

THIS AGREEMENT made this 15th day of December, 1993
BETWEEN:

THE CALGARY AIRPORT AUTHORITY, an authority
established pursuant to the Regional Airports Authorities Act,
SA 1989, Chapter R-9.05

(hereinafter called "The Calgary Airport Authority")

OF THE FIRST PART

- and -

THE CITY OF CALGARY, a municipal corporation
having jurisdiction in the Province of Alberta,

(hereinafter called the "City")

OF THE SECOND PART

WHEREAS Her Majesty The Queen In Right of Canada, (hereinafter called the "Government of Canada") owns certain lands within the boundaries of the City of Calgary within which it operated the Calgary International Airport, (hereinafter called the "Calgary Airport Authority Lands");

AND WHEREAS the Government of the Province of Alberta enacted the Regional Airports Authorities Act to allow the creation of authorities to manage and operate the airports for which they are responsible in a safe, secure and efficient manner, and to advance economic and community development by means that include promoting and encouraging improved airline and transportation service and an expanded aviation industry for the general benefit of the public in its region;

AND WHEREAS the Lieutenant Governor in Council did, by Order dated 26th day of July, 1990, create The Calgary Airport Authority;

AND WHEREAS by an Agreement to Transfer entered into between the Government of Canada and The Calgary Airport Authority executed the 2nd day of April, 1992 the Government of Canada agreed, inter alia, to transfer the management, operation and maintenance of the Calgary International Airport to The Calgary Airport Authority and to enter into a lease agreement with The Calgary Airport Authority;

AND WHEREAS by an Agreement dated the 30th day of June, 1992, entered into between the Government of Canada and The Calgary Airport Authority, the Government of Canada leased, inter alia, the Calgary Airport Authority Lands to The Calgary Airport Authority, (hereinafter called the "Airport Lease");

AND WHEREAS pursuant to the terms of the Airport Lease the parties thereto adopted a Land Use Plan, (hereinafter called the "Approved Land Use Plan"), which established various zones within the Calgary Airport Authority Lands and restrictions and permitted uses with respect to each zone;

AND WHEREAS the Airport Lease provided, inter alia, that The Calgary Airport Authority was to negotiate in good faith with the City with a view to concluding an agreement, arrangement or understanding to ensure that any development on the Calgary Airport Authority Lands will be in harmony with the overall planning of the City and not inconsistent with the Approved Land Use Plan;

AND WHEREAS pursuant to the Airport Lease, The Calgary Airport Authority has agreed to comply with all applicable laws from time to time in force relating to environmental matters, the manufacture, use, storage, disposal and transportation of any substance and the protection of the environment generally.

AND WHEREAS the City is prepared to provide certain utilities and other municipal services to the Calgary Airport Authority Lands in conjunction with the orderly development thereof but has no legislative control over the development of the Calgary Airport Authority Lands and is unable to require The Calgary Airport Authority to attorn to the same control over development as the City would exercise over other lands, which are privately owned, in the City;

AND WHEREAS the Parties have reached an accord on the approval and consultation processes for development of the Calgary Airport Authority Lands within a specified range of land uses;

NOW, THEREFORE, IN CONSIDERATION of the hereinbefore cited premises and the mutual covenants of the parties hereto, **THIS AGREEMENT WITNESSETH THAT THE PARTIES HERETO AGREE AS FOLLOWS:**

1. The parties agree that, subject to the provisions of the Airport Lease as hereinafter specifically set forth, development on the Calgary Airport Authority Lands shall be undertaken in accordance with that document entitled "Agreement on Land Use, Development Guidelines and Acreage Assessment Levies" of which this Agreement is Section I, (hereinafter called the "Land Use Document"). For the purposes of this Agreement the term "development" is as defined in the Land Use Document.
2. It is understood and agreed that Sections 9, 10, II, 12, 13, 14, and 15 of the Land Use Document, (hereinafter called the "Land Use Districts"), constitute a replacement of the Approved Land Use Plan pursuant to the terms of the Airport Lease, and are therefore subject to the approval of the Minister of Transport of the Government of Canada, (hereinafter called the "Minister"). The Calgary Airport Authority shall make its best efforts to secure the approval of the Minister. This Agreement shall operate where and to the extent it is consistent with the Approved Land Use Plan until such time as the Minister, or any person authorized by the Minister to act on his or her behalf, notifies The

Calgary Airport Authority, or is deemed to have notified The Calgary Airport Authority, that the Minister approves the proposed replacement of the Approved Land Use Plan

3. Save as hereinafter provided, this Agreement may only be amended by mutual consent of the parties. In the event that The Calgary Airport Authority wishes to amend, add to or delete the uses, or change the categorization of uses within the Land Use Districts and the City will not agree to same, The Calgary Airport Authority may propose said amendment to the Minister, outlining the views of and consultation with the City with respect to such amendment. The Calgary Airport Authority shall provide concurrent notice, by double registered mail to the Director, of its submission to the Minister. In the event that a proposed amendment to the Approved Land Use Plan is approved or deemed to be approved by the Minister, The Calgary Airport Authority shall notify the City of same in writing and this Agreement shall forthwith be deemed to have been amended accordingly.
4. In the event that The Calgary Airport Authority acquires additional lands within the City, and such lands are not the property of the Government of Canada, such lands shall not be subject to this Agreement but shall be subject to all legislation, by-laws and other governmental authority as other privately held property in the City.
5. In the event that The Calgary Airport Authority acquires the freehold title to all or any portion of the Calgary Airport Authority Lands this Agreement shall, in the event freehold title to all the Calgary Airport Authority Lands is acquired, terminate and have no further force and effect or, in the event that freehold title to a portion of the Calgary Airport Authority Lands is acquired, cease to apply with respect to those lands so acquired. In the event this Agreement is terminated pursuant to this provision the City may proceed to regulate the Calgary Airport Authority Lands in accordance with the Planning Act, R.S.A. 1980, Chapter P-9.
6. The Calgary Airport Authority shall ensure that any lessee, assignee or other third party who holds an interest in any part of the Calgary Airport Authority Lands shall not act inconsistently with this Agreement.
7. The Calgary Airport Authority shall be solely responsible for the design, construction, maintenance and traffic operations of all streets within the Calgary Airport Authority Lands. Notwithstanding any public access thereto such streets shall not be deemed to be a highway for the purposes of the Municipal Government Act, R.S.A. 1980, Chapter M-26.
8. Notwithstanding any provision in this Agreement, including those respecting acreage assessment levies or the finalization of a design for the ultimate upgrading of McKnight/12th St. N. intersection or interchange, the City retains sole and absolute discretion over the design, construction and upgrading of roads, outside the Calgary Airport Authority Lands, including those which may be required to facilitate the development of the Calgary Airport Authority Lands as contemplated by this Agreement. Except for its obligation to pay acreage assessments as provided in this Agreement, The Calgary Airport Authority shall not be obligated to contribute to the cost of any roadway improvements except as specifically negotiated and agreed to by the parties hereto.

9. 9. In order to facilitate the provision of emergency services to the Calgary Airport Authority Lands The Calgary Airport Authority shall comply with all City requirements respecting the naming of streets and addressing of buildings and land parcels.
10. 10. The Calgary Airport Authority agrees that it shall comply with and be subject to any penalties and prosecution pursuant to all municipal by-laws and Government 'of Alberta laws respecting the supply and use of water and electricity and storm and sanitary sewers to which any part of the Calgary Airport Authority Lands are connected. it being understood that The Calgary Airport Authority will have available to it full rights to dispute any such penalties and prosecutions as if it were an owner of privately held property in the City.
11. As the Calgary Airport Authority Lands are anticipated to develop over a period of time and development and servicing standards continue to evolve, the parties agree to periodically review and, if necessary, amend this Agreement, and in particular the Land Use Document with a view to ensuring that, this Agreement is in harmony with the overall evolving standards of planning and servicing of the City as well as the evolving needs and requirements of The Calgary Airport Authority in order for it to develop the Calgary Airport Authority Lands, in an effective and timely manner.
12. In the event that either party hereto fails to take action or obtain compliance as required by the terms of this Agreement, the other party shall have the right to take action through the Courts to sue for specific performance or injunctive relief with respect to same in order to obtain compliance therewith.
13. IN WITNESS WHEREOF the parties hereto have caused their corporate seals to be hereto affixed duly attested by the hands of their proper officers in that behalf duly appointed as of the day and year first hereinabove written.

THE CALGARY AIRPORT AUTHORITY

Per: original signed by E. David Dover
E. David Dover. Chairman

Per: original signed by Ernest M. Caron
E.M. (Ernie) Caron. President and CEO

THE CITY OF CALGARY

Per:
original signed by R.J. Homes.
Commissioner

Per:
original signed by D.L. Garner. City Clerk

The Calgary Airport Authority / The City of Calgary

**Agreement on
Land Use,
Development Guidelines
And
Acreage Assessment Levies**

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CALGARY AIRPORT AUTHORITY / THE CITY OF CALGARY -AGREEMENT ON LAND USE-

3. DEFINITIONS

3. DEFINITIONS

1. INTERPRETATION

In this Agreement words used in the singular include the plural, and words used in the masculine gender include the feminine gender,

2. DEFINITIONS

- 1) **affected person** means a person who, by virtue of interest in property, place of residence or work, or otherwise genuinely and relevantly impacted in a manner recognized in sound planning principles thereby has a particular interest, distinct from that of the general public, in the proposed development.
- 2) **agriculture** means development for the primary production of farm products such as cattle, hogs, sheep and other animals, wheat and other grains, and vegetables or other field crops, This use does not include dwellings, intensive agricultural uses, or a feedlot.
- 3) **air terminal building** means developments which are directly related to supporting the movement of passengers, vehicles, baggage, cargo, aircraft, and related passenger and personal services.
- 4) **airport maintenance and operational facilities** means any facility which houses the equipment, materials, or motor vehicles necessary to maintain airport lands, buildings and facilities, This may include garages, workshops, mobile equipment yards, outdoor storage areas, as well as their associated uses such as an office, lunchroom, or change room.
- 5) **amusement arcade** means any facility where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee.
- 6) **ancillary retail -manufacturing** means that area of a building used for the display and sale to the public of goods that are manufactured or assembled in the balance of the building, but does not include the sale to the public of goods that are only packaged and/or stored in the building.
- 7) **ancillary retail - non-manufacturing** means that area of a building used for the display and sale to the public of goods that are packaged and/or stored in the building.
- 8) **ancillary structure** means, with reference to building height, an essential structural component or an ancillary feature necessary for the functioning of a building such as an elevator housing, mechanical penthouse or chimney but excluding a sign, flag pole, communication equipment or other similar structure.
- 9) **Appeal Body** means the body known as the Calgary International Airport Development Appeal Body, as established in Section 5 of this Agreement.
- 10) **assigned parking** means a parking space which is provided and designated for the exclusive use of a specified individual.

- 11) **athletic and recreational facility** means a sport facility, including racquet courts, gymnasias, arenas, swimming pools or stadia and includes necessary uses such as cafeterias, pro-shop and amusement arcades exclusively servicing the users of the facility.
- 12) **auto body and paint shop** means an establishment for the repair or painting of motor vehicle bodies but does not include facilities for the sale of gasoline or lubricating oil, or for the repair or maintenance of mechanical or electrical parts.
- 13) **automobile, compact** means an automobile 4,8 metres or less in length and 1,8 metres or less in width.
- 14) **automobile, full-sized** means an automobile greater than 4,8 metres in length and greater than 1.8 metres in width.
- 15) **automotive service** means an establishment for the sale of gasoline, lubricating oils and associated automotive fluids, and may also include an accessory service and repair facility, sales of automotive parts, a car wash, a towing service or a grocery store.
- 16) **automotive specialty** means an establishment for the servicing and repair of motor vehicles, excluding automotive service use and an auto body and paint shop, and includes such facilities as alignment shops, muffler shops, transmission repair shops, rustproofing shops and car washes.
- 17) **aviation consulting and services** means the provision of professional, administrative, financial, and mechanical services which are directly supportive of the aviation industry, This may include airlines, charter operations, corporate flight centres, aircraft sales, rentals and leasing, flight training, general aircraft maintenance, aerial advertising, aerial application, aerial photography, air ambulance, catering and commissaries, aircraft grooming, aircraft parts and supplies, and pilots supplies.
- 18) **billiard parlour** means a business where the primary function is the rental of billiard tables, pool tables or any similar games tables to the public for a fee and where no more than three mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement.
- 19) **bonded yard** means a controlled area, approved by Canada Customs, dedicated to holding goods that have not cleared customs.
- 20) **building** includes any thing constructed or placed on, in, over or under land but does not include a highway or public roadway, or a bridge forming part of a highway or public roadway.
- 21) **building height** means that height determined creating a line parallel to grade along each building elevation and separated vertically from grade by the maximum allowable height for the district, Such line may be exceeded only by
 - (a) part of the building, on no more than one building elevation, and

- (b) ancillary structures.
- 22) **building permit** means a permit issued pursuant to the City of Calgary Building Permit By-law authorizing construction.
- 23) **Calgary Airport Authority** means the Authority established pursuant to the "Regional Airports Authorities Act", SA 1989, c, R-9,0S.
- 24) **Calgary Planning Commission or Planning Commission** means the Calgary Municipal Planning Commission constituted pursuant to the Municipal Planning Commission By-law.
- 25) **calliper** means the diameter of the trunk of a tree measured at 300 millimetres above the ground.
- 26) **car wash** means a facility for the washing of motor vehicles.
- 27) **child care facility** means the use of a building or portion thereof for the provision of care, maintenance and supervision of seven or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, nurseries and after-school or baby-sitting programs which meet this definition.
- 28) **City of Calgary or City** means the Corporation of the City of Calgary or the land lying within the corporate limits of the City, as the context requires.
- 29) **corner visibility triangle** means a triangular area formed on a corner site by the curb lines and a straight line which intersects them 7,5 metres from the corner where they meet.
- 30) **crematorium** means an establishment with one or more cremation chambers used for the reduction of the human body by heat and the keeping of human bodies other than in cemeteries, related funeral services to include the preparation of the dead, arranging and direction of funerals, and may include mausoleums and columbariums.
- 31) **custodial quarters** means an area not exceeding 93 m' of net floor area within an industrial building designed and utilized as living accommodation for a custodian as part of the operation or security function of an industrial use.
- 32) **development** means
 - (a) an excavation or stockpile and the creation of either of them,
 - (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them,
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or

- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.
- 33) **Director** means the official of the City of Calgary who is the head of the Planning and Building Department.
- 34) **drinking establishment** means an establishment, licensed by the Alberta Liquor Control Board, in which alcoholic beverages are served for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant.
- 35) **drive-in business** means a facility for providing on-site service to customers while in their motor vehicles.
- 36) **emergency response services** means development which is required for protection of persons and property from injury, harm or damage together with incidental storage for emergency equipment and vehicles, Typical uses would include fire stations, police stations, paramedic and security services, bomb disposal facilities, fire training facilities, and other related services.
- 37) **entertainment establishment** means a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a night club, live theatre or cinema, but does not include a restaurant, gaming establishment - bingo, gaming establishment-casino or adult mini-theatre.
- 38) **essential airport services** means those services provided by The Calgary Airport Authority, the government, contracted by the government (federal, provincial, municipal), or regulatory agencies required for the safe and efficient operation of the airport, (e.g, fire, police, emergency medical services, hazardous materials).
- 39) **farmer's market** means the use of an open air space or covered building for the occasional sale of farm produce directly to the public.
- 40) **fence** means a vertical physical barrier constructed to provide visual screening or to prevent unauthorized access.
- 41) **final utility services** means water and sewer utilities which are connected to municipal utilities, or which are so connected through the airport utility system, or alternatively, a private water and sanitary treatment system within The Calgary Airport Authority lands which has been approved by the Director as final utility servicing, In the case of storm sewer, this may be in the form of a planned overland stormwater management system.
- 42) **financial institution** means a bank, trust company, credit union or similar establishment.
- 43) **fixed based operation** means an aviation facility which provides a wide range of services to the private aviation sector, This includes the provision of fuelling, pilots' and passenger lounges, maintenance and

- overhaul facilities, aircraft parking and hangar storage, catering, taxi/limousine service, offices, retail, personal services, and restaurants.
- 44) **flea market** means the use of an open air space or large, open floor area within a building primarily for the occasional sale of crafts, second-hand articles and antiques.
- 45) **floor area ratio or F.A.R.**, means the quotient of the gross floor area of a building divided by the gross site area.
- 46) **freight terminal** means a facility accommodating the storage and distribution of freight shipped by air, rail, or highway transportation.
- 47) **frontage** means the width of a lot or a site where it abuts a street excluding a lane.
- 48) **funeral home** means an establishment for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.
- 49) **gaming establishment - bingo** means the use of a building or a portion thereof, which has the capacity to accommodate more than 250 persons at any time or times, or which is used on three or more days in anyone calendar week, for the holding of bingo games.
- 50) **gaming establishment - casino** means a facility where the principal use is gambling and includes a casino but not a gaming establishment -bingo or a racetrack.
- 51) **government agencies** means any municipal, provincial, or federal government services, This does not include protective and emergency services but does include customs and excise, taxation offices, quarantine facilities, social services, post office, immigration facilities, and meteorological offices.
- 52) **grade** means the elevation of finished ground surface, excluding an artificial embankment, at any point immediately adjacent to the building.
- 53) **grocery store** means the use of a building or a portion thereof with a gross floor area of less than 465 square metres, for the sale of foodstuffs and convenience goods.
- 54) **gross floor area** means the sum of the areas of all plans of a building measured to the glass line, or where there is no glassline to the outside surface of the exterior walls, or where buildings are separated by firewalls, to the centre line of the common firewalls, and includes all floors totally or partially above grade level and all mechanical equipment areas.
- 55) **ground cover** means low-profile vegetation, other than grass or shrubs, commonly used for landscaping purposes and includes herbaceous perennials and flowers.
- 56) **ground transportation facilities and services** means services for the delivery of people and/or goods, This includes taxi services, rent-a-car facilities, bus lines, and messenger and courier services, It may also include as ancillary uses, offices, vehicle parking areas, vehicle washing and/or repair facilities.

- 57) **hangars** means a facility used for the storage and maintenance of aircraft including offices, workshops, and other associated uses.
- 58) **historical site** means a site or a building designated to be of historical significance by the Government of Canada or the Government of Alberta.
- 59) **hotel** means a building which provides sleeping accommodation and which may also contain commercial uses and such additional facilities or services as a restaurant, a dining room, service or public convention rooms.
- 60) **information services** means any development which is used to provide tourists with information such as directions, maps, local facilities and attractions, and current local events and activities, This may include offices, rest areas, viewing areas, gift shops, outdoor exhibits, and signage.
- 61) **intensive agricultural use** means any concentrated method used to rear or keep animals or their products for market, including such operations as poultry and hog farms, rabbitries, fur farms, and similar specialty uses, but does not include a feedlot.
- 62) **interim use** means a use specified as an Interim Use in a Land Use District which may be allowed in that District prior to the installation of final utility services.
- 63) **kennel** means any premises on which dogs or cats are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale.
- 64) **land use district** means a district as defined in Sections 9 through 15 of this Agreement,.
- 65) **land use plan** means the approved Land Use Plan contained within Section 8 of this Agreement.
- 66) **landscaped area** means that portion of a site which is required to be landscaped.
- 67) **landscaping** means the modification and enhancement of a site through the use of any or all of the following elements
- (a) soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass and ground cover
 - (b) hard landscaping consisting of non-vegetation materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt
 - (c) architectural elements consisting of wing walls, sculpture and the like.
- 68) **lease line** means the line which defines the boundary of a site which is being leased by The Calgary Airport Authority to another party, or a property line, or the boundaries of the site as defined by The Calgary Airport Authority.

- 69) **livestock handling facilities** means an enclosed structure used for the temporary holding and transfer of livestock to or from an aircraft.
- 70) **loading space** means a space to accommodate a commercial vehicle while it is being loaded or unloaded.
- 71) **lot area** means the area contained within the boundaries of a lot as shown on a plan of subdivision or described in a certificate of title or the boundaries shown on a lease agreement.
- 72) **lot coverage** means that portion of the lot area covered by the principal building, accessory buildings or other similar covered structures.
- 73) **lot frontage** means the shortest lot line which abuts a street, other than a bridge, lane, or walkway and in the case of a lot which has two equal lot lines each of which abut a street, other than a bridge, lane, or walkway, means the street to which the lot has been municipally addressed.
- 74) **lot width** means the distance between the side property lines of the lot and measured at right angles from the midpoint of the shortest property line.
- 75) **major building** means, for the purpose of this agreement, a new building 10,000 square feet or larger or an existing building where the expansion is 10,000 square feet or greater, or 10% of the existing floor area, whichever is larger.
- 76) **medical clinic** means a facility for the provision of human health services without overnight accommodation for patients.
- 77) **municipal street** means a public thoroughfare of the City of Calgary.
- 78) **natural area** means an area of land predominantly in its original natural state, which may accommodate minimal development in the form of a public park.
- 79) **net floor area** means the total of the floor area of all floors of a building measured from the glassline or the interior wall dimensions, excluding stairways, elevators, mechanical floors or rooms, vertical service shafts, malls and non-rentable common corridors, lobbies, washrooms, internal garbage storage, and internal vehicular areas.
- 80) **net leasable retail area** means the net floor area for retail floor space, calculated as the total of the floor area of all floors of a building measured from the glassline or the interior wall dimensions, excluding stairways, elevators, mechanical floors or rooms, vertical service shafts, malls and non-rentable common corridors, lobbies, management offices, washrooms, internal garbage storage, mezzanine storage areas, and internal vehicular areas.
- 81) **net site area** means the gross site area minus any area dedicated to municipal Right-of-Way Property Line Setbacks as provided for in Section 17 of the City of Calgary Land Use Bylaw.
- 82) **outside storage** means an outside area set aside for the storage of products, goods or equipment.

- 83) **parks and recreation areas** means development which is available for active and passive outdoor recreational activities, This may include a golf course, driving range, sports field, tennis court, ice surface or rink, athletic field, swimming pool, bowling green, riding stable, fitness trail, picnic grounds, pedestrian trail, or playground.
- 84) **parking area** means a portion of land or of a building set aside for the parking and manoeuvring of motor vehicles.
- 85) **parking structure** means a structure designed for the parking of motor vehicles in tiers or floors.
- 86) **passenger terminals** means developments which are directly related to supporting the movement of passengers, vehicles, baggage, cargo, aircraft, and related passenger and personal services.
- 87) **personal service business** means a facility for providing a service on a commercial basis to individuals and includes such uses as photography studios, dry-cleaning establishments and barber shops.
- 88) **primary access** means the principal means of vehicular entry to and exit from a site or building.
- 89) **principal building** means a building that accommodates the principal use of a site, and may accommodate one or more accessory uses.
- 90) **principal use** means the main purpose for which a building or site is used.
- 91) **private club or organization** means a social or service organization which may include athletic or recreational facilities.
- 92) **property line** means a legal boundary of an area of land.
- 93) **public or quasi-public building** means a building which is available to the public for the purpose of assembly, instruction, culture or community activity, including but not limited to, a church, a library, a museum, an art gallery and the recreational, social, or educational activities of a public group or organization.
- 94) **restaurant** means an establishment where food is prepared and served on the premises for sale to the public, and may include entertainment which is ancillary to the preparation and service of food.
- 95) **retail food store** means the use of a building or a portion thereof with a gross floor area in excess of 465 square metres, for the sale of foodstuffs for consumption off-premises and include a supermarket, but does not include a grocery store.
- 96) **retail store** means the use of a building or a portion thereof for the sale or display of merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment, but does not include grocery store or a retail food store.
- 97) **school, commercial** means a place of instruction operated for profit.
- 98) **screening** means the total or partial concealment of a building, structure or activity by a fence, wall, berm or soft landscaping.

- 99) **shopping centre** means a group of commercial uses being primarily retail and personal service establishments on a minimum of one acre, with shared on-site parking.
- 100) **signs** means any visual medium, including its structure and other component parts, which is used on a permanent or temporary basis to convey information, or to advertise or attract attention to a product, service, place, activity, person, institution, or business, excluding third party advertising, Definitions of specific types of signs are further defined in the Sign Guidelines (Section 7).
- 101) **site** means an area of land on which a building or use exists or for which a request or application for confirmation and authorization of development is made.
- 102) **storage area** means the area of a building or site set aside for the storage of products, goods or equipment.
- 103) **storey** means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it.
- 104) **street** means a municipal street or a private thoroughfare owned and maintained by The Calgary Airport Authority, including sidewalks and borders, which affords a means of access to land abutting it and includes a lane and a bridge.
- 105) **structure** means any thing constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground and includes walls, light standards, fences and signs.
- 106) **structured parking** means a structure or building for the parking of motor vehicles as a use ancillary to the main use of the site, and includes a covered parking area.
- 107) **use** means the Permitted and Discretionary Uses and their category, that are both permanent and Interim Uses listed in the Land Use Districts, Sections 9 to 15 of this Agreement.
- 108) **utilities** means anyone or more of the following:
- (a) systems for the distribution of gas, whether artificial or natural, electricity, telephone and cable television,
 - (b) facilities for the storage, transmission, treatment, distribution or supply of water,
 - (c) facilities for the collection, treatment, movement or disposal of sanitary sewage,
 - (d) storm sewer drainage facilities,
 - (e) interim or limited services as contemplated in the Land Use Districts in this Agreement.

- 109) **veterinary clinic** means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures.
- 110) **veterinary hospital** means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation and confinement in outdoor pens, runs and enclosures.
- 111) **warehouse** means the use of a building for the storage, Packaging, and/or distribution of materials, goods or products, but does not include a warehouse store.
- 112) **warehouse store** means the use of a building for the wholesale or retail sale of a limited range of bulky goods, the size and nature of which typically require large floor areas for direct display to the purchaser, and include such bulky goods as furniture, carpets, major appliances, and building materials and equipment, but does not include the sale of food.
- 113) **warehousing** means facilities for the storage of goods and merchandise.
- 114) **yard, front** means that area extending the full width of a site and from the front lease line of the site to the nearest building, and its depth shall be measured at right angles to the front lease line.
- 115) **yard, rear** means that area extending the full width of a site and from the rear lease line of the site to the rear of the principal building, and its depth shall be measured at right angles to the rear lease line.
- 116) **yard, side** means that portion of the site extending from the front yard to the rear yard and between the side lease line of the site and the closest side of the principal building, and its width shall be measured at right angles to the side lease line.

4. PROCEDURES

4. PROCEDURES

1. GENERAL

1.1 Uses in Existing Buildings

- (a) Any use which is a Permitted Use in the Land Use District in which any existing building is located can be established in that building without authorization by the Director.
- (b) Any uses existing in a building on the date of signing of this Agreement are permitted in the building in which they exist.

1.2 Airport Vicinity Special Regulations

Notwithstanding any provisions of this Agreement, all development on Calgary Airport Authority lands shall be in compliance with The Calgary International Airport Vicinity Protection Area Regulation (AVPA) and The Calgary International Airport Zoning Regulations.

2. LAND USE DISTRICT BOUNDARIES

The boundaries between the Airport Light Industrial District, the Aviation Services District, the Airport Commercial District (Barlow Trail), the Airport Recreation District, and the East Airfield Industrial District shown on the Land Use Plan are preliminary. Exact boundaries will be determined by The Calgary Airport Authority as development proceeds and as Outline Plans are done. The grey/yellow hatched areas, the orange circle, and the green/grey hatched areas surrounding these Districts on the Land Use Plan are meant to indicate generally that the boundaries between these Districts can change. The precise definition of these boundaries shall be done as part of the Outline Plan process described in this section.

3. OUTLINE PLAN

3.1 General

- (a) Prior to submitting a request or application for confirmation and authorization of development on currently undeveloped lands, The Calgary Airport Authority shall submit to the Director an Outline Plan.
- (b) The purpose of the Outline Plan is to establish the basic road network, access points, block plans and utility servicing systems for the future development. The City's role for those Calgary Airport Authority lands that do not connect directly to a municipal street or to external public utility facilities is to recommend and advise on suggested changes, revisions or improvements. The Calgary Airport Authority, while not bound, will take the recommendations into account based on sound engineering and planning practices.

- (c) For plans which involve any access to a municipal street or connection to or upgrading of connections to a public utility, the Director's role is to accept or reject such access and connection on behalf of the City.
- (d) The City will consider all applications to connect to municipal streets or utilities based on sound planning and engineering practice. The Director may accept, with or without conditions, or reject such applications.

3.2 Submission Requirements

An Outline Plan submitted by The Calgary Airport Authority or its authorized agent to the Director shall contain the information outlined below. The submission is to include payment of the appropriate fees for Outline Plans in accordance with City of Calgary Subdivision Fee Schedule for Outline Plans in effect at the time of submission.

- (a) data sheet
- (b) a Comprehensive Report
- (c) titles for affected properties and the directly abutting properties
- (d) the Outline Plan Shall show the following information:
 - (i) north arrow;
 - (ii) scale of plan (no greater than 1 :2,000 metric);
 - (iii) legal description of property;
 - (iv) property and lease lines, shown and labelled;
 - (v) existing contours (minimum 1.5 m intervals);
 - (vi) key plan showing location of Outline Plan in community and city context;
 - (vii) street network showing municipal and private streets with carriageway and right-of-way dimensions;
 - (viii) existing and closed municipal streets rights-of-way dimensions;
 - (ix) gross area of Outline Plan in metric units;
 - (x) proposed land uses;
 - (xi) pedestrian/bicycle pathway systems;
 - (xii) walkways;
 - (xiii) areas having specific features, including structures requiring special attention in site design;
 - (xiv) major stand of trees, water bodies, sloped lands between 7% to 15% and those greater than 15% and any other unique landscape features;
 - (xv) existing edge features or uses having an influence on the plan area, including distances from features such as sewage treatment plants, waste disposal sites, etc. within 0.8 km of the plan area;
 - (xvi) existing sour gas wells within 3 km of the plan area;

- (xvii) noise exposure forecast contours affecting the plan area;
 - (xviii) demonstration of possible future subdivision of abutting land if required;
 - (xix) soil stability reports, where required;
 - (xx) ownership within the plan area and adjacent lands;
 - (xxi) existing and future runways and taxiways;
 - (xxii) existing and proposed utility network showing public and private systems;
 - (xxiii) a copy of the Land Use Plan showing the designated land use of the project site and all properties within 90 metres of the boundaries of the total project site.
- (e) The comprehensive report shall provide the following information:
- (i) any background information on previous applications relating to the plan area;
 - (ii) an explanation of the design concept;
 - (iii) an explanation of the specific land uses;
 - (iv) boundaries of land use districts;
 - (v) proposed connections to municipal streets and utilities.

3.3 Circulation Referees

The Director shall evaluate such submissions having regard to the future intended use for the land as set out in this Agreement and may seek input from the following agencies:

- (a) Alberta Government Telephones
- (b) Cable TV
- (c) Calgary Economic Development Authority
- (d) Canadian Western Natural Gas
- (e) City of Calgary Electric System
- (f) City of Calgary Emergency Medical Services
- (g) City of Calgary Engineering Department
- (h) City of Calgary Fire Department
- (i) City of Calgary Planning & Building Department.
- (j) City of Calgary Police Department
- (k) City of Calgary Transportation Department
- (l) Energy Resources Conservation Board (if required)
- (m) Other Land Owners & Ward Alderman: where privately held lands immediately abut the Outline Plan Area and are not separated by municipal streets.

3.4 Outline Plan Comments

- (a) If the Director is satisfied that the Outline Plan does not require or contain access to a municipal street or connections to or upgrading of a public utility, he shall issue a letter to The Calgary Airport Authority containing any comments that the Director may have regarding issues such as utilities, servicing, street widths, etc.

- (b) The Director will forward his comments and those of the Circulation Referees to The Calgary Airport Authority for its consideration. The Calgary Airport Authority, while not bound, will review the comments and make any appropriate adjustments to the Outline Plan that The Calgary Airport Authority sees fit based on sound planning and engineering practice.
- (c) Prior to proceeding with any development on the lands covered by an Outline Plan, The Calgary Airport Authority shall file with the Director a Final Plan showing how it intends to layout the subdivision, including the carriageways, rights-of-way of all streets, and the location of utilities. The Director will then utilize this plan for evaluating all subsequent requests or applications for confirmation and authorization of development.

3.5 Access to Municipal Streets/ Connection to Public Utilities

- (a) Prior to making a decision on an Outline Plan that involves a proposed access to a municipal street; the Director may seek the advice of the Calgary Planning Commission, but will not be bound to accept such advice.
- (b) Where connections to public utilities (including upgrading of existing connections) and/or access to municipal streets are involved, the Director may approve with or without conditions or reject the application based on sound planning and engineering practice. The Calgary Airport Authority would negotiate, at the Outline Plan stage, any intersection and/or traffic signal improvements required for connections to municipal streets, and the provision and any related payment shall be included as part of the Director's decision.
- (c) The Director may under this Agreement render decisions with respect to access to all municipal streets (except McKnight Blvd.) where the decision will be rendered by the Director of Transportation of the City under the provisions of the Controlled Streets Bylaw. Such decision by the Director of Transportation is not appealable.
- (d) Where the decision on an Outline Plan, involves the acceptance of an access to a municipal street (except McKnight Blvd.) the Director shall notify The Calgary Airport Authority of the date such acceptance will be advertised in accordance with this Agreement.
- (e) Immediately after approving an application for access to a municipal street (except McKnight Blvd.) the Director shall publish in a local newspaper, on any day other than a Saturday, Sunday, or statutory holiday, a notice stating the location of the access to the municipal street, and advise that the decision may be appealed within fourteen (14) days by serving a written notice of appeal on the Secretary to the Appeal Board.
- (f) If the Director does not believe the proposed connections to the municipal streets and/or utilities meets the planning and/or engineering

requirements for the intended use, he will issue a letter to The Calgary Airport Authority, rejecting the application, indicating his reasons.

3.6 Time

The Director must issue his decision with respect to Outline Plans within 75 days of receiving a complete submission. If the Director fails to do so, The Calgary Airport Authority shall have the option:

- (a) in those cases involving Calgary Airport Authority lands only, with no direct access to municipal streets and/or connections to or upgrading of public utilities, of proceeding with development in which case The Calgary Airport Authority will advise the Director, in writing, of their intention to proceed and provide the Director with a Final Plan.
- (b) in those cases involving access to municipal streets or connections to or upgrading of public utilities may either appeal to the Appeal Body as a deemed refusal or grant the Director an extension of time.

3.7 Amendment

Any proposed amendment to an Outline Plan or Final Plan shall follow the same procedures as specified above.

4. REQUEST OR APPLICATION FOR CONFIRMATION AND AUTHORIZATION OF DEVELOPMENT

4.1 Land Use Categories

There are two general categories of Land Use -Permitted Uses and Discretionary Uses.

- a) Permitted Uses are divided into three categories for review purposes. The Permitted Use category is noted beside each use in the Land Use Districts. The Permitted Use categories are as follows:
 - (i) **Category I (a)** No request or notification to the Director is required.
 - (ii) **Category I (b)** Notification to the Director for information only.
 - (iii) **Category I (c)** Request for confirmation and authorization of development must be submitted to the Director for review and comment, or decision on relaxation of Development Guidelines, as the case may be.
- b) Discretionary Uses have a single category of application. Applications for confirmation and authorization of development must be submitted to the Director for all discretionary uses, for review and decision.

4.2 Submission Requirements, Director's Review, and Notification

(a) Permitted Use Categories 1(a) and 1(b): Submission Requirements

- (i) **Category I (a)** No submission to the Director is required.
- (ii) **Category I (b)** The Calgary Airport Authority, its authorized agent, or a tenant authorized to apply by The Calgary Airport Authority shall submit a letter to the Director outlining the project and shall provide the following:
 - (A) a vicinity map of appropriate scale, indicating the location of the proposed development in relation to nearby streets and other significant physical features which may have a bearing on the proposed project;
 - (B) a copy of the Land Use Plan showing the designated land use of the site and all properties within 90 metres of the boundaries of the total project site;
 - (C) plans which clearly depict the intended construction.
- (iii) No fees shall be charged in respect to such submission.

(b) Permitted Use Categories 1 (a) and 1(b): Director's Review

In the case of categories I (a) and (b), upon request by the applicant, the Director shall issue the necessary letter of authorization to the applicant and The Calgary Airport Authority to apply for a Building Permit.

(c) Permitted Use Category 1(c): Submission Requirements

The Calgary Airport Authority, its authorized agent, or a tenant authorized to apply by The Calgary Airport Authority, shall submit a request for confirmation and authorization of development to the Director outlining the project and providing the following details with respect to same:

- (i) copies of a site plan showing the following information:
 - (A) north arrow;
 - (B) scale of plan;
 - (C) legal description of property;
 - (D) municipal address;
 - (E) property or lease lines, shown and labelled;
 - (F) by-lawed property line setbacks, shown and labelled (where applicable);
 - (G) location of sidewalk and curbs;
 - (H) side yard requirements, shown and labelled;
 - (I) site topography and special conditions;
 - (J) location and size of existing landscape plan and buildings;

- (K) location of any buildings, dimensioned to property lines or lease lines, and any structure including utility poles;
 - (L) retaining walls, landscape plan and other physical features both existing and proposed on the site and adjoining boulevards;
 - (M) dimensioned layout of existing and proposed parking areas, entrances and exits, abutting streets, shown and labelled;
 - (N) all easements, shown and labelled,
 - (O) outline to scale of adjacent buildings on adjoining sites, indicating building height, yard dimensions, the use of the building and any windows overlooking the new proposal, and
 - (P) fencing, screening, garbage and storage areas.
- (ii) plans showing the elevation, floor plan and a perspective of the proposed development, including a description of the exterior finishing materials;
 - (iii) landscaping plans based on the site plan showing:
 - (A) the existing topography with the vegetation that is to be retained and that to be removed clearly identified,
 - (B) the layout of soft and hard landscaping, pedestrian circulation and open space systems, screening, berms, slopes and retaining walls, and
 - (C) the types, sizes and numbers of plant material and the types of hard landscaping;
 - (iv) a vicinity map of appropriate scale, indicating the location of the proposed development in relation to nearby streets and other significant physical features which may have a bearing on the proposed project;
 - (v) a letter of authorization from The Calgary Airport Authority;
 - (vi) a copy of the Land Use Plan showing the designated land use of the project site and all properties within 90 metres of the boundaries of the total project site;
 - (vii) photographic prints showing the site in its existing state;
 - (viii) photographic prints, slides or drawings which show, to the satisfaction of the Director, by way of superimposition, overlays or otherwise
 - (A) how the form, mass and character of the proposed development will relate to adjacent buildings, and
 - (B) how the design, materials and finish of the principal facades of the proposed development will relate to existing or planned facades of adjacent buildings;

- (ix) All drawings required to be submitted shall be drawn on standard drafting material to a scale of not less than 1:100 or such lesser scale as the Director may approve and shall be fully dimensioned, accurately figured, explicit and complete.
 - (x) Fees based upon the approved Development Fee Schedule for a similar use in the City of Calgary.
 - (xi) In addition, the Director may require:
 - (A) copies of a plan of survey prepared by an Alberta Land Surveyor showing the site to be developed;
 - (B) samples of exterior finishing materials;
 - (C) plans, photographs or other materials as the Director may consider necessary to properly evaluate the proposed development.
- (d) Permitted Use Category 1(c):
Director's Review**
- (i) The Director shall review the request and information provided respecting same and, if it is included on the Permitted Use list and conforms to the Development Guidelines, shall advise the applicant and The Calgary Airport Authority in writing as follows:
 - (A) confirmation of compliance;
 - (B) authorization to apply for Building Permit;
 - (C) appropriate Acreage Assessment Levies;
 - (D) where applicable, authorization of access to municipal streets and/or connection to public utilities; and
 - (E) any design comments the Director may have.
 - (ii) The Calgary Airport Authority, while not bound, will give consideration to any design comments and will advise the Director as to their intentions with respect to same.
 - (iii) If the proposal does not comply with a Development Guideline, the Director may authorize application for Building Permit where the proposed development would not:
 - (A) unduly interfere with the amenities of the immediate area, or
 - (B) materially interfere with or affect the use, enjoyment or value of the immediate area.
- (e) Permitted Use Category 1 (c):
Notification**
- (i) In the event the Director approves a relaxation of a Development Guideline under this section, his letter of confirmation and authorization of development shall include a statement as to the date when the site will be notice posted pursuant to the provisions of this Agreement, respecting the granting of such relaxation.

- (ii) In the event the Director does not authorize application for Building Permit, he will issue a letter indicating his reasons and provide details with respect to same.
- (iii) The Director must issue a letter of authorization or rejection within thirty (30) days of receiving the request for confirmation and authorization of development or there will be a deemed authorization to apply for a Building Permit. Appropriate Acreage Assessment levies will still apply.
- (iv) Immediately after authorizing an application for a Building Permit for a Permitted Use where the proposal does not comply with a Development Guideline and the Director has exercised discretion to relax a guideline, the Director shall provide to The Calgary Airport Authority a notice which it shall arrange to display for not less than five (5) days in a conspicuous place on the site in question stating the use to be made of the land, the discretion which has been exercised and that the decision may be appealed by serving a written notice of appeal on the Secretary to the Appeal Body within fourteen (14) days of the day the notice was first posted.

**(f) Discretionary Uses:
Submission Requirements**

- (i) The Calgary Airport Authority, its authorized agent, or a tenant authorized to apply by The Calgary Airport Authority, shall submit an application for confirmation and authorization to the Director outlining the project and providing the same information as required for Permitted Uses Category I (c).
- (ii) When required for presentations to the Planning Commission, applicants shall submit high quality legible transparency View-graphs (size 216 mm x 280 mm) 5 calendar days before the Planning Commission meeting illustrating:
 - (A) detailed coloured site plan;
 - (B) detailed floor plan;
 - (C) detailed coloured elevation plans
 - (D) detailed coloured landscaping plan showing all landscaping materials and topography; and
 - (E) detailed coloured perspective.

(g) Discretionary Uses: Director's Review

- (i) The Director may by:
 - (A) notice posting
 - (B) circulation to immediate neighbours, including Community Associations
 - (C) circulation to other City, Provincial or Federal Government Departments or Agencies seek input from other parties who have an interest in the proposed development, but the

Director will not be bound by that input in making his decision.

- (ii) Prior to making a decision the Director may seek the advice of the Calgary Planning Commission, but the Director will not be bound to accept such advice.
- (iii) The Director shall review the application and, if it is included on the Discretionary Use list, may, based on sound planning principles, either:
 - (A) confirm that the development is acceptable under the Discretionary Uses and Development Guidelines and in doing so may impose any required conditions; or
 - (B) reject the application.

(h) Discretionary Uses: Notification

- (i) In the event the Director issues confirmation, his letter to the applicant and The Calgary Airport Authority shall include:
 - (A) authorization to apply for Building Permit if and when conditions are met;
 - (B) the appropriate Acreage Assessment Levies to be paid as per Section 16 of this Agreement; and
 - (C) a statement as to the date such confirmation will be advertised in the newspaper pursuant to the provisions of this Agreement.
- (ii) In the event the Director rejects the application to authorize application for a Building Permit, he will issue a letter to the applicant and The Calgary Airport Authority indicating his reasons for same.
- (ii) Immediately after approving an application for a Discretionary Use, the Director shall publish in a local newspaper, on any day other than a Saturday, Sunday or statutory holiday, a notice stating the location of the property for which the application has been approved, the use to be made of the land and advise that the decision may be appealed within fourteen (14) days by serving a written notice of appeal on the Secretary to the Appeal Body.

5. BUILDING PERMITS

- (a) The Calgary Airport Authority, its authorized agent, or a tenant authorized to apply by The Calgary Airport Authority (except as exempted below) intending to undertake building construction on Calgary Airport Authority lands will apply to the City of Calgary for a Building Permit and receive such a permit prior to

commencement of construction, and shall undertake such construction in accordance with the approved Permit and Procedures of the City of Calgary.

- (b) The applicant will pay the appropriate application fees for Building Permits, in accordance with the City of Calgary fee schedule for Building Permits existing at the time, and will provide the following with the application for the Building Permit:
 - i) a letter of authorization from The Calgary Airport Authority to the City, authorizing the applicant to apply for a Building Permit on the specific site;
 - ii) a copy of the letter from the Director of Planning and Building authorizing application for Building Permit and indicating the appropriate Acreage Assessment Levies and amount that must be paid;
 - iii) if the letter of authorization includes conditions which must be met prior to release, a further letter indicating that such conditions have been met will be required prior to release of the Building Permit;
 - iv) if the authorization is required to be advertised or notice posted pursuant to this Agreement, the letter shall indicate the date on which the appeal period expires. The Building Permit may not be released prior to that date and may only be released after that date upon confirmation from the Secretary to the Appeal Body that no appeals have been lodged.
- (c) The applicant will pay the appropriate Acreage Assessment Levies due on the development lands to the City of Calgary prior to the release of the Building Permit.
- (d) In addition, the applicant will apply for and obtain a Plumbing and Gas Permit, Mechanical Permit, and Electrical Permit prior to proceeding with work authorized by these permits.
- (e) Where The Calgary Airport Authority undertakes construction directly and obtains approvals from the Dominion Fire Commissioner, The Calgary Airport Authority is not required to obtain the requisite permits from the City of Calgary. In this case, The Calgary Airport Authority will pay the appropriate Acreage Assessment Levies due on the development lands to the City of Calgary prior to commencement of building construction.
- (f) The City will ensure that all Building Permits are processed expeditiously having regard to the prior to release requirement set out above.

6. COMMENCEMENT OF DEVELOPMENT

- (a) Development shall commence within three years of the date of the letter of confirmation and authorization of development by the Director or, in the case of an appeal, within three years of the date of the decision of the Appeal Body.
- (b) Where development has not commenced in accordance with Section 4.6(a), the confirmation and authorization of development shall cease to be valid.

7. ENFORCEMENT

- (a) The Director or his representative can carry out inspections of development on the Airport land to determine whether the development has been carried out and completed within the approved plans. If the Director believes that a development is contravening this Agreement or any decisions made thereunder, he will notify The Calgary Airport Authority of his view detailing what he considers to be a contravention and his recommended action necessary to correct it.
- (b) If The Calgary Airport Authority believes such a notice to be inappropriate under the circumstances, it may appeal the issuance of such a notice to the Appeal Body whose decision will be final and binding on both parties.

5. APPEAL PROCESS

11. APPEAL PROCESS

1. APPEAL BODY

1.1 Membership

- (a) A body to be known as the Calgary International Airport Development Appeal Body shall be established. Its membership shall be as follows:
 - (i) The City and The Calgary Airport Authority will jointly appoint a Chairman for a term of three (3) years.
 - (ii) The Chairman must be experienced in chairing tribunals and should have a background in planning, either through professional qualifications and/or practical experience by serving on or appearing before boards or commissions which deal with planning matters, such as Councils, Municipal Planning Commissions, Development Appeal Boards, and the like.
- (b) When an appeal arises, upon receipt of notifications from the Chairman as hereinafter set forth, the City will appoint two members to the Appeal Body and Calgary Airport Authority will appoint two members to the Appeal body, all for that specific appeal. In selecting such members, the City and The Calgary Airport Authority will use their best efforts to appoint individuals who have experience in the type of issue under appeal.
- (c) The Chairman and the appointed members will serve as volunteers without compensation and cannot be employees of or persons under contract to either the City or The Calgary Airport Authority nor can they be members of City Council or Directors of The Calgary Airport Authority.
- (d) A Secretary to the Appeal Body will be established within the Planning & Building Department.

1.2 Duties and Authority of the Chairman

- (a) The Chairman shall be entitled to retain the services of legal counsel if he deems it necessary, the costs of which will be born equally by the City and The Calgary Airport Authority.
- (b) The Chairman may at his sole discretion choose to deal with appeals respecting the relaxation of Development Guidelines on Permitted Uses without any other appointed members.

- (c) The Chairman of the Appeal Body shall within ten (10) days following receipt of a notice of appeal, advise the City and The Calgary Airport Authority to appoint representatives for the appeal.

2. APPEALS

2.1 The Applicant or The Calgary Airport Authority

Any decision under this Agreement made by the Director may be appealed by the applicant or The Calgary Airport Authority by serving a written notice of appeal, together with a written letter of authorization to appeal, from The Calgary Airport Authority, when the applicant is other than The Calgary Airport Authority, on the Secretary to the Appeal Body. Such decisions include but are not limited to:

- (a) rulings on Categorization of Use;
- (b) refusal to relax a Development Guideline for a Permitted Use;
- (c) acreage assessment levies;
- (d) conditions imposed on Discretionary Uses;
- (e) rejection of an application for confirmation and authorization of development for a Discretionary Use;
- (f) deemed rejection of an application for notification for confirmation and authorization of development for a Discretionary Use. Outline Plan. or connection to public utilities and municipal streets;
- (g) rejection of, or conditions attached to an approval of, connections to public utilities and municipal streets;
- (h) notification by the Director that a development is in contravention of this Agreement or any decision made thereunder;
- (i) decisions made by the Director regarding a Concept Plan in the Airport Commercial Land Use District.

2.2 Affected Persons

The following decisions of the Director may be appealed by Affected Persons by serving a written notice of appeal on the Secretary to the Appeal Body within the time limit established;

- (a) approval of a Discretionary Use;
- (b) approval of a Permitted Use which does not comply with the Development Guidelines, and of which the Director has exercised his discretion to allow a relaxation of a Development Guideline;

- (c) approval(s) of connections to municipal streets approved through the Outline Plan process;
- (d) decisions made by the Director regarding a Concept Plan in the Airport Commercial Land Use District.

3. APPEAL PROCESS

- (a) The Calgary Airport Authority, an applicant who has authorization from The Calgary Airport Authority, or an Affected Person who is entitled to appeal under this Agreement, may appeal the decision of the Director within fourteen (14) days of notification of decision as set forth in Section 4 of this Agreement.
- (b) The Appeal Body shall convene and hear the appeal within thirty (30) days of the date when the Chairman advises the City and The Calgary Airport Authority to appoint representatives and a decision must be rendered within seven (7) days of conclusion of the hearing.
- (c) Notice of hearings will be given as follows:
 - (i) Written notice shall be given to the appellant and The Calgary Airport Authority at least ten days prior to the hearing;
 - (ii) Notice of appeal signs will be posted on the site under appeal one (1) week prior to the hearing;
 - (iii) Letters advising of the appeal will be mailed to immediately adjacent occupants at least ten days prior to the hearing.
- (d) When an appeal has been filed with respect to a decision of the Director to refuse an application for a Discretionary Use, notice of the hearing with respect to same shall be published in a local newspaper on any day other than a Saturday, Sunday or statutory holiday one (1) week prior to the hearing.
- (e) The Appeal Body shall hold a hearing at which they will hear from the Director, or his designate, and representatives of the applicant and/or The Calgary Airport Authority in all appeals and from other appellants or Affected Persons only in appeals involving Discretionary Uses, the relaxation of Permitted Use Development Guidelines, or the access to municipal streets approved through the Outline Plan process.

4. DECISIONS OF THE APPEAL BODY

- (a) The Appeal Body may confirm, revoke or vary, the decision Or any condition attached to such decision made by the Director, provided such

confirmation, revocation, or variation of the decision is within the authority which could have been exercised by the Director in making the decision which was appealed.

- (b) If the decision of the Director to an application for confirmation and authorization of development is reversed by the Appeal Body, the Director shall immediately issue the authorization for confirmation and authorization of development in accordance with the decision of the Appeal Body, issue authorization for an application for a Building Permit and advise of the appropriate Acreage Assessment Levies.
- (c) If the decision of the Director to approve an application for confirmation and authorization of development is varied by the Appeal Body, the Director shall immediately issue the authorization for confirmation and authorization of development in accordance with the terms of the decision of the Appeal Body, issue authorization for an application for a Building Permit and advise of the appropriate Acreage Assessment Levies.
- (d) If the decision of the Director to approve an application for confirmation and authorization of development is reversed by the Appeal Body, the confirmation and authorization for development shall be null and void.
- (e) If the decision of the Director to approve connection to a municipal street or utility is reversed by the Appeal Body, a Final Plan shall be submitted to the Director in accordance with the decision of the Appeal Body.
- (f) If the decision of the Director to approve a connection to a municipal street or utility is varied by the Appeal Body, a Final Plan shall be submitted to the Director in accordance with the decision of the Appeal Body.
- (g) If the decision of the Director to refuse a connection to a municipal street or utility is reversed by the Appeal Body, a Final Plan shall be submitted to the Director in accordance with the decision of the Appeal Body.
- (h) If the decision of the Director to require payment of Acreage Assessments is appealed to the Appeal Body, payment shall be made in accordance with the decision of the Appeal Body.
- (i) If the decision of the Director to approve a Concept Plan in the Airport Commercial Land Use District is reversed by the Appeal Body, the Concept Plan shall be submitted to the Director in accordance with the decision of the Appeal Body.
- (j) If the decision of the Director to approve a Concept Plan in the Airport Commercial Land Use District is varied by the Appeal Body, the Concept Plan shall be submitted to the Director in accordance with the decision of the Appeal Body.
- (k) If the decision of the Director to refuse a Concept Plan in the Airport Commercial Land Use District is reversed by the Appeal Body, the

Concept Plan shall be submitted to the Director in accordance with the decision of the Appeal Body.

- (l) The decision of the Appeal Body shall be given in writing to the Director, the applicant. The Calgary Airport Authority, the appellant, and any party who has made presentation before the Appeal Body with respect to the Appeal, within seven (7) days of the hearing.
- (m) Decisions of the Appeal Body are not subject to further appeal and are binding on the City and The Calgary Airport Authority.

6. DEVELOPMENT GUIDELINES

6. DEVELOPMENT GUIDELINES

1. PERFORMANCE STANDARDS

To ensure the safety of airport operations, no development shall cause or create any objectionable condition such as the following:

- (a) electronic interference
- (b) air contaminants
- (c) earthborn vibrations
- (d) visible emissions
- (e) heat
- (f) particulate emissions
- (g) odours
- (h) toxic matter
- (i) high brightness light sources
- (j) attraction to birds and wildlife

2. GENERAL DEVELOPMENT INFORMATION

2.1 Utilities

(a) Final Utility Services

Any use, other than an Interim Use, must be provided with final utility services, unless a specific exemption is allowed under the Development Guidelines for a Land Use District.

(b) Interim Utility Services

- (i) In cases where final utility services are not available, and an Interim Use is proposed, freshwater storage tanks and sewage holding tanks may be required.
 - (A) Such facilities must receive specific prior approval from the Director and will be installed at the applicant's expense.
 - (B) Prior to approving such interim services, the Director shall consult with the City Engineer and the Calgary Board of Health.
 - (C) In such cases the applicant will be required to sign a Deferred Servicing Agreement with The Calgary Airport Authority or the City as the case may be, requiring him to connect to utilities when available and to pay the cost of such connections.
- (ii) Applicants are required to employ satisfactory stormwater management techniques to ensure that stormwater runoff will not adversely affect any adjacent area.

2.2 Fire Protection

For any use that is not serviced by a water line connected to the City system, the applicant may be required by the Director to provide an auxiliary water supply to meet fire fighting needs.

2.3 Grading

- (a) Applicants are required to grade the site in such a way so that it will compliment the drainage system already established throughout The Calgary Airport Authority lands.
- (b) Applicants are required to employ satisfactory stormwater management techniques to ensure that stormwater runoff will not adversely affect any adjacent area.

2.4 Traffic Signage

The Calgary Airport Authority shall be responsible for the provision and maintenance of all signage required for the direction of motor vehicles and the safe operation of Calgary Airport Authority streets, and the direction and control of aircraft on runways. This signage will not be subject to submission or review by the City.

3. GENERAL DEVELOPMENT GUIDELINES

Unless otherwise noted, the General Development Guidelines are applicable to all developments.

3.1 Building Height

The height of any building, including any building equipment, shall not exceed an elevation that would penetrate airspace as defined by Transport Canada. Aviation Zoning Regulations have precedence over any other building height provisions outlined in these Guidelines, where Aviation Zoning Regulations impose a lower height limit.

3.2 Landscaping

In order to enhance the appearance of each development, all properties must be landscaped. Landscaped areas must be provided in accordance with an approved landscape plan and in conformity with the following requirements:

(a) General

- (i) All areas of a site not covered by buildings, designated outside storage, parking or loading spaces, or vehicular circulation areas must be landscaped.

- (ii) Any existing soft landscaping that is retained on a site may be considered in fulfillment of the total landscaping requirement.
- (iii) The quality and extent of landscaping initially established on any site shall be considered the minimum standard that is to be maintained on the site for the life of the development. Irrigation may be necessary in some landscaped areas.

(b) Species

When choosing plant material, plant species which are capable of sustaining healthy growth in Calgary and which do not attract birds, cause excessive debris or otherwise conflict with airport operations should be selected. The species of trees and shrubs that are to be planted must be shown on the proposed landscaped plan and require prior approval from The Calgary Airport Authority.

(c) Trees and Shrubs

- (i) Fifty per cent of the trees at the time of planting should be larger trees as defined below.
- (ii) The minimum size for deciduous trees shall be:
 - (A) for smaller deciduous trees, 50 millimetres calliper except 35 millimetres calliper for flowering ornamental trees, and
 - (B) for larger deciduous trees, 85 millimetres calliper.
- (iii) The minimum size for coniferous trees,
 - (A) a height of 2 metres, and
 - (B) for larger coniferous trees, a height of 3 metres.
- (iv) Trees should be planted in groups.
- (v) Shrubs should be a minimum height or spread of 600 millimetres at the time of planting.

3.3 Yards

For the purposes of this Agreement, all street frontages shall be treated as front yards.

3.4 Corner Visibility Triangle

Notwithstanding any other provisions contained in these standards, no vegetation, finished lot grade, building or structure may exceed the

general elevation of the street by more than 750 millimetres within the area defined as a corner visibility triangle.

3.5 Custodial Quarters

Custodial quarters shall be limited to one only for any singular industrial use and shall be part of the primary use building.

3.6 Vehicle Parking Facilities

(a) Location

- (i) All parking spaces must be located on the same site as the use requiring it. In extraordinary circumstances The Calgary Airport Authority may provide required parking spaces on a site other than the proposed development site, provided that the alternate site is:
 - (A) within 120 metres of the approved use;
 - (B) is used exclusively for the purpose of parking; and
 - (C) can be secured for a time period equal to that of the approved use.
- (ii) Off-street parking must be set back a minimum of three metres from a street and a minimum of two metres from an airside perimeter security fence unless specific permission is granted by The Calgary Airport Authority.

(b) Handicapped Parking

A minimum of one parking stall, having a width of four metres, must be provided for the handicapped in all parking facilities, and must be clearly designated as such and located close to building entrances. For lots which contain 50 or more parking spaces, a minimum of two percent of the spaces must be set aside and designated for handicapped parking.

(c) Building Interfaces

Applicants are required to provide a landscaped buffer between all parking areas or approaches and adjacent front or exterior side walls of any main building, and all adjacent lease lines. The buffer may incorporate into it a sidewalk or similar pedestrian feature, in combination with other landscaping elements.

(d) Surfacing

Any parking space or manoeuvring area located in a front yard, side yard or main travel lane must be hard surfaced with hot mix asphalt or equivalent material.

(e) Curbs & Markings

To clearly delineate designated parking areas, all approaches, driveways and perimeters of parking areas or structures must be defined by a concrete and/or ornamental brick curb. Parking spaces, manoeuvring areas, entrances, and exits shall be clearly marked by curbs or fences, lines, and signs.

(f) Number of Parking Spaces

- (i) Where the calculation of the required number of parking spaces results in a fractional number of parking spaces, the next higher number must be provided.
- (ii) Developments containing or providing for more than one use must provide parking facilities equal to the sum of the requirements for the individual uses except as provided for in shopping centres.
- (iii) Unless otherwise allowed, the required parking facilities for any use are as follows:

| Use of Building or Site | Minimum Number of Parking Spaces |
|--|--|
| Ancillary retail uses | Same rate as the principal use |
| Automotive service, automotive specialty and auto body and paint shops | 1 space per 46 square metres of gross floor area. |
| Billiard parlours amusement arcade | 1 space per 9 square metres of gross floor area. |
| Bottle return depots | As for retail stores. |
| Bowling alleys | 5 spaces per alley, and 5 spaces for staff, and 1 space per 10 seating spaces for spectators, restaurant or other activities, or 1 space per 9 square metres of space for the accommodation of the public, whichever is greater. |
| Car washing establishments | 5 automobile stack-up spaces per bay. |
| Child care facilities | 1 space per 2 employees. |

| | |
|-------------------------------------|---|
| Curling rinks | 8 spaces per curling sheet of ice, and 5 spaces for staff, and 1 space per 10 seating spaces for spectators and restaurant. |
| Drinking establishments | 1 space per 3.5 square metres of net floor area. |
| Drive-in businesses | Minimum of 5 automobile stack-up spaces per drive-up window, and An additional 5 parking spaces per drive-up window, all to be located on the site. |
| Financial institutions | 1 space per 46 square metres of gross floor area, and a minimum of 5 spaces for employees. |
| Freight terminals | 1 space for each 3 employees with appropriate additional spaces for public use of the terminal. |
| Hotels | 1 space per guest room unless otherwise allowed. |
| Laboratories | 1 space per 3 employees with a minimum of 5 spaces. |
| Liquor stores | 8 spaces per 93 square metres of net floor area. |
| Manufacturing and industrial plants | 5 spaces per individual establishment, or 1 space per 3 employees on a maximum shift, or 1 space per 93 square metres up to 1860 square metres and 1 additional space for each subsequent 465 square metres, whichever is the greatest. |
| Medical clinics | 1 space per 25 square metres of gross floor area. |
| Museums and libraries | 1 space per 46 square metres of net floor area. |
| Offices | 1 space per 46 square metres of net floor area. |
| Personal service businesses | As for retail establishments. |
| Private clubs and organizations | 1 space per 3.5 square metres of net floor area. |
| Public and quasi-public auditoriums | 1 space per 3 seats. |
| Racquet sport facilities | 4 spaces per court |
| Restaurants | 1 space per 3.5 square metres of net floor area, excluding kitchen area. |
| Retail food stores | As for retail stores. |

| | |
|----------------------|---|
| Retail stores | If the site on which such stores are located in excess of 0.4 hectares (1 acre), then parking must be provided as for a neighbourhood shopping centre. In all other areas, 1 space per 46 square metres of net floor area with no less than 1 space for each individual store or shop. |
| School, commercial | 1 space per 1.5 students based on the operating capacity. |
| Shopping centres | For a shopping centre on a site of six acres or larger: 5.5 spaces per 93 square metres of net floor area. For a shopping centre on a site less than six acres: 5.5 spaces per 93 square metres of net floor area excluding any liquor store or restaurant's net floor area. Where a liquor store is included, it must provide 8 spaces per 93 square metres of its net floor area. Where a restaurant is included, it must provide 1 space per 3.5 square metres of its net floor area. |
| Theatres and cinemas | 1 space per 3 seats. |
| Veterinary clinics | As for medical clinics. |
| Warehouses | 1 space per 93 square metres of gross floor area up to 1860 square metres, and one additional space for each subsequent 465 square metres. |
| Warehouse Stores | 5.5 spaces per 93 square metres of net floor area. |

(g) Dimensions

Unless otherwise allowed, the minimum dimensions for the design of parking facilities for full sized and compact automobiles are as follows:

MINIMUM DIMENSIONS FOR THE DESIGN OF PARKING FACILITIES

| Stall Width (Metres)* | Parking (Angle) | Aisle Width (Metres) | Stall Width Perpendicular to Aisle (Metres) | Stall Width Parallel to Aisle (Metres) | Half Unit Parking Depth (Metres) | Full Unit Parking Depth (Metres) |
|-------------------------------|--------------------|-------------------------|--|---|---|---|
| Full-Sized Automobiles | | | | | | |
| 2.4 | 30 | 3.2 | 5.0 | 4.8 | 8.2 | 13.2 |
| 2.4 | 45 | 3.6 | 5.8 | 3.4 | 9.4 | 15.2 |
| 2.4 | 60 | 6.0 | 6.2 | 2.7 | 12.2 | 18.4 |
| 2.4 | 90 | 7.9 | 5.8 | 2.4 | 13.7 | 19.5 |
| | | | | | | |
| 2.6 | 30 | 3.1 | 5.2 | 5.2 | 8.3 | 13.5 |
| 2.6 | 45 | 3.3 | 5.9 | 3.7 | 9.2 | 15.1 |
| 2.6 | 60 | 5.8 | 6.3 | 3.0 | 12.1 | 18.4 |
| 2.6 | 90 | 7.6 | 5.8 | 2.6 | 13.4 | 19.2 |
| | | | | | | |
| 2.8 | 30 | 3.1 | 5.3 | 5.6 | 8.4 | 13.7 |
| 2.8 | 45 | 3.1 | 6.1 | 4.0 | 9.2 | 15.3 |
| 2.8 | 60 | 5.6 | 6.4 | 3.2 | 12 | 18.4 |
| 2.8 | 90 | 7.3 | 5.8 | 2.8 | 13.1 | 18.9 |
| | | | | | | |
| 2.9 | 30 | 3.0 | 5.4 | 5.8 | 8.4 | 13.8 |
| 2.9 | 45 | 3.1 | 6.2 | 4.1 | 9.3 | 15.5 |
| 2.9 | 60 | 5.4 | 6.5 | 3.3 | 11.9 | 18.4 |
| 2.9 | 90 | 7.0 | 5.8 | 2.9 | 12.8 | 18.6 |
| | | | | | | |
| 3.1 | 30 | 2.9 | 5.6 | 6.2 | 8.5 | 14.1 |
| 3.1 | 45 | 3.0 | 6.3 | 4.4 | 9.3 | 15.6 |
| 3.1 | 60 | 5.1 | 6.6 | 3.6 | 11.7 | 18.3 |
| 3.1 | 90 | 6.7 | 5.8 | 3.1 | 12.5 | 18.3 |
| Compact Automobiles | | | | | | |
| 2.3 | 30 | 2.8 | 4.4 | 4.6 | 7.2 | 11.6 |
| 2.3 | 45 | 3.1 | 5.1 | 3.3 | 8.2 | 13.3 |
| 2.3 | 60 | 5.3 | 5.4 | 2.3 | 10.7 | 16.1 |
| 2.3 | 90 | 7.0 | 4.9 | 2.3 | 11.9 | 16.8 |

*A minimum width of 3.1 metres shall be provided wherever an end stall abuts a physical barrier.

3.7 Loading Spaces

(a) Location

Loading spaces must be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the site before moving onto adjacent streets.

(b) Dimensions

A loading space must be a minimum width of 3.1 metres and a minimum length of 9.2 metres and maintain an overhead clearance of 4.3 metres.

(c) Number of Spaces

Unless otherwise allowed, the required loading facilities for any use are as follows:

| | |
|--------------------------------------|--|
| Drinking establishments | 1 space per 9300 m ² of gross floor area. |
| Funeral homes | 1 space per 9300 m ² of gross floor area. |
| Hotels | 1 space per 9300 m ² of gross floor area. |
| Office buildings | 1 space per 9300 m ² of gross floor area. |
| Public and quasi-public buildings | 1 space per 9300 m ² of gross floor area. |
| Restaurants | 1 space per 9300 m ² of gross floor area. |
| Retail stores | 1 space per 9300 m ² of gross floor area. |
| Retail food stores | 1 space per 9300 m ² of gross floor area. |
| Sports arenas | 1 space per 9300 m ² of gross floor area. |
| Freight terminals and railroad yards | 1 space per 1860 m ² of gross floor area. |
| Manufacturing and industrial plants | 1 space per 1860 m ² of gross floor area. |
| Warehouses | 1 space per 1860 m ² of gross floor area. |

3.8 Refuse Areas

(a) All proposed developments must minimize the visual impact of their refuse area.

- (i) In general, all refuse areas should be located within a principal building, or to the side or rear of a principal building, provided that it is not in a required minimum yard or in a required parking or loading space.
- (ii) Applicants are required to visually screen all refuse areas from adjacent sites and streets in a manner that is compatible with the design and external materials of the principal building on the site.

3.9 Exterior Lighting

All exterior lighting must be located, orientated, and shielded so as to not adversely affect adjacent sites, or interfere with airport operations. Specific fixture designs or shielding may be required to prevent conflict with airport operations.

4. BARLOW TRAIL DEVELOPMENT GUIDELINES

- (a) A 30 metre setback from existing pavement edges along Barlow Trail is to be landscaped and maintained by The Calgary Airport Authority as a parkway concept. This landscaping will be based on a comprehensive plan with a mix of landscaping materials, submitted to the Director for comment under Permitted Use Category I (c). The landscaping will be provided no later than when the adjacent lands are built upon.
 - (i) Areas within the setback may be provided as vehicular pulloff for roadside point of view or tourist information.
 - (ii) No commercial signs other than the third party advertising signs (billboards) are allowed in this setback area.
- (b) Any storage visible from Barlow Trail will be suitably screened.
- (c) Generally, buildings will front towards Barlow Trail. It is intended that Light Industrial development along Barlow Trail would utilize a frontage road design concept as determined by The Calgary Airport Authority at the time of Outline Plan submission.
- (d) No Interim Use may be located within 100 metres of the edge of pavement of Barlow Trail.

5. MAJOR STREET DEVELOPMENT GUIDELINES

New development located along McKnight Boulevard, 11th Street N.E., and 36th Street N.E. will provide a high standard of building design, materials, and landscaping.

6. THIRD PARTY ADVERTISING SIGNS (BILLBOARDS)

- (a) A maximum of five third party advertising signs are allowed on Barlow Trail. Any relocation of existing third party advertising signs must be based on a comprehensive landscape and signage plan submitted to the Director for request for confirmation and authorization of development. Such relocation will be processed as a Permitted Use Category I (c).
- (b) Third party advertising signs in any location other than the Barlow Trail corridor may be approved by the Director under the Discretionary Use procedures.

7. BUILDING SIGNAGE

The Calgary Airport Authority will apply the Sign Guidelines in Section 7 respecting the size and location of signs on individual projects. Any variation from these guidelines will be referred to the Director for comment under the procedures for Permitted Use Category I(c).

7. SIGN GUIDELINES

7. SIGN GUIDELINES

1. PURPOSE

This section provides the guidelines for all signs including but not limited to the location, number, size, design and character of signs in relation to their surroundings.

2. APPROVING AUTHORITY

- (a) The Calgary Airport Authority is the approving authority for signage applications.
- (b) Where a sign, other than a Third Party Advertising sign, does not conform to any of the sign types defined and the Guidelines, the sign application will be referred to the Director for comment as per the procedures for Permitted Use Category I (c).

3. DEFINITIONS

In these Guidelines:

- (1) **A-board** means an A-shaped sign which is set upon the ground and has no external supporting structure;
- (2) **alteration** means a structural modification of a sign but does not include routine maintenance, painting or change in face, copy or lettering;
- (3) **animated sign** means a sign which uses movement or change of lighting to depict action or create special effects or a pictorial scene but does not include a clock;
- (4) **auxiliary sign** means a sign of any type which is attached to the face, copy, backing, lighting or supporting structure of any sign;
- (5) **awning** means a shelter projecting from and supported by the exterior wall of a building and designed to be collapsible, retractable and generally constructed of fabric or similar non rigid material;
- (6) **awning elevation area** means that area of an elevation obtained by multiplying the vertical dimension of an awning, when viewed in the same elevation, by the length of the awning, when viewed in the same elevation;
- (7) **awning sign** means an awning which incorporates a sign;
- (8) **canopy means** a non-retractable covered or enclosed rigid structural framework attached to and extending outward from the exterior wall of a building, and includes but is not limited to such structures as theatre marquees but does not include any structurally integrated architectural feature such as

- (18) **eaveline** means the horizontal line on a building that marks the extreme edge of the overhang of a roof and where there is no overhang, the eaveline shall be the horizontal line at the intersection of the roof and wall;
- (19) **electronic message centre** means a sign or component of a sign on which the copy can be changed by electrical or electronic means;
- (20) **fascia sign** means a sign attached to, marked or enscribed on and parallel to the face of a building wall but does not include a third-party advertising sign, a painted wall sign, an awning sign, a canopy sign or a projecting sign;
- (21) **flashing sign** means a sign which contains an intermittent or flashing light source but does not include an electronic message centre;
- (22) **freestanding sign** means a sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure and shall include, but is not limited to, a sign on a fence;
- (23) **freestanding-flush** means structurally freestanding but located parallel to and flush with a wall;
- (24) **frontage, block** means the total length of lot frontage along the side of a street between the street intersections;
- (25) **frontage, business** means the length of the property line or lease line of any one business use, parallel to and along each street, excluding a lane or alleyway, that it borders;
- (26) **height of sign** means the vertical distance measured from the highest point of the sign or sign structure to grade;
- (27) **identification sign** means a sign which identifies by name or symbol the occupant, business or the site on which the sign is placed, and may include the operation, merchandise or service available at the site and may include sponsor advertising.
- (28) **illumination** means the lighting of any sign by artificial means;
- (29) **illumination, direct** means the lighting of any sign face from a light source located on or near the exterior of the sign;
- (30) **illumination, indirect** means the lighting of any sign face by reflected light;
- (31) **illumination, internal** means the lighting of any sign face from a light source located within the sign or behind the copy;
- (32) **inflatable sign** means an inflated three-dimensional device which incorporates a sign and is anchored or affixed to a building or site;
- (33) **landscaping** means any decorative features, such as concrete bases, planter boxes, pole covers or decorative framing on the sign support or base structures and shrubs or plants, but does not include any copy or logo;

- (34) **maintenance** means the cleaning, painting, repair or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of the sign and does not include a change in copy;
- (35) **message** includes any image, written copy, structure, graphics, pictures, logo, symbol or letters used or intended to be used for advertising or for calling attention to any person, matter, object or event;
- (36) **multi-tenant sign** means a sign containing copy for three or more tenants or occupants located on a site;
- (37) **owner of sign** means a person or his authorized agent in lawful control of a sign;
- (38) **painted wall sign** means a sign which is painted directly upon any outside surface of a building or other integral part of a building;
- (39) **principal frontage** means the length of property line or lease line parallel to and along the street to which the address of the site refers;
- (40) **projecting sign** means a sign which projects from a structure or a building face and includes a sign in the shape of a canopy but does not include a canopy sign or an awning sign;
- (41) **reado-graph sign** means a sign on which the copy can be changed manually through the use of attachable letters, numerals or pictorial panels;
- (42) **real estate sign** means a temporary sign advertising real estate that is "for sale", "for lease" or "for rent" or real estate that has been "sold";
- (43) **roof sign** means a sign which projects above a roofline to which the sign is attached or is erected upon or above a roof or parapet of a building which the sign is attached to;
- (44) **roofline** means the line made by the intersection of a wall of a building with a roof of the building;
- (45) **rotating sign** means a sign or portion of a sign which moves in a revolving manner, but does not include a clock;
- (46) **sign** means a device, structure, fixture or image used, or intended to be used, for the advertising or calling attention to any person, matter, object, or event;
- (47) **sign area** means
 - (a) the entire area of a sign on which copy is to be placed;
 - (b) in the case of a painted wall sign, the area of the building face;
 - (c) in the case of a double-face or multi-face sign, the average of the total area of all sign faces will be counted in the sign area calculations;
 - (d) but does not include landscaping;

- (48) **signable area** means the area on which a sign may be located;
- (49) **sponsor advertising** means that portion of a sign on which the copy refers to products or merchandise produced, offered for sale, or obtainable at the premises on which the sign is displayed and which directly relates to the principal use of such premises;
- (50) **temporary sign** means a sign which is not in a permanently installed or affixed position, advertising a product, merchandise or an activity on a limited time basis,
- (51) **third-party advertising** directs attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the premises on which the sign is located;
- (52) **third-party advertising sign** means a sign containing third-party advertising;
- (53) **under-canopy sign** means a sign which is suspended beneath a canopy or beneath a portion of a building;
- (54) **wall-mounted** means a sign which is mounted or fixed to or supported by a wall, by any means;
- (55) **window sign** means a sign which is painted on, attached to or installed on or near a window for the purpose of being viewed from outside the premises;

4. PROCEDURES REGULATING SIGNS

4.1 Authorization

Except as otherwise provided for in this Agreement, all signs and any enlargement, relocation, erection, construction or alteration of a sign, requires authorization from The Calgary Airport Authority.

4.2 Signs Not Requiring Authorization

- (a) The following signs do not require authorization but shall comply with the rules of these Guidelines:
 - (i) Temporary signs, banners and pennants;
 - (ii) signs, notices, placards or bulletins required to be displayed
 - (A) pursuant to the provisions of federal, provincial or municipal legislation;
 - (B) by or on behalf of the federal, provincial or municipal government;
 - (C) on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government;
 - (iii) signs located on public transit vehicles or taxi cabs;
 - (iv) signs located inside a building and not intended to be viewed from outside;
 - (v) the name or address of a building when it is sculptured or formed out of or in the fabric of the building face and is not illuminated;
 - (vi) street numbers or letters displayed on a building where together the total copy area is less than 1,2 square metres;
 - (vii) signs placed on a building for the guidance, warning or restraint of persons.
- (b) The following identification signs do not require authorization but shall comply with the rules of these Guidelines:
 - (i) fascia sign which is attached to a building and states no more than one or more of the following:
 - (A) the name or address of the building;
 - (B) the name of the person or institution occupying the building; and

- (C) the type of business carried on in the building;
provided the total sign area does not exceed 1.5 square metres;
- (ii) canopy signs where the maximum copy area is less than 50 per cent of the canopy elevation area;
- (iii) non-illuminated under-canopy signs
- (iv) non-illuminated awning signs, where the maximum copy area is less than 50 per cent of the awning elevation area;
- (v) window signs that are less than 30 per cent of the window area, or 2.5 square metres, whichever is less;
- (vi) projecting signs which are less than 4.5 square metres in sign area.
- (c) Directional signs do not require authorization provided:
 - (i) the sign is less than 2.5 square metres in area; and
 - (ii) the sign does not contain advertising copy.
- (d) Authorization is not required for incorporation of an additional panel or panels on a freestanding identification sign which conforms to these Guidelines provided:
 - (i) the additional panel or panels are the same length as existing panels and are located within the limits of the existing sign structure;
 - (ii) the total sign area and height of the sign does not exceed the maximums set out in these Guidelines;
 - (iii) the height of the sign does not exceed the height of the original sign; and
 - (iv) the addition of a sign panel does not conflict with any of the conditions of the existing authorization for the sign other than a condition that the sign comply with the approved drawings.
- (e) Authorization is not required for the replacement of an existing freestanding sign by another freestanding sign on the same base provided:
 - (i) both signs conform with these Guidelines;
 - (ii) the new sign is installed within six months of the removal of the existing sign;
 - (iii) the new sign area is either equal to or less than the existing sign area;

- (iv) the existing sign support, or a similar replacement, is used and the new sign is mounted at a height equal to or lower than the existing sign; and
 - (v) the new sign is not located in whole or in part within a corner visibility triangle.
- (f) Authorization is not required for the replacement of an existing canopy identification sign by another canopy identification sign at the same location provided:
- (i) both signs and structure conform with these Guidelines;
 - (ii) the new sign is installed within six months of the removal of the existing sign;
 - (iii) the new sign area is either equal to or less than the existing sign area;
 - (iv) the existing canopy framework is used; and
 - (v) the canopy does not project beyond the boundaries of the lease.
- (g) Notwithstanding anything else contained within these Guidelines, signs containing animated, flashing, rotating or electronic message centre features shall require authorization.

4.3 Application Requirements

An application for authorization for a sign shall be made to The Calgary Airport Authority by the lawful owner of a sign or his authorized agent, and contain such information necessary to evaluate the application including:

- (a) a minimum of two photographs taken from different angles that adequately show
 - (i) the proposed site,
 - (ii) adjoining properties, and
 - (iii) all signs, including but not limited to signs on any building, within 30 metres of the proposed sign;
- (b) copies of a site plan to a scale of not less than 1: 100, showing the following information:
 - (i) north arrow,
 - (ii) scale of plan,
 - (iii) location of the property,
 - (iv) location address,
 - (v) property lines or lease lines, shown and labelled,
 - (vi) location of existing sidewalks,
 - (vii) location of existing curbs,

- (viii) utility rights-of-way or access easements, shown and labelled,
- (ix) by-lawed setbacks and corner cut-offs, shown and labelled,
- (x) outline of existing buildings on the site, and
- (xi) the proposed sign on its proposed location, showing dimensioned distances from
 - (A) existing buildings on the subject site,
 - (B) existing back of sidewalk,
 - (C) existing curb lines,
 - (D) property line or lease line or lease line or lease lines,
 - (E) utility poles within 30 metres of the proposed sign location,
 - (F) utility rights-of-way or easements, and
 - (G) by-lawed setbacks and corner cut-offs, including a dimension of any overhang or projection;
- (xii) by-lawed setbacks and corner cut-offs, shown and labelled;
- (c) copies of a detailed sign plan showing
 - (i) the complete dimensions of the sign and its structural support,
 - (ii) the proposed maximum height and clearance of the sign from grade,
 - (iii) the position and area of any sponsor advertising where it will form part of the message to be displayed on the sign, and
 - (iv) the message to be displayed.
- (d) copies of elevation drawings where a sign is attached to a structure or building.

5. GENERAL RULES FOR SIGNS

- (a) A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings.
- (b) A sign or sign structure shall not be located or extend horizontally closer to the existing or future curb line than 750 millimetres back from the existing or future curb line.
- (c) A sign shall not be erected on or attached to:
 - (i) a light standard or pole without the written permission of The Calgary Airport Authority;
 - (ii) a public bench without the written permission of The Calgary Airport Authority;
 - (iii) the area within a corner visibility triangle where any part of the sign is higher than 750 mm and lower than 4.6 metres.

- (d) Where permission has been granted by The Calgary Airport Authority for a sign to
 - (i) project beyond a property line or lease line, a minimum clearance of 2.4 metres shall be maintained, unless otherwise provided for in these Guidelines;
 - (ii) be located in or project into or over a driveway, a lane or an alley, a clearance of 4.6 metres shall be maintained.
- (e) A sign shall not be erected, operated, used or maintained if, in the opinion of The Calgary Airport Authority,
 - (i) its position, shape, colour, format or illumination may be confused with an official traffic sign, signal or device, or other official sign;
 - (ii) it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, ambulance or other emergency vehicles.
- (f) All sign supports shall be placed on leased property.
- (g) Any sign placed in or on a required parking or loading area shall be placed so as not to reduce the number of parking or loading spaces required pursuant to the provisions of this Agreement.
- (h) Whenever a tenant panel on a multi-tenant sign is removed, the sign owner shall replace it with a blank panel until such time as a new tenant requires it.
- (i) No trees shall be removed or damaged to prepare a site for a sign unless new trees are planted or landscaping is introduced to improve the site.
- (j) A person shall not
 - (i) attach or hang an auxiliary sign or other material to, on, above or below a sign unless otherwise provided for;
 - (ii) attach to any sign an extension or portable device other than sign hangers shown on the plans accompanying the original application;
 - (iii) make alterations to any sign in any other way, unless otherwise provided for in these Guidelines, without first obtaining the required authorization from The Calgary Airport Authority.
- (k) Unless otherwise allowed by The Calgary Airport Authority, on any single elevation of a building, any one business shall be entitled to the following identification signs

- (i) a canopy sign, or
 - (ii) one projecting sign with a maximum sign area of 4.5 square metres
 - (iii) fascia signage in the signable area; and
 - (iv) non-flashing window signage.
- (l) The Calgary Airport Authority shall only allow flashing or animated signs provided
 - (i) the proposed sign is on the premises of an entertainment establishment,
 - (ii) such signs will not interfere with airport operations.
- (m) The Calgary Airport Authority shall only allow rotating signs provided
 - (i) the location, size, design and character respect the scale and character of the surrounding area, and
 - (ii) such signs will not interfere with airport operations.
- (n) Except for electronic message centres with copy height less than 15 centimetres The Calgary Airport Authority shall only allow electronic message centres provided the sign, excluding signs solely displaying time and temperature, is not located within 300 metres of any other electronic message centre facing the same on-coming traffic.
- (o) Signs operating or employing stereo-opticon, video, motion pictures, laser or other similar projection devices may only be allowed at the discretion of The Calgary Airport Authority.
- (p) An identification sign may have up to a maximum of 30 per cent of its actual copy area used for sponsor advertising.
- (q) When a sign no longer fulfills its function, The Calgary Airport Authority may order the removal of such a sign, and the tenant shall
 - (i) remove such a sign and all related structural components including removing or screening exposed base and foundations to the satisfaction of The Calgary Airport Authority within 30 days from receipt of such a removal notice from The Calgary Airport Authority,
 - (ii) restore the immediate area around the sign, to the satisfaction of The Calgary Airport Authority, including the ground or any building to which the sign was attached, as close as possible to its original form prior to the installation of the sign, and
 - (iii) bear all the costs related to such removal or restoration.

6. RULES FOR IDENTIFICATION SIGNS

6.1 Fascia Identification Signs

- (a) Subject to the provisions of these Guidelines, fascia signs may be allowed in all Land Use Districts.
- (b) The signable area for fascia signs shall be the space defined by the following lower and upper limits on the front of a building:
 - (i) the lower limit of the signable area shall be the lower limit of the lintel or the window head of the first storey, but in no case lower than 2.4 metres above grade;
 - (ii) in the case of a multi-storey building, the upper limit of the signable area shall be the upper limit of the window sill of the second storey or in the absence of a window, 800 millimetres above the floorline of the second storey; and
 - (iii) in the case of a one storey building, the upper limit of the signable area shall be
 - (A) the roofline for flat-roofed buildings or where there is an existing majority of the fascia signs which exceed the roofline, the upper limit of such existing fascia signs,
 - (B) 900 millimetres maximum above the eaveline, if there is a parapet or mansard roof, provided that the sign does not project above the upper edge of the parapet or mansard roof, or
 - (C) the eaveline in all other cases.
- (c) Notwithstanding Sub Section 6.1 (b), a fascia sign may be allowed to locate
 - (i) below the signable area, provided
 - (A) no more than 30 per cent of any section of building face below the signable area, to a maximum of 9.3 square metres is used,
 - (B) the sign states no more than the name of the building or tenant, and
 - (C) the sign consists of individual letters, symbols or logos that are directly attached to the building face;

- (ii) between the second storey window head and the third storey window sill, or in the case of a two storey building, between the second storey window head and the roof or parapet providing
 - (A) the copy identifies only the name or type of establishment, located solely on the second floor of the building, and
 - (B) the sign is architecturally integrated with the building on which it is located;
- (iii) above the third storey window sill provided
 - (A) the sign states no more than the name of the building or principal tenant,
 - (B) the sign consists of individual letters, symbols or logos that are directly attached to the building face,
 - (C) there is no more than one sign per building face above the third storey, and
 - (D) the sign area does not exceed 1/40 of the area formed by multiplying the clearance of the sign by the width of the building.
- (d) A fascia sign may be allowed on any wall of a building other than the front wall provided
 - (i) the sign is not immediately adjacent to a park;
 - (ii) the sign is integrated with the signage on the principal frontage of the building and shall be the same width and height;
 - (iii) where a building front has no fascia sign, the sign shall follow the location parameters and regulations defined in Subsections 6.1(b) and (c); and
 - (iv) the sign contains identification copy only.
- (e) Notwithstanding Subsections 6.1 (a) and (b), where a development has a designated sign area, signage other than that described in Subsection 4.2, shall only be located in the designated sign area.

6.2 Roof Identification Signs

- (a) A roof sign may be allowed in all Land Use Districts.
- (b) Roof signs shall not exceed the maximum building height limit of the Land Use District in which they are proposed to locate, or the limit imposed by Aviation Zoning Regulations where such Regulations impose a lower height limit.
- (c) The sign area of all roof signs on each face of a building shall not exceed 1/40 of the area formed by multiplying the clearance of the sign

by the width of the building upon which they are located to the satisfaction of The Calgary Airport Authority.

- (d) Roof signs shall not be erected with visible means of support unless architecturally integrated with the building upon which they are located to the satisfaction of The Calgary Airport Authority,

6.3 Projecting Identification Signs

- (a) A projecting identification sign may be allowed in all Land Use Districts.
- (b) One projecting sign per business frontage may be allowed and in other areas may have a maximum sign area of 4.5 square metres.
- (c) Businesses located in the same building may combine their projecting sign allowances to form a single sign and the sign area and projection shall be based on the business frontages¹ combined maximum sign area as set out in Subsection 6.3 (b).
- (d) The top of a projecting sign shall not exceed the eaveline, or the roofline, or the top of the second storey window head, or 6 metres above grade, whichever is the least.
- (e) Signs located on hotels, retail stores and parking structures which are 18.5 metres or greater in height, may be allowed by The Calgary Airport Authority provided:
 - (i) such signs shall not project more than 2 metres from the building;
 - (ii) the maximum height above grade shall be 21.5 metres;
 - (iii) the maximum sign area shall be 18.5 square metres.
- (f) On corner sites, a projecting sign shall be placed at equal angles to the building faces that form the corner, and the sign area shall be calculated on the basis of the combined maximum sign area allowed in Subsection 6.3(b).
- (g) The nearest edge of a projecting sign shall not be located more than 300 millimetres from the building face.
- (h) Visible means of support for projecting signs shall be architecturally integrated with the building upon which they are located to the satisfaction of The Calgary Airport Authority.

6.4 Freestanding Identification Signs

- (a) A freestanding sign may be allowed in any Land Use District unless it is a:
 - (i) real estate advertising sign,
 - (ii) construction identification sign, or
 - (iii) sign limited to the name, address or activity of the premises.
- (b) Freestanding signs shall have a maximum sign area of 14 square metres, and a maximum height of 9 metres.
- (c) One freestanding sign per business frontage may be erected on sites having a minimum business frontage of 16 metres at street level, provided that freestanding signs erected along the same street shall maintain a minimum distance of 30 metres between them and shall not be located closer than 15 metres to any property line or lease line other than a property line or lease line adjacent to any street, unless otherwise allowed by The Calgary Airport Authority.
- (d) Notwithstanding Subsection 6.4(b), freestanding signs for shopping centres are subject to the following regulations:
 - (i) only one multi-tenant sign per commercial street frontage may be allowed for each shopping centre for the purpose of identifying the centre and the tenants collectively;
 - (ii) such a sign shall not exceed a sign area of:
 - (A) 18.5 square metres, or
 - (B) 23.2 square metres for a multi-tenant sign.
 - (iii) auxiliary or tenant signs may be allowed on the same shopping centre site provided a distance of 30 metres is maintained between freestanding signs and the size of the sign does not exceed 9.3 square metres.
- (e) The Calgary Airport Authority may allow design features or embellishments to extend above the maximum allowable height of a sign.
- (f) Where The Calgary Airport Authority has allowed a projection over a property line or lease line and the sign is not enclosed to grade, the minimum clearance shall be 2.4 metres.
- (g) The placement of freestanding signs shall not interfere with vehicle parking or traffic circulation.
- (h) Electrical power supply to freestanding signs shall be underground unless otherwise allowed by The Calgary Airport Authority.

- (i) Authorization for a freestanding sign serviced by overhead power shall not be issued for a period of time exceeding 5 years.
- (j) Anchor bolts securing the base of a freestanding sign shall be permanently covered unless otherwise allowed by The Calgary Airport Authority.

6.5 Canopy Identification Signs

- (a) Canopy signs may be allowed in all Land Use Districts.
- (b) Where a canopy is constructed as a support structure for signs, such structures shall require an authorization and the sign shall:
 - (i) have a minimum clearance of at least 2.4 metres;
 - (ii) not extend any further than the line on which street light or power line poles are located;
 - (iii) not extend more than 2.4 metres from the face of the building to which such sign is attached unless otherwise allowed by The Calgary Airport Authority;
 - (iv) the vertical dimension shall not exceed 1.5 metres unless otherwise allowed by The Calgary Airport Authority;
 - (v) where a canopy projects over a common property line or lease line, it shall provide a drainage system, connected through the inside of the building to a storm sewer or dry well, to prevent the discharge of water over the sidewalk or street, unless otherwise allowed by The Calgary Airport Authority.
- (c) The maximum copy area of the canopy sign shall not exceed 50 percent of the canopy elevation area.
- (d) Canopy signs shall be compatible with the building face in terms of design and placement.

6.6 Under-Canopy Identification Signs

- (a) Under-canopy signs may be allowed in all Land Use Districts.
- (b) The maximum vertical dimension of an under-canopy sign shall be 300 millimetres.
- (c) Under-canopy signs shall maintain a minimum spacing of 4.5 metres from each other.

- (d) The minimum clearance of an under-canopy sign shall be 2.4 metres.

6.7 Awning Identification Signs

- (a) Awning signs may be allowed in all Land Use Districts
- (b) Where an awning is constructed as a support structure for signs, such structures shall require authorization only if:
 - the minimum projection of the awning is less than 900 millimetres,
 - the minimum clearance is less than 2.4 metres.
- (c) The maximum copy area of an awning sign shall not exceed 50 percent of the awning elevation area.
- (d) No sign shall be suspended from or below an awning or an awning support structure.

6.8 Painted Wall Identification Signs

- (a) Painted wall signs may be allowed in all Land Use Districts.
- (b) Painted wall signs shall only consist of logos, pictures or simple messages.
- (c) The Calgary Airport Authority may require that the sign be periodically repainted, or if it no longer fulfills its original purpose, The Calgary Airport Authority may require that the sign area be refinished to its satisfaction.

6.9 Window Identification Signs

- (a) A window identification sign may be allowed in all Land Use Districts.
- (b) A window sign shall not exceed 30 per cent of the window area, or 2.5 square metres, whichever is least.

7. RULES FOR DIRECTIONAL SIGNS

- (a) A directional sign may be allowed in all Land Use Districts.
- (b) A directional sign may only be freestanding.
- (c) A freestanding directional sign shall not exceed 2.5 square metres.

- (d) Two freestanding directional signs may be erected at each entrance to a site,
- (e) A directional sign shall not contain an advertising message, excluding a logo.

8. RULES FOR THIRD-PARTY ADVERTISING SIGNS

8.1 Location

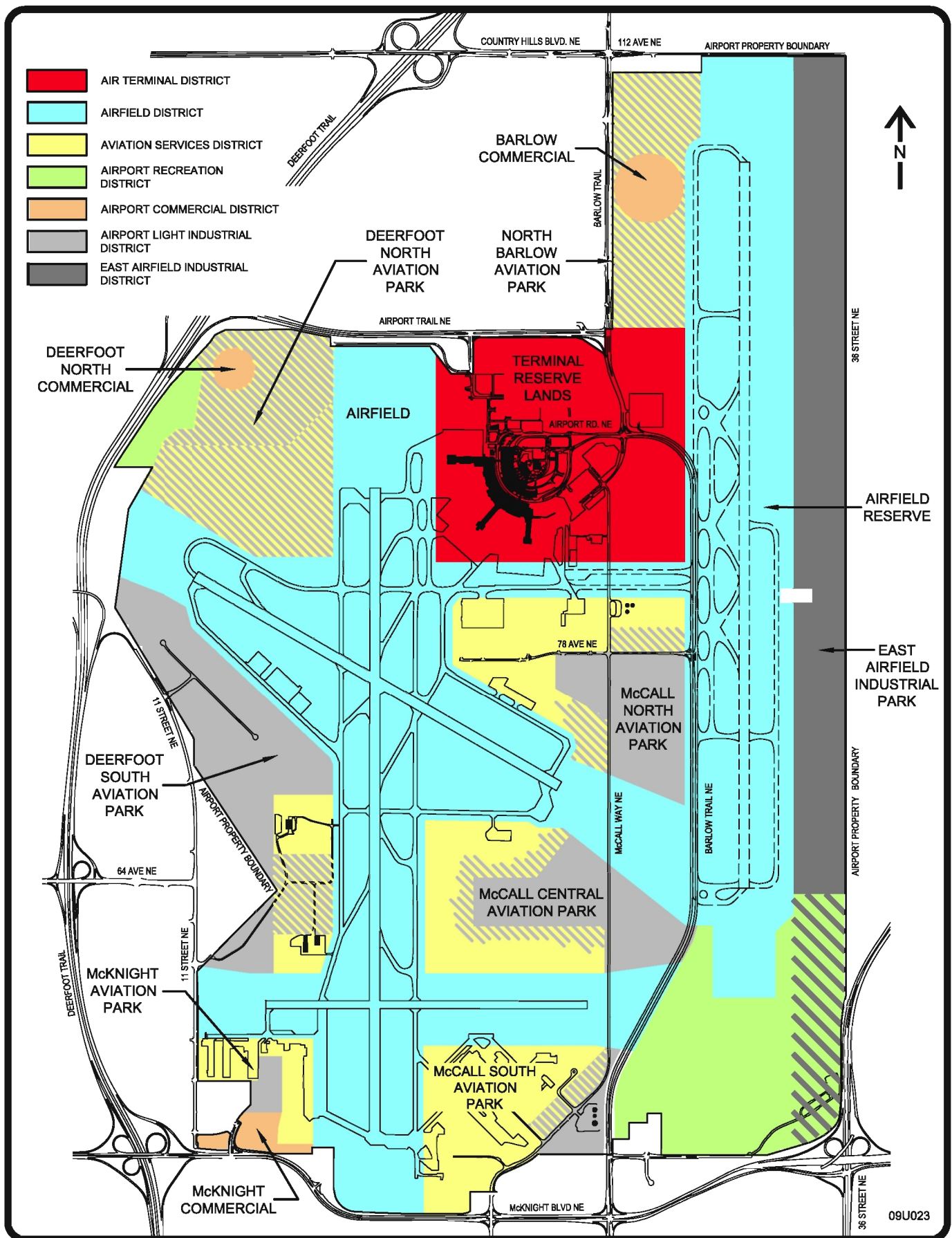
- (a) A maximum of five third-party advertising signs (billboards) are allowed on Barlow Trail. Any relocation of existing signs must be based on a comprehensive landscape and signage plan submitted to the Director of the Planning and Building Department for Confirmation and Authorization. Such relocation will be processed as a Permitted Use Category I (c).
- (b) Billboards in any location other than the Barlow Trail corridor may be approved by the Director under the Discretionary Use procedures. In rendering his decision on any such proposal, the Director shall have regard to the following Guidelines:
- (c) Third-party advertising signs are prohibited
 - (i) on any site where the sign is positioned such that the message on the sign is legible from:
 - (A) Deerfoot Trail;
 - (B) Barlow Trail from the northern-most city limit;
 - (C) within 450 metres of a major park.
 - (ii) A third-party advertising sign shall not be located within 30 metres of any freestanding identification sign, facing the same oncoming traffic.
 - (iii) A third-party advertising sign shall not be located within 75 metres of any other third-party advertising sign facing the same on-coming traffic, except
 - (A) where the separation is between existing third-party advertising signs,
 - (B) for third party advertising signs located on the same structure; or
 - (C) for third party advertising signs less than 4.6 metres in height and 4.5 square metres in area.
 - (iv) Subject to Subsection 8.1 (c)(ii) and (iii) a third party advertising sign less than 4.6 metres in height and 4.5 square metres in area shall not be located closer than 30 metres to any other third party advertising sign less than 4.6 metres in height and 4.5 square metres in area.

8.2 Height and Size

- (a) The maximum height of a wall-mounted or a freestanding-flush third-party advertising sign shall be 10.5 metres.
- (b) The maximum height of a freestanding third-party advertising sign shall not exceed 8.3 metres.
- (c) The dimensions of the sign area of a third-party advertising sign shall not exceed a vertical dimension of 5 metres by a horizontal dimension of 14.7 metres, with allowance for a 1.5 metre cut-out to the top and face and a 700 millimetre cut-out to the sides and bottom of the third-party advertising sign.

8.3 General Rules

- (a) The application for confirmation and authorization of development for a third-party advertising sign must show, to the satisfaction of the Director, that the third-party advertising sign is compatible with the general architectural lines and forms of nearby buildings and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line.
- (b) The third-party advertising sign must not block natural light or the sky, from the surrounding buildings' windows and doors.
- (c) A third-party advertising sign should utilize lighting fixtures which are not readily discernible or obtrusive, to the satisfaction of the Director.
- (d) An auxiliary sign or other material shall not be attached to, on, above or below a third-party advertising sign.
- (e) The backs of all third-party advertising signs and all cut-outs shall be enclosed to the satisfaction of the Director.
- (f) The space between the faces of double-faced third-party advertising signs shall be enclosed to the satisfaction of the Director.
- (g) Electrical power supply to third-party advertising signs or base landscaping shall be underground unless otherwise allowed by the Director such as, but not limited to, situations where reasonable access to an underground power source is not available or the third party advertising sign is located in an area where underground power has not commenced.



8. LAND USE PLAN

8. LAND USE PLAN

1. LAND USE DISTRICTS

The Calgary Airport Authority land is divided into Land Use Districts and the boundaries of each and every District are delineated on the Land Use Plan.

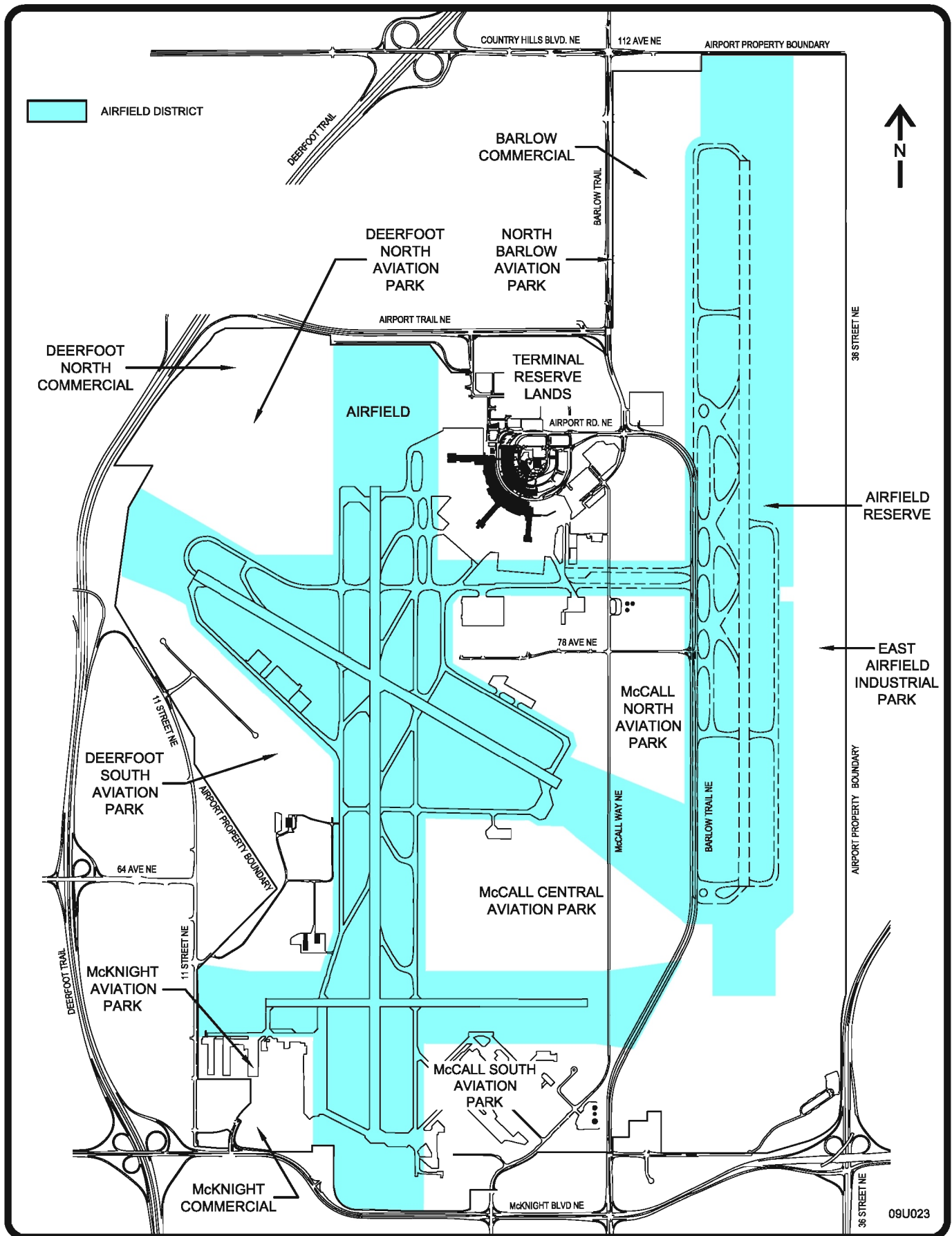
2. LAND USE DISTRICT BOUNDARIES

The boundaries between the Airport Light Industrial District, the Aviation Services District, the Airport Commercial District (Barlow Trail), the Airport Recreation District, and the East Airfield Industrial District shown on the Land Use Plan are preliminary. Exact boundaries will be determined by The Calgary Airport Authority as development proceeds and as Outline Plans are done. The grey/yellow hatched areas, the orange circle, and the green/grey hatched areas surrounding these Districts on the Land Use Plan are meant to indicate generally that the boundaries between these Districts can change. The precise definition of these boundaries shall be done as part of the Outline Plan process described in Section 4.

3. LAND USE PLAN

The Land Use Plan is attached and forms part of this Agreement.

(not used)



9. AIRFIELD DISTRICT

1. PURPOSE

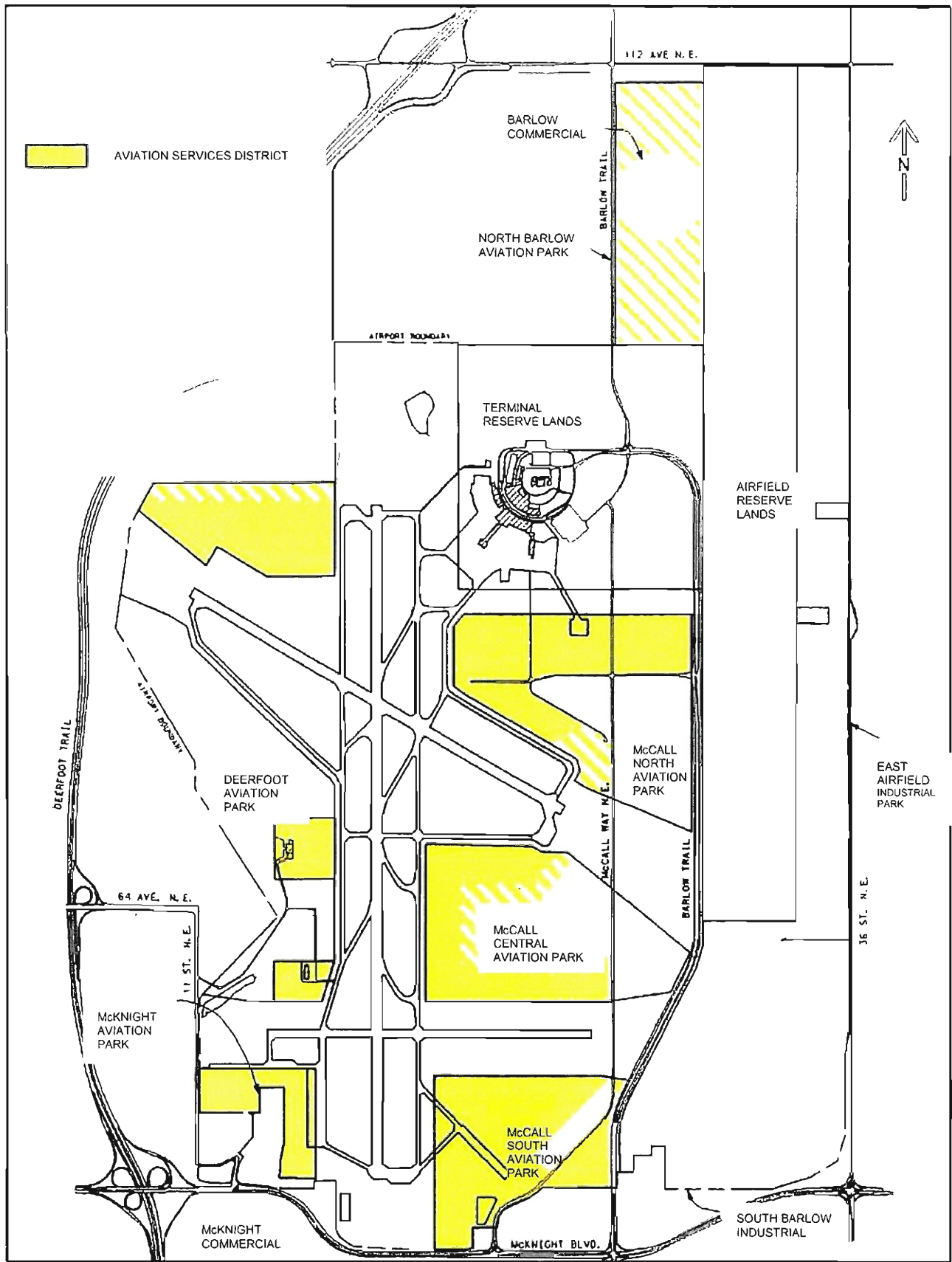
The purpose of this district is to provide for the movement of aircraft, and other facilities directly related to aviation.

2. PERMITTED USES

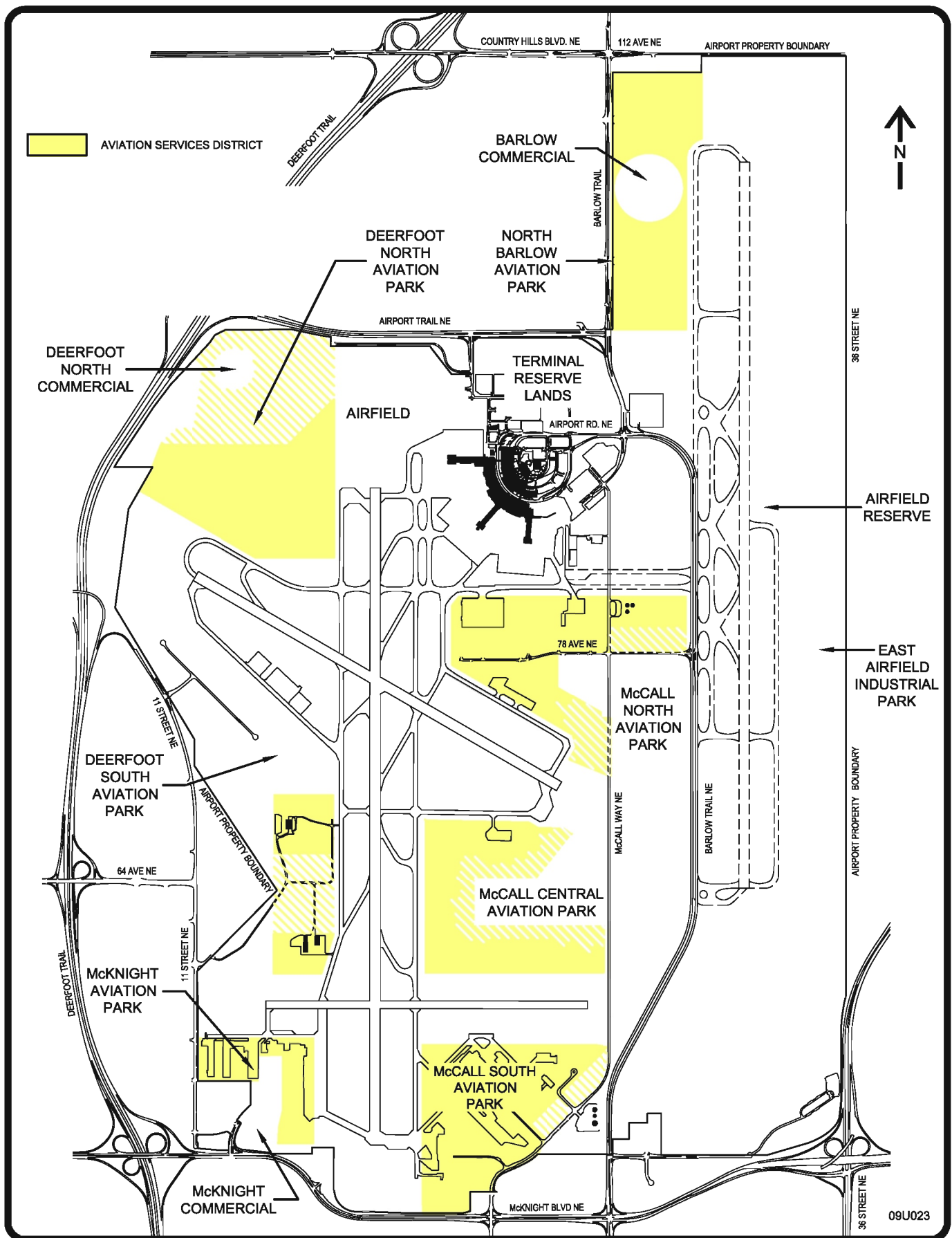
| Use | Category |
|--|--|
| Agriculture | I (a), I (c) for major buildings |
| Air traffic control facilities | I (a) |
| Aircraft fuel and provisioning services | I (a), I (c) if storage is above ground |
| Airport maintenance and operational facilities | I (a), I (c) for major buildings |
| Aprons | I (a) |
| Emergency response services | I (a), I (c) for major buildings |
| Essential airport services | I (c) |
| Government agencies | I (a), I (c) for major buildings |
| Meteorological installations | I (a) |
| Navigational aid facilities | I (a) |
| Parking, separate location from the use it serves | I (c) |
| Parks and recreation areas | I (a) |
| Runways | I (a) |
| Taxiways | I (a) |
| Utilities | L (a), I (c) for major buildings |

3. INTERIM USES

The Calgary Airport Authority may locate any Interim Use which is allowed in the East Airfield Industrial Park on the portion of this district which abuts 112 Avenue N.E. provided such use is able to obtain direct access from 112 Avenue N.E. The Development Guidelines of the East Airfield Industrial District for Interim Uses shall apply.



CALGARY INTERNATIONAL AIRPORT
LAND USE PLAN



09U023



THE CITY OF CALGARY

CALGARY INTERNATIONAL AIRPORT

YYC CALGARY AIRPORT AUTHORITY

May 2009

AGREEMENT ON LAND USE

DEVELOPMENT GUIDELINES & ACREAGE ASSESSMENT LEVIES

10. AVIATION SERVICES DISTRICT

10. AVIATION SERVICES DISTRICT

1. PURPOSE

The purpose of this district is to provide for a wide variety of industrial and business uses which normally make use of airside access.

2. PERMITTED USES

| USE | CATEGORY |
|--|--|
| Aerial application and spraying operations | I (c) |
| Aerial photography services | I (c) |
| Agriculture | I (a) |
| Air ambulance | I (c) |
| Air cargo facilities | I (c) |
| Air courier facilities | I (c) |
| Air traffic control facilities | I (a) |
| Aircraft charter operations | I (c) |
| Aircraft fuel and provisioning service | I (a), I (c)- If storage is above ground |
| Aircraft manufacturing and assembly | I (a), I (c)- for major buildings |
| Aircraft parts, supply and services | I (a), I (c)- for major buildings |
| Aircraft sales, leasing and rentals | I (a), I (c)- for major buildings |
| Aircraft storage facilities | I (c) |
| Airport maintenance and operational facilities | I (a), I (c)- for major buildings |
| Ancillary retail – manufacturing | I (c) |
| Ancillary retail - non-manufacturing | I (c) |
| Aprons | I (a) |
| Aviation consulting and services | I (c) |
| Baggage services | I (a), I (c)- for major buildings |
| Car rental facilities, parking and services | I (c) |
| Catering and commissaries | I (c) |
| Cleaning, servicing, testing, or repairing | I (c) |
| Emergency response services | I (c) |
| Essential airport services | I (a), I (c)- for major buildings |
| Fixed Base Operations | I (c) |
| Flight training schools | I (a), I (c)- for major buildings |
| Fuel facilities | I (a), I (c)- if storage is above ground |
| Government agencies | I (c) |
| Ground transportation facilities and services | I (c) |
| Hangars | I (c) |
| Helicopter operations | I (a), I (c) - for major buildings |
| Information services | I (c) |
| Laboratories | I (c) |
| Livestock handling facilities | I (c) |
| Meteorological installations | I (a) |
| Navigational aid facilities | I (a) |

| USE | CATEGORY |
|--|------------------------------------|
| Open air museums | I (c) |
| Parking, separate location from the use it serves | I (c) |
| Parks and recreation areas | I (a) |
| Passenger terminals | I (c) |
| Private clubs and organizations related to airport activities | I (c) |
| Public and quasi-public buildings | I (c) |
| Taxiways | I (a) |
| Utilities | I (a), 1 (c) - for major buildings |
| Viewing areas | I (a) |
| Warehouses | I (c) |

3. MCCALL SOUTH AVIATION PARK

McCall South Aviation Park has a number of existing buildings around and south of the original air terminal building. To provide an opportunity to reuse and refurbish these buildings, and where necessary to add additional buildings, the uses outlined below will be allowed as Permitted Uses in this area:

| USE | CATEGORY |
|-------------------------|----------|
| Aviation related retail | I (c) |
| Museums | I (c) |
| Offices | I (c) |
| Restaurants | I (c) |

4. INTERIM USES: (PRIOR TO SERVICING)

4.1 Permitted Uses

| USE | CATEGORY |
|---|----------|
| Agriculture | I (a) |
| Aircraft salvage | I (c) |
| Automobile wholesalers | I (c) |
| Bonded yards | I (c) |
| Car rental facilities, parking and services | I (c) |
| Cleaning, servicing, testing, or repairing | I (c) |
| Implement dealers | I (c) |
| Meteorological installations | I (a) |
| Mobile equipment yards | I (c) |
| Navigational aid facilities | I (a) |
| Operational facilities | I (c) |
| Outside storage (screened) | I (c) |
| Petroleum and natural gas equipment yards (screened) | I (c) |
| Tree farms | I (a) |
| Utilities | I (a) |
| Vehicle and recreational vehicle storage | I (c) |

4.2 Discretionary Uses

Warehouses

5. DEVELOPMENT GUIDELINES- AVIATION SERVICES DISTRICT

In addition to the Development Guidelines contained in Section 6, the following Guidelines apply.

5.1 Yard Requirements

(a) **Front Yard**

A minimum depth of six metres from the lease line.

(b) **Side Yard**

A minimum width of 1.2 metres from the lease line except where a side yard is used to provide vehicular access to the rear yard, in which case a side yard must be a minimum width of six metres.

(c) **Rear Yard**

A minimum depth of 1.2 metres from the lease line except where the wall of a structure is built of a material which normally would not require maintenance, or if the rear of the building is adjacent to an apron, in which case there is no rear yard required.

5.2 Building Height

Limited to 12 metres with the exception of aircraft hangars where building heights in excess of 12 metres will be allowed as determined by The Calgary Airport Authority. In all cases, Aviation Zoning Regulations apply.

5.3 Landscaped Area

(a) In addition to the landscaping requirements stated in the General Development Guidelines, applicants must provide landscaping in the following areas:

- (i) All minimum required front yards;
- (ii) Side yards between the front and rear of the principal building where they are not used for vehicular circulation.
- (iii) A strip adjacent to the front of the principal building to an average depth of 2.5 metres.
- (iv) All adjoining boulevards.

(b) A minimum density of one tree per 45 square metres of landscaped area is required.

5.4 Outside Display Areas

Outside display areas may be allowed to the front or side of a principal building outside any required minimum yard provided that such displays are limited to examples of equipment or items related to the business or industry located on the site.

5.5 Outside Storage

Outside storage may be allowed to the side or rear of buildings provided that:

- (a) such storage areas do not include any required minimum yards, or required parking or loading spaces;
- (b) the storage area is suitably shielded from public view by an approved method of screening;
- (c) all storage is related to the business or industry located on the site.

5.6 Ancillary Retail Uses

- (a) Ancillary Retail - Non Manufacturing may occupy up to 38m² or 10% of the net floor area of the primary use, whichever is greater, to a maximum of 280 m².
- (b) Ancillary Retail - Manufacturing may occupy up to 40% of the net floor area.

5.7 Utilities

For new developments in this district that, which because of the characteristics of their occupancy, do not require final water and sanitary utility servicing for their use, the Permitted Uses in this district may be approved under the Discretionary Use procedures prior to the provision of water and sanitary services. The interim water and sanitary servicing arrangements must meet the applicable standards, for the type of occupancy, to the satisfaction of the Director.

5.8 Additional Interim Use Rules

(a) Utilities

In cases where final utility services are not available, and an Interim Use is proposed, freshwater storage tanks and sewage holding tanks may be required.

- (i) Such facilities must receive specific prior approval from the Director and will be installed at the applicant's expense.
- (ii) Prior to approving such interim services, the Director shall consult with the City Engineer and the Calgary Board of Health.

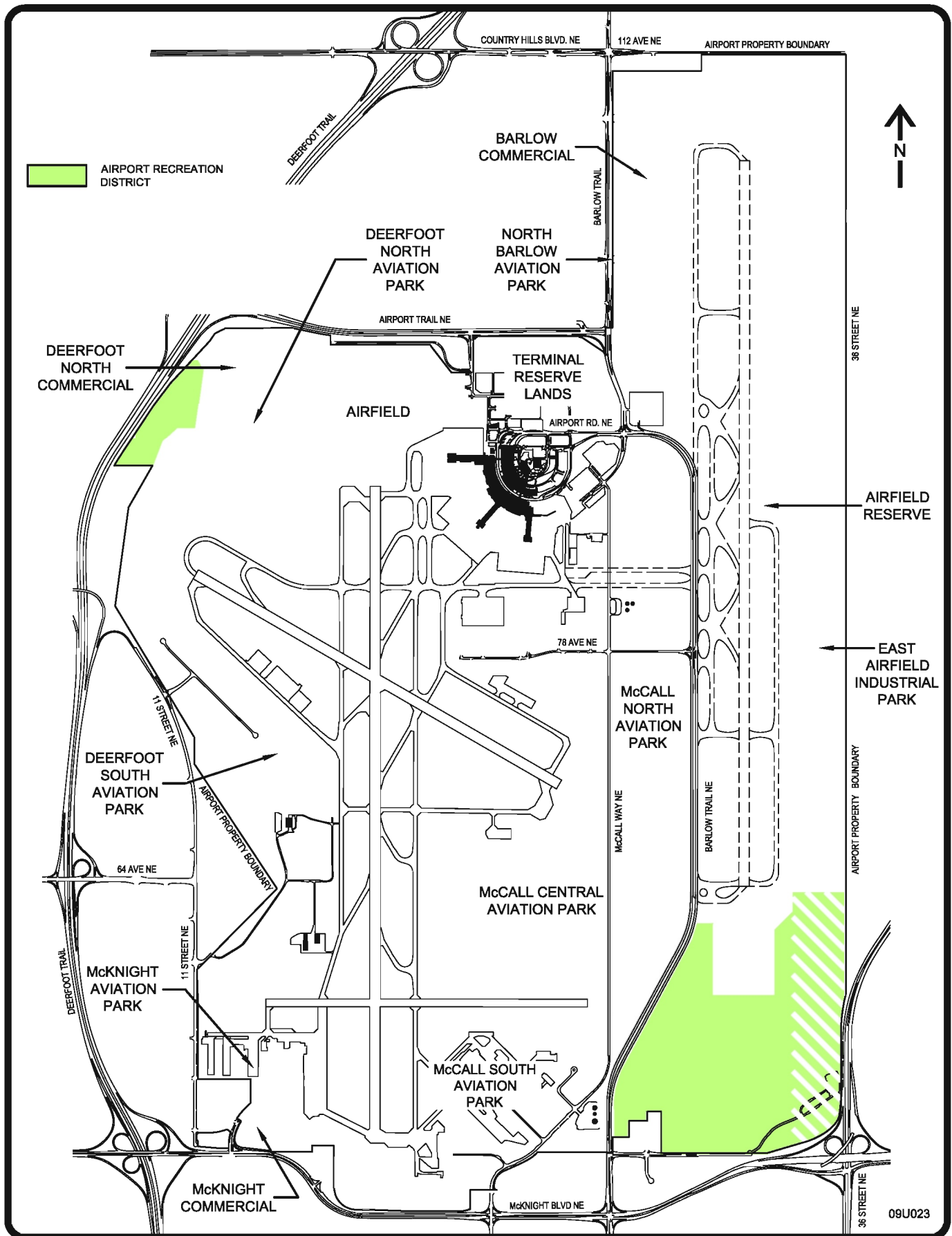
- (iii) In such cases the applicant will be required to sign a Deferred Servicing Agreement (with The Calgary Airport Authority or the City as the case may be) requiring them to connect to utilities when available and to pay the cost of such connections.
- (iv) Applicants are required to employ satisfactory stormwater management techniques to ensure that stormwater runoff will not adversely affect any adjacent area.

(b) Minimum Lot Area

The minimum lot area is 1.6 hectares (4 acres).

(c) Net Floor Area

The total net floor area for all buildings located on a site may not exceed ten percent of the site area or 1600 square metres, whichever is the lesser.



11. AIRPORT RECREATION DISTRICT

11. AIRPORT RECREATION DISTRICT

1. PURPOSE

The purpose of this district is to provide for recreational and other extensive land uses.

2. PERMITTED USES

| Use | Category |
|--|------------------------------------|
| Agriculture | I (a), I (c)- for major buildings |
| Athletic and recreational facilities | I (a), I (c)- for major buildings |
| Emergency response services | I (c) |
| Essential airport services | I (a), I (c)- for major buildings |
| Golf courses and driving ranges | I (a), I (c)- for major buildings |
| Horse riding academies | I (c) |
| Meteorological installations | I (a) |
| Navigational aid facilities | I (a) |
| Nurseries and greenhouses | I (c) |
| Open air museums | I (c) |
| Parking, separate location from the use it serves | I (c) |
| Parks and recreation areas | I (a) |
| Private clubs and organizations related to airport activities | I (c) |
| Public and quasi-public buildings | I (c) |
| Race tracks | I (c) |
| Utilities | I (a), 1 (c) - for major buildings |

3. DEVELOPMENT GUIDELINES – AIRPORT RECREATION DISTRICT

In addition to the Development Guidelines contained in Section 6, the following Guidelines apply.

3.1 Yard Requirements

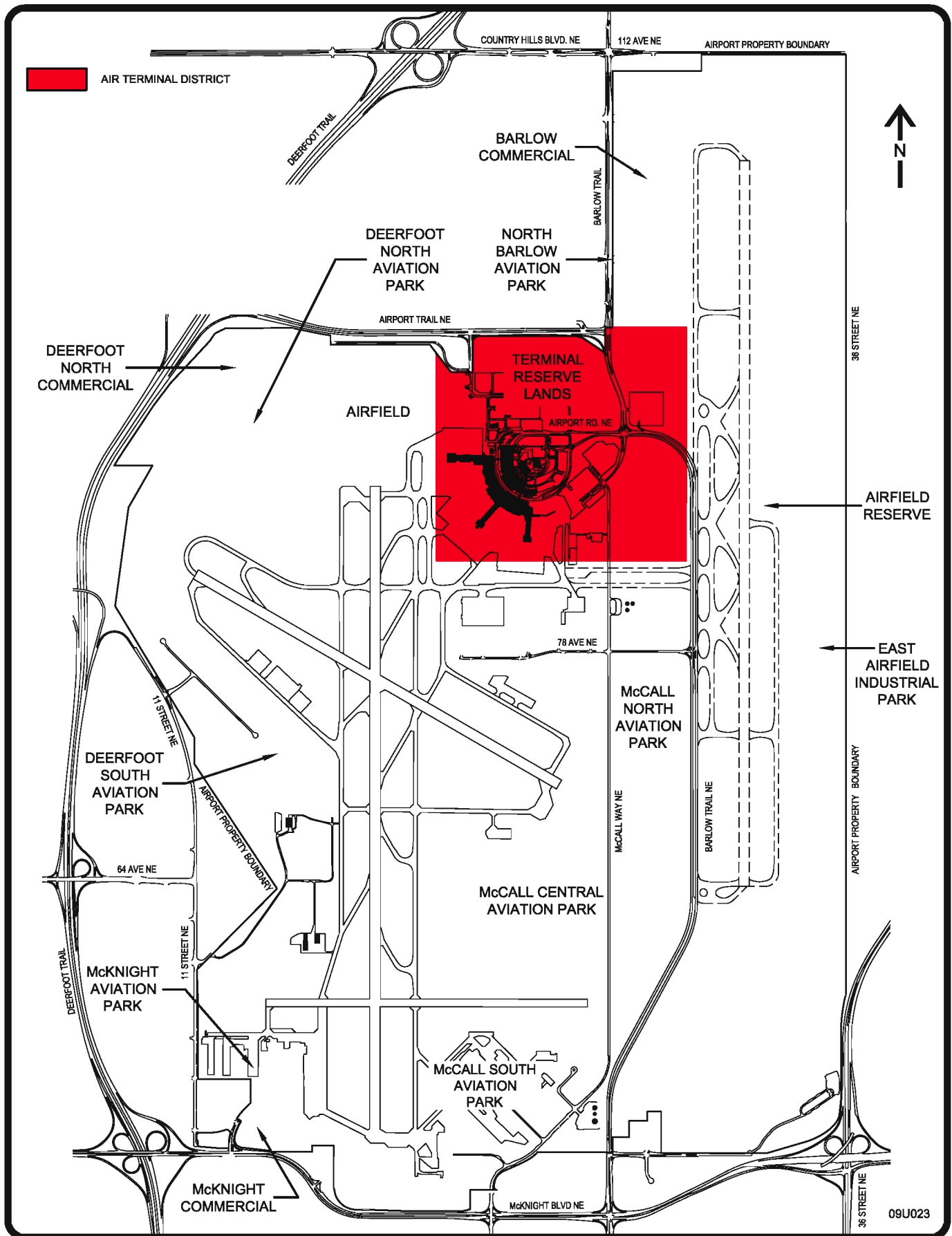
All yards must be a minimum depth of six meters from the lease line or a depth equal to the height of the face of the principal building adjacent to the lease line, whichever is the greater.

3.2 Landscaped Area

Applicants are required to provide a high quality standard of landscaping throughout their leased area. Although specific landscaping densities will vary according to individual uses, the basic landscaping requirements stated in the general Development Guidelines will still apply.

3.3 Utilities

For new developments in this district which because of the characteristics of their occupancy do not require final water and sanitary utility servicing for their use, the Permitted Uses in this district may be approved under the Discretionary Use procedures prior to the provision of water and sanitary services. The interim water and sanitary servicing arrangements must meet the applicable standards, for the type of occupancy, to the satisfaction of the Director.



12. AIR TERMINAL DISTRICT

12. AIR TERMINAL DISTRICT

1. PURPOSE

The purpose of this district is to provide for a wide variety of support services, activities and commercial uses which serve the airport and airlines, and relate to the movement of passengers, vehicles, baggage, cargo and aircraft.

2. PERMITTED USES

| USE | CATEGORY |
|---|---|
| Agriculture | I (a) |
| Air cargo facilities | I (a), I (c) for major buildings |
| Air terminal buildings and associated uses* | I (a), I (c) for new air terminal buildings or for major additions to the existing air terminal buildings |
| Air traffic control facilities | I (a) |
| Aircraft fuel and provisioning service | I (a), I (c)- If storage is above grade other than adjacent to the air terminal |
| Airport maintenance and operational facilities | I (a), I (c)- for major buildings |
| Aprons | I (a) |
| Automotive services | I (c) |
| Baggage services | I (c)- |
| Car rental facilities, parking and services | I (c) |
| Catering and commissaries | I (c) |
| Emergency response services | I (c) |
| Essential airport services | I (a), I (c)- for major buildings |
| Financial institutions | I (c) |
| Government agencies | I (c) |
| Ground transportation facilities and services | I (c) |
| Hangars | I (c) |
| Helicopter operations | I (a), I (c) - for major buildings |
| Hotels | I (c) |
| Information services | I (c) |
| Meteorological installations | I (a) |
| Navigational aid facilities | I (a) |
| Offices | I (c) |
| Parking, areas and structures | I (c) |
| Parks and recreation areas | I (a) |
| Private clubs and organizations related to airport activities | I (c) |
| Restaurants | I (c) |
| Runways | I (c) |
| Taxiways | I (a) |
| Utilities | I (a) |

*Any use inside the air terminal building does not require a submission as long as the building remains as an air terminal

3. DISCRETIONAL USES

Gaming establishment – casino*

* A gaming establishment – casino must be located in a hotel or in immediate proximity to a hotel

4. DEVELOPMENT GUIDELINES- AIR TERMINAL DISTRICT

In addition to the Development Guidelines contained in Section 6, the following Guidelines apply.

4.1 Yard Requirements

(a) Front Yard

A minimum depth of six metres from the lease line.

(b) Side Yard

A minimum width of 1.2 metres from the lease line except where a side yard is used to provide vehicular access to the rear yard, in which case a side yard must be a minimum width of six metres.

(c) Rear Yard

A minimum depth of 1.2 metres from the lease line except where the wall of a structure is built of a material which normally would not require maintenance, or if the rear of the building is adjacent to an apron, in which case there is no rear yard required.

4.2 Building Height

Generally limited to 23 metres, with the exception of hotels which are limited to a height of 45 metres. In all cases, Aviation Zoning Regulations apply.

4.3 Landscaped Area

(a) In addition to the landscaping requirements stated in the General Development Standards, applicants must provide landscaping in the following area:

- (i) All minimum required front yard;
- (ii) Side yards between the front and rear of the principal building where they are not used for vehicular circulation;
- (iii) A strip adjacent to the front of the principal building to an average depth of 2.5 metres.
- (iv) All adjoining boulevards.

- (b) A minimum density of one tree per 45 square metres of landscaped area is required.

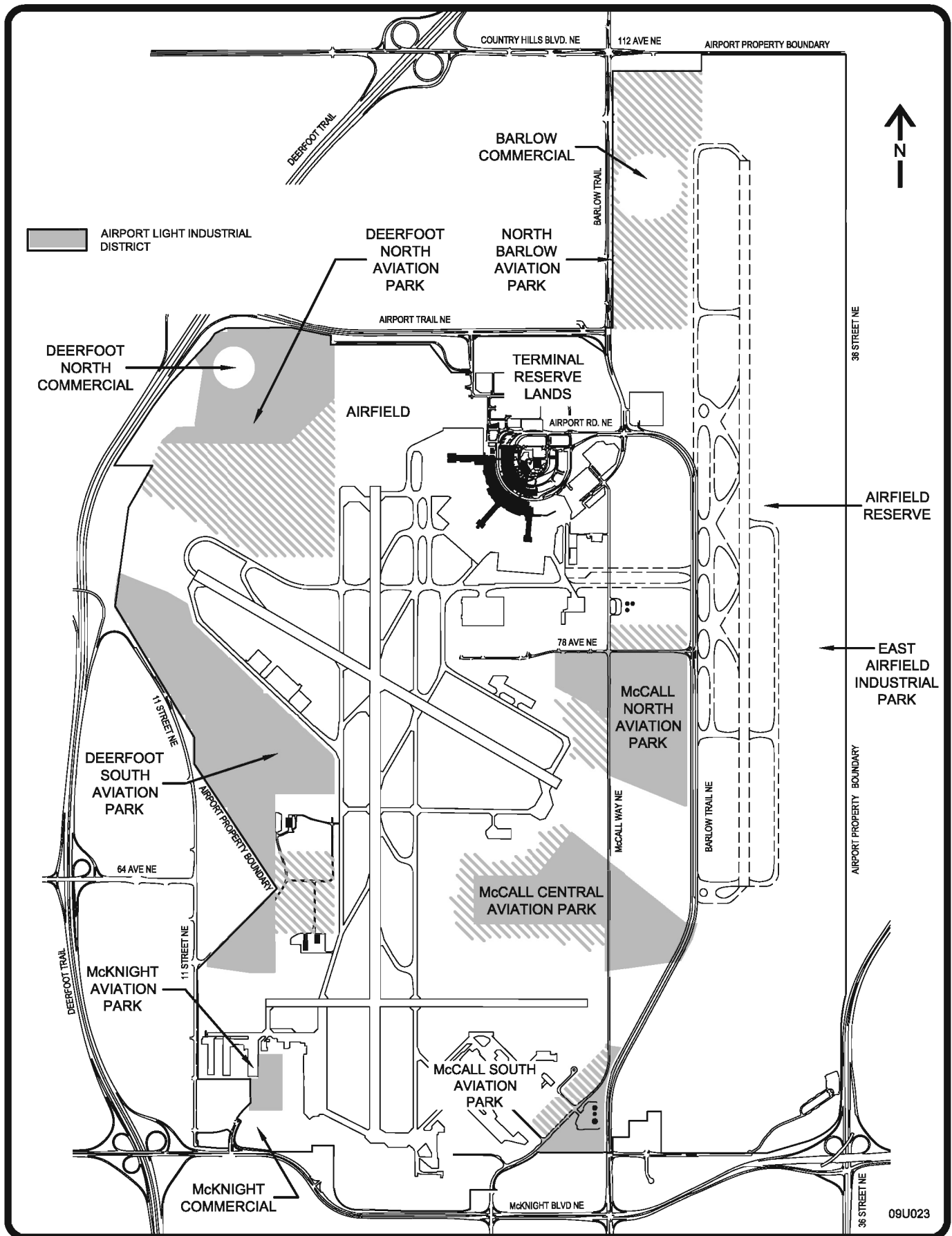
4.4 Outside Display Areas

Outside display areas may be allowed to the front or side of a principal building outside any required minimum yard provided that such displays are limited to examples of equipment or items related to the business or industry located on the site.

4.5 Outside Storage

Outside storage may be allowed to the side or rear of buildings provided that

- (a) such storage areas do not include any required minimum yards, or required parking or loading spaces;
- (b) the storage area is suitably shielded from public view by an approved method of screening;
- (c) all storage is related to the business or industry located on the site.



13. AIRPORT LIGHT INDUSTRIAL DISTRICT

13. AIRPORT LIGHT INDUSTRIAL DISTRICT**1. PURPOSE**

The purpose of this district is to provide for a wide range of industrial and business uses which are compatible with each other and airport operations.

2. PERMITTED USES

| Use | Category |
|---|--|
| Agriculture | I (a) I (c) for major buildings |
| Airport maintenance and operational facilities | I (a) I (c) for major buildings |
| Amusement Arcades | I (c) |
| Ancillary retail - manufacturing | I (c) |
| Ancillary retail – non-manufacturing | I (c) |
| Auction Halls | I (c) |
| Auto body and paint shops | I (c) |
| Automotive sales and rentals | I (c) |
| Automotive services | I (c) |
| Billard parlours | I (c) |
| Bottle return depots | I (c) |
| Car rental facilities, parking and services | I (c) |
| Child care facilities | I (c) |
| Cleaning, servicing, testing or repairing | I (a) |
| Commercial schools | I (c) |
| Crematoriums and columbariums | I (c) |
| Custodial quarters | I (c) |
| Drinking establishments | I (c) |
| Emergency response services | I (c) |
| Entertainment establishments | I (c) |
| Essential airport services | I (c) |
| Financial institutions | I (c) |
| Fuel Facilities | I (a) I (c) if storage is above ground |
| Government agencies | I (c) |
| Grocery stores | I (c) |
| Hotels | I (c) |
| Information services | I (c) |
| Kennels | I (c) |
| Laboratories | I (c) |
| Liquor stores | I (c) |
| Manufacturing, fabricating, processing, assembly, disassembly, production of materials, goods or products | I (c) |

USE**CAT**

| | | |
|---|-------|---------------------------|
| Mechanical reproduction and printing establishments | I (c) | |
| Meteorological installations | I (a) | |
| Movement or storage of materials, good or products | I (c) | |
| Navigational aid facilities | I (a) | |
| Nurseries and greenhouses | I (c) | |
| Offices | I (c) | |
| Parking areas and structures | I (c) | |
| Parks and recreation areas | I (a) | |
| Private clubs and organizations | I (c) | |
| Production processing movement or storage of materials, goods or products | I (c) | |
| Public and quasi-public buildings | I (c) | |
| Radio and television studios | I (c) | |
| Recreational and commercial vehicle repair, service, sales and rental | I (c) | |
| Restaurants | I (c) | |
| Utilities | I (a) | I (c) for major buildings |
| Veterinary clinics | I (c) | |
| Veterinary hospitals | I (c) | |
| Warehouses | I (c) | |

3. DISCRETIONARY USES

Farmers markets and flea markets
 Gaming establishments - Casino *
 Warehouse stores

* A gaming establishment - casino must be located in a hotel or in immediate proximity to a hotel.

4. AIRSIDE ACCESS

Where airside access is made available, the land uses set forth in the Aviation Services District are permitted in this district.

5. SOUTH BARLOW INDUSTRIAL AREA

Should the City decide to allow commercial development on private lands south of the South Barlow Industrial area shown on the Land Use Plan, then The Calgary Airport Authority will be allowed to have similar commercial uses in the South Barlow Industrial area. Such uses shall either be Permitted Uses Category I(c) or Discretionary Uses according to how they are categorized in the City Land Use Bylaw for the lands immediately south of The Calgary Airport Authority lands.

6. INTERIM USES: PRIOR TO SERVICING, EXCLUDING BARLOW TRAIL FRONTAGES**6.1 Permitted Uses**

| Use | Category |
|--|-----------------|
| Agriculture | I (a) |
| Aircraft salvage | I (c) |
| Airport maintenance and operational facilities | I (c) |
| Automobile wholesalers | I (c) |
| Bonded yards | I (c) |
| Car rental facilities, parking and services | I (c) |
| Cleaning, servicing, testing, or repairing | I (c) |
| Implement dealers | I (c) |
| Meteorological installations | I (a) |
| Mobile equipment yards | I (c) |
| Navigational aid facilities | I (a) |
| Outside storage (screened) | I (c) |
| Petroleum and natural gas equipment yards (screened) | I (c) |

| Use | Category |
|--|-----------------|
| Signage | I(a) |
| Tree farms | I(a) |
| Utilities | I(a) |
| Vehicle and recreational vehicle storage | I(c) |

6.2 Discretionary Uses

Lumber Yards
Warehouses

**7. DEVELOPMENT GUIDELINES -
AIRPORT LIGHT INDUSTRIAL DISTRICT**

In addition to the Development Guidelines contained in Section 6, the following Guidelines apply.

7.1 Yard Requirements

(a) Front Yard

A minimum depth of six metres from the lease line.

(b) Side Yard

A minimum width of 1.2 metres from the lease line except where a side yard is used to provide vehicular access to the rear yard, in which case a side yard must be a minimum width of six metres.

(c) Rear Yard

A minimum depth of 1.2 metres from the lease line except where the wall of a structure is built of a material which normally would not require maintenance, or if the rear of the building is adjacent to an apron, in which case there is no rear yard required.

7.6 Ancillary Retail Uses

- (a) Ancillary Retail - Non Manufacturing may occupy up to 38m² or 10% of the net floor area of the primary use, whichever is greater, to a maximum of 280 m².
- (b) Ancillary Retail - Manufacturing may occupy up to 40% of the net floor area.

7.7 Utilities

For new developments in this district that, which because of the characteristics of their occupancy, do not require final water and sanitary utility servicing for their use, the Permitted Uses in this district may be approved under the Discretionary Use procedures prior to the provision of water and sanitary services. The interim water and sanitary servicing arrangements must meet the applicable standards, for the type of occupancy, to the satisfaction of the Director.

7.8 Additional Interim Use Rules

(a) Utilities and Site Servicing

In cases where final utility services are not available and an Interim Use is proposed, freshwater storage tanks and sewage holding tanks may be required.

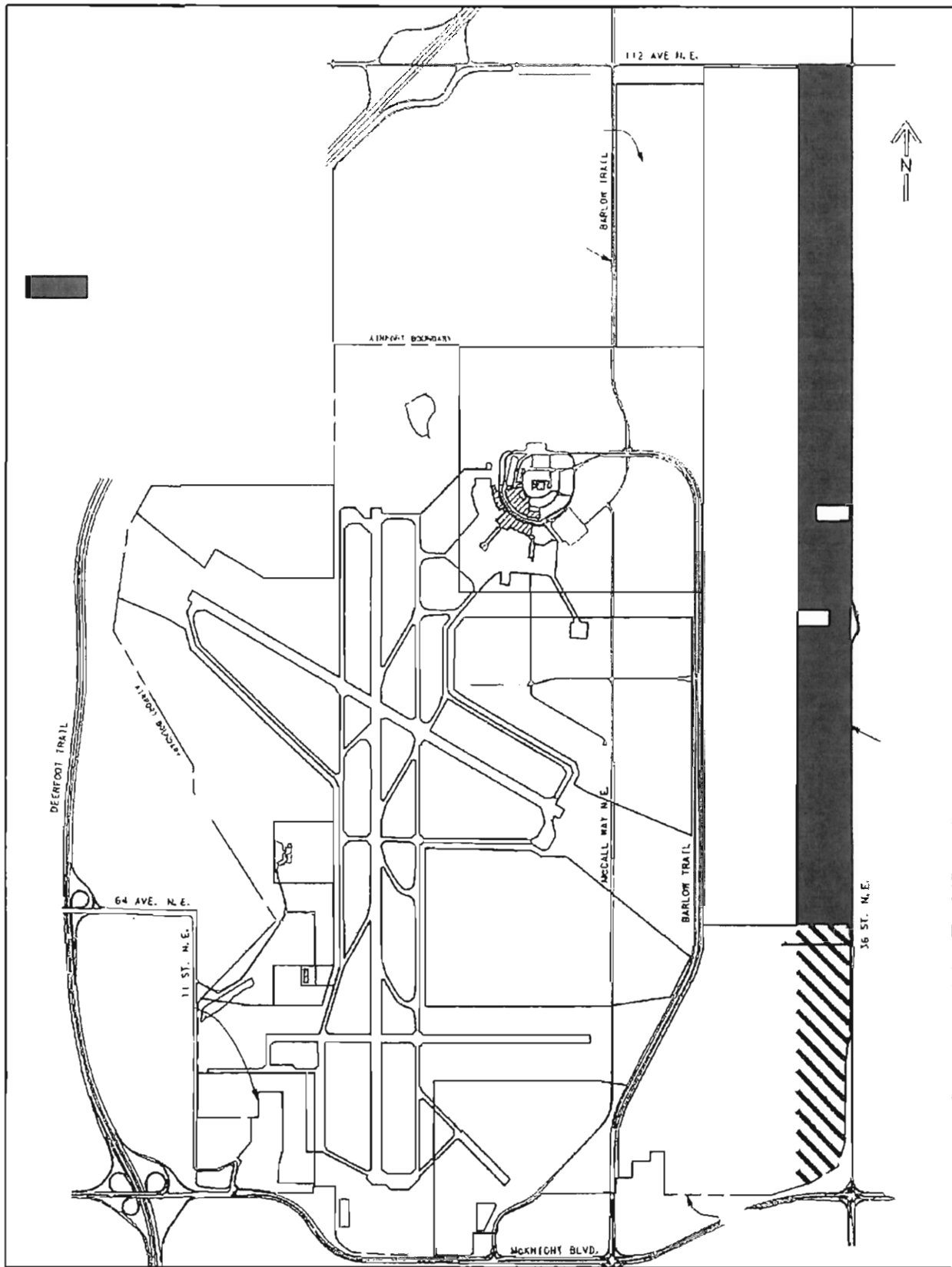
- (i) Such facilities must receive specific prior approval from the Director and will be installed at the applicant's expense.
- (ii) Prior to approving such interim services, the Director shall consult with the City Engineer and the Calgary Board of Health.
- (iii) In such cases the applicant will be required to sign a Deferred Servicing Agreement (with The Calgary Airport Authority or the City as the case may be) requiring them to connect to utilities when available and to pay the cost of such connections.
- (iv) Applicants are required to employ satisfactory stormwater management techniques to ensure that stormwater runoff will not adversely affect any adjacent area.

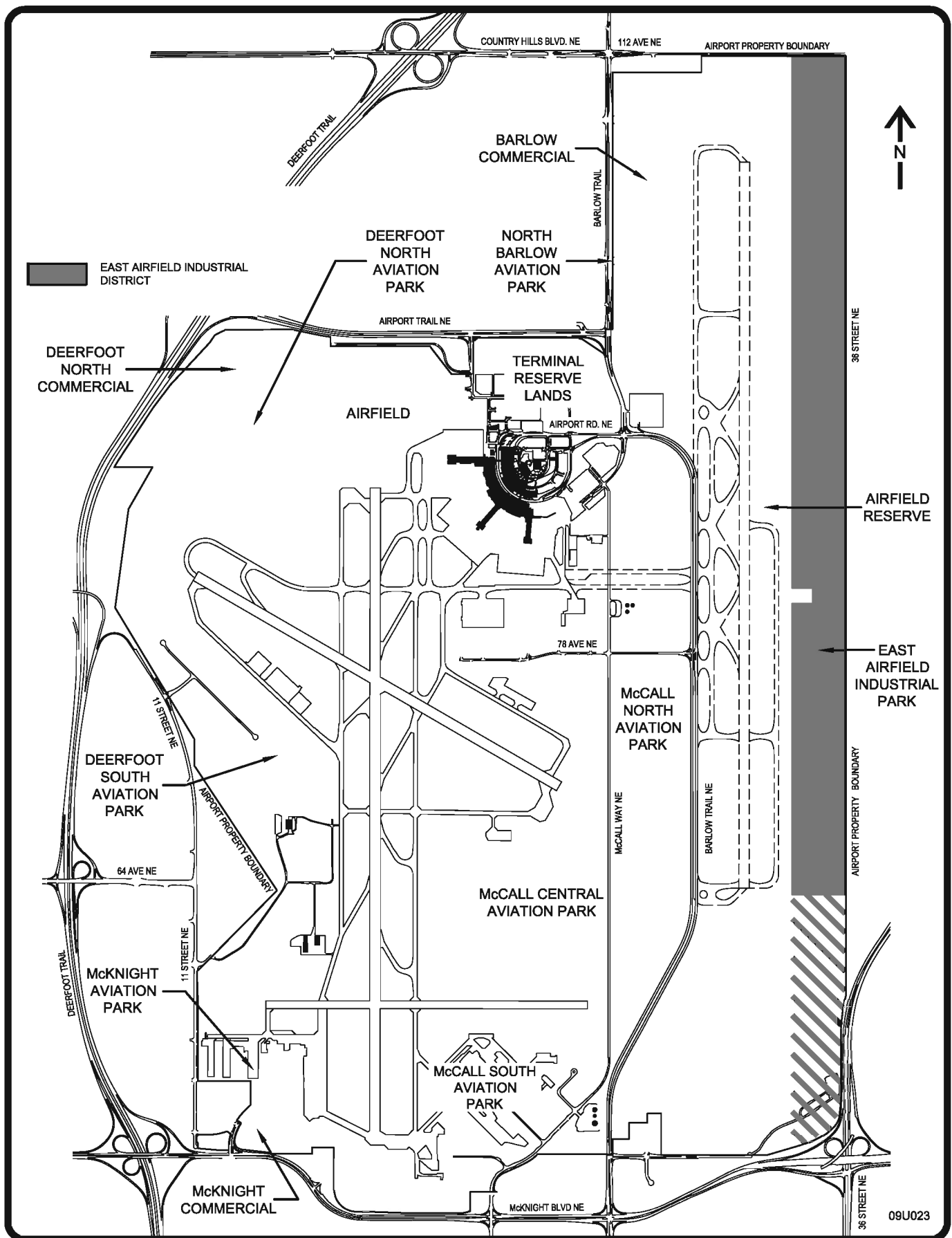
(b) Minimum Lot Area

The minimum lot area is 1.6 hectares (4 acres).

(c) Net Floor Area

The total net floor area for all buildings located on a site may not exceed ten percent of the site area or 1600 m², whichever is the lesser.





14. EAST AIRFIELD LIGHT INDUSTRIAL DISTRICT

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14. EAST AIRFIELD LIGHT INDUSTRIAL DISTRICT

1. PURPOSE

The purpose of this district is to provide for a wide range of light industrial and business uses which are compatible with each other and airport operations.

2. PERMITTED USES

| Use | Category |
|---|----------------------------------|
| Agriculture | I (a) |
| Ancillary retail - manufacturing | I (c) |
| Ancillary retail - non-manufacturing | I (c) |
| Athletic and recreational facilities | I (c) |
| Auction halls | I (c) |
| Auto body and paint shops | I (c) |
| Automotive sales and rentals | I (c) |
| Automotive services | I (c) |
| Automotive specialities | I (c) |
| Billiard parlours | I (c) |
| Cleaning, servicing, testing or repairing | I (c) |
| Crematoriums and columbariums | I (c) |
| Custodial quarters | I (c) |
| Emergency response services | I (c) |
| Essential airport services | I (a), I (c) for major buildings |
| Financial institutions | I (c) |
| Government agencies | I (c) |
| Grocery stores | I (c) |
| Laboratories | I (c) |
| Manufacturing, fabricating, processing, assembly, disassembly, production of materials, goods or products | I (c) |
| Mechanical reproduction and printing establishments | I (c) |
| Meteorological installations | I (c) |
| Movement or storage of materials, goods or products | I (c) |
| Navigational aid facilities | I (c) |
| Offices | I (c) |
| Parking areas and structures | I (c) |
| Parks and recreation areas | I (b) |
| Private clubs and organizations | I (c) |

| Use | Category |
|---|----------------------------------|
| Radio and television studios | I (c) |
| Recreational and commercial vehicle repair, service, sales and rental | I (c) |
| Utilities | I (b), 1 (c) for major buildings |
| Veterinary clinics | I (c) |
| Veterinary hospitals | I (c) |
| Warehouses | I (c) |

3. DISCRETIONARY USES

Amusement arcades
 Bottle return depots
 Child care facilities
 Commercial schools
 Drinking establishments
 Entertainment establishments
 Farmer's markets and flea markets
 Hotels
 Intensive agricultural uses
 Kennels
 Liquor stores
 Nurseries and greenhouses
 Production, processing, movement or storage of materials, goods or products.
 Public and quasi-public buildings
 Restaurants
 Warehouse stores

4. AIRSIDE ACCESS

Where airside access is made available, the land uses set forth in the Aviation Services District are permitted in this district.

5. INTERIM USES: PRIOR TO SERVICING

- (a) The following uses apply to the areas south of 80th Avenue.
- (b) Any additional Interim Uses in the area or north of 80th Avenue will be amended in accordance with any future change in policy for the area approved by City Council.

5.1 Permitted Uses

| Use | Category |
|--|----------------------------------|
| Agriculture | I (a) |
| Airport maintenance and operational facilities | I (a), I (c) for major buildings |
| Essential airport services | I (c) |
| Meteorological installations | I (a) |
| Navigational aid facilities | I (a) |
| Tree farms | I (c) |
| Utilities | I (a) |

5.2 Discretionary Uses

Bonded yards
 Cleaning, servicing, testing, or repairing
 Implement dealers
 Manufacturing, fabrication, processing, assembly, disassembly, production or packaging of materials, goods or products
 Mobile equipment yards
 Outside storage (screened)
 Petroleum and natural gas equipment yards (screened)
 Vehicle and recreational vehicle storage
 Warehouses

5.3 Airside Access

Where airside access is made available, the land uses set forth in the Aviation Services District are permitted in this district.

6. DEVELOPMENT GUIDELINES - EAST AIRFIELD INDUSTRIAL DISTRICT

In addition to the Development Guidelines contained in Section 6, the following Guidelines apply.

6.1 Yard Requirements

(a) Front Yard

A minimum depth of 6 metres from the lease line.

(b) Side Yard

A minimum width of 1,1 metres from the lease line except where a side yard is used to provide vehicular access to the rear yard, in which case a side yard must be a minimum width of six metres.

(c) Rear Yard

A minimum depth of 1.2 metres from the lease line except where the wall of a structure is built of a material which normally would not require maintenance, or if the rear of the building is adjacent to an apron, in which case there is no rear yard required.

6.2 Building Height

Limited to 12 metres, with the exception of hotels which are limited to a height of 30 metres, in all cases, Aviation Zoning Regulations apply.

6.3 Landscaped Area

- (a) In addition to the landscaping requirements stated in the General Development Guidelines, applicants must provide landscaping in the following areas:
 - (i) All minimum required front yards.
 - (ii) Side yards between the front and rear of the principal building where they are not used for vehicular circulation.
 - (iii) A strip adjacent to the front of the principal building to an average depth of 2.5 metres.
 - (iv) All adjoining boulevards.
- (b) A minimum density of one tree per 45 square metres of landscaped area is required.

6.4 Outside Display Areas

Outside display areas may be allowed to the front or side of a principal building outside any required minimum yard provided that such displays are limited to examples of equipment or items related to the business or industry located on the site.

6.5 Outside Storage

Outside storage may be allowed to the side or rear of buildings provided that:

- (a) such storage areas do not include any required minimum yards, or required parking or loading spaces.
- (b) the storage area is suitably shielded from public view by an approved method of screening.
- (c) all storage is related to the business industry located on the site.

6.6 Ancillary Retail Uses

- (a) Ancillary Retail (Non Manufacturing) may occupy up to 38m² or 10% of the net floor area of the primary use, whichever is greater, to a maximum of 280 m².
- (b) Ancillary Retail (Manufacturing) may occupy up to 40% of the net floor area.

6.7 Additional Interim Use Rules - Prior to Servicing

(a) Utilities and Site Servicing

In cases where final utility services are not available, and an interim use is proposed, freshwater storage tanks and sewage holding tanks may be required.

- (i) Such facilities must receive specific prior approval from the Director and will be installed at the applicant's expense.
- (ii) Prior to approving such interim services, the Director shall consult with the City Engineer and the Calgary Board of Health.
- (iii) In such cases the applicant will be required to sign a Deferred Servicing Agreement (with The Calgary Airport Authority or the City as the case may be) requiring them to connect to utilities when available and to pay the cost of such connections.
- (iv) Applicants are required to employ satisfactory stormwater management techniques to ensure that stormwater runoff will not adversely affect any adjacent area.

(b) Minimum Lot Area

The minimum lot area is 1.6 hectares (4 acres).

(c) Net Floor Area

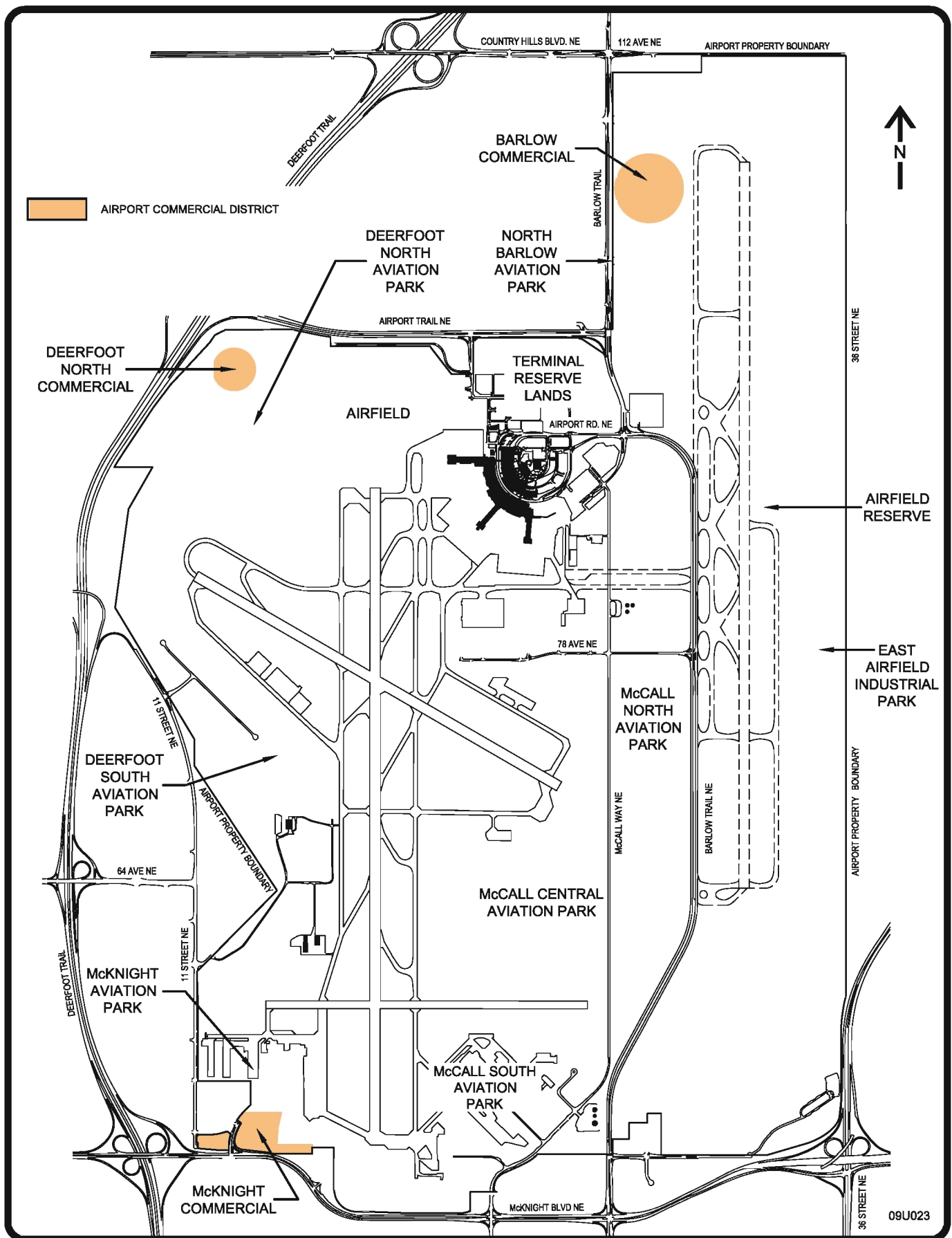
The total net floor area for all buildings located on a site may not exceed ten percent of the site area or 1600 square metres, whichever is the lesser.

(d) Outside Display Areas

Outside display areas may be allowed, providing that displays are limited to examples of equipment or items related to the business or industry located on the site.

(e) Outside Storage

Storage of a variety of goods may be allowed, as long as the products do not attract birds or other animals, and do not create hazards or nuisances to aviation and neighbouring uses.



15. AIRPORT COMMERCIAL DISTRICT

15. AIRPORT COMMERCIAL DISTRICT

1. PURPOSE

The purpose of this district is to provide for a full range of commercial retail uses in free standing buildings or in a comprehensively designed shopping centre.

2. PERMITTED USES

Following approval of the Concept Plan by the Director, the following uses will be Permitted Uses Category I (c) under the provisions of this Agreement. In reviewing such applications, the Director shall evaluate them against the approved Concept Plan, and in accepting same application may apply conditions to ensure compliance with the Concept Plan.

| Use | Category |
|--------------------------------------|----------|
| Amusement arcades | 1 (c) |
| Athletic and recreational facilities | 1 (c) |
| Automotive services | 1 (c) |
| Automotive specialties | 1 (c) |
| Billiard parlours | 1 (c) |
| Bottle return depots | 1 (c) |
| Child care facilities | 1 (c) |
| Commercial schools | 1 (c) |
| Drinking establishments | 1 (c) |
| Entertainment establishments | 1 (c) |
| Essential airport services | 1 (c) |
| Financial institutions | 1 (c) |
| Government agencies | 1 (c) |
| Grocery Stores | 1 (c) |
| Hotels | 1 (c) |
| Liquor stores | 1 (c) |
| Medical clinics | 1 (c) |
| Meteorological installations | 1 (c) |
| Navigational aid facilities | 1 (c) |
| Offices | 1 (c) |
| Parking areas and structures | 1 (c) |
| Parks and recreation areas | 1 (b) |
| Personal service businesses | 1 (c) |
| Private clubs and organizations | 1 (c) |

| Use | Category | |
|-----------------------------------|-----------------|---------------------|
| Public and quasi-public buildings | 1 (c) | |
| Radio and television studios | 1 (c) | |
| Restaurants | 1 (c) | |
| Retail food stores | 1 (c) | |
| Retail stores | 1 (c) | |
| Shopping centres | 1 (c) | |
| Utilities | 1 (b), 1 (c) | for major buildings |
| Veterinary clinics | 1 (c) | |

3. INTERIM USES: PRIOR TO SERVICING (APPLIES TO BARLOW COMMERCIAL ONLY)

3.1 Permitted Uses

The following uses are permitted provided they are at least 100 metres from the edge of the Barlow Trail pavement.

| Use | Category |
|---|-----------------|
| Agriculture | I (a) |
| Aircraft salvage | I (c) |
| Automobile wholesalers | I (c) |
| Bonded yards | I (c) |
| Car rental facilities, parking and services | I (c) |
| Cleaning, servicing, testing, or repairing | I (c) |
| Implement dealers | I (c) |
| Meteorological installations | I (a) |
| Mobile equipment yards | I (c) |
| Navigational aid facilities | I (a) |
| Outside storage (screened) | I (c) |
| Petroleum and natural gas equipment yards (screened) | I (c) |
| Tree farms | I (a) |
| Utilities | I (a) |
| Vehicle and recreational vehicle storage | I (c) |

4. DEVELOPMENT GUIDELINES: AIRPORT COMMERCIAL DISTRICT

In addition to the Development Guidelines contained in Section 6, the following Guidelines apply.

4.1 Building Height

- (a) A maximum of 15 meters for the retail and shopping portion of the shopping centre.
- (b) A maximum of 18 metres for offices, medical clinics, and feature areas such as the entranceways and central core areas of shopping malls.
- (c) A maximum of 45 metres for hotels.

4.2 Landscaped Area

- (a) Soft landscaping shall be provided to an average width of 6 metres adjacent to the property line or lease line over the full length of the perimeter of the site.
 - (i) Soft landscaping shall be located to enhance
 - (ii) pedestrian areas,
 - (iii) building walls,
 - (iv) both in and around parking areas, and
 - (v) alongside vehicular accessways, extending from the point of access
 - (vi) to or from the shopping centre site to the nearest internal
 - (vii) circulation roadway.
- (b) A minimum density of one tree per 35 square metres of landscaped area is required.

4.3 Loading

All outside loading areas shall be visually screened and designed as an integral part of the shopping centre structure.

4.4 Outside Storage

- (a) Outside storage may be allowed to the side or rear of buildings provided that:
 - (i) such storage areas do not include any required minimum yards, or required parking or loading spaces.
 - (ii) the storage area is suitably shielded from public view to a height of 1.8 metres by an approved method of screening.
- (b) all storage is related to the business or industry located on the site.

4.5 Outside Display Areas

Outside display areas may be allowed to the front or side of a principal building outside any required minimum yard provided that such displays are limited to examples of equipment or items related to the business or industry located on the site.

4.6 Special Site Requirements

- (a) An automotive service use must have a minimum site area of 1400 square metres except for an automotive service use limited to the sale of gasoline, lubricating oils and associated fluids only, which
 - (i) must have a minimum site area of 930 square meters where access is provided from a public thoroughfare, or
 - (ii) may be allowed a minimum site area of 240 square meters where access is provided only from within a shopping centre site.
- (b) On the site of an automotive service use, no more than five motor vehicles or trailers or combination of them may be displayed for sale or rent.
- (c) Where a car wash is provided as part of an automotive service use, an additional 465 square metres of site area must be provided.

4.7 Barlow Trail Commercial

The following rules will apply to the 30 acres of commercial development adjacent to Barlow Trail North:

(a) Concept Plan

- (i) Prior to approval of any non interim use on these lands and following acceptance of an Outline Plan and approval of access connections to municipal streets, The Calgary Airport Authority shall submit for the approval of the Director a Concept Plan for the 30 acres covered by this designation or a logical portion thereof as defined by streets. Such a plan shall indicate:
 - (A) The general distribution of the allowable retail and office uses on said lands, plus an indication of the proposed use of lands not allocated for such uses.
 - (B) The general building envelopes where such uses will be located.
 - (C) The proposed access, site circulation, and parking arrangements.
 - (D) The proposed landscaping concept.
 - (E) The design guidelines including signage guidelines which will apply to the development.
- (ii) The Director's decision on the Concept Plan is restricted to the items listed in 'A' to 'C' above.
- (iii) The Director may provide design comments with respect to items 'D' and 'E'.
- (iv) The Calgary Airport Authority shall advise the Director of the design guidelines they are using.
- (v) Any revisions to the Concept Plan must be submitted to the Director for a similar approval.

(b) Density

- (i) The following uses are restricted to the maximum gross net leasable floor areas indicated:
 - (A) All retail uses including a shopping centre .28 FAR per site up to an overall maximum of 34,000 square metres of Net Leasable Floor Area.
 - (B) Office Uses 1.0 FAR of gross floor area of the site allocated exclusively to office use.
- (ii) In cases where office and retail uses are combined, the site may have a combined maximum FAR of .5, provided the retail component does not exceed .28 FAR.
- (iii) The Director may approve an increase in the size of this area/density up to a maximum of 60 acres or 68,000 square metres of net leasable floor area of retail uses, upon submission by The Calgary Airport Authority of a transportation study, satisfactory to the Director, indicating that such increase can be accommodated by the City's transportation system or such upgrades thereto as the City is prepared to allow The Calgary Airport Authority to undertake at its own cost.

4.8 McKnight Commercial

All Permitted Uses are treated as Discretionary Uses until such time as the following has occurred:

(a) Concept Plan Approval and Acceptance

- (i) Acceptance and approval of an Outline Plan for the undeveloped Calgary Airport Authority lands which facilitates the ultimate upgrading of the McKnight Blvd./12 Street N.E. intersection.
- (ii) Approval by the Director of a concept plan for the area covered by this designation or a logical portion thereof as defined by streets. Such a plan shall indicate:
 - (A) The general distribution of the allowable retail and office uses on said lands, plus an indication of the proposed use of lands not allocated for such uses.

- (B) The general building envelopes where such uses will be located.
- (C) The proposed access, site circulation, and parking arrangements.
- (D) The proposed landscaping concept.
- (E) The design guidelines including signage guidelines which will apply to the development.
- (iii) The Director's decision on the Concept Plan is restricted to the items listed in 'A' to 'E' above. Any revisions to the Concept Plan must be submitted to the Director for a similar approval.

(b) Density

- (i) The following uses are restricted to the maximum gross net leasable floor areas indicated.

| | |
|---------------------|---|
| (A) All retail uses | .28 FAR per site up to an overall maximum of 11,000 square metres of Net Leasable Floor Area. |
| (B) Office Uses | 1.0 FAR of gross floor area of the site allocated exclusively to office use. |
- (ii) In cases where office and retail uses are combined, the site may have a combined maximum FAR of .5, provided the retail component does not exceed .28 FAR.

4.9 Additional Interim Use Rules

(a) Utilities and Site Servicing

In cases where final utility services are not available, and an Interim Use is proposed, freshwater storage tanks and sewage holding tanks may be required.

- (i) Such facilities must receive specific prior approval from the Director and will be installed at the applicant's expense.

- (ii) Prior to approving such interim services, the Director shall consult with the City Engineer and the Calgary Board of Health.
- (iii) In such cases the applicant will be required to sign a Deferred Servicing Agreement (with The Calgary Airport Authority or the City as the case may be) requiring them to connect to utilities when available and to pay the cost of such connections.
- (iv) Applicants are required to employ satisfactory stormwater management techniques to ensure that stormwater runoff will not adversely affect any adjacent area.

(b) Minimum Lot Area

The minimum lot area is 1.6 hectares (4 acres).

(c) Net Floor Area

The total net floor area for all buildings located on a site may not exceed ten percent of the site area or 1600 square metres, whichever is the lesser.

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The City of Calgary
Urban Development

RATES TABLE

| Assessment Rates | | Rate per Hectare |
|-----------------------------------|---------------------------------|------------------|
| Revised 2001 July 30 | | |
| Sanitary Sewer Assessments | | 2001 |
| 1 | Barlow | |
| 2 | North Bearspaw No.1 | |
| 3 | North Bearspaw No.2 | |
| 4 | Beddington Creek Phase 1 | |
| 5 | Beddington Creek Phase 2 | |
| 6 | North Beddington | |
| 7 | Bowness Greenbriar | |
| 8 | Elbow Valley | |
| 9 | Fish Creek No.1 | |
| 10 | Fish Creek No.2 | |
| 11 | Fish Creek – Ogden | |
| 12 | Forest Lawn No.1 | |
| 13 | Forest Lawn No.2 | |
| 14 | Livingston | |
| 15 | McKenzie Syphon | |
| 16 | East McKenzie | |
| 17 | Midnapore | |
| 18 | Midnapore (Town Site) | |
| 19 | Nose Creek | |
| 20 | Nose Creek Phase 4 | |
| 21 | Nose Creek Phase 5 | |
| 22 | Ogden – Riverbend | |
| 23 | Patterson Heights | |
| 24 | Shepard | |
| 25 | Southwest | |
| 26 | Southwest Elbow Valley | |
| 27 | Valley Ridge Syphon | |
| 28 | 15 Street SE – Bow River Syphon | |
| 29 | 15 Street NE – Airport | |
| 30 | 53 Street SW | |
| 31 | 61 Street NW | |
| 32 | 81 Street NW | |
| 33 | 93 Street NW | |
| 34 | Marlborough (Special) | |
| 35 | Southwood Braeside (Special) | |
| 36 | 28 Street SE Dover (Special) | |

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| Storm Sewer Assessments | | |
|--------------------------------|-----------------------------------|--------|
| 1 | Beddington Creek | 5,265 |
| 2 | North Beddington | 32,812 |
| 3 | Bowness Greenbriar | 11,093 |
| 4 | Burnsmead | 6,459 |
| 5 | Dufferin Industrial | 14,723 |
| 6 | Edworthy Draw – East of 69 Street | 1,096 |
| 7 | Edworthy Draw – West of 69 Street | 9,222 |
| 8 | South Fish Creek – Midnapore | 11,092 |
| 9 | Forest Lawn – Barlow | 4,818 |
| 10 | Haysboro | 769 |
| 11 | Highwood – Thorncliffe | 1,962 |
| 12 | Livingston | 6,543 |
| 13 | McCall Deerfoot Trail | 2,376 |
| 14 | McKenzie Towne | 11,806 |
| 15 | Midnapore Town Site | 6,408 |
| 16 | West Midnapore | 9,793 |
| 17 | Mountain Park | 8,314 |
| 18 | New Brighton | 18,532 |
| 19 | North Thorncliffe | 2,117 |
| 20 | Nose Valley | 2,701 |
| 21 | Ogden Relief | 3,588 |
| 22 | Patterson Heights | 2,440 |
| 23 | Saddle Ridge | 8,909 |
| 24 | Shepard | 22,566 |
| 25 | Shepard Slough | 10,183 |
| 26 | Valleyfield (Harvetta Heights) | 3,890 |
| 27 | 4 Street SW – Fish Creek | 7,267 |
| 28 | 14 Street SW – Fish Creek | 1,087 |
| 29 | 15 Street NE – Airport | 9,446 |
| 30 | 40 Street SE – Barlow | 6,504 |
| 31 | 52 Street SE | 12,065 |
| 32 | 53 Street SW | 2,894 |
| 33 | 60 Street SE | 34,788 |
| 34 | 61 Street NW | 3,433 |
| 35 | 66 Street NW – Bowness | 18,160 |
| 36 | 69 Street SW – East | 14,878 |
| 37 | 69 Street SW – West | 12,416 |
| 38 | 81 Street NW | 9,426 |
| 39 | 93 Street NW (North) | 3,030 |
| 40 | 93 Street NW (South) | 4,032 |
| 41 | 96 Avenue NE | 3,058 |
| 42 | Oak Ridge (Special) | 1,006 |
| 43 | Glamorgan (Special) | 1,880 |

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| Community Facilities | | |
|--|---------------------------------------|------------------|
| 1 | Abbeydale | |
| 2 | Applewood | |
| 3 | Patterson Heights (Strathcona Cell A) | |
| 4 | Pineridge Properties | |
| 5 | Signal Hill (Strathcona Cell G) | |
| 6 | Strathcona Park (Cell C) | |
| 7 | Whitehorn Properties | |
| 8 | East Springbank | |
| | | |
| Inspection Fees | | |
| | Sewer | 439 |
| | Water | 439 |
| | Streets | 879 |
| | Parks | 201 |
| | Urban | 150 |
| | Total | 2,108 |
| Sanitary Sewer Assessment | | 5,100 |
| | Water | 4,074 |
| | | |
| Water Usage | | 403 |
| Oversize Assessment | | 5,000 |
| Major Road Oversize | | 6,374 |
| Transportation Levy | | 17,274 |
| Additional Transportation Levy per Lot | | 200 |
| Local Parks | | 2,000 |
| Sub-division Signage | | 410 |
| Recreation Assessment Levy | | 2,000 |
| | | |
| Electric System | | Per Metre |
| | Street Lighting – Residential Roads | 46.95 |
| | Major roads | 64.05 |
| | Walkway Lighting – Separate Trench | 41.80 |

Last Updated: July 11, 2002

16. ACREAGE ASSESSMENTS

16. ACREAGE ASSESSMENTS

1. BACKGROUND

- (a) Acreage assessment levies are collected by the City for new development prior to allowing development to proceed. The acreage assessment system allows the City to invest in major trunk sanitary and storm sewer systems, water feeder mains, pumping stations and reservoirs and to recover costs from land developers as development proceeds. This system
- (b) has served the City and the Development Community well by allowing development to proceed in an orderly fashion with the City achieving cost recoveries of its investment over time. Each acreage assessment levy has a specific rationale and method of calculation. These are summarized in this report in the introduction to each specific acreage assessment levy.
- (c) Acreage assessments are recalculated annually and presented to City Council for consideration and approval. The individual assessment rates contained in this report are the current 1993 rates which will be adjusted annually.
- (d) The actual provision and investment in these major utility and street systems is determined by City Council on a priority basis and dependent on the availability of funds for design and construction. The timing of these improvements is determined by City Council. Occasionally individual developers conclude arrangements with the City for the developer to pre-build certain sections of these improvements with a future recovery from the City on a predetermined basis and/or as funds become available. Under the provisions of this Agreement The Calgary Airport Authority will have the right to connect to public utilities at locations and under conditions approved by the City.
- (e) Certain Calgary Airport Authority lands do not have trunk utilities and/or roads available at this time (eg., East Airfield Industrial, Barlow Commercial). If The Calgary Airport Authority wanted to proceed with development prior to the provision of these systems by the City, then discussion would need to take place with the City on a case by case basis to determine what arrangements could be entered into between the two parties to provide the required public segment of the improvements.
- (e) In the interim, pending such improvements, it is normal practice for landowners to make provisions in their long term planning for any known

future public utility or roadway requirements. The Calgary Airport Authority will protect a corridor for the future connection of 96th Avenue from Deerfoot Trail north of the Air Terminal District and then across Calgary Airport Authority lands to serve future development to the east of the proposed north/south runway. Discussions on payments for right-of-way and other related matters would occur when more detailed plans for development are finalized. The Calgary Airport Authority has no obligation to provide this street or other proposed streets or interchanges. Equally the City has no obligation to provide these facilities. The Calgary Airport Authority will also want to make allowances in their long term planning for the possible future interchanges at McKnight Boulevard and 12th Street N.E. and McKnight Boulevard and 19th Street N.E. (McCall Way), once a consensus is reached with the City on the exact design and related land and construction matters.

2. PAST ACREAGE ASSESSMENT PAYMENTS

The Federal Government has previously paid acreage assessments in the amounts of \$65,709.72 and \$19,050.25 for the development surrounding the Airport Terminal and the Mail Processing Plant, respectively. These payments were made for water, sanitary and expressways and freeway assessments for the Airport Terminal and for water, sanitary, storm, oversize and expressways, and freeways for the Mail Processing Plant

3 REVIEW OF ACREAGE ASSESSMENT PAYMENTS REQUESTED BY THE CITY

3.1 Water Assessment Levy

(a) Calculation

Water assessment levies are established by calculating 25% of the average capital cost of providing water feeder mains, pumping stations and reservoirs throughout the City. This levy has been in effect since 1971.

(b) Current 1993 Rates

\$3,25 l per hectare

(c) Agreement

- (i) The Calgary Airport Authority will pay for normal industrial commercial and aviation development sites, including parking lots.
- (ii) The Calgary Airport Authority will pay for major building envelopes, including parking lots, related to golf course and recreation development.
- (iii) The Calgary Airport Authority will not pay for golf course lands, open space, outside recreational and extensive development such as Go-Cart track, driving ranges, etc. and related unpaved parking stalls.

3.2 Sanitary Sewer Assessment Levy**(a) Calculation**

This is established by calculating the actual construction costs of the sanitary trunks plus the carrying charges on the outstanding balance expended, plus the annually re-estimated cost of the uncompleted portion distributed over the undeveloped lands in the catchment area. Calgary Airport Authority lands currently exist in two different catchment areas:

(b) Current 1993 Rates**(i) Area H and R**

- (A) Area H -15th Street N.E. Airport
Current 1993 rates \$2,780 per hectare
- (B) Area R - Nose Creek
Current 1993 rates \$1,656 per hectare
- (C) H and R TOTAL \$4,436 per hectare

(ii) Area Y, AC, and R

| | | |
|-----|--|---------------------|
| (A) | Area Y- Nose Creek Ph 5 Current 1993 rates | \$ 905 per hectare |
| (B) | Area AC- Nose Creek Ph 4 Current 1993 rates | \$ 424 per hectare |
| (C) | Area R- Nose Creek Current 1993 rates | \$1,656 per hectare |
| (D) | Y, AC and R TOTAL | \$2,985 per hectare |

(c) Agreement

- (i) The Calgary Airport Authority will pay for normal industrial, commercial and aviation development sites including parking lots.
- (ii) The Calgary Airport Authority will pay for major building envelopes, including parking lots, related to golf course and recreation development if the building is connected to the City sanitary system.
- (iii) The Calgary Airport Authority will not pay for golf course lands, open space, outside recreational and extensive development, such as Go-Cart tracks, driving ranges, etc., and related unpaved parking stalls.

3.3 Storm Sewer Assessment Levy**(a) Calculation**

This is established by calculating the actual construction costs of the storm trunks plus the carrying charges on the outstanding balance expended, plus the annually re-estimated cost of the uncompleted portion distributed over the undeveloped lands in the catchment area. Calgary Airport Authority lands currently exist in two catchment areas:

(b) Current 1993 Rates**(i) Area L, O, and the White Area****(A) Area L - 15 th Street N.E. (Airport)**

Current 1993 rates \$8,090 per hectare

(B) Area O - McCall/Deerfoot

Current 1993 rates \$2,076 per hectare

(ii) The white area

Currently no charge in place

(c) Agreement

- (i) The Calgary Airport Authority will pay the acreage assessment in Area L - 15th Street N.E. (Airport); and Area O - McCall/Deerfoot if they utilize the existing City storm sewer system.
- (ii) The Calgary Airport Authority will pay acreage assessment on East Airport lands if the 15th Street N.E. and/or Saddleridge storm trunks are utilized.
- (iii) The Calgary Airport Authority will not pay when:
 - (A) the storm drainage goes overland to Nose Creek
 - (B) for open space development such as golf courses and athletic playing fields
 - (C) development related to golf courses and athletic playing fields (buildings, parking lots) when on-site storm retention is used.

3.4 Oversize Levy**(a) Calculation**

The oversize assessment levy is calculated by using the average cost of "oversize" paid by the City over the previous three year period divided by the average land area developed over the same three year period. The purpose of this assessment levy is to allow the City to

recover its cost for payment to developers for "oversize" of water, sanitary and storm facilities.

The City pays oversize to developers when the City requests the developers to construct oversize storm, sanitary or water mains which run through the developer's lands to service other lands. A preliminary review shows that is not likely to occur on Calgary Airport Authority lands.

A developer pays oversize acreage assessments to the City which allows the City to recover its payment to developers for "oversize" of water, sanitary and storm mains. It appears that there is limited, if any, oversize that the City has had to pay to others for providing utilities to Calgary Airport Authority lands.

(b) Current 1993 Rates

\$3,277 per hectare

(c) Agreement

- (i) The Calgary Airport Authority will pay the full oversize assessment levy for McKnight Aviation Park and for that portion of McCall South Aviation Park that is currently not developed (approximately 40 acres).
- (ii) The Calgary Airport Authority will pay partial oversize assessment levy for East Airfield Industrial Park, Barlow Commercial Area, and Deerfoot Aviation Park if the City built water and sanitary system are utilized, except in those cases where the above noted lands utilize a City storm sewer Assessment trunk, in which case the full oversize assessment levy would be paid. The Calgary Airport Authority is exempted from the storm sewer portion as The Calgary Airport Authority provides a storm retention system that drains to Nose Creek.
 - (A) The current 1993 rate is \$3,277 per hectare.
 - (B) The current 1993 rate (storm exempted) is \$2,506 per hectare.

- (iii) The Calgary Airport Authority will not pay oversize assessment levy on the balance of its lands.

3.5 Expressway and Freeway Assessment Levy

(a) Calculation

This is calculated on the cost of constructing a collector road on the normal three mile grid where expressways and freeways would normally be located. The cost of construction is calculated using the unit rates from the previous Development Agreement year, with the costs to be recovered over the normal gross developable acreage.

(b) Current 1993 Rates

\$3,130 per hectare

(c) Agreement

The Calgary Airport Authority will not pay the expressway and freeway assessment levy on Calgary Airport Authority lands based on the fact The Calgary Airport Authority constructed and main' approximately 3 miles of expressway standard roadway (Barlow Trail) on its lands which is available for public use.

4. AREA TO BE ASSESSED

4.1 New Development

The size of the area to be assessed levies will be determined by calculating the size of the parcel being developed based on:

- (a) for private or third party development, the most appropriate of:
 - (i) the legal boundaries of the parcel; or
 - (ii) the leasehold boundaries of the parcel.

- (b) for Calgary Airport Authority projects, the footprint of the proposed structures and buildings plus any associated landscaping and parking lots.
- (c) once the size of the parcel being developed is determined it would then be adjusted by:
 - (i) adding one half of the area of adjacent road right-of-way which is to be developed in conjunction with the parcel and;
 - (ii) subtracting the area of the portion of the site used for aircraft manoeuvring surfaces.

4.2 Redevelopment

Acreage assessment levies do not apply to land parcels undergoing redevelopment or additions to existing development. In those cases where there are land additions, which have not previously been developed, then acreage assessment levies would be payable for that new parcel of land which has been added to the previously developed portion.

5. PAYMENT OF ACREAGE ASSESSMENT LEVIES

- (a) The Calgary Airport Authority or its tenant, as the case may be, will pay the appropriate acreage assessment levies due on the development lands to the City of Calgary prior to the release of the Building Permit for the development of the applicable site.
- (b) The amount of the payment shall be as determined by the Director based on the principles contained in this document
- (c) If The Calgary Airport Authority disagrees with the acreage assessment charges established by the Director, The Calgary Airport Authority may submit an appeal as described in the Appeals section of this Agreement.