façade and to strengthen the historical character of the area.
- f. Amenity Area:
 - i. a minimum Amenity Area of 4% of the non-residential Floor Area shall be provided and such Amenity Area shall be exempted from Floor Area calculations to a maximum of 10% of the Floor Area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;
 - ii. non-residential buildings of less than 1 394 m² shall not be required to provide the 4% Amenity Area;
 - iii. Amenity Area for Apartment Housing shall not be required;
 - iv. a minimum Private Outdoor Amenity Area of 30 m² per Dwelling for Dwellings any part of which is contained in the lowest Storey, and 15 m² per Dwelling for Dwellings no part of which is contained in the lowest Storey shall be provided; and
 - v. neither the Width nor the Length of any Private Outdoor Amenity Area shall be less than 3.0 m, except that if it is provided above the first Storey the minimum dimensions shall be 2.0 m.
- g. Signs shall comply with the regulations found in Schedule 59H.

5) Additional Regulations for Specific Uses

- a. Non-accessory surface parking lots shall provide a minimum 2.0 m landscaped Setback from any property line abutting a public roadway and Lane in addition to the Landscaping requirements set forth in Section 55 of the Zoning Bylaw.
- b. The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility.
- c. The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.
- d. Notwithstanding the requirements of subsection 910.6(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional Density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts such as (sun shadow and wind) are minimized.

6) Development Guidelines

The Development Officer shall encourage the application of the following development guidelines to all developments within this Zone.

- a. Urban Character and Built Form:
 - i. new buildings should be similar in scale and form to the existing four to five Storey historical structures and be compatible with these buildings in overall appearance and architectural details. Buildings greater than six Storeys, however, shall also be allowed in the form of a podium plus tower composition or other configuration that ensures design treatments are compatible with the façades of adjacent historical buildings;
 - ii. the architectural design of new development does not have to mimic or imitate historical buildings in the area to comply with the general purpose of this Zone. Contemporary exterior materials and architectural styles may be used provided that the overall Site development, including landscaping treatment, is of a high visual quality and is responsive to the general urban character of the area;
 - iii. the rehabilitation of older buildings should ensure design compatibility with the historical character of the area. Consideration should be given to incorporating the architectural features of historical buildings; and
 - iv. developments fronting onto 104 Street should incorporate design features that establish a street that functions as a "Gathering Place" where establishments such as cafes, bars, arts and entertainment, retail and personal services business, flourish.

- b. Street Level Architecture:
 - i. primary emphasis should be placed on design elements and façade improvements to ensure that new buildings do not dominate historical buildings or the block face when viewed from pedestrian level;
 - ii. recessed entrances, or setbacks, if provided, should be designed to integrate with street level spaces and sidewalk design elements; and
 - iii. landscaped elements should be used to visually integrate new buildings with historical buildings and adjacent, newer structures.

910.7 (EZ) Enterprise Zone

1) General Purpose

The purpose of this Zone is to establish an "Open for Business" Enterprise Zone that accommodates a diversity of mixed Uses, including residential, commercial, institutional, light manufacturing and assembly in a safe, walkable, human-scale built environment that builds on the existing land use pattern and respects the architectural characteristics and functions of the Warehouse district.

2) Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m² of Public Space
- d. Boarding and Lodging Houses
- e. Broadcasting and Motion Picture Studios
- f. Business Support Services
- g. Child Care Services
- h. Commercial Schools
- i. Community Recreation Services
- j. Convenience Retail Stores
- k. Custom Manufacturing Establishments
- l. General Retail Stores
- m. Government Services

- n. Hotels
- o. Household Repair Services
- p. Indoor Participant Recreation Services
- q. Limited Contractor Services
- r. Major Alcohol Sales and Minor Alcohol Sales
- s. Major Amusement Establishments and Minor Amusement Establishments
- t. Major Home Based Business and Minor Home Based Business
- u. Natural Science Exhibits
- v. Personal Service Shops
- w. Professional, Financial and Office Support Services
- x. Public Education Services and Private Education Services
- y. Public Libraries and Cultural Exhibits
- z. Religious Assembly
- aa. Residential Sales Centres
- bb. Restaurants, for less than 100 occupants and 120 m² of Public Space
- cc. Row Housing
- dd. Specialty Food Services for less than 100 occupants and 120 m² of Public Space
- ee. Stacked Row Housing
- ff. Veterinary Services
- gg. Fascia On-premises Signs
- hh. Freestanding On-premises Signs
- ii. Projecting On-premises Signs
- jj. Temporary On-premises Signs

3) Discretionary Uses

- a. Auctioneering Establishments
- b. Automotive and Equipment Repair Shops
- c. Automotive and Minor Recreation Vehicle Sales/Rentals
- d. Bars and Neighbourhood Pubs, for more than 100 occupants and 120 m² of Public Space

- e. Carnivals

*Bylaw 12973
March 12, 2002*

- f. Deleted
- g. Convenience Retail Stores

*Bylaw 12961
February 4, 2002*

- h. Funeral, Cremation and Interment Services
- i. Equipment Rentals
- j. Exhibition and Convention Facilities
- k. Flea Markets
- l. Fleet Services
- m. Funeral, Cremation and Interment Services
- n. Gas Bars
- o. Greenhouses, Plant Nurseries and Market Gardens
- p. Health Services
- q. Major Secondhand Stores
- r. Minor Impact Utility Services
- s. Minor Secondhand Stores
- t. Minor Service Stations
- u. Mobile Catering Food Services
- v. Motels
- w. Nightclubs, but not to exceed 200 occupants and 240 m² of Public Space, if the Site is adjacent to or across a Lane from a Residential zoned Site
- x. Non-accessory Parking
- y. Outdoor Amusement Establishments
- z. Outdoor Participant Recreation Services
- aa. Private Clubs
- bb. Protective and Emergency Services
- cc. Rapid Drive-through Vehicle Services
- dd. Recycled Materials Drop-off Centres
- ee. Recycling Depots
- ff. Restaurants, for more than 100 occupants and 120 m² of Public Space

- gg. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space
- hh. Spectator Entertainment Establishments
- ii. Spectator Sports Establishments
- jj. Temporary Shelter Services
- kk. Warehouse Sales
- ll. Fascia Off-premises Signs
- mm. Freestanding Off-premises Signs
- nn. Roof Off-premises Signs
- oo. Roof On-premises Signs

4) Development Regulations

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum Floor Area Ratio shall be 6.0.
- b. Residential Density:
 - i. the maximum Density shall be 500 Dwellings/ha.
- c. Maximum Height:
 - i. the maximum Height shall not exceed that established by the City Centre Airport Protection Overlay of the Zoning Bylaw.
- d. Building Setbacks:
 - i. where existing non-residential buildings create a consistent Setback on the block, that Setback should be respected to ensure new development neither projects in front nor creates a gap in the established building line, except that buildings fronting onto 109 Street and onto the south side of 104 Avenue shall provide a continuous Setback of 1.5 m; and
 - ii. residential buildings fronting onto all streets and avenues shall provide a Setback of 3.0 m. (The required Private Outdoor Amenity Area may be within the 3.0 m building setback).
- e. Parking Spaces:
 - i. parking shall be in accordance with Section 54 of the Zoning Bylaw; and
 - ii. notwithstanding the above, existing parking shall remain and additional parking requirements shall not be required when older and historical buildings are being rehabilitated or converted to Residential Uses.

- f. Vehicular Access:
 - i. vehicular access to properties shall be from the abutting rear Lanes to maintain uninterrupted breaks in the street façade and strengthen the historical character of the area.
- g. Amenity Area:
 - i. Amenity Area shall not be provided for non-residential gross Floor Area;
 - ii. Amenity Area for Apartment Housing shall not be provided;
 - iii. a minimum Private Outdoor Amenity Area of 15 m² per Dwelling for Dwellings any part of which is contained in the lowest Storey, and 7.5 m² per Dwelling for Dwellings no part of which is contained in the lowest Storey, shall be provided; and
 - iv. neither the Width nor the Length of any Private Outdoor Amenity Area shall be less than 3.0 m, except that if it is provided above the first Storey, the minimum dimensions shall be 2.0 m.
- h. Signs shall comply with the regulations found in Schedule 59F.

5) Additional Regulations for Specific Uses

- a. Non-accessory surface parking lots shall not be permitted adjacent to 104 Avenue and 109 Street.
- b. Non-accessory surface parking lots shall provide a minimum 2.0 m landscaped Setback from any property line abutting a public roadway and Lane in addition to the Landscaping requirements set forth Section 55 of the Zoning Bylaw.
- c. The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility.
- d. The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.
- e. Notwithstanding the requirements of subsection 910.7(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts, such as (sun shadow and wind) are minimized.

- f. The following regulations shall apply to Automotive and Minor Recreation Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:
 - i. the maximum Site area for a business shall be 2 000 m² ;
 - ii. servicing and repair operations shall be permitted only as Accessory Uses;
 - iii. all storage, display or parking areas shall be hardsurfaced in accordance with subsection 54.6(1) of this Bylaw;
 - iv. all outdoor display areas that abut a Residential Zone or a Lane serving a Residential Zone shall be obscured from direct view by providing a visual screen at least 1.8 m in Height in accordance with the provisions of subsection 55.4(4) of this Bylaw; and
 - v. lighting for the display area shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

6) Development Guidelines

The Development Officer shall encourage the application of the following development guidelines to all developments within this Zone.

- a. Urban Character:
 - i. the general intent is to transform the Warehouse Zone into an urban neighbourhood that respects the character of existing historical and older buildings and offers a diversity of mixed Uses and building types to intensify the work/live situation in a pedestrian-oriented, safe environment;
 - ii. new non-residential buildings should be compatible with the existing warehouse architecture. Low to medium rise buildings, built to the property line, with ground floor retail and service Uses shall be allowed;
 - iii. commercial mixed Use development, with an emphasis on at-grade retailing and service Uses should be featured along 104 Avenue and 109 Street. High quality, medium intensity commercial and residential developments shall be designed to integrate with a multi-use corridor, (referred to as a "civic space corridor" in the CP Lands Master Plan); and
 - iv. housing in the form of townhouse, row house, stacked townhouse and low-rise apartments shall be allowed as stand alone or as mixed Use projects anywhere in the Zone. Buildings should be arranged to create new urban spaces that addresses the street or avenues, as well as the Lane, or that focus on the neighbourhood centre or open spaces.

- b. Street Level Architecture:
 - i. primary emphasis should be placed on design elements and façade improvements, particularly to the first and second levels of buildings to create a pedestrian friendly environment. Lower floors should be strongly articulated to add variety, interest and a human scale dimension.

910.8 (CCA) Core Commercial Arts Zone

1) General Purpose

The purpose of this Zone is to provide a Zone for a variety of high density and quality development that accommodates office, retail, service, institutional, residential, arts and entertainment Uses and meet the land use objectives for the Commercial Cultural Core. The intent is to further strengthen the Downtown's central area by providing continuous retail at grade, enhancing arts and entertainment activities, accommodating Residential Uses and making the Core more pedestrian friendly.

2) Permitted Uses

- a. Apartment Housing
- b. Apartment Hotels
- c. Auctioneering Establishments
- d. Bars and Neighbourhood Pubs
- e. Broadcasting and Motion Picture Studios
- f. Business Support Services
- g. Child Care Services
- h. Commercial Schools
- i. Community Recreation Services
- j. Convenience Retail Stores
- k. General Retail Stores
- l. Government Services
- m. Health Services
- n. Hotels
- o. Indoor Participant Recreation Services
- p. Limited Contractor Services
- q. Minor Amusement Establishments
- r. Minor Home Based Business and Major Home Based Business

- s. Minor Alcohol Sales and Major Alcohol Sales

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- t. Deleted
- u. Personal Service Shops
- v. Professional, Financial and Office Support Services
- w. Private Education Services and Public Education Services
- x. Private Clubs
- y. Public Libraries and Cultural Exhibits
- z. Religious Assembly
- aa. Restaurants
- bb. Specialty Food Services
- cc. Fascia On-premises Signs
- dd. Freestanding On-premises Signs
- ee. Projecting On-premises Signs
- ff. Temporary On-premises Signs

3) Discretionary Uses

- a. Automotive and Minor Recreation Vehicle Sales/Rentals
- b. Carnivals

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- c. Deleted
- d. Convenience Retail Stores
- e. Custom Manufacturing Establishments
- f. Exhibition and Convention Facilities
- g. Extended Medical Treatment Services
- h. Fleet Services
- i. Funeral, Cremation and Interment Services
- j. Major Amusement Establishments
- k. Major Secondhand Stores
- l. Minor Impact Utility Services
- m. Minor Secondhand Stores
- n. Mobile Catering Food Services

- o. Motels
- p. Natural Science Exhibits
- q. Non-accessory Parking
- r. Protective and Emergency Services
- s. Recycled Materials Drop-off Centres
- t. Residential Sales Centres
- u. Spectator Entertainment Establishments
- v. Veterinary Services
- w. Warehouse Sales
- x. Fascia Off-premises Signs
- y. Freestanding Off-premises Signs
- z. Projecting Off-premises Signs
- aa. Temporary Off-premises Signs

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- bb. Nightclubs

4) Development Regulations for Permitted and Discretionary Uses

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum Floor Area Ratio east of 100 Street shall be 8.0;
 - ii. the maximum Floor Area Ratio west of 100 Street shall be 12.0;
and
 - iii. the maximum Floor Area Ratio shall be 13.1 for the area bounded on the east by 100 Street, on the north by Jasper Avenue, on the south by Macdonald Drive and on the west by the north/south Lane and pedestrian walkway.
- b. Maximum Height:
 - i. the maximum Height shall not exceed that established by the City Centre Airport Protection Overlay of the Zoning Bylaw.
- c. Building Setbacks:
 - i. buildings shall be built to the front property line, except for a Setback of 1.5 m along 104 Avenue; and
 - ii. the Development Officer shall, using discretion, allow Setbacks of up to 4.5 m to accommodate courtyards, colonnades, arcades and plazas or to maintain established building Setbacks along the street, in keeping with established street themes.

- d. Street Frontage:
 - i. at least 65% of at grade street Frontage on shopping and pedestrian-oriented streets, identified in subsections 910.8(6)(b)(i) and (ii), shall be developed for retail, services and other commercial Uses to provide for retail continuity.
- e. Weather Protection:
 - i. weather protection in the form of a canopy least 2.0 m wide or any other method suitable to the architectural style of the building or street theme, shall be provided one Storey above sidewalk level.
- f. Parking:

Parking shall be in accordance with Section 54 of the Zoning Bylaw.

 - i. Existing parking shall remain and additional parking shall not be required for Conversions to Residential Uses.
 - ii. Properties adjacent to Jasper Avenue, 102 Avenue, 99 Street, 100 and 101 Streets, in the Core Commercial Arts Zone, shall not be developed for non-accessory surface parking. Parkades may be allowed, at the discretion of the Development Officer, if uses, other than parking, are provided fronting onto the streets identified above.
- g. Vehicular Access:
 - i. vehicular access shall preferably be from the adjacent rear Lanes. Shared access shall be encouraged to minimize curb cuts when access is allowed from the street frontage.
- h. Amenity Area:
 - i. a minimum Amenity Area of 4% of the non-residential Floor Area shall be provided and such Amenity Area shall be exempted from Floor Area calculations to a maximum of 10% of the Floor Area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;
 - ii. non-residential buildings of less than 1 394 m² shall not provide the 4% Amenity Area; and
 - iii. Amenity Area for Apartment Housing shall not be provided.
- i. Signs shall comply with the regulations found in Schedule 59F.

5) Additional Regulations for Specific Uses

- a. Non-accessory surface parking lots shall provide a minimum 2.0 m landscaped Setback from any property line abutting a public roadway and Lane, in addition to the Landscaping requirements of Section 55 of the Zoning Bylaw.
- b. The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility.
- c. The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.
- d. Notwithstanding the requirements of subsection 910.8(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts, such as (sun shadow and wind) are minimized.
- e. The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:
 - i. there shall be no servicing and repair operations; and
 - ii. all sales, display and storage shall be contained within the building.

6) Development Guidelines

The Development Officer shall encourage the application of the following development guidelines to all developments within this Zone.

- a. Urban Character and Built Form:
 - i. developments should continue to project a dense concentration of high-rise office towers, hotels, shopping centres and retail establishments, connected by a system of pedestrian linkages, urban parks and opens spaces, that is interspersed with lower scale, retail oriented commercial, historic and institutional buildings in a compact, highly visible pedestrian friendly core;
 - ii. developments should strengthen the cultural, economic and entertainment functions of the area and should be integrated with the Commercial Core through specific streetscape improvements and pedway connections so as to enhance the district as a people's place;

- iii. buildings and street furnishings should project a strong commercial office core, visibly expressed in engineering and architectural works. Physical improvements, adjacent to or being part of government, arts and cultural buildings, and private developments abutting public spaces, should provide appropriate uses, amenities, art sculptures and architectural features to create a strong sense of place;
 - iv. point towers, podium plus towers and lower scaled structures should provide weather protection at street level and solar access to sidewalks and public open spaces, where practical; and
 - v. infill developments should ensure buildings are built to the property line and accommodate approved pedway connections and linkages to Light Rail Transit entrances.
- b. Street Level Architecture:
- i. development along pedestrian-oriented shopping streets and areas, such as (Jasper Avenue, 102 Avenue, 101 Street, 100 Street, 99 Street and Rice Howard Way) should provide architectural features, public open spaces, plazas, Landscaping weather protection devices, multiple and varied entrances, pedestrian scaled lighting, linkages and inviting entrances at street level to enhance the character of the streets and to support a lively pedestrian shopping environment; and
 - ii. buildings should generally be built to property lines, unless otherwise indicated in the regulations of this Zone, and should be designed in a consistent manner, preferably with entrances at corner Sites.

910.9 (CMU) Commercial Mixed Use Zone

1) General Purpose

The purpose of this Zone is to provide a Zone for medium intensity development that accommodates a mix of predominantly commercial, office, institutional and business Uses as a secondary office commercial area while emphasizing retail activities, entertainment and service Uses at grade. The intent is to accommodate the existing commercial development west of 109 Street; and to allow Conversion to residential and related Uses.

2) Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Business Support Services
- e. Child Care Services
- f. Commercial Schools
- g. Community Recreation Services
- h. Convenience Retail Stores
- i. General Retail Stores
- j. Government Services
- k. Health Services
- l. Hotels
- m. Indoor Participant Recreation Services
- n. Limited Contractor Services
- o. Major Alcohol Sales and Minor Alcohol Sales
- p. Major Home Based Business and Minor Home Based Business
- q. Minor Amusement Establishments

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- r. Deleted
- s. Personal Service Shops
- t. Private Education Services and Public Education Services
- u. Private Clubs
- v. Professional, Financial and Office Support Services
- w. Public Libraries and Cultural Exhibits
- x. Religious Assembly
- y. Restaurants
- z. Specialty Food Services
- aa. Spectator Entertainment Establishments
- bb. Fascia On-premises Signs
- cc. Freestanding On-premises Signs
- dd. Projecting On-premises Signs
- ee. Temporary On-premises Signs

3) Discretionary Uses

- a. Auctioneering Establishments
- b. Broadcasting and Motion Picture Studios
- c. Carnivals

*Bylaw 12973
March 12, 2002*

- d. Deleted
- e. Convenience Vehicle Rentals
- f. Custom Manufacturing Establishments
- g. Equipment Rentals
- h. Fleet Services
- i. Funeral, Cremation and Interment Services
- j. Minor Impact Utility Services
- k. Minor Service Stations
- l. Minor Secondhand Stores
- m. Mobile Catering Food Services
- n. Non-accessory Parking
- o. Outdoor Amusement Establishments
- p. Outdoor Participant Recreation Services
- q. Protective and Emergency Services
- r. Residential Sales Centres
- s. Spectator Sports Establishments
- t. Fascia Off-premises Signs
- u. Freestanding Off-premises Signs
- v. Roof Off-premises Signs
- w. Roof On-premises Signs

*Bylaw 12908
November 19, 2001*

- x. Nightclubs

4) Development Regulations for Permitted and Discretionary Uses

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum Floor Area Ratio east of 109 Street shall be 10.0; and
 - ii. the maximum Floor Area Ratio west of 109 Street shall be 4.0.
- b. Height:
 - i. the maximum Height east of 109 Street shall be: 45.0 m; and
 - ii. the maximum Height west of 109 Street shall be: 20.0 m.
- c. Building Setbacks:
 - i. buildings shall be built to the front property line, except for a Setback of 1.5 m along 104 Street and 109 Street and a Setback of 3.0 m along 105 Street, 99 Avenue and 100 Avenue; and
 - ii. the Development Officer may, at his discretion, allow Setbacks up to 4.5 m, either, to accommodate courtyards, colonnades, arcades or plazas, or to maintain established building Setbacks along the street in keeping with established street themes.
- d. Parking Spaces:
 - i. parking shall be in accordance with Section 54 of the Zoning Bylaw; and
 - ii. notwithstanding clause (i) above, existing parking shall remain and additional parking shall not be required for Conversions to Residential Uses.
- e. Vehicular Access:
 - i. access to buildings, entrances, service areas and parking facilities should, preferably, be from the rear Lanes, except for emergency vehicles and handy-bus services, which may be allowed at the discretion of the Development Officer, in consultation with the Transportation and Streets Department.
- f. Amenity Area:
 - i. a minimum Amenity Area of 4% of the non-residential Floor Area shall be provided and such Amenity Area shall be exempted from Floor Area calculations, to a maximum of 10% of the Floor Area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;
 - ii. non-residential buildings of less than 1 394 m² shall not provide the 4% Amenity Area; and
 - iii. Amenity Area for Apartment Housing shall not be provided.
- g. Signs shall comply with the regulations found in Schedule 59F.

5) Additional Regulations for Specific Uses

- a. Non-accessory surface parking lots shall provide a minimum 2.0 m landscaped Setback from any property line abutting a public roadway and Lane in addition to the Landscaping requirements set forth in Section 55 of the Zoning Bylaw.
- b. The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility.
- c. The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.
- d. Notwithstanding the requirements of subsection 910.9(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts, such as (sun shadow and wind) are minimized.
- e. The following regulations shall apply to Convenience Vehicle Rentals developments:
 - i. there shall be no servicing and repair operations; and
 - ii. all storage and display shall be contained within the building.

6) Development Guidelines

The Development Officer shall encourage the application of the following development guidelines to all developments within this Zone.

- a. Urban Character and Built Form:
 - i. developments in this area should continue to accommodate specialty office commercial Uses with medium to high-density mixed-use residential and office commercial buildings, built to property lines that abut public roadways;
 - ii. the primary intent is to refurbish and enhance the existing commercial developments on the west side of 109 Street and to encourage infill redevelopment that maintains the low rise character of existing buildings. Two to five Storey commercial and mixed-use buildings, with continuous retail or service oriented commercial uses at grade, shall be encouraged;
 - iii. developments along the east side of 109 Street should accommodate new and retrofitted buildings and should reflect the medium to high density, high quality office and commercial buildings prevalent in the area; and

- iv. as a route to the Alberta Legislature, development along 108 Street should support the building style and streetscape ambience established by the Provincial Legislature and existing office buildings. Developments should harmonize with the streetscape design elements of 108 Street Capital Boulevard.
- b. Street Level Architecture:
 - i. façade improvements should complement the landscaped boulevard treatment envisioned for 109 Street; and
 - ii. developments should incorporate street related commercial Uses and architectural features to strengthen the image of the businesses along the street. Such elements may include:
 - a. multiple and varied street entrances;
 - b. canopies, awnings and atriums;
 - c. lower floors designed to add variety, interest and a human scale dimension; and
 - d. clear glazing along the lower portions of the façade to promote pedestrian interaction and safety.

910.10 (MSC) Main Street Commercial Zone

1) General Purpose

The purpose of this Zone is to provide a Zone that accommodates at-grade, predominantly retail commercial, office and service Uses suitable for the Downtown's Main Street, Jasper Avenue, and to ensure that infill developments and the retrofitting and preservation of historical and older buildings incorporate human scale design characteristics to enhance a revitalized, dynamic Main Street atmosphere.

2) Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Broadcasting and Motion Picture Studios
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools

- h. Community Recreation Services
- i. Convenience Retail Stores
- j. General Retail Stores
- k. Government Services
- l. Health Services
- m. Hotels
- n. Indoor Participant Recreation Services
- o. Major Alcohol Sales and Minor Alcohol Sales
- p. Major Amusement Establishments and Minor Amusement Establishments
- q. Major Home Based Business and Minor Home Based Business

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- t. Deleted
- s. Personal Service Shops
- t. Private Clubs
- u. Professional, Financial and Office Support Services
- v. Private Education Services and Public Education Services
- w. Public Libraries and Cultural Exhibits
- x. Religious Assembly
- y. Restaurants
- z. Spectator Entertainment Establishments
- aa. Specialty Food Services
- bb. Fascia On-premises Signs
- cc. Freestanding On-premises Signs
- dd. Projecting On-premises Signs
- ee. Temporary On-premises Signs

3) Discretionary Uses

- a. Auctioneering Establishments
- b. Automotive and Minor Recreation Vehicle Sales/Rentals
- c. Boarding and Lodging Houses
- d. Carnivals

- e. Convenience Vehicle Rentals
- f. Custom Manufacturing Establishments
- g. Equipment Rentals
- h. Household Repair Services
- i. Limited Contractor Services
- j. Major Secondhand Stores
- k. Minor Impact Utility Services
- l. Minor Secondhand Stores
- m. Mobile Catering Food Services
- n. Non-accessory Parking
- o. Protective and Emergency Services
- p. Residential Sales Centres
- q. Warehouse Sales
- r. Fascia Off-premises Signs
- s. Freestanding Off-premises Signs
- t. Roof Off-premises Signs
- u. Roof On-premises Signs

*Bylaw 12908
November 19, 2001*

- v. Nightclubs

4) Development Regulations for Permitted and Discretionary Uses

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum Floor Area Ratio shall be 10.0.
- b. Height:
 - i. the maximum Height shall be 45.0 m.
- c. Setbacks:
 - i. the minimum building Setback shall be none; and
 - ii. the maximum building Setback shall be 2.0 m.
- d. Building Frontage:
 - i. the business Frontage for establishments located in the lowest Storey shall not exceed 10.0 m; and
 - ii. Avenue and abutting side streets shall provide at least 65% of at grade street Frontage for retail and other commercial and service Uses.

- e. Parking Spaces:

Parking shall be in accordance with Section 54 of the Zoning Bylaw.

 - i. existing parking shall remain and additional parking shall not be required for Conversions to Residential Uses; and
 - ii. no Site fronting on to Jasper Avenue shall be developed for surface parking.
- f. Vehicular Access:
 - i. parking and loading access shall be from the rear Lanes or side streets to maintain the retail continuity and pedestrian flow along Jasper Avenue. Where this is not possible, parking and service access shall be consolidated and designed to minimize the impacts on pedestrians.
- g. Weather Protection:
 - i. weather protection in the form of a canopy at least 2.0 m wide or any other method suitable to the architectural style of the building or street theme, may be provided one Storey above sidewalk level.
- h. Amenity Area:
 - i. a minimum Amenity Area of 4% of the non-residential Floor Area shall be provided and such Amenity Area shall be exempted from Floor Area calculations, to a maximum of 10% of the Floor Area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;
 - ii. non-residential buildings of less than 1 394 m² shall not provide the 4% Amenity Area; and
 - iii. Amenity Area for Apartment Housing shall not be provided.
- i. Signs shall comply with the regulations found in Schedule 59F.

5) Additional Regulations for Specific Uses

- a. Residential or Residential-Related Use Classes shall not be developed in the lowest Storey of any mixed-Use building. Access to such Uses, in the same building, shall be separate from other non-residential Uses.
- b. Non-accessory surface parking lots shall provide a minimum 2.0 m landscaped Setback from any property line abutting a public roadway and Lane, in addition to the landscaping requirements as per Section 55 of the Zoning Bylaw.
- c. The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility.

- d. The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.
- e. Notwithstanding the requirements of subsection 910.10(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts such as (sun shadow and wind) are minimized.
- f. The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:
 - i. there shall be no servicing and repair operations; and
 - ii. all sales, display and storage shall be contained within the building.

6) Development Guidelines

The Development Officer shall encourage the application of the following development guidelines to all developments within this Zone.

- a. Urban Character and Built Form:
 - i. Jasper Avenue (west) has an ambience of small-scale store fronts and a diversity of commercial Uses housed in two to five Storey buildings, built to property lines. These aspects should be reinforced to create a pedestrian friendly, lively shopping environment that reflects elements of a linear open mall and an outdoor gallery;
 - ii. infill development and public/private improvements should incorporate design elements that contribute to a dynamic shopping environment and an image of a diverse mix of small store fronts and businesses that shall strengthen the economic activities along Downtown's Main Street;
 - iii. new and renovated developments should be similar in scale and form to the smallscale retail-oriented buildings prevalent along this stretch of Jasper Avenue;
 - iv. buildings greater than six Storeys shall be allowed in the form of a podium plus tower composition or other configuration that ensures design treatments are compatible with the façades of adjacent, older or historic buildings in the immediate area, and that maintain a human scale environment along Jasper Avenue. Development above the third Storey should be setback at least 7.5 m from Jasper Avenue to maintain human scaled buildings and to allow for solar access at the sidewalk level; and
 - v. abrupt and excessive differences in scale of adjacent buildings should be minimized through transitional building treatments.

- b. Street Level Architecture:
 - i. primary emphasis should be placed on design elements and façade improvements, particularly at the first and second levels of buildings, to create a pedestrian friendly environment. Buildings on corner Sites should address both the street and the avenue; and
 - ii. new and renovated developments should incorporate the following architectural and urban design elements:
 - a. multiple and varied street entrances that provide direct access to the sidewalk;
 - b. clear glazing along the lower portions of the façade that promote pedestrian interaction and safety;
 - c. compatibility with adjacent streetscape furniture elements, Light Rail Transit entrances, bus stops/shelters and construction materials; and
 - d. canopies, awnings and arcades, where practical.

920. Special Area Terwillegar Towne

920.1 General Purpose

The purpose of this designation is to designate a portion of the Terwillegar Towne Neighbourhood, as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land Use regulations for this Special Area to achieve the objectives of the Terwillegar Towne Neighbourhood Area Structure Plan (NASP), as adopted under Bylaw 11056, as amended.

920.2 Application

The designation, location and boundaries of each underlying Zone affected or created through Section 920 shall apply as indicated on Appendix I to this Section.

920.3 Regulations of Conventional Zones Altered by Special Area Provisions

The development regulations of subsections 920.4 and 920.5 shall be applied in place of, or in addition to, the regulations of Sections 130 and 150 of this Bylaw.

*Bylaw 12810
June 18, 2001*

920.4 (RPL*) Terwillegar Towne Planned Lot Residential Zone

1. Uses listed as Permitted and Discretionary Uses in Section 130 of this Bylaw, being the (RPL*) Planned Lot Residential Zone, shall be the Permitted and Discretionary Uses for this Zone.
2. Except as expressly modified in subsection 920.4(3), the development regulations specified in Section 130 of this Bylaw shall regulate development in this Zone.
3. The following development regulations shall apply to the development of RPL* Zones within the Terwillegar Towne Special Area as identified on Appendix I to this Section:
 - a. minimum Front Yard shall be 3.0 m and, in no case, shall be greater than 4.5 m, having regard for:
 - i. the siting and appearance of adjoining residences and other residences within the block face; and
 - ii. sunlight exposure, views, privacy and added general interest to the streetscape;
 - b. the minimum Side Yard abutting a public roadway, other than a Lane, shall be 20% of the Site Width or 2.4 m, whichever is greater. The minimum Side Yard abutting a Lane shall be 1.2 m;
 - c. entryways may be placed on the side wall of Dwellings, provided that:
 - i. the entryway is located in the rear 1/3 of the Dwelling; and
 - ii. the entryway is not located opposite an entryway on a neighbouring Dwelling;
 - a. unenclosed steps, over 0.6 m but not exceeding 1.0 m in Height to the top of the landing, accessing a side entryway, may encroach into the Side Yard, provided the encroachment does not exceed 0.9 m;
 - b. the vehicle doors of a detached Garage shall not face any flanking public roadway; and
 - c. the maximum Height for a detached Garage shall not exceed 5.0 m.

920.5 (RF4*) Terwillegar Towne Semi-detached Residential Zone

1. The Uses listed as Permitted and Discretionary Uses in Section 150 of this Bylaw being the (RF4*) Semi-detached Residential Zone shall be the Permitted and Discretionary Uses for this Zone.
2. Except as expressly modified in subsection 920.5(3), the development regulations specified in Section 150 of this Bylaw shall regulate development in this Zone.
3. The following development regulations shall apply to the development of RF4* Zones within the Terwillegar Towne Special Area, as identified on Appendix I to this Section:
 - a. the minimum Front Yard shall be 3.0 m for Single Detached, Semi-detached, and Duplex development, unless the Development Officer, having regard for the siting and appearance of adjoining Dwellings and other Dwellings within the block face, increases the Front Yard requirement to improve sunlight exposure, views, privacy or to add general interest to the streetscape;
 - b. the minimum Site Area shall be 360 m² for Single Detached Housing, 225 m² for each Semi-detached or Duplex Dwelling, and 100 m² for each Secondary Suite;
 - c. the minimum Site Width shall be 7.5 m for each Semi-detached or Duplex Dwelling and 12.0 m for each Single Detached Dwelling, with or without a Secondary Suite;
 - d. Side Yards shall be established on the following basis:
 - i. the minimum required Side Yard shall be 1.2 m;
 - ii. 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; and
 - iii. 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.
 - e. entryways may be placed on the side wall of Dwellings, provided that:
 - i. the entryway is located in the rear 1/3 of the Dwelling; and
 - ii. the entryway is not located opposite an entryway on a neighbouring Dwelling;
 - f. unenclosed steps, over 0.6 m but not exceeding 1.0 m in Height to the top of the landing, accessing a side entryway, may encroach into the Side Yard, provided the encroachment does not exceed 0.9 m;

- g. the vehicle doors of a detached Garage shall not face any flanking public roadway;
- h. the maximum Height for a detached Garage shall not exceed 5.0 m;
- i. notwithstanding subsection 50.3 where the vehicle doors of a detached Garage face a Lane abutting the Site, no portion of the Garage shall be located less than 3.0 m from the abutting property line;
- j. plans of subdivision for development in this Zone must ensure that each proposed lot is serviced by both a public roadway and a Lane; and
- k. there shall be no vehicular access to RF4* Site from a public roadway other than a Lane.

920.6 (RF5*) Terwillegar Towne Row Housing Zone

*Bylaw No. 12809
May 30, 2001
Bylaw No. 12499
February 6, 2001*

1. The Uses listed, as Permitted and Discretionary Uses in Section 160 of this Bylaw, being the (RF5*) Row Housing Zone shall be the Permitted and Discretionary Uses for this Zone.
2. Except as expressly modified in Section 920.6 (3), the development regulations specified in Section 160 of this Bylaw shall regulate development in this Zone.
3. The following development regulations shall apply to the development of RF5* Zones within the Terwillegar Towne Special Area as identified on Appendix I to this Section:
 - a. Row Housing development, when located within the Street Oriented Residential portion of the Terwillegar Towne NASP, as amended, shall only consist of a building containing a row of a maximum of four Dwellings, joined in whole or in part, at the side only, with no Dwelling being placed over another, in whole or in part;
 - b. notwithstanding Section 920.6 (3)a), Row Housing development, when located within the Mixed Use Towne Square portion of the Terwillegar Towne NASP, as amended, shall be developed as per Section 160.4(1) of this Bylaw;
 - c. the minimum Front Yard shall be 3.0 m for Row Housing, Semi-detached Housing and Single Detached Housing development, unless the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face, increases the Front Yard requirement to, improve sunlight exposure, views and privacy or add general interest to the streetscape;

- d. the minimum Front Yard shall be 1.5 m for Linked Housing, unless the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face, increases the Front Yard requirement to improve sunlight exposure, views and privacy or to add general interest to the streetscape;
- e. the minimum Site Area shall be 360 m² for Single Detached Housing, 225 m² for each Semi-detached or Duplex Dwelling, 183 m² for each Row Housing or Linked Housing Dwelling and 100 m² for each Secondary Suite;
- f. the minimum Site Width shall be 9.0 m. for each Single Detached Dwelling;
- g. Side Yards shall be established on the following basis:
 - i. the minimum required Side Yard shall be 1.2 m except that a minimum Side Yard for buildings over 7.5 m in Height shall be 2.0 m;
 - ii. 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 unit Site Width, to a maximum of 3.0 m; and
 - iii. 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;
- h. The maximum total Site Coverage shall be 50% with a maximum of 35% for a principal building and 15% for accessory buildings. Where a Garage is attached or designed as an integral part of a Dwelling, the maximum Site coverage for the principal building shall be 45%;
- i. entryways may be placed on the side walls of end Dwellings, provided that:
 - i. the entryway is located in the rear 1/3 of the Dwelling; and
 - ii. the entryway is not located opposite an entryway on a neighbouring Dwelling;
- j. unenclosed steps, over 0.6 m but not exceeding 1.0 m in Height to the top of the landing, accessing a side entryway, may encroach into the Side Yard, provided the encroachment does not exceed 0.9 m;
- k. the vehicle doors of a detached Garage shall not face any flanking public roadway;
- l. notwithstanding Section 50.3 where the vehicle doors of a detached Garage face a Lane abutting the Site, no portion of the Garage shall be located less than 3.0 m from the abutting property line;

*Bylaw 12961
February 4, 2002*

- m. the maximum Height for a detached Garage shall not exceed 5.0 m; and
- n. plans of subdivision or condominium plans in this Zone must ensure that each proposed Lot, or Unit in the case of a bareland condominium or condominium conversion, is accessed by a public roadway, a public laneway, condominium common property, or a Unit characterizing condominium common property.

920.7 Zones Created by Special Area Provisions

The Zones as contained in subsections 920.7 to 920.9 have been created in accordance with Section 900 of this Bylaw.

920.8 (TTSDR) Terwillegar Towne Single Detached Residential Zone

1) General Purpose

The purpose of this Zone is to provide for street oriented Single Detached Housing, with opportunities for Garage Suite development, under certain conditions.

2) Permitted Uses

- a. Limited Group Homes
- b. Minor Home Based Business
- c. Single Detached Housing
- d. Fascia On-premises Signs

3) Discretionary Uses

- a. Child Care Services
- b. Garage Suites
- c. Group Homes
- d. Major Home Based Business
- e. Religious Assembly
- f. Residential Sales Centres
- g. Secondary Suites

- h. Semi-detached Housing, and Duplex Housing, where the Side Lot Line abuts a Site in a Commercial, Row Housing or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide
- i. Freestanding On-premises Signs
- j. Temporary On-premises Signs

4) Development Regulations for Permitted and Discretionary Uses

- a. the minimum Site area shall be 360 m² per Dwelling;
- b. the minimum Site Width shall be 12.0 m;
- c. the minimum Site Depth shall be 30.0 m;
- d. the maximum Height shall not exceed 10.0 m nor 2 1/2 Storeys;
- e. 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 the principal building, the maximum total Site Coverage for the principal building shall be 40%;
- f. the minimum Front Yard shall be 3.0 m;
- g. the minimum Rear Yard shall be 7.5 m except in the case of a corner Site where it shall be 4.5 m;
- h. Side Yards shall be established on the following basis:
 - i. Side Yards shall total at least 20% of the Site Width, with a minimum Side Yard of 1.2 m;
 - ii. where there is no Lane abutting the Site, one Side Yard shall be at least 3.0 m for vehicular access, unless there is an attached Garage or a Garage that is an integral part of a Dwelling;
 - iii. 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 3.0 m; and
 - iv. 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;
- i. Separation Space shall be provided between two or more Dwellings on separate Sites or between portions of Dwellings on the same Site, in accordance with Section 48 of this Bylaw, except that the width of a front Privacy Zone shall not be required to exceed the width of the minimum Front Yard specified in this Zone;

- j. entryways may be placed on the side wall of Dwellings, provided that:
 - i. the entryway is located in the rear 1/3 of the Dwelling; and
 - ii. the entryway is not located opposite an entryway on a neighbouring Dwelling;
- k. unenclosed steps, over 0.6 m but not exceeding 1.0 m in Height to the top of the landing, accessing a side entryway, may encroach into the Side Yard, provided the encroachment does not exceed 0.9 m;
- l. the minimum Setback for a front attached Garage from the front property line shall be 5.5 m;
- m. the vehicle doors of a detached Garage shall not face any flanking public roadway;
- n. the maximum Height for a detached Garage shall not exceed 5.0 m;
- o. notwithstanding subsection 50.3 where the vehicle doors of a detached Garage face a Lane abutting the Site, no portion of the Garage shall be located less than 3.0 m from the abutting property line; and
- p. Signs shall comply with the regulations found in the Schedule 59A.

5) Additional Development Regulations for Discretionary Uses

*Bylaw 12961
February 4, 2002*

- a. notwithstanding subsection 920.8(4)(a), the minimum Site Area shall be 300 m² for each Semi-detached or Duplex Dwelling and 100 m² for each Secondary Suite in this Zone;

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- b. notwithstanding subsection 920.8(4)(b) the minimum Site Width shall be 7.5 m for each Semi-detached or Duplex Dwelling;
- c. Garage Suites shall be developed in accordance with the following:
 - i. Garage Suites shall only be developed above a rear detached Garage;
 - ii. the minimum Site Area shall be 100 m² for a Garage Suite; and this Area shall be provided in addition to the minimum Site Area provided for the principal Dwelling;
 - iii. the maximum Height for a Garage containing a Garage Suite shall be 7.5 m;
 - iv. the maximum Site Coverage for a Garage that contains a Garage Suite shall not exceed 12%;
 - v. the maximum Floor Area of a Garage Suite shall be 50 m²;

- vi. the minimum Side Yard for a detached Garage shall be 0.9 m, for structures 3.7 m or less in Height, and 1.2 m for structures greater than 3.7 m in Height;
- vii. on a corner Site where a Garage Suite abuts a flanking public roadway, other than a Lane, the required Side Yard shall not be less than that provided for the principal structure;
- viii. there shall be no more than one Garage Suite developed in conjunction with a Dwelling in the principal structure;
- ix. one on-site parking space, not in tandem with any other required parking, shall be provided for a Garage Suite; and

*Bylaw 12961
February 4, 2002*

- x. notwithstanding subsection 6.1(34) of this Bylaw, the number of unrelated persons occupying a Garage Suite shall not exceed three.
- d. Secondary Suites and Garage Suites shall not be developed on the same Site.
- e. the Development Officer may exercise discretion in considering Secondary Suite or Garage Suite development having regard to:
 - i. compatibility of the Use with the siting, Grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development; and
 - ii. the effect on the privacy of adjacent properties.

920.9 (TTSLR) Terwillegar Towne Small Lot Residential Zone

1) General Purpose

The purpose of this Zone is to provide for street oriented Single Detached Housing on small lots as a more intensive form of development on small lots, with the opportunity for Garage Suite development under certain conditions.

2) Permitted Uses

- a. Limited Group Homes
- b. Minor Home Based Business
- c. Single Detached Housing
- d. Fascia On-premises Signs

3) Discretionary Uses

- a. Child Care Services
- b. Garage Suites
- c. Group Homes
- d. Major Home Based Business
- e. Religious Assembly
- f. Residential Sales Centres
- g. Secondary Suites
- h. Semi-detached Housing, and Duplex Housing where the Side Lot Line abuts a lot in a Commercial, Row Housing or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide
- i. Freestanding On-premises Signs
- j. Temporary On-premises Signs

4) Development Regulations for Permitted and Discretionary Uses

- a. the minimum Site Area shall be 312 m² per Dwelling;
- b. the minimum Site Width shall be 10.4 m;
- c. the minimum Site Depth shall be 30.0 m;
- d. the maximum Height shall not exceed 10.0 m nor 2 1/2 Storeys;
- e. the maximum total Site Coverage shall not exceed 45%, inclusive of an attached Garage and any other Accessory Buildings;
- f. the minimum Front Yard shall be 3.0 m;
- g. the minimum Rear Yard shall be 7.5 m except in the case of a corner Site where it shall be 4.5 m;
- h. Side Yards shall be established on the following basis:
 - i. Side Yards shall total at least 20% of the Site Width, with a minimum Side Yard of 1.2 m;
 - ii. 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 3.0 m; and
 - iii. 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;

- i. Single Detached Housing shall be developed in accordance with the following regulations:
 - i. all Dwellings on Sites not abutting a Lane shall include a front attached Garage;
 - ii. identical floor plans with similar front elevations, must be separated by a minimum of one Site, unless finishing treatments are substantially different;
 - iii. a graduated transition shall be required between different housing styles that shall be accommodated by varied roof lines, architectural projections and the interjection of bi-level or split level designs between bungalow and two Storey designs; and
 - iv. Dwellings on Corner Lots shall have flanking side treatments similar to the front elevation;
- j. Separation Space shall be provided between two or more Dwellings on separate Sites or between portions of Dwellings on the same Site, in accordance with Section 48 of this Bylaw, except that the width of a front Privacy Zone shall not be required to exceed the width of the minimum Front Yard specified in this Zone;
- k. entryways may be placed on the side wall of Dwellings, provided that:
 - i. the entryway is located in the rear 1/3 of the Dwelling; and
 - ii. the entryway is not located opposite an entryway on a neighbouring Dwelling;
- l. unenclosed steps, over 0.6 m but not exceeding 1.0 m in Height to the top of the landing, accessing a side entryway, may encroach into the Side Yard, provided the encroachment does not exceed 0.9 m;
- m. the minimum Setback for a front attached Garage from the front property line shall be 5.5 m;
- n. the vehicle doors of a detached Garage shall not face any flanking public roadway;
- o. the maximum Height for a detached Garage shall not exceed 5.0 m;
- p. notwithstanding subsection 50.3 where the vehicle doors of a detached Garage face a Lane abutting the Site, no portion of the Garage shall be located less than 3.0 m from the abutting property line; and
- q. Signs shall comply with the regulations found in the Schedule 59A.

5) Additional Development Regulations for Discretionary Uses

*Bylaw 12961
February 4, 2002*

- a. notwithstanding subsection 920.9(4)(a), the minimum Site Area shall be 300 m² for each Semi-detached or Duplex Dwelling, and 100 m² for each Secondary Suite in this Zone;

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February 4, 2002*

- b. subsection 920.9(4)(b), the minimum Site Width shall be 7.5 m for each Semi-detached or Duplex Dwelling;
- c. Garage Suites shall be developed in accordance with the following:
 - i. Garage Suites shall only be developed above a rear detached Garage;
 - ii. the minimum Site area shall be 100 m² for a Garage Suite and, this Area shall be provided in addition to the minimum Site Area provided for the principal Dwelling;
 - iii. the maximum Height for a Garage that contains a Garage Suite shall be 7.5 m;
 - iv. the maximum Site Coverage for a Garage containing a Garage Suite shall not exceed 12%;
 - v. the maximum Floor Area of a Garage Suite shall be 50 m²;
 - vi. the minimum Side Yard for a detached Garage shall be 0.9 m for structures 3.7 m or less in Height, and 1.2 m for structures greater than 3.7 m in Height;
 - vii. on a corner Site where a Garage Suite abuts a flanking public roadway, other than a Lane, the required Side Yard shall not be less than that provided for the principal structure;
 - viii. there shall be no more than one Garage Suite developed in conjunction with a Dwelling in the principal structure;
 - ix. one on-site parking space, not in tandem with any other required parking, shall be provided for a Garage Suite; and

*Bylaw 12961
February 4, 2002*

- x. notwithstanding subsection 6.1(34) of this Bylaw, the number of unrelated persons occupying a Garage Suite shall not exceed three.
- d. Secondary Suites and Garage Suites shall not be developed on the same Site.

- e. The Development Officer may exercise discretion in considering Secondary Suite or Garage Suite development, having regard to:
 - i. compatibility of the Use with the siting, Grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development; and
 - ii. the effect on the privacy of adjacent properties.

920.10 (TTMU) Terwillegar Towne Mixed Use Zone

1) General Purpose

The purpose of this Zone is to provide for mixed Use development in Terwillegar Towne.

2) Discretionary Uses

- a. Basic Services
 - i. Extended Medical Treatment Services
 - ii. Government Services
 - iii. Minor Impact Utility Services
- b. Commercial
 - i. Automotive and Equipment Repair Shops
 - ii. Bars and Neighbourhood Pubs, not to exceed 200 occupants and 240 m² of Public Space if adjacent to or across a Lane from a Site zoned residential
 - iii. Business Support Services
 - iv. Commercial Schools
 - v. Convenience Retail Stores
 - vi. Custom Manufacturing Establishments
 - vii. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
 - viii. Gas Bars
 - ix. General Retail Stores
 - x. Health Services
 - xi. Household Repair Services
 - xii. Minor Alcohol Sales

- xiii. Minor Amusement Establishments
- xiv. Minor Secondhand Stores
- xv. Minor Service Stations
- xvi. Veterinary Services
- xvii. Mobile Catering Food Services
- xviii. Nightclubs, but not to exceed 200 occupants nor 240 m² of Public Space if adjacent to or across a Lane from a Site zoned residential
- xix. Personal Service Shops
- xx. Professional, Financial and Office Support Services
- xxi. Recycling Depots
- xxii. Restaurants, not to exceed 200 occupants and 120 m² of Public Space if adjacent to or across a Lane from a Site zoned residential
- xxiii. Spectator Entertainment Establishments
- xxiv. Specialty Food Services, not to exceed 100 occupants and 120 m² of Public Space, if adjacent to or across a Lane from a Site zoned residential
- c. Community, Educational, Recreational, and Cultural Services
 - i. Community Recreation Services
 - ii. 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
- d. Residential
 - i. Apartment Housing
 - ii. Row Housing
 - iii. Stacked Row Housing
- e. Residential-Related
 - i. Residential Sales Centres
 - ii. Major Home Based Business
 - iii. Minor Home Based Business

- f. Signs
 - i. Fascia On-premises Signs
 - ii. Freestanding On-premises Signs
 - iii. Projecting On-premises Signs
 - iv. Roof On-premises Signs
 - v. Temporary On-premises Signs

3) Development Regulations for Discretionary Uses

The following development regulations shall apply to the development of those TTMU Zones within the Terwillegar Towne Special Area as identified on Appendix I to this Section:

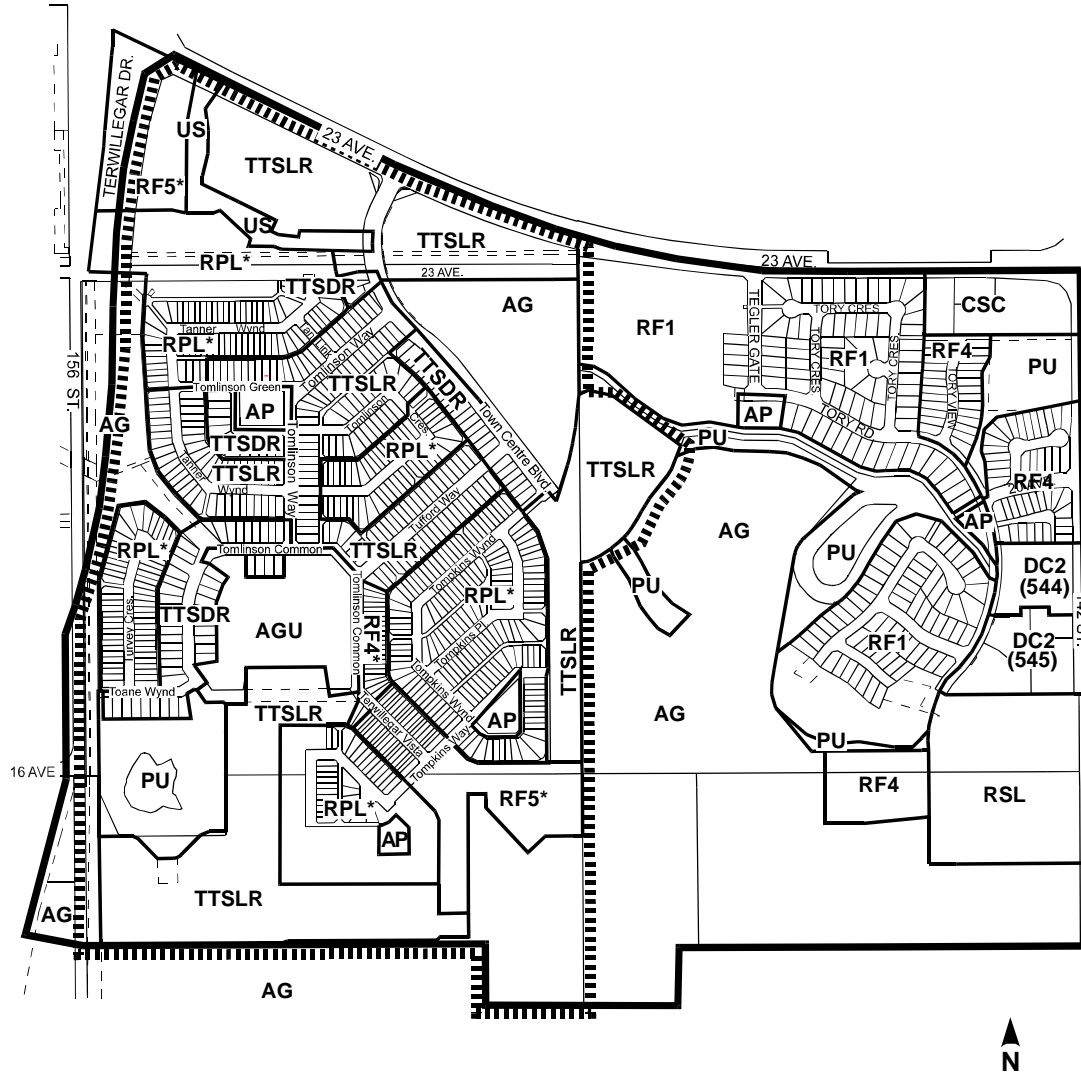
- a. the maximum total Floor Area Ratio shall be 2.5;
- b. the maximum total residential Density shall be 125 Dwellings/ha;
- c. the maximum Height shall not exceed 14.0 m nor four Storeys. The maximum Height for architectural features such as steeples, clock towers and façade details shall be 26.0 m;
- d. at-grade Frontage abutting the roadways which form the Town Square intersection as shown in the Terwillegar Towne Neighbourhood Area Structure Plan shall be developed with Non-residential Uses except that on site parking shall not be developed abutting these roadways;
- e. all at-grade commercial development shall be pedestrian-oriented;
- f. all buildings fronting on public roadways shall include the following:
 - i. display windows and entryways that front on the public sidewalk associated with the public roadway and either:
 - a. a canopy, with a minimum width of 2.0 m and a minimum of 4.0 m or one Storey above grade; or
 - b. a continuous arcade, with a minimum width of 4.0 m and between 4.0 m and 6.0 m above grade;
- g. there shall be no minimum Front Yard or front Setback requirement for ground related Non-residential development; however, any Setbacks shall maintain an architectural presence at the front property line;
- h. a minimum landscaped Yard 7.5 m in Depth shall be provided where the Rear or Side Lot Line of a Non-residential Use abuts a Residential Zone;

- i. the minimum landscaped Yard requirements for ground related Residential Uses shall be established on the following basis:
 - i. the minimum front landscaped Yard shall be 3.0 m;
 - ii. the minimum Side Yard shall be 2.0 m with an additional 1.0 m for each Storey or partial Storey for developments above two Storeys in Height;
 - iii. the minimum Side Yard shall be 4.5 m in Depth where it abuts a flanking public roadway other than a Lane; and
 - iv. the minimum Rear Yard shall be 7.5 m;
- j. a minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
 - i. 30 m² per Family Oriented Dwelling, any part of which is contained in the lowest Storey; and
 - ii. 15 m² per Family Oriented Dwelling, no part of which is contained in the lowest Storey.
- k. a minimum Amenity Area of 9.0 m² per Family Oriented Dwelling shall be provided and developed as childrens' play space and be aggregated into areas of not less than 50 m² for developments containing 20 or more Family Oriented Dwellings;
- l. recreational facilities that require a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from Floor Area Ratio calculations;
- m. Recycling Depots shall be developed as an Accessory Use only and shall be contained within an enclosed building;
- n. 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 subsection 55.4; and
- o. Signs shall comply with the regulations found in Schedule 59D.

Appendix 1 Special Area Terwillegar Towne

Special Area, Terwillegar Towne

Appendix I to Section 920 of Bylaw 12800 as amended by Bylaw 11318 and subsequent appropriate Bylaws.



- Special Area Boundary
- Neighbourhood Area Structure Plan Boundary

* Designation applied to site with altered or specific development regulations in accordance with Section 920, Zoning Bylaw

930 Special Area Ellerslie Industrial Park

*Bylaw 13125
July 8, 2002*

930.1 General Purpose

The purpose of this designation is to designate a portion of the Ellerslie Area Structure Plan as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the Ellerslie Area Structure Plan, as adopted under Bylaw 11870, as amended.

930.2 Application

The designation, location and boundaries of each underlying Land Use Zone affected or created through Section 930 shall apply as indicated on Appendix I to this Section.

The Ellerslie Industrial Business Zone may be applied to all Lands within the Special Area and shall be applied to all Lands in the Special Area that are adjacent to Parsons Road, a Commercial Zone, a Residential Zone, a storm water management facility or the private open space corridor, defined in the Ellerslie Area Structure Plan.

The Ellerslie Medium Industrial Zone may be applied to lands within the Special Study area that are located on interior Sites, adjacent to local industrial roadways, and shall not be applied to lands in the Special Area that are adjacent to Parsons Road, a Commercial Zone, a Residential Zone, a storm water management facility or the private open space corridor, defined in the Ellerslie Area Structure Plan.

930.3 Land Use Zones Created by Special Area Provisions

The Land Use Zones, as contained in subsections 930.4 and 930.5, have been created in accordance with Section 900 of this Bylaw.

930.4 (EIB) Ellerslie Industrial Business Zone

*Bylaw 12819
June 18, 2001*

1) General Purpose

The purpose of this Zone is to provide for light industrial businesses and high technology development that carries out their operations such that no nuisance factor is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent Non-industrial Zone.

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. General Industrial Uses
5. Minor Service Stations and Major Service Stations
6. Professional, Financial and Office Support Services
7. Special Industrial Uses
8. Fascia On-premises Signs
9. Freestanding On-premises Signs
10. Projecting On-premises Signs
11. Temporary On-premises Signs

3) Discretionary Uses

1. Automotive and Equipment Repair Shops
2. Automotive and Minor Recreation Vehicle Sales/Rentals
3. Bars and Neighbourhood Pubs, not to exceed 200 occupants nor 240 m² of Public Space, if adjacent to or across a Lane from a Site zoned residential
4. Broadcasting and Motion Picture Studios
5. Child Care Services
6. Commercial Schools

7. Convenience Retail Stores
8. Convenience Vehicle Rentals
9. Fleet Services
10. Funeral, Cremation and Interment Services
11. Greenhouses, Plant Nurseries and Market Gardens
12. Health Services
13. Indoor Participant Recreation Services
14. Limited Contractor Services
15. Mobile Catering Food Services
16. Nightclubs, not to exceed 200 occupants nor 240 m² of Public Space, if adjacent to or across a Lane from a Site zoned residential
17. Outdoor Participant Recreation Services
18. Personal Service Shops
19. Private Clubs
20. Rapid Drive-through Vehicle Services
21. Recycled Materials Drop-off Centres
22. Recycling Depots
23. Religious Assembly
24. Residential Sales Centres
25. Restaurants, not to exceed 200 occupants nor 240 m² of Public Space, if adjacent to or across the Lane from a Site zoned residential
26. Specialty Food Services
27. Veterinary Services

4) Development Regulations for Permitted and Discretionary Uses

1. where this Zone is applied along a major collector or higher standard public roadway, the minimum Site Frontage shall be 30.0 m, unless access is provided from a service road;
2. the maximum Floor Area Ratio shall be 1.2;
3. a minimum Yard of 6.0 m shall be required where any lot line of a Site abuts a public roadway, other than a Lane, abuts the property line of a Commercial Zone, a Residential Zone, a storm water management facility or the private open space corridor, as defined in the Ellerslie Area Structure Plan;
4. all required Yards shall be landscaped in accordance with Section 55 of this Bylaw;

5. no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard;
6. the maximum Height shall not exceed 12.0 m nor three Storeys, except that the Development Officer shall permit a greater Height for a building housing a General Industrial Use up to a maximum of 14.0 m where this is required to facilitate the industrial development of the Use involved;
7. all developments shall comply with the Performance Standards of Section 57 for the IB Zone;
8. all storage, display or parking areas shall be hardsurfaced in accordance with subsection 54.6 of this Bylaw;
9. all display and storage areas that abut any Zone, other than an Industrial Zone shall be screened in accordance with the provisions of subsection 55.4(4) of this Bylaw;
10. any trash collection area, open storage area, or outdoor service area including any loading, unloading or vehicle service area that is visible from any adjoining Site, shall be screened from view from the adjoining Site. Landscaping, planting, berming, masonry walls, wood fencing or other man made features shall be provided from the ground to a Height of 1.8 m to block the view from an adjoining Site;
11. lighting for the display, storage and parking areas shall be mounted on lamp standards or building walls and no exposed bulbs or strings of lights shall be used. Lighting shall be in accordance with Section 51 of this Bylaw; and
12. Signs shall comply with the regulations found in Schedule 59J.

5) Additional Development Regulations for Discretionary Uses

1. Convenience Retail Stores, Child Care Services, Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, Nightclubs and Personal Service Shops shall be sited in accordance with the following:
 - a. as part of an office or industrial project where such Discretionary Uses are intended to service and support the principal industrial or office Use.
4. Health Services, Indoor Participant Recreation Services and Outdoor Participant Recreation Services shall be sited in accordance with the following:
 - a. on Sites located on major collector or higher standard public roadways that provide access to a residential area or provide locational convenience to both residents and users of the industrial area.

5. The size, location, screening and Landscaping of the outdoor vehicular display areas for Automotive and Minor Recreational Vehicle Sales/Rentals 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.
6. The following regulations shall apply to Religious Assembly developments:
 - a. Sites shall be limited to those that are either adjacent to a major arterial or collector roadway or located on the periphery of the industrial area;
 - b. where the development is to be located in an existing building that contains a number of bays, the Site size specified in Section 71 shall be considered to be the entire parcel upon which the building is sited; and
 - c. the Development Officer may require additional building Setbacks, Landscaping and screen planting requirements to ensure compatibility with adjacent Uses, having due regard to surrounding existing and future development allowed under this Zone. However, the Development Officer may refuse an application for Religious Assembly development if the adjacent industrial development is incompatible with the proposed development, having regard to noise, odours or other performance characteristics of the industrial development.

930.5 (EIM) Ellerslie Medium Industrial Zone

1) General Purpose

The purpose of this Zone is to establish a high quality Industrial Zone for those manufacturing, processing, assembly, distribution, service and repair uses that carry out a portion of their operation outdoors or require outdoor storage areas. In general, any nuisance factor associated with the Uses in this Zone shall not extend beyond the boundaries of the Site and these Sites shall be located on Interior Sites adjacent to local industrial public roadways, such that these Uses are separated from nearby residential and community zones by a higher quality industrial business zone.

2) Permitted Uses

1. Animal Hospitals and Shelters
2. Auctioneering Establishments
3. Equipment Rentals
4. General Contractor Services
5. General Industrial Uses

*Bylaw 12961
February 4, 2002*

7. Vehicle and Equipment Sales/Rentals
8. Fascia On-premises Signs
9. Freestanding On-premises Signs
10. Projecting On-premises Signs
11. Temporary On-premises Signs

3) Discretionary Uses

1. Automotive and Equipment Repair Shops
2. Fleet Services
3. Recycling Depots
4. Recycled Materials Drop-off Centres

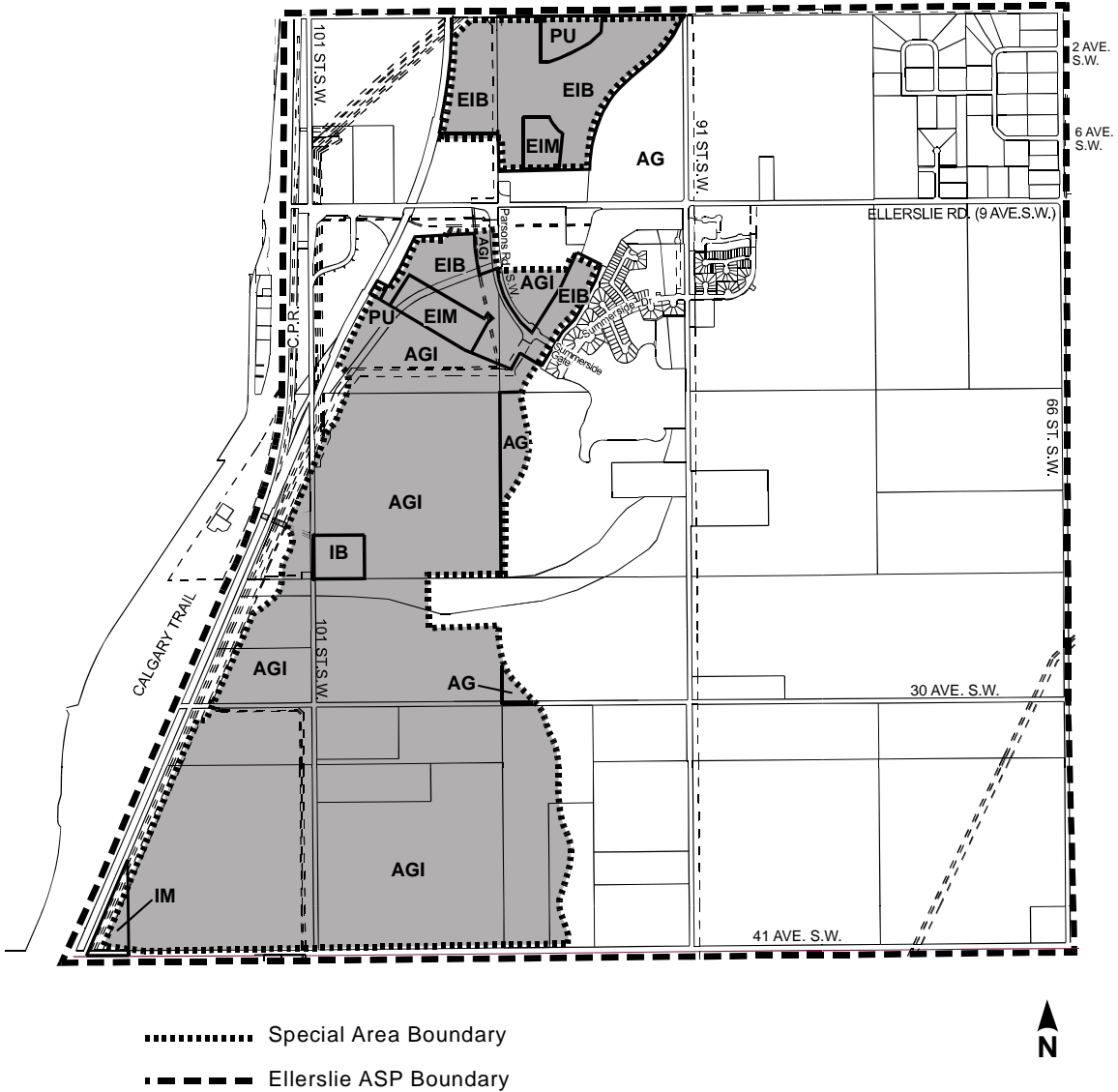
4) Development Regulations for Permitted and Discretionary Uses

1. the maximum Floor Area Ratio shall be 2.0;
2. a minimum Yard of 3.0 m shall be required where any lot line of a Site abuts a public roadway, other than a Lane;
3. all required Yards shall be Landscaped in accordance with Section 55 of this Bylaw;
4. no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard;
5. all display and storage areas that abut any Zone other than an Industrial Zone shall be screened in accordance with the provisions of subsection 55.4(4) of this Bylaw;

6. any trash collection area, open storage area, or outdoor service area, including any loading, unloading or vehicle service area that is visible from any adjoining Site shall be screened from view from the adjoining Site. Landscaping, planting, berming, masonry walls, wood fencing or other man made features shall be provided from the ground to a Height of 1.8 m to block the view from an adjoining Site;
7. the maximum building Height shall be 18.0 m;
8. lighting for display, storage and parking areas shall be mounted on lamp standards or building walls and no exposed bulbs or strings of lights shall be used. Lighting shall be in accordance with Section 51 of this Bylaw;
9. Signs shall comply with the regulations found in Schedule 59J; and
10. all developments shall comply with the Performance Standards of Section 57 for the IM Zone.

Appendix 1 - Ellerslie Industrial

Special Area, Ellerslie Industrial
Appendix I to Section 930 of Bylaw 12800
as amended by Bylaw 12418
and subsequent appropriate Bylaws.



940 Special Area Griesbach

*Bylaw 13191
October 17, 2002*

940.1 General Purpose

The purpose of this designation is to designate Griesbach as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the *Griesbach Neighbourhood Area Structure Plan*, as adopted by Bylaw 12936, as amended.

940.2 Application

The designation, location, and boundaries of each underlying Land Use Zone affected or created through Section 940 shall apply as indicated on Appendix I to this Section.

940.3 Zones Created by Special Area Provisions

Zones, as contained in Sections 940.5 and 940.6, have been created in conformance with Section 900.2(5) of this Bylaw.

940.4 Regulations of Conventional Zones Altered by Special Area Provisions

The development regulations of Subsections 940.7 and 940.8 shall be applied in place of, or in addition to, the regulations of RF5 (Section 160) and RA7 (Section 210) in this Bylaw.

940.5 (GLD) Griesbach Low Density Residential Zone

*Bylaw 13191
October 17, 2002*

1) General Purpose

To provide for street oriented low density housing with opportunities for a limited amount of row housing, in accordance with the design objectives in the Griesbach Neighbourhood Area Structure Plan.

2) Area of Application

Those portions of Section 29-53-24-4 shown as 'GLD' on Appendix I.

3) Permitted Uses

- a. Duplex Housing
- b. Limited Group Homes
- c. Minor Home Based Business
- d. Row Housing, limited to four Dwellings per structure.
- e. Semi-detached Housing
- f. Single Detached Housing
- g. Fascia On-premises Signs
- h. Temporary On-premises Signs

4) Discretionary Uses

- a. Child Care Services
- b. Group Homes
- c. Major Home Based Business
- d. Residential Sales Centres

5) Development Regulations

- a. The minimum Site Area shall be:
 - i. 270 m² per Single Detached Dwelling;
 - ii. 210 m² per Duplex Dwelling;
 - iii. 240 m² per Semi-detached Dwelling; and
 - iv. 180 m² per Row Housing Dwelling.
- b. The minimum Site Width shall be:
 - i. 9.0 m per Single Detached Dwelling;
 - ii. 7.0 m per Duplex Dwelling;
 - iii. 8.0 m per Semi-detached Dwelling; and
 - iv. 6.0 m per Row House Dwelling.
- c. The total number of Row Housing Dwellings shall not exceed more than 5% of the total estimated number of Dwellings in the GLD Zone.
- d. The maximum Building Height shall not exceed 12.0 m nor 2½ storeys, provided that no eave line shall be higher than 9.0 m from Grade.

- e. The maximum total Site Coverage:
 - i. for Sites with a Site Width less than 12.0 m shall not exceed 49% Site Coverage, with a maximum of 35% for a principal building and a maximum of 14% for Accessory Buildings. Where a Garage is attached to or designed as an integral part of a Dwelling, the maximum Site Coverage for the principal building shall be 49%.
 - ii. for Sites with a Site Width of 12.0 m or greater shall not exceed 45% Site Coverage, with a maximum of 33% 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 Site Coverage for the principal building shall be 45%.
 - iii. Notwithstanding i) and ii) above, the maximum site coverage for Row Housing Dwellings shall not exceed 49% Site Coverage, with a maximum of 35% for a principal building and a maximum of 14% for Accessory Buildings. Where a Garage is attached to or designed as an integral part of a Dwelling, the maximum Site Coverage for the principal building shall be 49%.
- f. The minimum Front Yard shall be 3.0 m, except it shall be 1.0 m for Row Housing.
- g. The minimum Rear Yard shall be 7.5 m, except in the case of a corner lot it shall be 4.5 m. The minimum distance from the Rear Lot Line to a detached garage where the vehicle doors face the Lane shall be 1.2 m.
- h. Side Yards shall be established on the following basis:
 - i. Side Yards shall be a minimum of 1.2 m;
 - ii. where there is no Lane abutting the Site, one Side Yard shall be at least 3.0 m for vehicle access unless there is an attached Garage or a Garage that is an integral part of a Dwelling;
 - iii. on a corner Site where the Dwelling 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 3.0 m; and
 - iv. on a corner Site where the Dwelling fronts on a flanking public roadway other than a Lane, the minimum Side Yard abutting the flanking public roadway shall be 3.0 m.
- i. Signs shall comply with Schedule 59A.
- j. An application for subdivision to create lots intended for Row Housing Dwellings shall be accompanied by a calculation determining the maximum potential number of Dwelling units in the GLD Zone.

- k. For Semi-detached Housing and Row Housing development, the following shall apply:
 - i. the identity of individual Semi-detached Housing or Row Housing Dwellings shall be defined through the use of architectural features that may include such things as individual rooflines or roofline features, projection or recession of the façade, individual porches or entrance features and other treatments within the context of a unified building;
 - ii. there shall be continuous frontage of Dwellings along the Site Frontage; and
 - iii. each Dwelling, with street frontage shall have an entrance that fronts onto the street.
- l. On Corner Lots the façades of a structure that face the front and flanking public roadways shall have consistent design elements, in terms of building materials and architectural features.
- m. Each Dwelling that is adjacent to a public roadway other than a Lane, shall have an entrance door or entrance feature such as a front porch, deck or landing area oriented to the roadway.
- n. For Row Housing, a minimum Private Outdoor Amenity area, at grade, of 13 m² per Dwelling shall be provided.
- o. Where Single Detached Housing is developed in this Zone, a maximum of one Dwelling per lot shall be allowed. Where Semi-detached Housing and Duplex Housing are developed in this Zone, a maximum of two Dwellings per lot shall be allowed. Where Row Housing is developed in this Zone, a maximum of sixteen Dwellings per lot shall be allowed.

940.6 (GVC) Griesbach Village Centre Zone

*Bylaw 13191
October 17, 2002*

1) General Purpose

To allow for a mixed use of businesses, residences, and institutional uses in a village centre format promoting pedestrian orientation in accordance with the design objectives in the Griesbach Neighbourhood Area Structure Plan.

2) Area of Application

Those portions of Section 29-53-24-4 shown as GVC on Appendix I.

3) Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing is permitted only in buildings where the first storey is used for commercial purposes
- c. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m² of Public Space
- d. Business Support Services
- e. Commercial Schools
- f. Custom Manufacturing Establishments
- g. General Retail Stores
- h. Health Services
- i. Hotels
- j. Household Repair Services
- k. Indoor Participant Recreation Services
- l. Major Amusement Establishments and Minor Amusement Establishments
- m. Personal Service Shops
- n. Professional, Financial and Office Support Services
- o. Restaurants, for less than 200 occupants and 240 m² of Public Space
- p. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
- q. Veterinary Services
- r. Fascia On-premises Signs
- s. Freestanding On-premises Signs
- t. Projecting On-premises Signs
- u. Temporary On-premises Signs

4) Discretionary Uses

- a. Animal Hospitals and Shelters
- b. Apartment Housing
- c. Child Care Services
- d. Convenience Vehicle Rentals

- e. Drive-in Food Services
- f. Gas Bars
- g. Government Services
- h. Greenhouses, Plant Nurseries and Market Gardens
- i. Major Alcohol Sales
- j. Nightclubs, for less than 200 occupants and 240 m² of Public Space if the Site is adjacent to or across a lane from a Site zoned Residential or GLD
- k. Minor Alcohol Sales
- l. Minor Secondhand Stores
- m. Minor Service Stations
- n. Non-accessory Parking
- o. Private Clubs
- p. Recycled Materials Drop-off Centres
- q. Religious Assembly
- r. Residential Sales Centres
- s. Restaurants, for more than 200 occupants and 240 m² of Public Space, provided the Site is not adjacent to or across a lane from a Site zoned residential or GLD
- t. Spectator Entertainment Establishments
- u. Spectator Sports Establishments
- v. Fascia Off-premises Signs
- w. Freestanding Off-premises Signs
- x. Roof Off-premises Signs
- y. Roof On-premises Signs

5) Development Regulations for Uses

- a. The minimum Site Frontage shall be 10.0 m.
- b. The maximum Floor Area Ratio shall be 3.5.
- c. The maximum Site Coverage shall be 35% except for Apartment Housing. The maximum site coverage can be increased to 40% for commercial uses with Apartment Housing located above the first storey.

- d. Buildings shall be built to the front and side property lines except that buildings may be set back up to 3.0 m to accommodate street related activities, such as sidewalk cafes, architectural features and landscaping that contribute to the pedestrian oriented shopping character of the area or to accommodate roadway design or to preserve existing trees.
- e. All development shall create a pedestrian friendly environment on a shopping street, which may include such things as entrance features, outdoor sitting areas, canopies, landscaping and other features that lend visual interest and a human scale to development along the street.
- f. Architectural treatment of buildings, except for apartment housing, shall ensure that each storey has windows on the front façade and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented shopping street.
- g. The façade treatment shall wrap around the side of the building to provide a consistent profile when exposed to the street.
- h. A minimum landscaped Yard of 6.0 m shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site zoned residential or GLD.
- i. Vehicular access to properties from a public roadway shall be restricted to the abutting Lanes to preclude breaks in the street façade and strengthen the pedestrian-oriented character of the area. Where there is no abutting Lane, vehicular access shall be provided from a flanking public roadway other than an arterial roadway. Where there is no lane or flanking roadway then the street access shall be limited to one access point.
- j. All on-site parking shall be located at the rear of the site.
- k. 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 55.4. If the rear or sides of a Site are used for parking, an outdoor service or display area or both, and abut a Residential Zone, GLD Zone or a Lane serving a Residential Zone or GLD Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.
- l. The maximum Building Height shall not exceed 18.0 m nor 4 storeys, provided that no eave line shall be higher than 14.0 m from grade. Floor Area may be developed in attic areas as additional space to a Dwelling, and not counted as a Storey, provided the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height. In cases where dormers or other windows are proposed, the development shall be considered a Discretionary Development.

- m. Commercial development, excluding Hotels, along the loop road will be primarily limited to the first two storeys with residential development above.
- n. The maximum Floor Area for a permitted or discretionary Commercial Use, excluding Hotels, shall be 1000 m² except that the maximum Floor Area for no more than two Commercial Uses in this GVC Zone shall be 2500 m² and that the maximum Floor Area for one additional Commercial Use in this GVC Zone shall be 5000 m².
- o. Any business premises or multiple occupancy building having a Floor Area greater than 2000 m² or a single wall length greater than 25.0 m visible from a public road, shall comply with the following criteria:
 - i. the roof line and building façade shall include design elements that reduce the perceived mass of the building and add architectural interest; and
 - ii. landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
- p. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- q. Signs shall comply with the regulations found in Schedule 59E of this Bylaw, with the intent to complement the pedestrian-oriented commercial environment, except that:
 - i. the maximum Height of a Freestanding Sign shall be 6.0 m;
 - ii. a Projecting Sign may be used to identify businesses that are located entirely at or above the second Storey level; and
 - iii. the top of a Projecting Sign on a building two storeys or higher shall not extend more than 75 cm above the floor of the second or third storey, nor higher than the windowsill of the second or third storey.
- r. The following regulations shall apply to Apartment Housing developments:
 - i. the housing component shall have access at grade, which is separate from the access for commercial premises;
 - ii. where a development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area per Dwelling is required, in accordance with the provisions of Section 46 of this Bylaw;
 - iii. the maximum Floor Area Ratio of Apartment Housing shall be 2.0;
 - iv. the maximum site coverage shall be 50%.

- s. The following regulations shall apply to Drive-in Food Services and other developments having a drive-through service window:
 - i. the Drive-in Food Service shall not be in a freestanding building but shall be part of a multi tenant building;
 - ii. the location, orientation and Setback of drive-through service windows shall be to the satisfaction of the Development Officer in consultation with the Transportation and Streets Department, having regard to the minimization of on-site and off-site traffic impacts, including safety and promotion of the pedestrian orientation of local shopping streets;
 - iii. the location, orientation and Setback of drive-through service windows shall be oriented away from the front street and placed, wherever possible, at the rear of the building. It's location shall be to the satisfaction of the Development Officer, having regard to the orientation of the use away from pedestrian-oriented shopping streets;
 - iv. the design, finishing and siting of such development shall achieve a compatible relationship with surrounding development and a high standard of appearance when viewed from adjacent roadways;
 - v. the drive-through service window shall be located not less than 15.0 m from any Residential Dwelling;
 - vi. a minimum of six in-bound queuing spaces shall be provided for vehicles approaching the drive-through 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;
 - vii. landscaping shall be used to screen and soften the impact of the Use.
- t. Additional Landscaping shall be provided to the satisfaction of the Development Officer above the requirements of Section 55(3) to 55(8) of this Bylaw.

940.7 (RF5*) Griesbach Row Housing Zone

*Bylaw 13191
October 17, 2002*

- 1. The uses listed as Permitted and Discretionary Uses in Section 160 of this Bylaw, being the (RF5) Row Housing Zone, shall be the Permitted and Discretionary Uses for this Zone.
- 2. Except as expressly modified in Subsection 940.7(3), the development regulations specified in Section 160 of this Bylaw shall regulate development in this Zone.

3. The following development regulations shall apply to the development of RF5* Zones within the Griesbach Special Area as identified on Appendix I to this Section:
 - a. The maximum Building Height shall not exceed 12.0 m nor 2½ storeys, provided that no eave line shall be higher than 9.0 m from Grade.
 - b. The maximum total Site Coverage shall not exceed 49%, with a maximum of 35% for a principal building and a maximum of 14% for Accessory Buildings. Where a Garage is attached to or designed as an integral part of a Dwelling, the maximum site coverage for the principal building shall be 49%.
 - c. The minimum Front Yard shall be 1.0 m and the maximum shall not exceed 3.0 m except to accommodate existing housing and trees to be retained.
 - d. The minimum Rear Yard shall be 7.5 m, except in the case of a corner lot it shall be 4.5 m. The minimum distance from the Rear Lot Line to a detached garage where the vehicle doors face the lane shall be 1.2 m.
 - e. Minimum Side Yards of 2.0 m each shall be provided, except that where the Side Yard abuts a flanking roadway other than a Lane, not less than 3.0 m shall be provided.
 - f. Separation Space shall be provided in accordance with Section 48 of this Bylaw except that it is not applicable to where the building faces a public roadway, other than a lane.
 - g. Single Detached Housing and Semi-detached Housing in this Zone shall be developed in accordance with the provisions of the GLD Zone.

940.8 (RA7*) Griesbach Low Rise Apartment Zone

*Bylaw 13191
October 17, 2002*

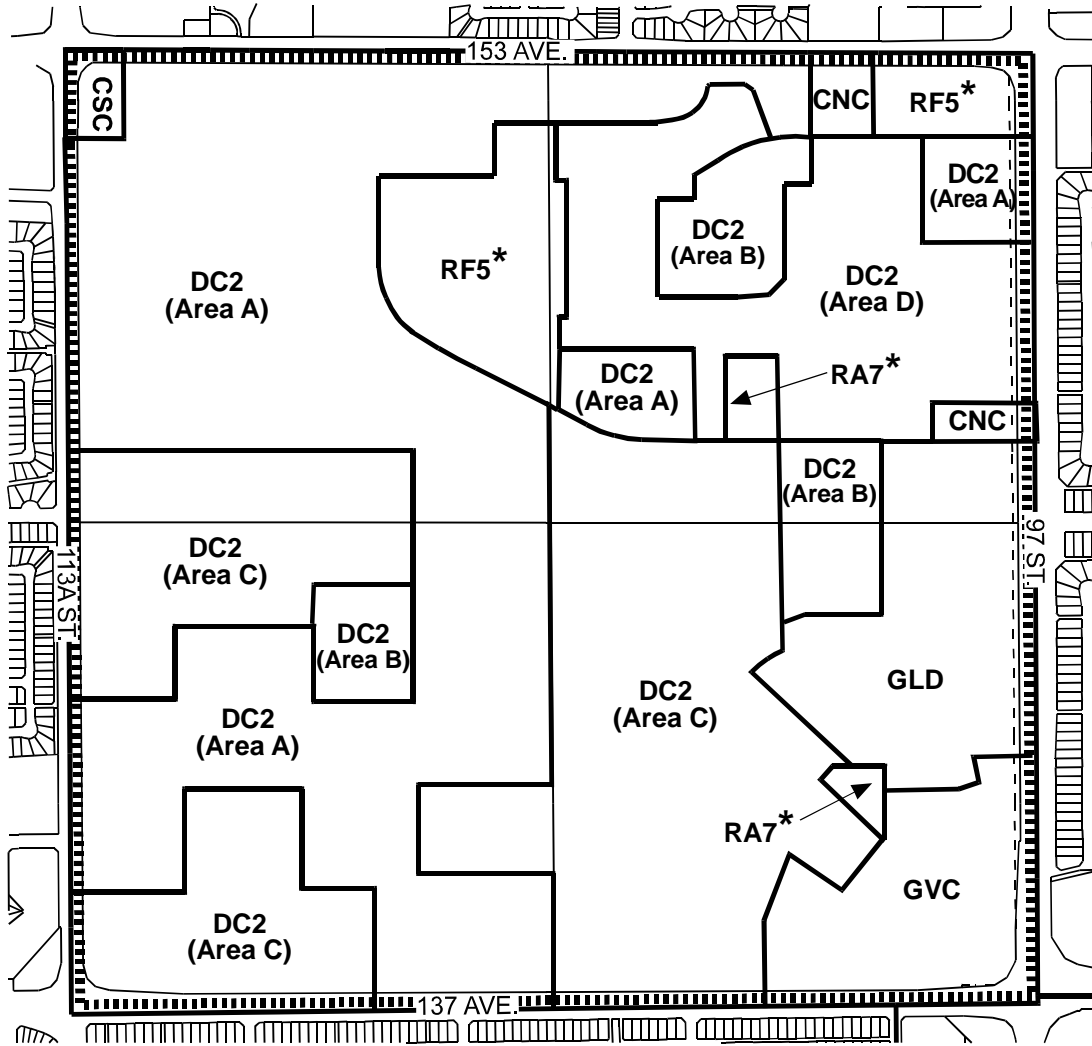
1. The uses listed as Permitted and Discretionary Uses in Section 210 of this Bylaw, being the (RA7) Low Rise Apartment Zone, shall be the Permitted and Discretionary Uses for this Zone.
2. Except as expressly modified in Subsection 940.8(3), the development regulations specified in Section 210 of this Bylaw shall regulate development in this Zone.

3. The following development regulations shall apply to the development of RA7* Zones within the Griesbach Special Area as identified on Appendix I to this Section:
 - a. The maximum Building Height shall not exceed 18.0 m nor 4 storeys, provided that no eave line shall be higher than 14.0 m from grade. Floor Area may be developed in attic areas as additional space to a Dwelling, and not counted as a Storey, provided the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height. In cases where dormers or other windows are proposed, the development shall be considered a Discretionary Development.
 - b. The minimum Front Yard shall be 3.0 m, except 1.0 m for Row Housing Dwellings.
 - c. The minimum Side Yard shall be 1.0 m for each Storey or partial Storey, except that a total of at least 2.0 m shall be provided in all cases. The Side Yard shall not be less than 3.0 m when it abuts a flanking roadway other than a lane. Separation Space shall be provided in accordance with Section 48 of this Bylaw except that it is not applicable to where the building faces a public roadway, other than a lane.

Appendix 1 – Griesbach

Special Area, Griesbach

Appendix I to Section 940 of Bylaw 12800, as amended by subsequent appropriate Bylaws.



----- Special Area Boundary

* Designation applied to site with altered or specific development regulations in accordance with Section 940, Zoning Bylaw

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