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¹ 3357/W-2015

- (l) outdoor recreation amenities that are devoted to the communal use of residents living on the Site, including but not limited to, an above ground pool, hot tub, backyard skating rink, play structures, putting green or tennis court;
- (m) internal alterations and maintenance, or repair to any Building provided that the use, intensity, height or Floor Area of the Building does not change;
- (n) Site grading in accordance with an executed development agreement;
- (o) minor Structures not exceeding 1.8m in height which are accessory to residential uses, such as barbeques, tents for camping, dog houses, lawn sculptures, bird feeders, raised planting beds or other similar Structures;
- (p) Accessory Buildings within a residential District with a Floor Area of 10.0 m² or less and a height of 2.4m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw.
- (q) ¹The basement development of any residential Dwelling Unit in which the Dwelling Unit has received a development permit.
- (r) ²Where a home occupation that does not generate any client or vehicular traffic is a permitted use, it will be exempt from the Development Permit process provided that such use shall be in accordance with the regulations contained in section 4.7(8) Home Occupations.
- (s) ³Development undertaken by the City or on the City's behalf for repair or upkeep on Public Property in the P1 Parks and Recreation District, and A2 Environmental Preservation District including picnic areas, play structures, outdoor furniture, playgrounds or tot lots. This exemption does not include any development requiring tree removal.

¹ 3357/D-2016

² 3357/A-2017

³ 3357/G-2018

¹**Discretionary Use** means a use of land, building or other structure that may be permitted by the Development Authority after due consideration is given to the impact of that use upon neighbouring land and other lands in the city, and includes accessory and similar uses.

District means a land use district established under this Bylaw.

Drinking Establishment (adult entertainment prohibited) means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises as accessory uses but does not include or permit adult entertainment. This drinking establishment includes any premises in respect of which a “Class A” Liquor License has been issued and where minors are prohibited by the terms of the license and where no adult entertainment is permitted.

Drinking Establishment (adult entertainment permitted) means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, adult entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages

¹ 3357/E-2014

for consumption away from the premises as accessory uses. This drinking establishment includes any premises in respect of which a “Class A” Liquor License has been issued and where minors are prohibited by the terms of the license and where adult entertainment is permitted but does not include an adult mini-theatre or a facility in which lap dancing is performed, or a late night Club.

²**Driveway** means that portion of a lot used to provide access from a street or lane to a parking space or spaces and which has been graded, constructed and maintained with dustless materials, including but not limited to concrete, asphalt or paving stone. A Driveway does not include a Parking Pad.

³**Dwelling Unit** means a self-contained building or a portion of a building, whether occupied or not, usually containing cooking, eating, living, sleeping and sanitary facilities and used or designed to be used as a permanent residence by a household.

⁴**Eco-Industrial Development** means a type of industrial park in which businesses cooperate with one another and the local community in an attempt to reduce waste, efficiently share resources (such as information, materials, water, energy, infrastructure and natural resources), and produce sustainable development, with the intention of increasing economic gains and improving environmental quality.

⁵**Escarpment Area** means a Site, any part of which lies within the areas identified on

² 3357/G-2018

³ 3357/C-200, 3357/Z-2009, 3357/N-2010

⁴ 3357/H2014

⁵ 3357/M-2008

the Land Use Constraint Maps in Schedule A and includes any site which contains or is adjacent to an escarpment or slope which in the reasonable opinion of the Development Officer could be affected by soil instability.

Financial Services means the provision of services related to financial matters, including the deposit or lending of money, the sale of financial investments and the provision of financial planning services.

Flood Fringe means the outer portion of the flood risk area, adjacent to the floodway, wherein the water is generally shallower and flows more slowly than in the floodway.

Flood Risk Area means the area which would be inundated by the 1:100 year flood along the Waskasoo Creek and the Red Deer River as identified on the Flood Risk Map established by the Canada-Alberta Flood Damage Reduction Program.

Flood Risk Overlay means the Flood Risk Overlay, Figure 16 within Part 7, adopted by this Bylaw, which identifies the flood risk and flood fringe areas mapped under the Canada-Alberta Flood Damage Reduction Program.

Floodproofing means with respect to a building or building extension, a design, manner of construction or sitting thereof for the purpose of preventing damage by floods of a specified magnitude.

Floodway means that part of the flood risk area where the flood waters are deepest, fastest and hence most destructive.

Floor Area of a building means the building footprint or area of the building calculated by reference to the perimeter of the exterior foundations of the building.

¹**Frontage** means the linear length of the Front Boundary measured at the Front Yard setback. If there is no approved Building on the Site, the Frontage is measured at the maximum Front Yard setback.

²**Funeral Home** means an establishment which provides for the arrangement of funerals, the holding of funeral services, and the preparation of the dead for burial or cremation, but which does not include a Crematorium or cremation chamber.”

Gaming or Gambling Establishment means any premises wherein or whereon games of chance or percentage are the principal use of the premises and includes such premises as bingo halls and casinos.

Garage means a building or portion thereof which is designed and used for the storage, parking or the maintenance of personal vehicles.

Garden Suite means a small, temporary, portable, one bedroom dwelling unit limited to occupancy by elderly parents of the registered owner and located upon the same lot as an existing single detached residence occupied by such registered owner.

Grade means the lowest level of finished ground elevation adjoining a building at any exterior walls.

¹ 3357/Q-2016

² 3357/L-2009

¹**Green Building Materials** means building materials that are salvaged, refurbished, or recycled (pre and post-consumer products).

²**Green Roof** means a roof on a building which has been designed to facilitate the growth of vegetation in a growing medium. The green roof may be partially or completely covered in plants.

³**Gross Floor Area** means the sum all areas of all plans of a building measured to the glass line, or where there is no glass line to the outside surface of the exterior walls, or where the buildings are separated by firewalls to the center line of the common firewall, and includes all floors totally or partially including basements, mezzanines and upper floors and all mechanical equipment areas.

Gross Vehicle Weight Rating (GVWR) is the maximum weight a vehicle should reach in use, including the vehicle itself, passengers and cargo, but not including a trailer. A vehicle's GVWR is established by its manufacturer.

⁴**Health and Medical Services** means a development used for services related to the physical or mental health of individuals on an out-patient basis. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative in nature or may consist of treatment or counselling. Uses may include but are not limited to medical clinics, dental clinics, optometrists, chiropractic and psychiatric or medical counselling services.

¹ 3357/H-2014

² 3357/H-2014

³ 3357/A-2006

⁴ 3357/E-2011

Home Music Instructor/Instruction means the instruction of students in musical instruments, voice and music theory for formal educational purposes from a dwelling unit, subject to section 4.7 (10).

Home Occupation means the conduct of a business or business related activity from a residential site but does not include Bed and Breakfast operations.

Hostel means short term lodging for travellers where patrons pay for accommodation.

⁵**Household** means an individual, or two or more persons related by blood, marriage or adoption, or a group of up to five unrelated persons, all living together as a single housekeeping unit and using common cooking facilities. The development shall be primarily residential in character but may include non-resident staff providing professional care or supervision, which may be in the nature of ongoing medical care, nursing or homemaking services. A household shall not include an Assisted Living Facility or a Temporary Care Facility.

⁶**Immediate Street Context** refers to existing Buildings and Signs along the same street Frontage (both sides of the Street) as the proposed Development or Sign and within the same block.

⁷**Industrial Support Service** means a Development whose principal use is to provide support services to industrial clients.

⁵ 3357/C-2007

⁶ 3357/A-2016, 3357/GG-2017

⁷ 3357/C-2016

Typical uses include, but are not limited to, duplicating, photocopying and blueprinting services, building security, cleaning or maintenance services, engineering (with dangerous goods), industrial drafting, land surveyors, laboratories, oilfield services, project design and management services, construction trade, information technology support services, financial and insurance service outlets and construction contractors, and exclude Offices. Any retail sales, display or Office areas shall be accessory to the principal Industrial Support Service use.

¹**Industrial Trade School** means a facility which provides education or training to adults in trades used in an industrial context, including electrical, plumbing, carpentry, welding, mechanics, sheet metal work, vehicle driving, surveying and similar skills.

²**Institutional Service Facility** means a facility:

- (a) a facility providing cultural, educational or community services to the public such as libraries, museums, archives, auditoriums, concert halls, colleges, schools, places of worship or assembly;
- (b) a Secured Facility; and
- (c) a facility providing government services or services provided on behalf of government services including hospitals, fire stations, police stations, court houses and detention and correction centres.

Lane means a public roadway not exceeding 9.2 m in width, which provides a secondary means of access to a site.

¹ 3357/L-2011

² 3357/C-2007, 3357/T-2015, 3357/A-2017

³**Landfill** means a Landfill as defined in the Subdivision and Development Regulation, as amended.

⁴**Landfill/Wastewater Treatment Plan Setback** means the area in proximity of a landfill or wastewater treatment plant as established by the Subdivision and Development Regulation within which subdivision for and/or development of certain uses cannot be approved by the Subdivision or Development Authority without the written consent of the Deputy Minister of Environment and Parks to vary the setback distance as per the Subdivision and Development Regulation, as amended. These areas are shown for illustrative purposes only on the Land Use Constraints Maps in Schedule A. The Subdivision or Development Authority may require the applicant to verify the setback distance as part of the subdivision approval application or development permit application.

⁵⁶**Landscaped Area** means the portions of a lot or development which are modified and enhanced through the use of lawns, garden plots, naturoscaping materials, “green roofs”, shrubs, trees, flowers or other ornamentals.

Lap Dancing means a live performance by a nude or partially nude person, the main feature of which is the performance or simulated performance of sexual acts with another person or the touching of another person in any way during such performance.

³ 3357/G-2018

⁴ 3357/G-2018

⁵ 3357/T-2009, 3357/F-2011

⁶ 3357/H-2014

Late Night Club means a facility, the primary purpose of which is to host late night events where:

- (a) no alcohol or alcoholic beverages are available on the premises for consumption or for sale;
- (b) 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
- (c) the event is held for the purpose of gain or profit;
- (d) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
- (e) music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music sound or band music is performed or played.

¹**Live Work Unit** means a dwelling unit where a business other than a permitted home occupation is operated by the resident and up to two employees.

Low Impact Commercial Use means the conducting of merchandise sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling in a residential district in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses.

Manufactured Home means a transportable factory built residential building containing one dwelling unit suitable for long term occupancy, designed to be movable,

¹ 3357/BB-2009

transported on its own wheels and chassis or other means and arriving at a site ready for occupancy except for incidental operations such as placement on foundation supports and connection to utilities.

²**Medical Marihuana Facility (MMF)** means any building in which an activity authorized by the Medical Marihuana Production Regulations, SOR/2013-119, or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, producing, labelling and packaging, storing, and transporting of marihuana.

³**Microbrewery** includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room where guests may sample alcoholic beverages without charge, Drinking Establishment or Restaurant; The floor area devoted to the production and packaging shall be no more than 70% of the gross floor area.

⁴**Minimum Gravel Parking Standard** means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth, or greater if determined by the Development Authority based on adverse soil conditions.

Motor Vehicle Sales, Service or Repair means the sales, servicing and repair of motor vehicles including service stations and car washes.

² 3357/E-2014

³ 3357/AA-2014, 3357/T-2015, 3357/V-2017

⁴ 3357/I-2013

¹**Multi-attached Building** means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or each unit is on its own individual lot, and each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, triplexes and fourplexes.

²**Multiple Family Building** means a residential building containing three or more dwelling units having shared entrance facilities, in which the dwelling units are arranged in any horizontal or vertical configuration

³**Naturescaping** means the modification and enhancement of a lot or development to promote water efficiency and reduce the dependence on fertilizers and pesticides. For the purpose of this section, the use of native central Alberta non-invasive vegetation is preferred in combination with other landscaping materials.

Office means a development that provides professional, management, administrative, consulting, and health care services, such as the offices of doctors, lawyers, accountants, engineers, architects, clerical, secretarial, employment, telephone answering and similar office support services.

1:100 Year Flood Elevation means the water level reached during a 1:100 year flood as determined in accordance with

¹ 3357/I-2013
² 3357/I-2013
³ 3357/T-2009

technical criteria established for the Canada-Alberta Flood Damage Reduction Program.

⁴**Outdoor Display or Sale of Goods** means the display of goods intended for sale or the sale of goods on any portion of a site, but does not include the sale or display of goods by licensed hawkers.

⁵**Outdoor Storage** means the storage of goods outside the principal building or buildings on a site but does not include the outdoor display or sale of goods nor accessory buildings and garbage enclosures.

⁶**Parking Pad** means that portion of a lot intended to accommodate part or all of the required off-street parking space(s) for a residential land use where a garage, parking lot or other parking facilities may or may not be otherwise provided and which has been graded, constructed and maintained with dustless materials, including but not limited to concrete, asphalt or paving stone. A Parking Pad does not include a Driveway.

⁷**Patio** means an uncovered horizontal structure with a surface height no greater than 0.6 metres above grade at any point and which is adjacent to a residential dwelling, and intended for use as a private outdoor amenity space;

Permitted Uses means the use of land or a building which in a land use district table appears under the heading 'Permitted Uses'.

⁴ 3357/E-2006
⁵ 3357/E-2006
⁶ 3357/G-2018
⁷ 3357/S-2016

¹**Pet Crematorium** means a facility to conduct cremations of pets or companion animals weighing less than 136 kg.

Planning Department means the department or agency providing planning services to The City.

Principal Building means a building which:

- (a) occupies the major or central portion of a site;
- (b) is the chief or main one amongst the buildings on the site; or
- (c) constitutes, by reason of its use, the primary purpose for which the site is used.

Professional Engineer means a professional engineer or registered professional technologist (engineering) who holds a certificate of registration to engage in the practice of engineering under the “Engineering, Geological and Geophysical Professions Act.”

Public and Quasi-Public means any governmental or similar body and includes an agency, commission, board, authority, public corporation or department establishment by such a body.

²**Public Property** means all lands owned or under the control of The City of Red Deer and includes highways, medians, boulevards, sidewalks and parks.

³**Raffle Home** means a Dwelling Unit that constitutes a prize in a raffle or lottery open

to the public, and may be used as a venue for selling raffle tickets.

Residential Building means a building which is designed or used exclusively for one or more dwelling units.

⁴**Residential District** means a land use district primarily related to or used for residential housing (for example, a Detached Dwelling Unit, Multi-attached Building).

Restaurant means an establishment the primary purpose of which is the preparation and sale of food for consumption on the premises, and the secondary purposes of which may include the sale of alcoholic or non-alcoholic beverages incidental to the meal, take-out food services and catering. A restaurant does not include a drinking establishment but does include any premises in respect of which a “Class A” Liquor License has been issued and where minors are not prohibited by the terms of the license.

⁵**Secondary Suite** means a self-contained Dwelling Unit that is located within a primary Dwelling Unit, where both Dwelling Units are registered under the same land title.

⁶**Secured Facility** means a facility providing residential accommodation in addition to continuous on-site professional care and supervision to persons whose cognitive or behavioural health needs require increased levels of service and a structure with enhanced safety and security controls such as entrances and exits under

¹ 3357/M-2008

² 3357/E-2006

³ 3357/T-2015

⁴ 3357/GG-2017

⁵ 3357/Z-2009

⁶ 3357/A-2017

the exclusive control of the staff and secured rooms / buildings, fences, and secured windows and doors.

Semi-detached Dwelling Unit means a dwelling unit joined side by side to one other dwelling unit with a common wall and each dwelling unit having at least one separate entrance.

Service Station means any premises at which flammable or combustible liquids are put into the fuel tanks of vehicles and includes self-service outlets.

¹ **Setbacks from ATCO High Pressure Pipelines** mean a setback of 15.0m from the centre of the right-of-way of the high pressure ATCO pipeline shall be applied to any building except accessory buildings exempt from a development permit under Section 1.2(2)(p). The Development Authority may, at its discretion relax the setback after consultation with ATCO.

²**Setbacks from TransCanada Pipeline** mean that a setback of 7.0 m to the principle building shall be applied from the high pressure TransCanada pipeline right-of-way. The Development Authority may, at its discretion, relax the setback after consultation with TransCanada.

³**Show Homes** means a Dwelling Unit that is used temporarily to exhibit Dwelling Units for sale or rent, and may be used as a sales office.

Signs where any type of sign is referred to in this Bylaw, such sign shall have the

definition set forth in the sections 3.3 and 3.4.

Site means any lot or parcel of land as defined in the Act, or, in the case of a shopping centre, the total area on which the shopping centre is located, whether divided into several lots or condominium parcels or not.

⁴**Site, Corner** – DELETED

⁵**Site Coverage** means the area of a Site covered by a Structure with a roof. For example, Principal Building(s) and all Buildings on foundations movable sheds, and covered decks.

⁶**Site Plan** means a plan development for a site including but not limited to, the relationship between buildings, structures and open spaces; the provision and architecture of landscaped open space; parking layout; the layout; dimensions and construction standards of interior roads, sidewalks and street lighting; the location of utility rights of way; provision for emergency services, including access by emergency vehicles and fire suppression; the location, dimension and screening of waste containers. In addition, in the case of a residential bare land condominium development, the term “site plan” also means the configuration, size and dimensions of individual bare land condominium units and the setbacks of building locations from the boundaries of such units.

¹ 3557/U-2015

² 3357/J-2013

³ 3357/T-2015

⁴ 3357/Q-2016

⁵ 3357/Q-2016

⁶ 3357/H-2008

¹Stacked Town or Row Housing means a Multi-attached Building which is constructed such that at least 1 dwelling unit is located totally or partially above another multi-attached dwelling unit.

Storey, first means the floor of a building closest to grade at the front elevation and having its ceiling more than 1.7 m above grade.

Street means a registered street or public roadway and does not include a lane and walkway.

Structure means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground but not including pavements, curbs, walks or open air surfaced areas.

²Supervised Consumption Services means a location where, pursuant to an exemption granted for medical purposes by the federal government, a person may consume a controlled substance that was obtained in a manner not authorized under the Controlled Drugs and Substances Act in a supervised and controlled environment.

Tandem Parking means parking spaces laid out in such a way that one or more vehicles block another vehicle or vehicles from entering or exiting a parking space. Tandem parking is not the same as parallel parking.

Temporary Building means a building without any foundation below grade and includes a soft-sided or other structure designed to serve as a temporary garage,

storage shelter or greenhouse, but does not include an “Accessory Building”.

³Temporary Care Facility means a facility providing temporary living accommodation and includes such facilities as overnight shelters, halfway houses, short term medical rehabilitation centres, detoxification centres, hospices and other similar uses.

Temporary Home Stay Accommodations means the sale of overnight accommodation in a dwelling in a residential district, with or without a breakfast meal, as provided for in section 4.7(12).

Tourist means a person on vacation away from that person’s ordinary place of residence.

Trailer means any vehicle or conveyance equipped or designed to be equipped with wheels, whether self-propelled or not, which is used for or intended to be used as:

- (a) a dwelling or sleeping place for one or more persons and includes a holiday trailer and a recreational vehicle, but does not include a manufactured home, or
- (b) a vehicle to transport property, household goods, tools, equipment, supplies, off road vehicles or watercraft.

Transportation, Communication or Utility Facility means a facility for bus depots, trucking, taxi or courier firms, telephone, radio or television production or transmission, and water, sewer or electrical energy transmission, or railway right of way.

¹ 3357/I-2013
² 3357/II-2017

³ 3357/C-2007

Utilities mean public utilities as defined in the Act, with the exception of waste management.

Warehouse means a building for the indoor storage of goods or merchandise but does not include a building the principle use of which is the sale of goods.

¹**Wastewater Treatment Plant** means a Wastewater Treatment Plant as defined in the Subdivision and Development Regulation, as amended.

Yard means the open space on the same site as a building and unoccupied by buildings or structures. In determining yard measurements the minimum horizontal distance from the respective boundary shall be used.

Yard, Front means that part of a site which extends across the full width of a site between the front boundary and the nearest wall or supporting member of a building.

Yard, Rear means that part of a site which extends across the full width of a site between the rear boundary and the nearest wall or supporting member of a principal building.

Yard, Side means that part of a site which extends from a front yard to the rear yard between the side boundary of a site and the nearest wall or supporting member of a principal building.

²**Xeriscaping** means a method of landscaping that uses plants that can survive

dry periods on their own without reliance on watering, fertilizer or other maintenance.

¹ 3357/G-2018

² 3357/H-2014

1.4 Establishment of Districts

(1) The city is divided into the following land use districts and such other land use districts as may be set out in this bylaw from time to time:

A1	Future Urban Development District
A2	Environmental Preservation District
C1	Commercial (City Centre) District
C1A	Commercial (City Centre West) District
C2A	Commercial Regional (Shopping Centre) District
C2B	Commercial District (Shopping Centre) District
C3	Commercial (Neighbourhood Convenience) District
C4	Commercial (Major Arterial) District
C5	Commercial (Mixed Use) District
DC	Direct Control District (which may be subdivided into sub-districts designated by number)
I1	Industrial (Business Service) District
I1A/BSR	(Light Industrial and Business Service–Residential) District
I2	Industrial (Heavy Industrial) District
P1	Parks and Recreation District
PS	Public Service (Institutional or Governmental) District
R1	Residential (Low Density) District
R1A	Residential (Semi-Detached Dwelling) District
R1C	Residential (Carriage Home) District
⁷² R1G	Residential (Small Lot) District
R1N	Residential (Narrow Lot) District
R1WS	Residential (Wide/Shallow Lot) District
⁷³ RL-C	Riverlands Commercial District
⁷⁴ RL-PR	Riverlands Primarily Residential District
⁷⁵ RL-TD	Riverlands Taylor Drive District
R2	Residential (Medium Density) District
R2T	Residential (Town House) District
R3	Residential (Multiple Family) District
R4	Residential (Manufactured Home) District
RLW	Residential (Live-Work) District

(2) The following subdistricts are established, which may qualify or limit the uses in a land use district:

⁷² Correction #29

⁷³ 3357/Q-2016

⁷⁴ 3357/Q-2016

⁷⁵ 3357/Q-2016

- D Density (dwelling units per hectare) District
- HP Historical Preservation District
- HS Historical Significant District
- V Vertical Height District

(3) District Delineation Rules

- (a) A district may be referred to by the letter or letters and the number set in front of the name of the district listed above.
- (b) The boundaries of land use districts shall be as set out in the Use District Maps attached as Schedule "A" and the parcels within such districts shall have the permitted and discretionary uses, and shall be subject to the building regulations which are set out in this Bylaw for that district.
- (c) Where the application of the above rules does not determine the exact location of the boundary of a district as that applies to a specific parcel or parcels of land, the Council either on its own motion or upon written application by any person requesting the determination of the exact location of the boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as the circumstances may require.
- (d) Where a parcel is located on or adjacent to an escarpment area and has more than one land use district applicable to the parcel, the boundary between the two land use districts shall be the top of the slope of the escarpment.
- (e) After the Council has fixed a district boundary under section 1.4 (3)(c), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- (f) The decisions of the Council with respect to boundaries or portions thereof fixed by it shall be recorded and maintained by The City Clerk.
- (g) Notwithstanding the foregoing, the permitted and discretionary uses for any parcel of land shall be subject to such restrictions or limitations as may be contained in any Area Structure Plan or Area Redevelopment Plan which applies to that parcel. The following are examples of how this principle is intended to operate:

 - (i) in an R1 District, a two-storey home with a walkout basement is, by implication a permitted use. However, if a statutory Plan for a particular area shows two-storey homes with walkout basements being allowed only on certain designated R1 parcels, then the permitted use for the parcels where two-storey homes with walkout basements are not shown on the plan shall be deemed to be restricted so as not to allow two-storey homes with walkout basements on those parcels, or

- (ii) in a PS District, institutional service facilities are a permitted use and that would include elementary, middle and high schools. However, if the intended use of a particular PS District shown in a statutory plan is limited to an elementary school, then the permitted use of “school” for that particular parcel shall be deemed to be limited to an elementary school.

1.5 ⁷⁶DELETED

1.6 Effective Date

- (1) This Bylaw comes into force and takes effect upon the date of its third reading.
- (2) Land Use Bylaw 3156/96 as amended is hereby repealed.

⁷⁶ 3357/W-2015

**Part Two: Administrative Duties and Responsibilities,
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¹ 3357/G-2018

- (2) The applicant shall make arrangements satisfactory to the City Clerk for the payment of the estimated cost of the public meeting and any advertising costs, prior to scheduling a public meeting or any advertising.

2.22 Limit of Frequency of Applications for Amendments

- (1) When an application for a change in land use designation has been refused, another application for a similar change in land use designation for the same parcel of land may not be made until at least six months after the date of refusal.

2.23 Guidelines

- (1) The City Manager is authorized to establish and implement planning guidelines, standards and procedures in accordance with the Council's Planning and Development Policy. These guidelines outline the procedure to be followed or factors to be considered by the Development Authority with respect to particular types of development, including but not limited to communications towers and redevelopment in existing neighbourhoods.

¹2.24 Applications Within Landfill / Wastewater Treatment Plant Setback Areas

- (1) For a subject parcel wholly or partially situated within a Landfill/Wastewater Treatment Plant Setback, The Development Authority or Subdivision Authority will determine if it supports a variance. If a variance is supported, the Development Authority or Subdivision Authority will seek to vary the Landfill/Wastewater Treatment Plant Setback in accordance with the Subdivision and Develop Regulations. The decision to seek consent to vary Landfill/Wastewater Treatment Plan Setback will be at the discretion of the Development Authority or Subdivision Authority.

¹ 3357/G-2018

(b) Discretionary Uses *continued*

- (xi) ¹Billboard Signs (subject to section 3.3, 34 and 7.15)
 - (1) billboard signs except on sites fronting:
 - (a) Gaetz Avenue and Taylor Drive between 28th Street and the southern boundary of the city,
 - (b) Gaetz Avenue between 77th Street and the northern boundary of the city,
 - (c) 67th Street between 59th Avenue and the western boundary of the city, and
 - (d) 19th Street between Gaetz Avenue and Taylor Drive.
- (xii) Transportation, communication or utility facility.
- (xiii) Warehouse.
- (xiv) ²Outdoor storage.
- (xv) ³Gaming or Gambling Establishment subject to section 5.7 (1) (g)

2. C4 Commercial (Major Arterial) District Regulations

(a) Table 5.6 C4 Regulations

Regulations	Requirements
⁴ Floor Area Maximum	One third of site area
Building Height Maximum	Three storeys
Front Yard Minimum	15.0 m
Side Yard Minimum	Nil, when there is a constructed lane 3.8 m on one side when there is no constructed lane 3.0 m when it abuts a street
Rear Yard Minimum	3.0 m
Landscaped Area Minimum	40% of minimum front yard, however, if it is determined by the Development Authority that landscaping is required elsewhere on the site, then 15 % of the site area may be required to be provided
Parking	Subject to section 3.1 and 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one per building, subject to section 5.7(3)
Site Area	Minimum 1393 m ² Maximum 4.0 ha
Frontage	Minimum 30.0 m

(b) C4 District is subject to any applicable commercial regulations listed within section 5.7.

¹ 3357/G-2016

² 3357/E-2006

³ 3357/J-2007

⁴ 3357/G-2018

¹5.6.1 C5 Commercial (Mixed Use) District



General Purpose

The general purpose of this District is to allow for a variety and mix of commercial and residential uses in the context of a sustainable, healthy and pedestrian focused neighbourhood. This area is suitable for collector street orientated retail development incorporating residential uses above. While mixed use commercial buildings that combine living alternatives with community orientated commercial uses are envisioned, separate freestanding residential or commercial buildings will be allowed.

1. C5 Permitted and Discretionary Uses Table

(a) ²Permitted Uses
(i) Day care facility
(ii) Dwelling units above the ground floor
(iii) Health and medical services
(iv) Home music instructor/instruction, subject to section 4.7(10)
(v) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(vi) Live work unit subject to section 4.3.2(2)(b)
(vii) Merchandise sales and/or rental (excluding industrial goods, motor vehicles, machinery and fuel and all uses where primary focus is adult orientated merchandise and/or entertainment)
(viii) Multiple family building with a minimum density of 35 dwelling units/hectare
(ix) Multi-attached buildings with a minimum density of 35 dwelling units/hectare
(x) ³ Restaurant without drive-through
⁴ (xi) Show Home or Raffle Home.
(xii) Signs, subject to section 3.3 and 3.4: (1) Awning and canopy signs (2) Fascia Signs (3) Neighbourhood identification sign (4) Projecting signs

¹ 3357/L-2013

² 3357/D-2015

³ 3357/G-2018

⁴ 3357/T-2015

(b) ¹Discretionary Uses	
(i)	Accessory building or use
(ii)	Assisted living facility
(iii)	Commercial entertainment facility
(iv)	Commercial recreation facility
(v)	Commercial service facility
(vi)	Drinking establishment (adult entertainment prohibited) and subject to section 5.7(8)
(vii)	² Office in total not to exceed 10% of the gross commercial floor area of the site on which it is located.
(viii)	Parking lot/parking structure
(ix)	Place of worship or assembly
(x)	Public and quasi-public buildings
(xi)	Transportation communications or utility facility
(xii)	Outdoor display or sale of goods
(xiii)	³ Restaurant with drive-through
(xiv)	Sale of fuel
(xv)	Signs subject to section 3.3 and 3.4: <ul style="list-style-type: none"> (1) Freestanding (2) Portable signs (3) Painted wall signs (4) Wall signs

2. C5 District Regulations

Table 5.6.1 C5 Regulations

Regulations	Requirements
Residential Floor Area Minimum	37.0 m ² per dwelling unit
Site Coverage	Residential: Maximum 80% (includes parking structures and accessory buildings) Commercial: Minimum one third of site area (ground floor)
Building Height	Multiple family, mixed use, commercial or public building: <ul style="list-style-type: none"> ▪ maximum 4 storeys Multi-attached building: <ul style="list-style-type: none"> ▪ minimum 2 storeys; ▪ maximum 2½ storeys
Landscaped Area Minimum	15% of site area

¹ 3357/D-2015

² 3357/G-2018

³ 3357/G-2018

Parking Spaces	Subject to sections 3.1 & 3.2
Design Criteria	Subject to section 5.6.1 (4)

3. Approving Authority

- (a) The Development Authority is the Approving Authority for all uses and development in this district. In exercising its approval powers, the Development Authority shall ensure that development, in addition to the above District Regulations, also conforms with any Design Criteria as set out in an applicable overlay district.
- (b) All development standards, site plan, site access, the relationship between buildings, structures and open space, the architectural treatment of any building, the provision and architecture of landscaped areas, and the parking layout shall be subject to approval by the Approving Authority.

4. Design Criteria

The following Design Criteria regulations are applicable to the C5 Commercial (Mixed Use) Land Use District.

- (a) Regulations for all Developments
 - (i) The physical relationship of building with the street is critical in establishing the overall character of the area. The building shall have a strong presence along its public street fronting property line and an inviting interface with the public realm's sidewalk and street.
 - (ii) Developments shall create variety, character, comfortable scale and visual interest by incorporating a variety of building styles.
 - (iii) The Principles of Crime Prevention through Environmental Design (CPTED) shall be applied to all development.
 - (iv) High quality hard and soft landscaping elements shall be provided including trees and shrubs that add value throughout all seasons.
 - (v) Developments shall be designed with green technologies and materials that reduce energy, waste and conserve water (i.e. green roofs, solar energy systems, district energy).
 - (vi) Buildings fronting collector streets shall have minimal front yard setbacks unless additional space is required for such

things as an eating patio, major private art display, water feature or other amenity.

- (vii)** The rear yard setbacks shall be flexible and as required to allow for site access, on-site parking, loading and servicing.
- (viii)** Developers shall create opportunities for pedestrian linkages with adjacent properties.
- (ix)** Street elevations of buildings located on corner properties shall have equal sidewalk interface and architectural corner features and high quality elevation treatments along each street edge.
- (x)** Building walls facing a public street shall be articulated at approximately 6-8 metre intervals containing varied design elements such as entrances, windows, vertical accents, setbacks, canopies and signage, projections, and roof lines.
- (xi)** 1When fronting a road right of way, the front elevation of any commercial or multiple family building exceeding 2 storeys in height shall be set back from the lower floors. Residential floors above any street level commercial shall be set back from the commercial level building face. As many residential units as possible shall view the street.
- (xii)** All businesses or stores shall have their own clearly identifiable street level entry.
- (xiii)** All commercial ground floor elevations facing a street shall contain un-tinted glass windows.
- (xiv)** Underground parking is highly encouraged. All surface parking shall be paved and located behind the building(s) in carefully designed, landscaped lots with defined, integrated pedestrian connections to public sidewalks and trails. No surface parking shall be allowed between a street and a building.
- (xv)** To assist in establishing a sustainable urban environment, internal private laneways are encouraged as part of the design to allow servicing, access to parking, as well as key pedestrian linkages.
- (xvi)** Signage shall comply with the signage requirements of the Land Use Bylaw for the C1 District.

(b) Regulations for Free-standing Residential Developments

- (i)** No residential development to front an arterial roadway.
- (ii)** Street facing ground floor units shall have their own individual access from the public sidewalk through a private front yard or courtyard. Each street-facing unit on higher floors shall have its own balcony with glass or ornamental metal railing.
- (iii)** Each ground floor unit shall have a private, landscaped front yard. Front fencing may be used to provide security, but no solid fence shall be allowed higher than 1.0 metre above the sidewalk level.
- (iv)** Ramps to underground parking should be located at the rear or side of the building rather than from a front street location.
- (v)** No on-site parking shall be allowed in the front yard of any residential building.”

6.3 I1A/BSR (Light Industrial and Business Service-Residential) District



General Purpose

The general purpose of this district is to allow for future redevelopment of industrial sites to create an area of new commercial and business service uses combined with residential dwelling units and existing industrial uses. New development is intended to be compatible with the surrounding neighbourhood to enhance the quality of life in the community. All new development must be consistent with the principles and objectives of the Riverside Meadows Area Redevelopment Plan.

1. I1A/BSR Permitted and Discretionary Uses Table

(a) Permitted Uses	
(ii)	Commercial services facilities, excluding a funeral home, crematorium, any gaming or gambling establishment, any drinking establishment or late night club, or any adult entertainment or related use.
(iii)	Dwelling units above the ground floor with one of the following located on the ground floor: <ul style="list-style-type: none"> (1) office, (2) merchandise sales and/or rental excluding sales and/or rental of adult oriented merchandise, motor vehicles, machinery, fuel, and liquor, beer or wine, (3) ¹restaurants excluding drive-through fast food restaurants, (4) commercial service facility, excluding a funeral home, crematorium, any gaming or gambling establishment, any drinking establishment or late night club, or any adult oriented entertainment or related use, or (5) financial institutions.
(iv)	Financial institutions.
(v)	Home occupations subject to section 4.7(8).
(vi)	Industrial support services, excluding dangerous goods, oilfield services and/or construction trade or contractors and provided it takes place in a building existing as of July 15, 2003 .
(vii)	Multi-attached or multiple family dwelling units.
(viii)	² Restaurants excluding drive-through fast food restaurants.
(ix)	Service and repair of goods traded in the District (excludes service stations and/or car washes) approved prior to July 15, 2003.
(x)	Signs (subject to sections 3.3 and 3.4): <ul style="list-style-type: none"> (1) awning signs, and canopy signs,

¹ 3357/G-2018

² 3357/G-2018

- (2) fascia signs (advertising the name of the business and services only),
 - (3) freestanding signs in existence as of July 15, 2003 and the replacement of these signs to a maximum of the existing height and size, and
 - (4) projecting signs.
- (xi) The following uses are permitted on the lands indicated, provided that they are in existence as of July 15, 2003 and provided that they continue to meet the conditions listed below:
- (1) Lot 1, Block N, Plan 1861KS as a trophy, award, and plaque production, production of promotional products, and associated retail sales.
 - (2) Lot 22 & 29, Block 17, Plan 7604S, as storage and warehouse.
 - (3) Lots 18-21, Block 17, Plan 7604S as automotive repair and parts sales.
 - (4) Lot 24, Block 17, Plan 7922177 as production of bottled water, water distribution and related sales.
 - (5) Block H, Plan 5296HW as tire and scrap metal storage and tire repair shop and automotive parts sales.
 - (6) Lot 25, Block 17, Plan 7922177 as indoor air cleaning business.
 - (7) Block N, Plan 3051HW as paint supply, mixing of paint, sale and distribution of automotive related finishes and parts, are deemed henceforth to be permitted uses on that site in a building in existence as of July 15, 2003, provided that the use meets all of the following conditions:
 - (a) The use does not extend further throughout the existing building to include a larger area of floor space of the building than it did as of July 15, 2003.
 - (b) The use is continuous. An existing use may continue in operation provided that it is not discontinued for a period of six consecutive months or more. For this purpose, a discontinuance means a discontinuance in fact, whether intended by the land owner or occupant or not. Notwithstanding the foregoing, the Development Authority may issue one or more six month extensions to the period of discontinuance, but no cumulative extensions totally over eighteen months will be granted.
 - (c) The operation of which meets the performance standards set out in sections 6.4(2) and 6.4(3)(a) and (b), of this bylaw, and which does not create nor emit noises, odours, dusts, fumes, or otherwise create a nuisance.
 - (d) Use on part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot.
- (xii) Notwithstanding the above conditions, where a legally approved industrial building within this District in existence at the time of the passing of this Bylaw, is partially or fully destroyed by fire or other accidental means, it may be replaced for the same use and building size as that which was destroyed.

a clearly defined, efficient and convenient on-Site and off-Site vehicular traffic and pedestrian circulation pattern;

- (b) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses;
- (c) Development on adjacent Sites shall be integrated by direct on-Site access connections to provide opportunities for convenient and free flowing traffic movements between Sites where such integration is advantageous, in the opinion of the Development Authority, due to the existing or potential type of adjacent development and where such access is not prohibited due to such factors as Grade elevations, Site configurations and location of existing Buildings; and
- (d) ¹Service Stations, Motor Vehicle Sales, Service and Repairs and Restaurants with a drive-through service shall be developed in accordance with the following additional criteria:
 - (i) The design, finishing, and siting of development, including the orientation of gas pump island, queuing aisles and service bays, shall be to the satisfaction of the Development Authority having regard to achieving a consistent and compatible relationship with the overall design and finishing of the development, ensuring a high standard of appearance when viewed from adjacent public roadways, and minimizing traffic circulation conflicts both off-Site and on-Site; and
 - (ii) Any canopy located over the gas pump islands shall be designed and finished in a manner consistent with the design and finishing of the Principal Building(s), with the overall height and scale of the canopy to be to the satisfaction of the Development Authority, such that the canopy is not obtrusive and maintains consistency with the eave line of the Principal Building(s).

7. Major Entry Areas Regulations for Landscaping

- (a) In the Major Entry Area, the following minimum regulations shall be met:
 - (i) one tree shall be required for each 40.0m² of Landscape Area;
 - (ii) the proportion of deciduous and coniferous shall be approximately 50:50;

¹ 3357/G-2018

- (iii) where new trees are otherwise required, existing trees having a height of 2.5m may be used if the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the tree) remains undisturbed during construction and final grades are not significantly changes;
- (iv) two deciduous shrubs are required for each 40.0m² of landscape area;
- (v) the proportion of deciduous to coniferous shrubs required shall be approximately 2:1.

8. Major Entry Areas Regulations for Signs

- (a) Notwithstanding any other provision of this Bylaw, Identification Signs located on the facades of Buildings situated in the Major Entry Areas shall be similar to other adjacent Identification Signs as to proportion, construction materials and placement on the Building; and
- (b) The design, placement and scale of Signs shall be to the satisfaction of the Development Authority so as to ensure that the signs do not detract from the overall appearance of the development or the Major Entry Areas, and is not obtrusive.

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8.1 Direct Control District No. 1 DC (1) (See Map M12)



¹General Purpose

The general purpose of this district is to provide for a mix of commercial and residential uses along Bremner Avenue on large lots and to incorporate increased front yard setbacks, increased landscaping requirements, and restricting parking to the rear or side yard.

1. DC (1) Permitted and Discretionary Uses Table

(a) Permitted Uses	
<ul style="list-style-type: none"> (i) Accessory use or building subject to section 3.5. (ii) Commercial recreation facility. (iii) ²Institutional service facility. (iv) Merchandise sales (indoor only) and/or rental, excluding all motor vehicles, machinery, and fuel. (v) ³Restaurants (no drive-through windows). (vi) Service and repair of goods traded in this district. (vii) Signs: Identification and local advertising on the following types of signs subject to section 3.3 and 3.4: <ul style="list-style-type: none"> (1) awning, canopy signs, (2) under canopy signs, (3) fascia signs, and (4) free standing signs. (viii) Transportation, Communication or Utility Facility. (ix) Royal Canadian Legion (x) Red Deer Advocate 	
(b) Discretionary Uses	
<ul style="list-style-type: none"> (i) ⁴Gaming or gambling establishment subject to section 5.7 (1) (g). (ii) Offices limited to the existing buildings along Bremner Avenue (iii) Commercial service facility (iv) Assisted living facility (v) Multiple family building (vi) Dwelling units above the ground floor (vii) Health and medical services (viii) Commercial entertainment facility ⁵(ix) Show Home or Raffle Home 	

¹ 3357/G-2015

² 3357/C-2007, 3357/G-2015

³ 3357/G-2018

⁴ 3357/J-2007, 3357/G-2015

⁵ 3357/T-2015

- (viii) ¹The following uses on Lot 1A, Block 2, Plan 862-1950 (4926-55 Street)
1. Commercial recreation facility that does not cause nuisances that interfere with, detract from or disturb the character of the residential neighbourhood, excluding: amusement arcades, billiard or pool halls, and bowling alleys
 2. Commercial service facility
 3. Dwelling units above the ground floor
 4. ²Restaurant without drive-through
 5. Merchandise sales and/or rental excluding agricultural and industrial motor vehicles or machinery
 6. Office
 7. Service and repair of goods traded on 4926-55 Street
 8. Signs (subject to section 3.3 and 3.4):
 - a. a-board signs,
 - b. awning and canopy signs,
 - c. under canopy signs,
 - d. fascia signs,
 - e. free standing signs,
 - f. neighbourhood identification signs, and
 - g. projection sign.

2. Direct Control District No. 15 Regulations

(a) ³Table 8.6 DC(15) Regulations

Regulations	Standard Requirements	Requirements for Lot 1A, Block 2, Plan 862-1950 (4926-55 Street)
Floor Area minimum	Detached dwelling unit frontage in metres x 6.0 m	Commercial – Nil Dwelling units above the ground floor Minimum – 37 m ² Dwelling units above the ground floor Maximum – three times site area Detached dwelling unit frontage in metres x 6.0 m
Site coverage Maximum	40% includes garage and accessory buildings	Residential- 40% includes garage and accessory buildings Commercial- 60%

¹ 3357/N-2017

² 3357/G-2018

³ 3357/N-2017

**¹8.20.7 Direct Control District No. 27 Neighbourhood Centre DC (27)
(See Map P17)**



²General Purpose

This district shall apply only to the Clearview North Neighbourhood Centre site (the Site). Its purpose is to allow for and encourage a variety of commercial, limited office, residential, civic, cultural and recreational uses that primarily serve the local neighbourhoods. These uses shall be distributed throughout a comprehensively designed development area that emphasizes sustainability and compact pedestrian-friendly urban development.

1. Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Commercial Entertainment Facility.
(ii)	Commercial Recreation Facility.
(iii)	Commercial Service Facility
(iv)	Day Care Facility.
(v)	Home Music Instructor/Instruction, subject to section 4.7 (10).
(vi)	Home Occupations which, in the opinion of the Development Officer, will not generate additional traffic.
(vii)	Merchandise sales and/or rental (excluding industrial goods, motor vehicles, machinery and fuel and all uses where the primary focus is adult oriented merchandise and/or entertainment).
(viii)	Multi-Attached residential Building without commercial or with commercial at or above the ground floor and with residential above, with a minimum density of 35 dwelling units/hectare.
(ix)	Multiple Family Building without commercial or with commercial at or above the ground floor and with residential above, with a minimum density of 35 dwelling units/hectare.
(x)	park.
(xi)	³ Restaurant without drive-through.
(xii)	the following Signs (subject to section 3.3 and 3.4, similar to C4):
	(1) Awning and Canopy Signs,
	(2) Fascia Signs
	(3) Freestanding Signs
	(4) Neighbourhood Identification Signs
	(5) Projecting Signs

¹ 3357/Q-2010

² Correction #29

³ 3357/G-2018

(6) Under Canopy Signs

(b) Discretionary Uses

- (i)** Accessory Building or Use.
- (ii)** Assisted Living Facility without commercial or with commercial at or above the ground floor and with residential above, with a minimum density of 35 dwelling units/hectare.
- (iii)** Drinking Establishment (adult entertainment prohibited).
- (iv)** Institutional Service Facility.
- (v)** Office
- (vi)** Sale of fuel
- (vii)** Outdoor Display of Goods.
- (viii)** Parking Lot/Parking Structure.
- (ix)** ¹Restaurant with drive-through
- (x)** the following Signs (subject to section 3.3 and 3.4, similar to C4):
 - (1)** Portable Signs
 - (2)** Painted Wall Signs
 - (3)** Wall Signs.
- ²**(xi)** Car wash facility on westerly $\pm 33.02\text{m}$ (0.310 ha) of Lot 81, Block 7, Plan 102 5689 (62 Carleton Avenue)
- ³**(xii)** Show Home or Raffle Home.

2. ⁴Approving Authority

The approving authority for applications for development approval in this district shall be as follows:

- (a)** ⁵the Development Authority, in the case of:
 - (i)** Applications for a Permitted Use up to 50,000 square feet (4,645 m²) which are compliant with the provisions of this district and the Site Plan and Design Package;
 - (ii)** an application for a Discretionary Use in an existing approved building; and
- (b)** ⁶City Council in the case of:

¹ 3357/G-2018

² 3357/B-2013

³ 3357/T-2015

⁴ Correction #29

⁵ 3357/A-2012, 3357/I-2013

⁶ 3357/I-2013

- (i) an application for a Permitted Use over 50,000 square feet (4,645 m²);
 - (ii) an application for a Permitted Use which does not comply with the provisions of this district; and
 - (iii) applications for Discretionary Use except as noted in subsection (a) (ii).
- (c) The Development Authority may permit deviation from the Site Plan and Design Package as described in this bylaw, where the proposed changes are deemed by the Development Authority to be minor in scale or are changes that will result in an equal or greater standard of development than that outlined in the Site Plan and Design Package;
- (d) Where the Development Authority deems that the proposed deviation from the Site Plan and Design Package is major in scale or will result in a lower standard of development than that outlined in the Site Plan and Design Package as described in this bylaw, these changes must be approved by City Council.”

3. Concept Design

- (a) All development within this district shall comply with:
- (i) the Site Plan and Design Package approved by Council, which shall comply with the provisions of this district and which shall describe in details the following aspects of development:
 - (A) buildings;
 - (B) landscaping;
 - (C) architecture;
 - (D) public spaces;
 - (E) parking;
 - (F) pathways and roadways; and
 - (G) signage;
 - (ii) the Key Elements listed in subsection (6) below; and
 - (iii) the Neighbourhood Centre Concept Design set out in the following sketch;



4. General Design Guidelines

- (a) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, and all other development standards shall be subject to approval by the approving authority, which may impose, as a condition of approval of any development, such standards as are reasonably necessary to ensure that the development will create the character of the envisioned Neighbourhood Centre district and will achieve the following objectives:
- (i) be consistent with the East Hill Major Area Structure Plan and the corresponding Neighbourhood Area Structure Plans within the mixed use area;

- (ii) be consistent with the East Hill Town Centre Design Guidelines;
- (iii) be consistent with the parking requirements of the Land Use Bylaw;
- (iv) reflect the objective of capturing a blend of office, higher density residential and commercial in a pedestrian friendly environment;
- (v) where the development is adjacent to private/public sidewalks, have a design of front, side and rear façade which are of comparable architectural treatment;
- (vi) be consistent with the following building height regulations:

Storeys	Requirements
Minimum	2 storeys or 6.5 m (or such other lower minimum height which may be established by City Council for buildings under 7,500 square feet)
Maximum	8 storeys or 38.5 m (except where adjacent to single family buildings in which case the maximum shall be 4 storeys or 19.2 m)
Greater than 4 Storeys	In the case of buildings adjacent to a public or private sidewalk or park, the façade of the fifth storey and above shall be stepped back a minimum of 1 metre from the lower storeys, in order to maintain a human scale.
Equal to 4 Storeys	Buildings that are four storeys tall shall treat the third and fourth storeys with materials and colours which are different, from but complementary with, the first and second storeys;
Less than 4 Storeys	N/A

- (b) Each of the Key Elements in the Neighbourhood Centre Concept Design has been assigned a priority from 1 (highest)-to 6 (lowest). In instances where the suggested characteristics of one or more elements contradict each other, priority shall be given to the element with the highest priority.

(c) Key Elements

The following are the Key Elements of the Neighbourhood Centre Concept Design:

(i) Hard Surface Public Spaces: Priority 1

Purpose and Location:

A place for social interaction such as: gathering, public entertainment, displays, markets, or similar activities. At minimum, these spaces shall be placed wherever the main *Pedestrian Promenade* intersects with one or more pathways. In general, wherever multiple pathways intersect a public space shall be considered. There must be at least two hard surface public spaces:

- (1) One that acts as a gateway in the general vicinity of the southwest corner of the Site.
- (2) One that is located at the point (a relatively central location) where the *Regional Trail Pathway* intersects with the *Pedestrian Promenade*.

Components and Programming:

These spaces should include permanent or dynamic public art exhibitions, water fountains, monuments, or any human scale physical component adding a unique character to the space. Street furniture such as benches and tables may be added as permanent features to the space, but the temporary addition of such features is possible.

Design and Relationship with Adjacent Buildings:

These spaces shall be defined by adjacent buildings, essentially creating an “outdoor room”, where the building “*façades*” act as walls. Adjacent building facades shall address the space via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements. The ground surface of these spaces shall primarily be made of hard materials such as stone, brick or concrete. Plants/ vegetation may be used intermittently throughout the space to add character and to soften the environment. Trees may be incorporated into the space in order to provide shelter from the elements throughout the year.

Linkages:

These spaces shall be clearly connected, physically and/ or visually, to other public spaces and residential uses via at least two of the following linkages: *the pedestrian promenade the regional trail pathway, local pedestrian pathways or vehicular pedestrian pathways.*

If one of the aforementioned “pathways” terminates in a public space, the visual “*terminus*” shall be treated with a “significant physical element” creating a “*vista*”. Examples of these “significant physical element” are: an architecturally significant building or building feature, a monument, sculpture, etc. If there is a significant natural element at the *terminus*, then that natural feature may be used as the significant physical element.

(ii) Pedestrian Promenade: Priority 2

Purpose and Location:

Draws people into the Site, and connects the local off Site and on Site residential population with local amenities, business and activities. The corridor also acts as the “spine” of the neighbourhood town centre from which the rest of the neighbourhood town centre and greater community can be accessed. The pedestrian Promenade shall be anchored at the southwest corner of the Site by a Hard Surface Public space and runs through the centre of the Site eventually being anchored in the north / northeast of the Site.

Design and Relationship with Adjacent Buildings:

Adjacent building facades address the space via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements. The ground surface of this space is primarily made of hard materials such as stone, brick, concrete or creatively treated asphalt. Plants/ landscaping may be used intermittently throughout the space to add character and to soften the environment. Trees line the corridor providing shelter from the elements throughout the year.

Components and Programming:

This space may include features such as; permanent or dynamic public art exhibitions, water fountains, monuments, or any human scale physical component adding a unique character to the space.

Places to sit shall be frequently provided via street furniture and/ or landscaping. Where any other major pathway intersects this space, information shall be provided directing people to amenities, businesses and activities. This information can be provided via: signage, kiosks, small vendors etc.

This space may also be used as a place for social interaction providing a space for activities such as; recreation, gathering, public entertainment, displays, markets and similar activities.

(iii) Regional Trail Pathway: Priority 3

Purpose and Location:

A continuation of the existing regional trail system. The Regional Trail Pathway, shall be anchored by two small welcoming spaces, and shall connect the existing trail system to the future development to the east. These spaces shall be landmarks that draw people in to the Site. Each of the anchor spaces shall be at relatively opposite ends of the Site, with one being located in the general vicinity of the northwest corner.

Components and Programming:

Vegetation is used continuously throughout the pathway clearly distinguishing the pathway as the “regional green path system”. This vegetation may include but is not limited to: Trees, shrubs and grass. Places to sit are intermittently provided via street furniture and/ or landscaping. Where any other major pathway intersects this space, information is provided directing people to amenities, businesses and activities. This information can be provided via: signage, kiosks, small vendors etc.

Design and Relationship with Adjacent Buildings:

Where possible, adjacent building facades should address the pathway via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements. Plants/ vegetation may be used intermittently throughout the space to add character and to soften the environment.

(iv) Open Green Spaces: Priority 4

Purpose and Location:

To be used as an alternative to a hard surface public space, these spaces shall be places to enjoy a more “natural” setting. Physical elements may include existing natural features or constructed features. In general wherever multiple pathways intersect there is potential for a open green space or any form of public space.

Design and Relationship with Adjacent Buildings:

These spaces shall be adjacent to buildings that address the space via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements. Adjacent buildings shall at minimum overlook the spaces through windows providing a perceived surveillance of the spaces.

Components and Programming:

Places to sit shall be sporadically provided via street furniture and/ or landscaping. The landscaping should at minimum contain some aspects of the local natural environment or be entirely native to Red Deer/ Alberta. These spaces may include features such as; permanent or dynamic public art exhibitions, water fountains, monuments, or any human scale physical component adding a unique character to the space.

These spaces may also be used as a place for social interaction providing a space for activities such as; recreation, gathering, public entertainment, displays, markets, etc.

(v) Vehicular Pathways: Priority 5

Purpose and Location:

Vehicular pathways shall provide non-curvilinear direct two-way access for motorized vehicles, to the *neighbourhood centre* amenities, activities, businesses, transit stops and parking. There shall be a minimum of 1 access point on the west edge of the Site and 1 at the south edge of the Site to the satisfaction of Engineering Services.

Components:

When possible street parking should be provided. Where any major pathway intersects with the vehicular pathway, pedestrians are given priority via crosswalks. These *pathways* may also consist of pedestrian oriented sidewalks separated from the vehicle path by boulevards. These boulevards shall contain some or all of the following physical elements: Lighting fixtures, trees, signage, or similar elements. Sidewalks and boulevards are at minimum on 1 side of the right of way at all points.

Design and Relationship with Adjacent Buildings:

Where possible, adjacent building facades should address the right of way via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements. Plants/ vegetation may be used intermittently throughout the space to add character and to soften the environment.

(vi) Local Pedestrian Pathways: Priority 6

Purpose and Location:

Shall provide direct access for pedestrians to the *neighbourhood town centre* amenities, public spaces, activities, businesses and parking areas.

Components and Programming:

These pathways shall be defined throughout the neighbourhood town centre via consistent ground material treatment, lighting, signage and when possible boulevards containing trees.

Design and Relationship with Adjacent Buildings:

Where possible, adjacent building facades should address the pathway via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements. Plants/ vegetation may be used intermittently throughout the space to add character and to soften the environment.

General Land Use

(vii) Primarily Residential Area

Purpose and Location:

This general area shall consist of residential uses. Commercial uses shall be considered on the ground floor in this area.

Interface and Relationship with Adjacent Uses:

When a building in this area is adjacent to a public space, or a pathway, the fronting walls/ surface shall address the space/ pathway via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements.

(vii) Primarily Retail Commercial

Purpose and Location:

This general area shall consist of commercial uses. Office uses serving the local area are encouraged throughout this area. Residential uses should be considered above the ground floor.

Design and Relationship with Adjacent Uses:

When a building in this area is adjacent to a public space, or a pathway, the fronting walls/ surface shall address the space/ pathway via some or all of the following elements: entrances/ doorways, windows, patios, or clearly defined and architecturally interesting corridors leading to any of the aforementioned elements.

18.20.8 Direct Control District No. 28 DC (28) (See Map L15, L16, M14, and M15)

DC (28)

General Purpose

As directed in the Greater Downtown Action Plan, the general purpose of this area will be to facilitate the development of a distinctive urban neighbourhood with a high-quality pedestrian environment: medium to high density residential and mixed use residential/commercial land uses; and residential development on the upper floors of ground floor commercial along the 53rd Avenue pedestrian spine. Generally, the land uses are to serve The City and the region, as a whole. This district has been created as an interim measure to guide development in the Railyards neighbourhood while awaiting the preparation of an Area Redevelopment Plan for the area.

1. Direct Control District No. 28 Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Merchandise sales on the ground floor excluding all motor vehicles, machinery, fuel, pawn shops, and adult entertainment.
(ii)	Dwelling Units above the ground floor.
(iii)	Hotel.
(iv)	Office above the ground floor.
(v)	Multiple family building.
(vi)	Multi-attached dwelling unit building.
(vii)	² Restaurants (No drive-through windows).
(viii)	Signs (subject to C1 regulations in sections 3.3 and 3.4):
	a. awning and canopy signs,
	b. under canopy signs,
	c. fascia signs,
	d. neighbourhood identification signs,
	e. projecting sign

(b) Discretionary Uses	
(i)	Accessory building or use subject to section 3.5.
(ii)	Any development legally existing or legally approved prior to the passing of this Bylaw deemed to be a discretionary use duly approved by the Development Authority.
(iii)	Assisted living facility.
(iv)	Commercial Entertainment Facility.
(v)	Commercial Recreation Facility.
(vi)	³ Commercial Service Facility (No drive-through windows).
(vii)	Drinking establishment (adult entertainment prohibited and subject to section

¹ 3357/P-2010

² 3357/G-2018

³ 3357/G-2018

5.7(8)).
(viii) Home occupations subject to section 4.7 (8).
(ix) Institutional Service Facility including only libraries, museums, auditoriums, concert halls, colleges, schools, places of worship or assembly, hospitals, fire stations, police stations, court houses.
(x) Office on the ground floor.
(xi) Merchandise sales above the ground floor excluding motor vehicles, machinery, fuel, pawn shops, and adult entertainment.
(xii) Parking lot/parking structure.
(xiii) Service and repair of goods traded in this district.
(xiv) Signs (subject to C1 regulations in section 3.3 and 3.4):
(1) free standing signs,
(2) wall signs, and
(3) painted wall signs,
(4) A-board signs.
(xv) Communication or Utility facility excluding Transportation facilities.
(xvi) ¹ Microbrewery
(xvii) ² Show Home or Raffle Home.

2. Direct Control District No. 28 Regulations

(a) Table 1 DC (28) Regulations

Regulations	Requirements
Floor Area	Residential minimum - dwelling units 37.0 m ²
Building Height Maximum	As approved by the Development Authority
Front Yard Minimum	3 m
Side Yard Minimum	Nil, when there is a constructed lane 3.8 m on one side when there is no constructed lane 3.0 m when it abuts a street
Rear Yard Minimum	3.0 m
Landscaped Area	15 % site area
Parking	Subject to sections 3.1 & 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one
Site Area Minimum	900.0 m ²
Frontage Minimum	20 m

3. Amenity Areas

- (a) The minimum front and side yard setbacks for sites within this district may be reduced or eliminated by the Development

¹ 3357/AA-2014

² 3357/T-2015

Authority, if the Development Authority determines, based on the merit of each individual development, that encroachment into the setback area is identified for pedestrian enhancements that meet the following criteria:

- (i) Development within the setback area is non-structural.
- (ii) Space for pedestrian amenities such as walkways, sidewalks, bicycle routes, green spaces and landscaping, urban sculptures and benches or other street furniture.
- (iii) Development with special design elements featuring unique building entrances and/or facades, non-structural columns, canopies, porches and balconies, special lighting, or street oriented signage.
- (iv) Development that takes into account the unique character of an area.
- (v) Development that creates a visually interesting and compatible relationship with the street and adjoining buildings, and provides a continuous pedestrian streetscape or pedestrian/public amenity such as an outdoor café, courtyard or garden.

4. Approving Authority

- (a) The Development Authority is the Approving Authority for all uses and development in this district. In exercising its approval powers, the Development Authority shall ensure that development conforms to the general intent of the Greater Downtown Action Plan.

5. Site Development

- (a) All development standards, site plan, site access, the relationship between buildings, structures and open space, the architectural treatment of any building, the provision and architecture of landscaped areas, and the parking layout shall be subject to approval by the Approving Authority.

6. General Design Purpose

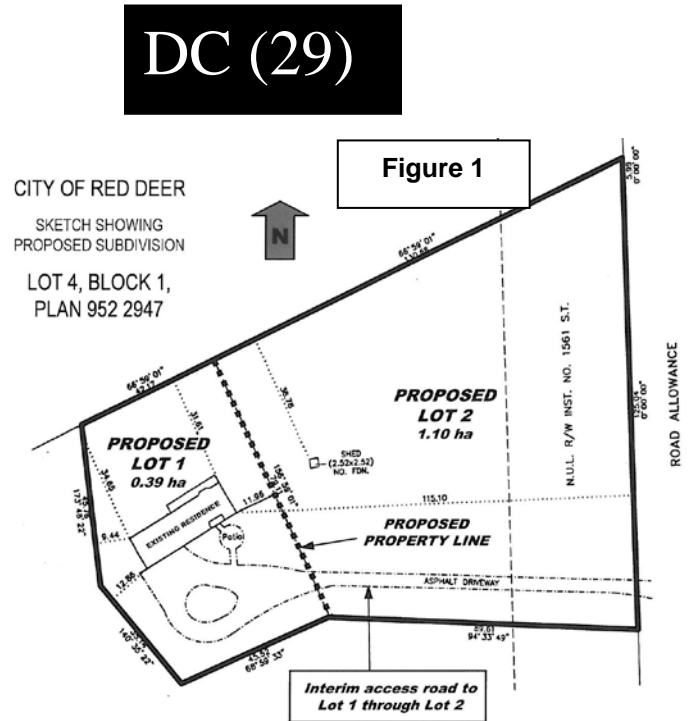
- (a) The Approving Authority may impose, as a condition of approval of any development or redevelopment, such standards as are reasonably necessary to ensure that the development will create the character envisioned for the Railyards neighbourhood in the Greater Downtown Action Plan, and achieve the following objectives:
 - (i) Encourage medium to high density residential and mixed use residential/ commercial land uses.
 - (ii) Promote residential developments on the upper floors of ground floor commercial along 53rd Avenue.

- (iii) Promote the enhancement of 53rd Avenue as a “complete street” with sidewalks, a dedicated bike lane, street furniture, and high quality landscaping.

18.20.9 Direct Control District No. 29 (DC 29) (See Map P21)

General Purpose

The general purpose of this District is to facilitate the subdivision of an existing 1.49 ha acreage parcel legally described as Lot 4, Block 1, Plan 952 2947 located in the NE 34-38-27-W4 into two separate lots as shown in Figure 1. This District allows proposed Lot 1 to contain the existing residence on the site and proposed Lot 2 to be reserved as a future development parcel to be developed in accordance with a landowner prepared and Council approved neighbourhood area structure plan for the area.



1. DC 29 Permitted and Discretionary Uses Tables

Lot 1 (±0.39 ha)	
(a) Permitted Uses	(b) Discretionary Uses
(ix) One detached dwelling unit.	(i) Accessory building. (ii) Home Occupation – office only subject to section 4.7(8). (iii) ² Show Home or Raffle Home.

Lot 2 (±1.1 ha)	
(a) Permitted Uses	(b) Discretionary Uses
(i) Growing of crops and produce, market gardening or other agricultural operations but shall not include feedlots, abattoirs, or packing or processing of meat or poultry products. (ii) Greenhouse, landscaping nursery	(i) Accessory building. (ii) Extraction from the ground of petroleum, minerals, sand and gravel, peat moss and topsoil.

¹ 3357/H-2010

² 3357/T-2015

or tree farm including ancillary sales.	
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2. DC 29 Regulations

Regulations	Requirements
Floor Area minimum	Detached dwelling 75.0 m ²
Building Height Maximum	Detached dwelling - 10m measured from the average of the lot grade; Any other development - subject to Commission approval.
Accessory Building Maximums	One storey or 4.5 m in height, and floor area not to exceed 40% of the ground floor area of the principal building.
Front Yard Minimum	15 m
Side Yard Minimum	7.5 m
Rear Yard Minimum	7.5 m
Landscaped Area	35 % of site area
Parking	Subject to sections 3.1 & 3.2
Site Area & Frontage Minimum	As identified on Figure 1 in this District.
Access to Lot 1	Interim mutual access easement and/or agreement across Lot 2 only until such time as alternative direct access is available to a public roadway based on an approved NASP.

3. Approving Authority

The Development Authority is the Approving Authority for all uses and development in this DC District.

18.20.10 Direct Control District No. 30 DC (30) (See Maps I16 & J16)

DC (30)

General Purpose

The purpose of this District is to provide for development associated with the Red Deer Golf and Country Club within identified areas in a manner that is compatible with adjacent residential neighbourhoods and Waskasoo Park.

1. DC 30 Permitted Uses Table

(a) Permitted Uses
(i) Golf course within the areas identified on Figure 1
(ii) Accessory buildings and uses directly related to the golf course within the areas identified on Figure 1

2. Development Standards

- (a)** All development standards including, but not limited to, site plans, site accesses, the relationship between buildings, structures and open space, the architectural treatment of any building, the provision and architecture of landscaped areas, outdoor lighting, buffering / screening (sightlines and/or noise) and parking layout shall be subject to approval by the Development Authority.
- (b)** No vegetation is to be removed from the 10.0 m buffer strip as identified in Figure 1.
- (c)** Outside the 10.0 m buffer strip, healthy trees, as determined by the City, may only be moved or removed in conjunction with an approved development permit.

3. Approving Authority

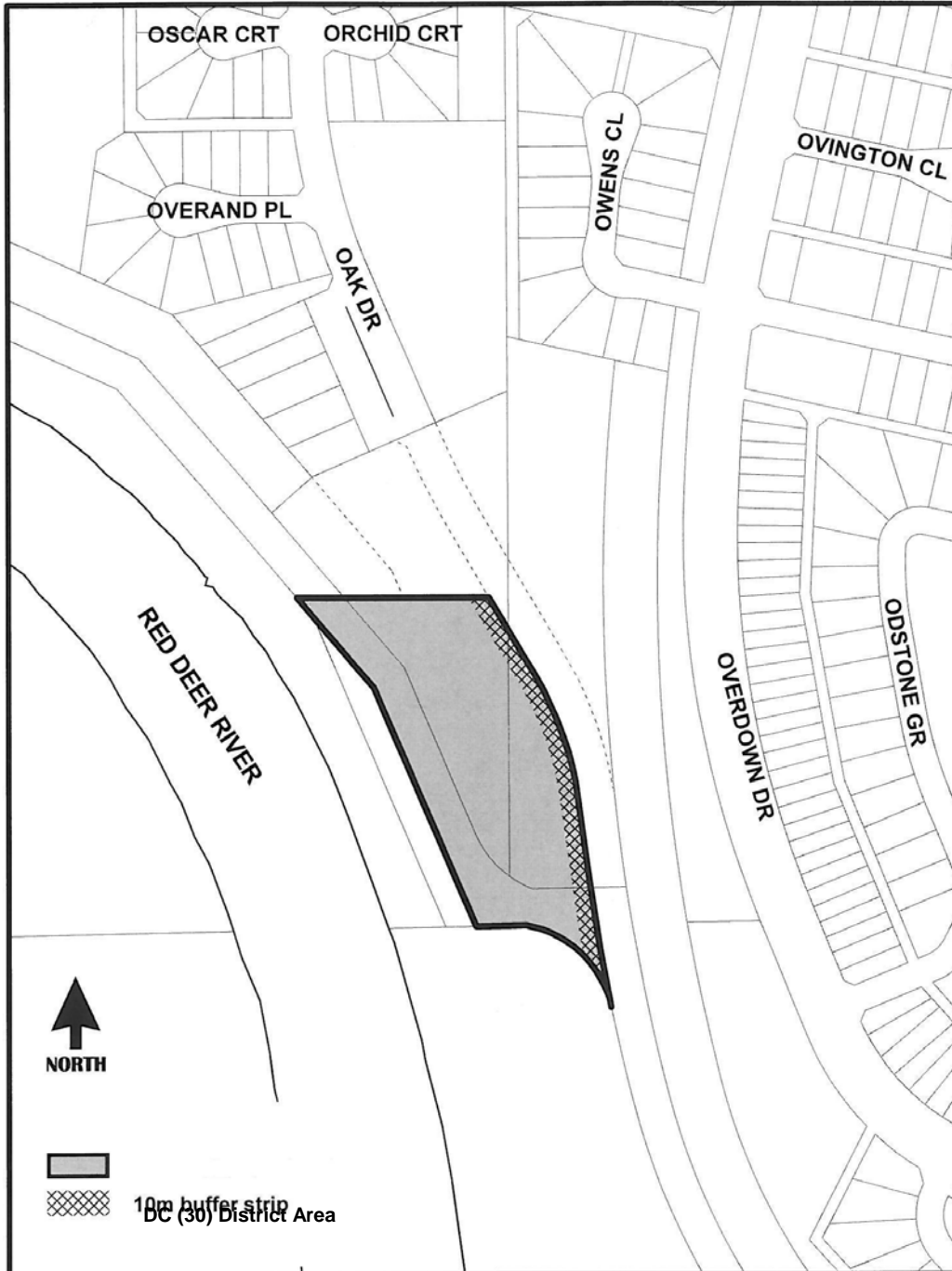
- (a)** The Municipal Planning Commission is the Development Authority.

For the purposes of this Direct Control District the following definitions shall apply:

Golf course means an outdoor area developed for the playing of golf including such things as tee boxes, fairways, greens and related landscaping.

Accessory buildings and uses directly related to the golf course means structures and activities associated with the playing of golf and may include such things as driving ranges, putting/chipping areas, maintenance facilities, parking areas, a clubhouse, a golf pro-shop, restaurants within the clubhouse serving golf course members / patrons, and offices and meeting rooms for use by golf course staff, members / patrons for golf related activities.

Figure 1: DC (30) District Area and 10 m Buffer Area



18.20.11 Direct Control District No. 31 DC (31) (See Map M13)

General Purpose

To allow for the integrated redevelopment of a school facility adjacent to a public park and the escarpment area. It is recognized that the school and the park will each benefit from their proximity to the other, and that the uses can be seamlessly integrated within the District. The site has been purposely designed to be compatible with adjacent land uses while preserving and protecting the park spaces and the environmentally sensitive land in escarpment area.

Future amenities proposed in the Kin Kanyon Concept Plan are compatible with the natural characteristics of the site encompassed by DC (31). The District protects environmentally sensitive land in the escarpment area by restricting development to minimal and environmentally compatible uses.

Area of Application

This DC(31) provision shall apply to Lot R Plan 1621NY and Block 5 and Plan 3935HW, located at the corner of 49th Avenue and 35th Street, as shown on Map 13 of this Bylaw.

1. ²DC 31 Permitted and Discretionary Uses Table

(a)	Permitted Uses
	<ul style="list-style-type: none"> (i) Natural vegetation; (ii) Parks; (iii) Francophone school; (iv) Recreational and sports activities and facilities provided that the use is compatible with the natural characteristics of the site; (v) Sports fields; (vi) Outdoor rinks; (vii) Community centre; (viii) Temporary building; (ix) Picnic areas or open space facilities for the use by the general public; (x) Offices for community oriented groups which have recreation as part of their programs; (xi) Parking ancillary to any permitted or discretionary use; (xii) Concession booths for the sale of food or beverages to members and guests of a group approved under this table; (xiii) The following types of signage, subject to Sections 3.3 and 3.4: <ul style="list-style-type: none"> a. awning, canopy signs,

¹ 3357/I-2012

² Correction #29

<ul style="list-style-type: none"> b. under canopy signs, c. fascia signs, d. projecting signs, and e. free-standing signs
(b) Discretionary Uses
<ul style="list-style-type: none"> (i) Any ancillary use approved by City Council; (ii) School; (iii) Utilities.

2. ¹Approving Authority

City Council is the Approving Authority for all uses and development in this district. In exercising its approval powers, the Approving Authority shall ensure that development is compatible with the adjacent land uses and that efforts are taken to preserve and protect park space within the district.

3. ²Development Regulations

Within this District, the general provisions of the Land Use Bylaw apply unless these specific provisions for the District provide otherwise.

(4) At 4716 34 Street on Lot R Plan 1621NY the following special provisions and regulations apply:

- (a) Trees shall not be cut, felled or removed without prior approval of Council.
- (b) The Kin Canyon Park amenities shall be developed based on the Kin Canyon Concept Plan, subject to layout changes needed to accommodate the redevelopment of the Francophone school.
- (c) No aggregate extraction will be allowed.
- (d) Where possible, parking facilities shall be shared with parking required for the school in order to reduce the impact to park space.

¹ Correction #29

² Correction #29

- (5) At 4810 35 Street on Block 5 and Plan 3935HW the following special provisions and regulations apply:

Front Yard Minimum	Subject to Council Approval
Side Yard Minimum	Subject to Council Approval
Rear Yard Minimum	Subject to Council Approval
Landscaped Area	Subject to Council Approval
Parking Spaces	In accordance with Sections 3.1 and 3.2
Loading	Subject to Council Approval

6. Site Development

- (a) Within the DC(31) District the site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout shall be subject to approval by City Council.
- (b) The Development Authority may permit alterations to the plans approved by Council, where the proposed changes are deemed by the Development Authority to be minor in scale or are changes that will result in an equal or greater standard of development than what was approved by Council.

¹8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District

DC (32)

A. Area of Application

The following bylaw provisions being “Direct Control District 32 (DC32) – Westlake Restricted Development” shall apply to the area as shown in Figure 1 of this Bylaw.

B. Direct Control District 32 (DC32) – Westlake Restricted Development District

1. Purpose

- (a) To identify and mitigate the significant environmental hazards or risks affecting the Westlake lands, formerly known as Riverview Park. Various Reports have been completed for Westlake and the adjacent Red Deer River escarpment or slopes (e.g. the 2003, 2012, 2014, and 2017 studies by ParklandGeo) and have identified the following relevant and significant hazards or risks:
 - (i) river erosion of the toe-of-slope or escarpment;
 - (ii) planes of weakness in the subsoil or bedrock;
 - (iii) slope erosion, landslides and slumping;
 - (iv) the lower slope of the escarpment is considered “marginally stable”;
 - (v) the upper slope of the escarpment is considered “unstable” and subject to natural regression – the present slope will regress even with the stabilized toe-of-slope;
 - (vi) destabilizing and variable natural springs below the Crest of the escarpment;
 - (vii) various other natural and man – made risks associated with soil instability and slope destabilization (e.g. environmental changes, variable river flow and flooding, swimming pools, removal of vegetation, over watering, overloading, excavation, vegetation changes, variable ground water conditions, etc.); and
 - (viii) that complex subsurface and surface conditions, affect Westlake, and can sometimes not be fully understood even using commonly accepted practices for professional technical assessment.
- (b) To establish a Restricted Development Area as identified in Figure 1 and to restrict Development to areas of relatively lower expected risk, pursuant to the recommendations of the March 2014 “Geotechnical Investigation, Riverview

¹ 3357/O-2014, 3357/F-2018

Park Development Setback” and the subsequent February 2017 “Geotechnical Assessment – 2017 Riverview Park Slope Review” (prepared by ParklandGeo).

- (c) To provide special land use criteria and supporting regulation reflective of existing Reports and directed to minimizing the risk of damage or loss to natural and private property and/or persons as well as public lands and infrastructure.

2. Definitions

In this District:

“Crest” means the break between the slope face and the generally flat area located above the escarpment. A technical assessment may be required to determine the location of the crest of an active slope.

“Report” means a professional technical assessment and can include, but is not limited, a professional geotechnical assessment;

“Restricted Development Area” or “RDA” means the area shown as hatched on the attached Figure 1 and the Land Use Constraints maps. The Restricted Development Area as shown is an approximation only. The site-specific position of the Restricted Development Area relative to the Crest of the escarpment will be identified upon application of subdivision or Development Permit as required by the Subdivision or Development Authority.

“Subdivision or Development Authority” means the Municipal Planning Commission in its capacity as either the Subdivision or Development Authority, or the Development Officer as provided for in section 6 of this district; and

“Water Retaining Structure” means a swimming pool, hot tub, pond or other structure designed to retain liquid above or below the ground surface.

3. Fundamental Land Use Criteria

The following fundamental land use criteria shall apply to all lands, uses and Developments within this District, except as expressly stated to be otherwise within Section 5 of this District:

- (a) development (including but not limited to, buildings, structures, construction, major renovations, excavation, placement of fill, ground disturbance, tree or shrub removal, stripping and grading) is prohibited within the Restricted Development Area;
- (b) where a site-specific professional geotechnical assessment or other Report acceptable to the Subdivision or Development Authority has recommended a greater Development setback than the Restricted Development Area, the greater Development setback shall apply;
- (c) Deleted (Bylaw 3357/F-2018);

- (d) the Subdivision or Development Authority shall not approve any subdivision or Development unless, having considered all relevant Reports, in their opinion:
 - (i) approval will not detrimentally impact the overall groundwater regime or slope geometry;
 - (ii) public and private property will be reasonable safe from the hazards of slope and soil instability as identified through a Report, and
 - (iii) the lands at issue are suitable for the proposal considering:
 - (A) all relevant Reports;
 - (B) the full range of uses and Developments existing or contemplated respecting the subdivision or Development permit application and the adjacent lands;
 - (C) cumulative impacts to soil and slope stability; and
 - (D) emergency access and planning.
- (e) the following developments shall not be commenced without, and shall be carried out in accordance with, a site-specific professional geotechnical assessment acceptable to the Subdivision or Development Authority:
 - (i) excavation related to the construction, repair, or alteration of a building structure or Water Retaining Structure, other than the installation, connection, repair maintenance or replacement of a public utility;
 - (ii) the construction or material alteration of a detached dwelling unit or garage; and
 - (iii) the construction or material alteration of an accessory building or structure with a floor area of 10.0m² or more and a height of 2.4m or more.

4. Application of the Fundamental Land Use Criteria

The Subdivision or Development Authority must adhere to, and has no discretion to vary, the fundamental land use criteria set out in Section 3 of this District, which criteria are:

- (a) subject to exception only as expressly set out in Section 5 of this District; and not subject to variance or exception pursuant to Sections 654(2), 680(2), or 687(3)(d) of the Municipal Government Act.

5. Exceptions to the Fundamental Land Use Criteria

- (a) Notwithstanding the fundamental use criteria set out in Section 3(a) of this District, the following Developments may be considered for approval by the Subdivision or Development Authority within the Restricted Development Area

and shall be carried out pursuant to the terms and conditions of a subdivision approval or Development permit:

- (i) The erection of warning signs respecting escarpment risk or safety;
- (ii) The installation, connection, repair, maintenance or replacement of a public utility;
- (iii) The material repair or minor alteration of the following, if constructed prior to September 15, 2014:
 - (A) a detached dwelling unit (which is connected to all City utility services) or associated retaining wall; and
 - (B) a Water Retaining Structure, if located at least 50m from the Crest of the escarpment and subject to installation of an acceptable leak detection system and provided that there is no discharge toward the escarpment, slope or adjacent park or reserve areas.
- (iv) the stripping and/or grading, placement of fill, material alteration of vegetation, or existing or natural surface drainage patterns related to the demolition and/or relocation of a detached dwelling unit or Water Retaining Structure constructed prior to September 15, 2014 and pursuant to plans prepared by a Professional Engineer.
- (b) The Subdivision or Development Authority may consider lot line adjustment or consolidation of title for the purpose of enlarging the potential building area while not increasing the number of registered lots.

These exceptions remain subject to all other provisions of this District.

6. DC 32 Discretionary Uses

(a) Discretionary Uses

The Development Officer is the Development Authority for the following uses:

- (i) Detached Dwelling Unit (which is connected to all City utility services) located at least 10.0 m from the RDA;
- (ii) Home Music Instructor/Instruction (six students) subject to section 4.7(10);
- (iii) Home Occupation which will generate additional traffic subject to section 4.7(8);
- (iv) Accessory Building located at least 10.0m from the RDA;

- (v) all signs, including warning signs respecting escarpment risks or safety;
- (vi) Temporary Building, and;

The Municipal Planning Commission is the Development Authority for the following uses:

- (vii) Detached Dwelling Unit (which is connected to all City utility services) located less than 10.0m from the RDA;
 - (viii) Accessory Building located less than 10.0m from the RDA;
 - (ix) installation, connection, repair, maintenance or replacement of a public utility, pursuant to plans prepared by a Professional Engineer;
 - (x) Water Retaining Structure located beyond the Restricted Development Area and at least 50m from the Crest of the escarpment;
 - (xi) water line or underground sprinkler or irrigation system located beyond the Restricted Development Area and at least 50m from the Crest of the escarpment, constructed in accordance with a design prepared by a Professional Engineer and installed under the supervision of a Professional Engineer;
 - (xii) parking or storage of not more than one commercial vehicle or recreational vehicle or trailer of gross vehicle or trailer any of which may not have a weight rating exceeding 4,500kg;
 - (xiii) stripping and/or grading, placement of fill, material alteration of vegetation or existing surface drainage patterns, pursuant to plans prepared by a Professional Engineer.
- (b) **Prohibited Uses** - without limiting the foregoing, the following uses are prohibited:
- (i) wetting or watering of the ground surface or subsurface or vegetation (including but not limited to, lawn) that may be detrimental or destabilizing to the lands, neighbouring lands, the escarpment or slopes, or adjacent park or reserve areas; and
 - (ii) tree removal from the ground surface or subsurface (including but not limited to, deadfall removal) that may be detrimental or destabilizing to the lands, neighbouring lands, the escarpment or slopes, or adjacent park or reserve areas.

7. Development Regulations

Respecting this District and lands therein:

- (a) the provisions of this District shall govern in the event of a conflict or inconsistency between this District and any other provisions of this Land Use Bylaw;
- (b) the Subdivision or Development Authority shall not be bound by the regulations set out in Parts 2 and 3 of the Land Use Bylaw;
- (c) Part 4 of the Land Use Bylaw does not apply to this District, except for provisions 4.7(8) (Home Occupations), 4.7(4) (Objects Prohibited) and 4(10) (Home Music Instructor/Instruction);
- (d) any site grading shall be designed to drain surface water away from the escarpment;
- (e) any Water Retaining Structures, water lines, underground sprinklers or irrigation systems shall be installed with an acceptable leak detection system and monitored and maintained by the landowner to ensure proper operation and no unauthorized leakage, and shall be directed away from the escarpment, slope, or adjacent park or reserve areas;
- (f) all discharge from roof leaders and weeping tile systems shall be directed away from the escarpment or to professionally engineering drainage pathways (e.g. asphalt or half culvert drop structures);
- (g) new vegetation should be selected from native types with deep root systems that can grow with a minimum of watering;
- (h) upon connection to City utility services, private services (e.g. septic system, groundwater well, associated water lines) shall be removed, abandoned, closed-in and reclaimed, as applicable, pursuant to the City's Utility Bylaw;
- (i) where existing residence are relocated, former basements located within the Restricted Development Area shall be filled pursuant to the design and supervision of a Professional Engineer;
- (j) Lot depth minimum of 40.0m;
- (k) Frontage minimum of 22.0m; and
- (l) in considering a Subdivision or Development Permit application, the Subdivision or Development Authority shall have discretion (subject to the land use constraints set out in Sections 3, 5 and 6 of this District), to determine the Site Plan, parking requirements, architectural treatment of buildings, and the relationship between buildings, structures and open space. Without limiting the foregoing, the following regulations shall apply to the location of Buildings unless varied by the Subdivision or Development Authority:

Site coverage maximum of 40% (including Garage and Accessory Buildings);

Front Yard setback minimum of 6.0m;

Side Yard setback minimum of 1.5m; and

Rear Yard minimum setback of 7.5m (except as required by the land use constraints of this District – e.g. subject to site specific geotechnical, the Restricted Development Area).

8. Approving Authority

Respecting this District and all lands therein, all applications for subdivision approval or Development permit shall be evaluated on their merits by the Subdivision or Development Authority.

Without limiting the foregoing, but subject to the land use constraints set out in Sections 3, 5 and 6 of this District, the Subdivision or Development Authority may, as regards any application for subdivision approval or Development permit, impose conditions of approval or requirements:

- (a) that the Subdivision or Development Authority determines are reasonable, having considered:
 - (i) the purposes and other provisions of this District;
 - (ii) the uniqueness of the lands (e.g. the relevant environmental or man-made hazards or risks, and existing Developments); and
 - (iii) that the suitable scale of residential Development should be reviewed on a case-by-case basis and considering site-specific geotechnical recommendations.
- (b) including, but not limited to the following conditions:
 - (i) the provision of a real property report during preliminary construction indicating that the structure is located beyond the Restricted Development Area, and/or more than 50m from the Crest and/or in accordance with any accepted Report and/or Site Plan;
 - (ii) that the applicant meet or exceed the recommendations of any applicable Report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;
 - (iii) the provision of emergency access;
 - (iv) the provision of ongoing monitoring programs and related access to the land for such monitoring (for example, slope monitoring and/or subsurface exploration data derived from appropriate geotechnical drilling);
 - (v) increased site-specific setbacks for fire protection and mitigation due to elevated risks of fire;

- (vi) a post construction certificate from a relevant professional (e.g. Professional Engineer, Registered Architect, or an Alberta Land Surveyor) as determined by the Subdivision or Development Authority, confirming any or all of the following:
 - (A) that the Development has been located beyond the Restricted Development Area and/or located and constructed in accordance with any Site Plan and/or Report accepted by the Subdivision or Development Authority;
 - (B) compliance with an accepted professional lot grading plan; and
 - (C) that proposed and existing grades have been professionally certified.
- (vii) the connection of roof leaders (downspouts) and house weeping tiles (foundation service) into storm systems, if available;
- (viii) no direction of stormwater or overland drainage onto neighbouring properties (including but not limited to adjacent park, reserve land, escarpment, or slopes);
- (ix) the provision of erosion and sediment control measures during construction;
- (x) that buildings or structures have non-combustible exterior finishes or acceptable fire retardant material treatment;
- (xi) conditions to minimize erosion and to stabilize soil conditions;
- (xii) that any Development shall be designed and constructed using materials, processes, and/or techniques intended to minimize slope risks or instability;
- (xiii) that the applicant and any current or future user or owner of the lands shall enter into an Indemnity Agreement with the City respecting environmental risks including, but not limited, slope instability; and
- (xiv) that the applicant enter into and comply with an agreement with the City respecting those matters set out in Sections 650, 655 and 651 of the Municipal Government Act and/or described in Section 2.10 of the Land Use Bylaw (a Development agreement).

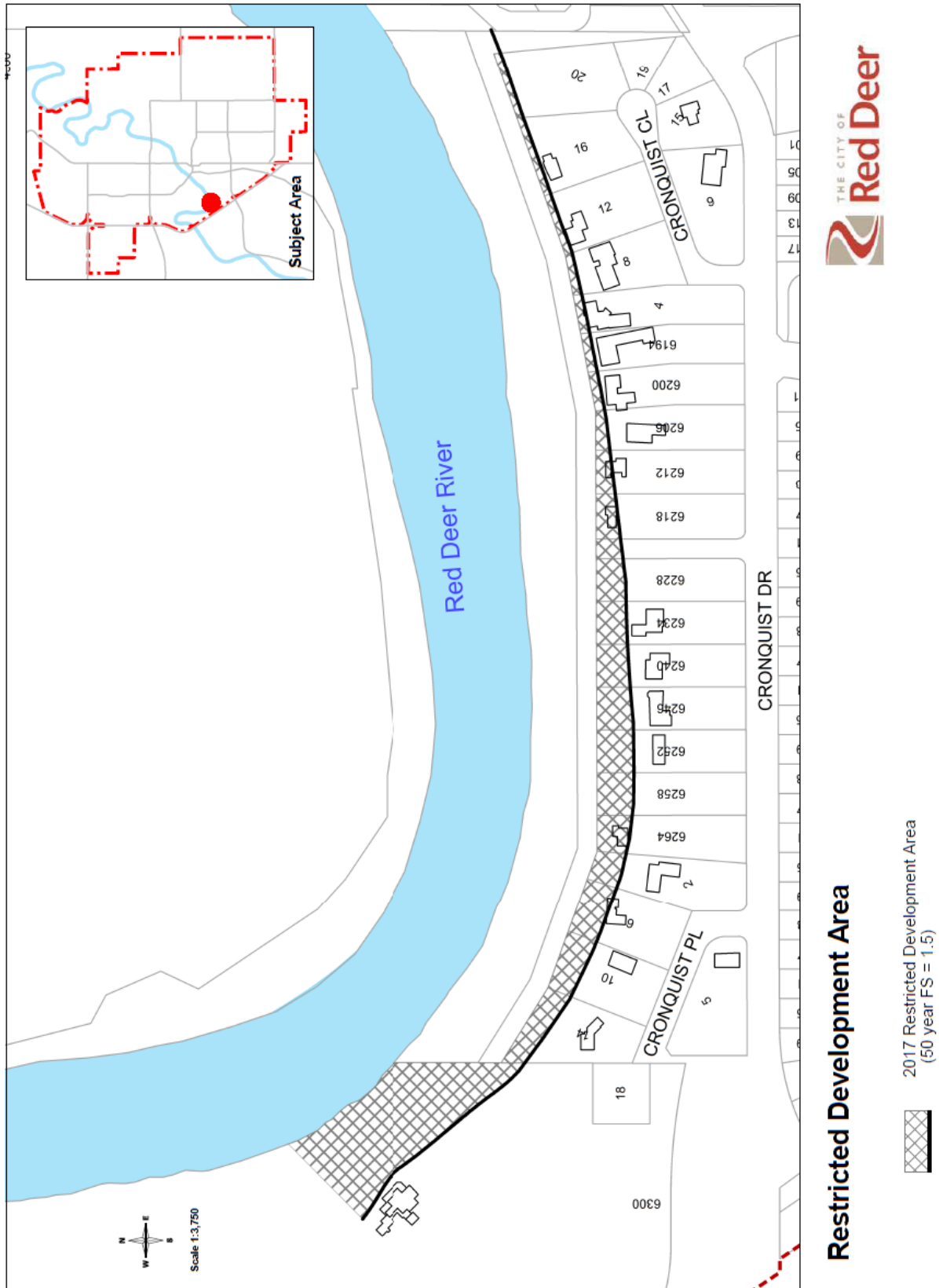
9. Development Permits

Except as expressly stated otherwise within this District, a Development permit is required for any and all Development within this District.

Notwithstanding the foregoing, and provided that the Development otherwise complies with the provisions of this District, no Development permit is required for the following Development:

- (a) those Developments set out in “Application of the Land Use Bylaw” Section 1.2(2), (e), (f), (g), and (j); and
- (b) up to 5 flow collectors (rain barrels) attached to authorized roof leaders, each collector having storage capacity of less than 420 litres.

Figure 1: Restricted Development Area



8.21 Direct Control Districts General Regulations

- (1) The general purpose of this District is to provide for innovative developments, which in the opinion of Council, require specific regulations unavailable in other land use districts. This District is not intended to be used in substitution of any other land use district in this bylaw that could be used to achieve the same result.
- (2) All land use applications in the District shall be evaluated on their merits by Council.
- (3) Council will establish the appropriate development standards or may delegate this responsibility to the Municipal Planning Commission.

8.22 Exceptions Respecting Land Use

1. Areas Specifically Designated for a Particular Use

- (a) In addition to the list of discretionary uses set out in the applicable land use district, those sites shall have the following additional discretionary uses and the Commission shall determine the floor area, yard requirements, building height, parking and loading requirements:
- (i) 40 Avenue and Ross Street (south side only) motor vehicle service and repair (no sales), car wash and drive-in,
 - (ii) Lot 33, Block 1, Plan 772 2593 food establishment,
 - (iii) 41 Avenue and Ross Street (southeast corner only) motor vehicle service and repair (no sales), car wash and drive-in,

Notwithstanding the foregoing, no outside storage of vehicles may be permitted for longer than one week and sales of vehicles from the above sites is not permitted.

- (b) On those sites listed below, medical offices and related facilities and related commercial services are discretionary uses provided that such offices shall not be located on any floor of the building which contains a dwelling unit. Parking lots are also a discretionary use for Block 4, Plan 6564 E.T.:
- (i) Block 4, Plan 6564 E.T. (5101 – 5129 39 Street & 5102-5130 38 Street)
 - (ii) Lot 1, Block J, Plan 3999 R.S. (3939-50A Avenue),
 - (iii) Lot 2, Block J, Plan 3999 R.S. (3947-50A Avenue),
 - (iv) 5102-5130 38 Street and 5101 – 5129 39 Street.
- (c) On Lot 58, Block 14, Plan 792-0555 (88 Howarth Street), the development of C2B uses, except lounges, bars and amusement arcades may be allowed as discretionary uses, provided that landscaped buffers of 10 m and 3 m be developed along Howarth Street and the lane respectively, and be subject to all other provisions of the C2B Districts.
- (d) On those sites, or portions thereof herein listed, the following uses may be allowed as permitted uses:
- (i) One basement dwelling in a detached dwelling in addition to the uses listed in the R1 Use Table on:
 - (1) Lot 3C, Block E, Plan 792-3164 (5853-71 Street).
 - (ii) Alberta Amateur Hockey Association Training Program and distribution of materials on:

- (1) Bays #1 - 4, Lot 4, Block 4, Plan 792-3149 (#1, 7875 - 48 Avenue).
- (iii) Use by Youth and Volunteer Centre on:
- (1) W 1/2 of Lot 39, Lot 40, Block B, Plan K8 (4633-49 Street),
- (2) Lots 41-42, Block B, Plan K8 (4637-49 Street).
- (iv) Basement dwelling suite on:
- (1) Lot 1, Block 4, Plan 4194 M.C. (414 Terrace Park).
- (v) Office by Canadian Paraplegic Association on:
- (1) Lots 3-4, Block 5, Plan 762-0870 (#4, 7803-50th Avenue).
- (vi) Tea house, lodging and boarding house, and gift store in association with a bed and breakfast operation on:
- (1) Lots 38-40, Block A, Plan K8 (4631-50 Street).
- (vii) Dry waste disposal site on:
- (1) The portion of the N.E. 1/4 of Section 33-38-27-4 which lies west of Railway Plan No. 1813 M.C. and the portion of Lot R5, Block 4, Plan 772-0064 which lies in the S.E. 1/4 of Section 33-38-27-4.
- (viii) Maximum 20 bed community residential centre (halfway house) by the John Howard Society on:
- (1) Lots 10-14 and west 10 feet of Lot 15, Block 17, Plan H (4920– 50th Street).
- (ix) ¹A Ronald McDonald House facility, allowed as a permitted use on:
- (1) Lots 2 and 2A, Plan 625 NY(3902 and 3906-50th Avenue); and
- (2) Lot 3, Plan 3839 HW (3908-50th Avenue); and
- (3) The north/south portion of lane immediately north of 39th Street right of way and east of 50A Avenue contained within plans 3839 HW and 625 NY.

¹ 3357/S-2009

- (4) Subject to all development regulations being determined by the Development Authority. The regulations in the R2 District shall not be applicable to this use.
- (x) ¹One unmanned (volunteer) fire station to store and house fire trucks, fire fighting apparatus and related ancillary equipment in:
- (1) Units 17 & 18, Condominium Plan 092 3280 (B7 & B8, 37 Burnt Basin Street).
- (xi) ²Drinking Establishment not to exceed 100 m² in area, with an occupancy load of not more than 60 persons, secondary to a brewery manufacturing facility, at Block 5, Lot 1, Plan 0125593 (6610 – 71 Street), and no outdoor extensions at the above location shall be permitted in addition to or as an accessory to the above use
- (xii) ³A maximum of 47 one bedroom multiple family residential units converted from existing hotel units on Lot 6, Block 14, Plan 4436TR (2807 50th Ave).
- (xiii) ⁴Existing tele-theatre racetrack betting facility on Lot 7, Block 5 Plan 012 1322 [3731-50 (Gaetz) Avenue].
- (e) On those sites, or portions thereof herein listed, the following uses may be allowed as discretionary uses:
- (i) Apartments on:
- (1) Condominium Plan 822 2661 (Lot 19, Block G, Plan 802 3230) (5144 – 45 Avenue) and Condominium Plan 942 0656 (Lot 18, Block 6, Plan 802 3230) (4515–53 Street), and
- (2) Lots 18 and 19, Block G, Plan 3184 I (5301-46 Avenue), and
- (3) Lot 11A, Block G, Plan 1500 R.S. (4511-55 Street).
- ⁵(4) Lot 8, Block 1, Plan 24 HW (6755-59 Avenue)
- (ii) Upholstery business on:

¹ 3357/Y-2009

² 3357/P-2012

³ 3357/X-2013, Correction #31

⁴ 3357/Y-2014

⁵ 3357/D-2008

(1) Lots 21 and 22, Block 25, Plan 7604 S (5824 and 5826-51 Avenue).

(iii) Semi-detached dwelling on:

(1) Lots 22 and 23, Block 2, Plan 982 0058 (6007 and 6009 - 63 A Street) subject to the front elevation of each unit (half) being significantly different from each other thereby resembling a single family dwelling.

(iv) ¹**DELETED**

(v) ²Three-unit multi-attached building on:

(1) Lots 9-11, Block 24, Plan 5555AF (3818 44 Street)

(vi) ³Multiple Family Building, Assisted Living Facility, Day Care Facility, and Day Care Adult on Lot 9, Block 1, Plan 042 2888 (6791 65th Ave) subject to a ,maximum height of six storeys as discretionary uses and that each building shall contain commercial uses, as a minimum, on the ground floor. The commercial component shall not exceed three storeys. A residential noise impact statement is required outlining the measures to be taken to mitigate noise impacts from the adjacent industrial area.

(vii) ⁴Security Suite on Lot UNT 29, Clock CDE, Plan 762 1172 (7429 49 Ave) subject to the following:

(1) The security suite:

(a) shall be located within the principal building on the site;

(b) shall not be occupied by more than one (1) person dwelling in the suite;

(c) shall be occupied by the owner or an employee whose primary responsibility is to provide surveillance, maintenance and/or security for the site; and

(d) shall not contain more than one sleeping area

(2) In addition to the number of parking stalls required for the principal user under Part 3 and 4 of this Bylaw, no

¹ 3357/T-2016

² 3357/E-2012

³ 3357/F-2013

⁴ 3357/EE-2013

additional parking space shall be designated for the security suite.

(3) Development permits issued for security suites cease to be valid if the principal use on the site ceases or is removed.

¹**(viii)** Temporary parking lot for a 9 year period commencing the date of development permit issuance at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street) for parking provisions for Jackpot Casino Ltd. Lot 15, Block 38, Plan 3479 MC, subject to parking regulations established in sections 3.2, 3.2.1 and 3.2.2 of this bylaw. Additional landscaping and/or design enhancements may be required at the discretion of City Council as the approving authority.

(ix) when listed as a use, the following uses may be incorporated into a Live-Work Unit:

1. artist's studio;
2. beauty and body service;

²**(x)** Parking accessory to an approved principle use on the same site provided each bare land condominium unit that is created for parking meets the requirements of Section 3.2 to the satisfaction of the Development and Subdivision Authorities on:

(1) Lots 77 and 78, Block 7, Plan 132 3870 (155 Vanier Drive)

(xi) Microbrewery on:

(1) Lot 3, Block 5, Plan 902 0499

(f) On those sites, or portions thereof herein listed, the following uses may be allowed as permitted uses in the existing structure only:

(i) ³DELETED

(ii) ⁴Photographic studio on:

(1) DELETED – See 8.22(1)(g)(ii)

(iii) Hair salon on:

(1) Lot 9, Block 43, Plan 157 HW (4407-48 Avenue).

¹ 3357/H-2015

² 3357/Y-2017

³ 3357/N-2017

⁴ 3357/T-2010

(iv) Detached dwelling with 2 basement units on:

(1) Lot 21, Block F, Plan K9 (5311-44 Avenue).

(v) Contractor's business on:

(1) Lot 10C, Block 5, Plan 792-1541 (#3, 7887-50 Avenue).

(vi) ¹One basement dwelling suite on:

(1) Lot 13, Block 36, Plan 5187 KS (5702 West Park Crescent)

(2) Lots 25-26, Block 3, Plan 4516AC (4018 50 Street)

(vii) ²DELETED

(viii) ³Law office subject to the low impact commercial use provisions of section 5.7 (6) on:

(1) Lots 45-46, Block B, Plan K8 (4641 – 49th Street)

(ix) ⁴A Commercial Service Facility, Health and Medical Services, or Office and related signage on Lot 1, Block 3, Plan 6159ET (3702 – 50 Ave.) but not including the following:

(1) fitness centre;

(2) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet;

(3) care of small animals such as a small animal veterinary;

(4) commercial school

(5) day care

When considering the above uses, the Development Authority shall consider the need to impose such conditions as it deems necessary or appropriate, including conditions to:

(6) prohibit uses that would result in associated noises, and/or odors extending beyond the interior of the building;

¹ 3156/B-1998

² 3357/I-2013

³ 3357/A-2007

⁴ 3357/N-2013

(7) prohibit outdoor storage or display of materials associated with business.

(g) On those sites, or portions thereof herein listed, the following uses may be allowed as discretionary uses in the existing structure only:

(i) Office for a utility locating service on:

(1) Lot 4, Block 42, Plan K5 (4507-48 Avenue).

(ii) ¹A photography studio, Commercial Service Facility and related signage on Lot 7, Block E, Plan K9 (4419 – 55 Street) but not including the following:

(1) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet;

(2) kennelling of animals;

When considering the above uses, the Development Authority shall consider the need to impose such conditions as it deems necessary or appropriate, including conditions to:

(3) prohibit uses that would result in associated noises, and/or odours extending beyond the interior of the building;

(4) prohibit outdoor storage or display of materials associated with the business;

(5) prohibit uses that operate outside the hours of 7:00 a.m. to 10:00 p.m.;

(6) avoid the need for customers to park on 45th Avenue.

The Development Authority shall refer all applications for proposed new uses on this site to landowners within 100 metres of this site and to applicable community associations, for comment

(iii) ²Canadian Cancer Society and Fanta Homes on Lot 8 Block1 Plan 6784KS.

(iv) ³A Medical Marihuana Facility on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development

¹ 3357/T-2010

² 3357/U-2010

³ 3357/L-2016

Authority, and subject to the following development standards:

- (1) no other use shall be allowed on the Site;
 - (2) the licensed processes and functions of the use shall be fully enclosed within the Building;
 - (3) no Outdoor Storage shall be allowed on the Site;
 - (4) all loading facilities shall be fully enclosed within the Building;
 - (5) all garbage containers and waste material shall be fully enclosed within the Building;
 - (6) the Site shall be fully enclosed by a fence;
 - (7) the use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
 - (8) the use shall not emit nuisances including, but not limited to, odour, noise and light, that may have a negative impact to adjacent Sites or the surrounding area; and
 - (9) the Site Plan, the Site access, the relationship between Buildings and open space, the architectural treatment of Buildings, landscaping, the minimum required loading spaces and parking spaces and the parking layout and surfacing shall be at the discretion of the Development Authority.
- (h) ¹DELETED
- (i) ²DELETED
- (j) ³DELETED
- (k) A low impact commercial use which complies with the provisions of section 5.7(6) may be allowed as a discretionary use on any lot along the north side of 49 Street between 46 Avenue and 47 Avenue, along both sides of Ross/50 Street between 46 Avenue and 47 Avenue and the lots adjacent to the east side of 47 Avenue between Ross/50 Street and 55 Street.
- (l) Notwithstanding anything in this Bylaw, on the sites listed below, a semi-detached dwelling unit shall be added to the list of permitted uses set out

¹ 3357/U-2009

² 3357/U-2009

³ 3357/U-2009

in the applicable land use district, but such semi-detached dwelling units must comply with the regulations applicable to the R1A district.

- (i) Lot 47 (4635 – 48 Street) and Lot 48 (4631 – 48 Street) Block C Plan 992 6203.
- (ii) Lot 22 and Lot 23 Block C Plan K8 (4602B and 4602A – 47 Street).
- (iii) Lot 33 and Lot 34 Block D Plan K10 (4621A and 4621B – 47 Street).
- (iv) Lot 19A Block F Plan 3591 P (4612 – 44 Street).
- (v) Lots 11A and 12A, Block F, Plan 022 0547 (4623A and 4623B – 45 Street).
- (vi) Lot 19A (4309 – 46 Avenue) and Lot 20A (4310 – 45A Avenue) Block A Plan 2354 AE.
- (vii) Lot 1 (4505 – 46 Avenue) and Lot 2 (4503 – 46 Avenue) Block K Plan 4900 R.
- (viii) The most southerly sixty two and one half (62 ½) feet of Lots 1, 2, 3 and 4 and all of Lot 5, Block J Plan 4900 R (4601 – 46 Avenue).
- (ix) Lots 45 and 46 Block J Plan 922 1244 (4519A and 4519B – 47 Street).
- (x) Lot 1A, Block I, Plan 4900 R (4536 – 47 Street).
- (xi) Lots 4 and 5, Block I, Plan 4900 R (4532A and 4532B – 47 Street).
- (xii) Lots 10 and 11, Block I, Plan 4900 R (4520 – 47 Street).
- (xiii) Lots 49 and 50, Block B, Plan 042 1756 (4644 – 48 Street and 4801 – 47 Avenue).
- (xiv) Proposed Lots 5A and 6A Block F Plan 042 6407 (4642 – 44 Street).

(m) Notwithstanding anything in this Bylaw, on the sites listed below, the uses shown below shall be added to the list of permitted uses set out in the applicable land use district, but the developments must comply with the regulations applicable to the R2 district and to the density and height restrictions specified below.

- (i) Lot 19A Block C Plan 2648 TR – a four unit multi-attached building (4606 – 47 Street).
- (ii) Lots 6 and 7 Block I Plan 4900 R – a four unit multi-attached building (4526 – 47 Street).
- (iii) The south 100' (one hundred feet) of Lots 1 to 4, Block F, Plan 3591 P – a six unit multi-attached building with a maximum height of two storeys (4405 – 47 Avenue).
- (iv) Lot Z, Block E, Plan 3591 P (4624 – 45 Street) – a seventeen-unit apartment building at a maximum density of D95 and maximum height of three storeys.
- (v) Lot 23, Block F, Plan 792 3231 (4616 – 44 Street) – an eight-unit apartment building at a maximum density of D87 and maximum height of two storeys.

(n) On those sites or portions thereof listed, the following uses may be

allowed as permitted uses:

- (i) Notwithstanding section 6.3(1) of this Land Use Bylaw, one new two storey building for the uses of paint supply, mixing paint, sale and distribution of automotive related finishes and parts may be built on Block N, Plan 3051HW (5825 Kerry Wood Drive) and may be expanded to include Lot 1, Block N, Plan 1861KS, if Lot 1, Block N, Plan 1861KS is consolidated by Plan of Survey with Block N, Plan 3051HW. This permitted use is subject to review of the building design by the Riverside Meadows Community Association and Municipal Planning Commission. The building is to be designed with a commercial appearance; outside storage will be allowed provided it is adequately screened. All other standards are contained in sections 6.3(2) and 6.3(3). This land use exception will expire on July 15, 2010.
- (o) On those sites or portions thereof listed, the following uses may be allowed as permitted uses:

 - (i) Notwithstanding section 6.3(1) of this Land Use Bylaw, warehouse and storage in a building in existence as of July 15, 2003 may be allowed as a permitted use on Lot 22 and 29, Block 17, Plan 7604S (5904-54 Avenue).
 - (p) Notwithstanding section 6.3(1), structural alterations, exterior renovations, expansions or additions are permitted uses for existing buildings located on the sites listed in section 6.3(1)(a)(xi), provided that they comply with the general purpose of the I1A/BSR District set out in section 6.3 and subject to Municipal Planning Commission approval of the site development.
 - (q) Signs, as listed within the C3 Commercial (Neighbourhood Convenience) District and which comply with the provisions of section 3.3 of this Bylaw, may be allowed as a discretionary use on Lot 1, Block 23, Plan 892 1574.
 - (r) ¹DELETED
 - (s) ²DELETED
 - (t) ³Notwithstanding Section 5.6 of this Land Use Bylaw, on Lot 5, Block 1, Plan 972-4056 a combined commercial restaurant and maximum 230 unit assisted living facility shall be a permitted use. This mixed use development requires approval by the Development Authority and is subject to the following development regulations/standards:

¹ 3357/Z-2007, 3357/I-2013

² 3357/Z-2007, 3357/I-2013

³ 3357/G-2008

- (i) Floor areas minimum within the assisted living facility for a one bedroom unit shall be 46.5 square metres, and for a unit of more than one bedroom 65.0 square metres;
- (ii) Landscaping area minimum: 30% of site;
- (iii) Building height maximum: 4 storeys;
- (iv) Front Yard Minimum: 15.0 m;
- (v) Side Yard Minimum: 4.5 m;
- (vi) Rear Yard Minimum: 3.0 m;
- (vii) Parking: Subject to Section 3.1 and 3.2;
- (viii) Loading Spaces: One opposite each loading door with a minimum of one:
- (ix) Site Area Minimum: Existing parcel
- (x) Site Frontage Minimum: 30.0 m
- (xi) Any development standard not specifically referred to above including building elevations, shall be subject to approval by the Municipal Planning Commission;
- (xii) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Municipal Planning Commission.

(u) ¹To allow for compatible redevelopment on sites listed below multi-family and multi-attached residential buildings shall be added to the list of discretionary uses in the applicable land use district to allow redevelopment of the property to less than or equivalent gross floor area as the existing structure and to a maximum height of 2 storeys or 10 metres measured from the average of the lot grade. The Riverside Meadows Overlay District, section 7.11, shall continue to apply:

Lot	Block	Plan	Street Address
29	1	7621574	5963 60A Street
1-2	15	7604S	5514 60 Street
15-17	1	297BH	5904 60 Avenue
18	D	1846TR	5841 60 Avenue
19	D	1846TR	5837 60 Avenue
20	D	1846TR	5833 60 Avenue
22	D	1846TR	5829 60 Avenue
1A	2	1030NY	5713 60 Avenue
28-30	A	4359AH	5922 59 Avenue
9	4	4963TR	6042 58A Street
8	4	4963TR	6038 58A Street
7	4	4963TR	6034 58A Street
6	4	4963TR	6030 58A Street
5	4	4963TR	6026 58A Street
4	4	4963TR	6022 58A Street
3	4	4963TR	6018 58A Street

¹ 3357/U-2009

2	4	4963TR	6014 58A Street
1	4	4963TR	6010 58A Street
1-3	3	934AJ	5804 58 Avenue
9-10	5	7604S	5921 58 Avenue
14	C	5534HW	5920 58 Avenue
21	3	9720243	5816 58 Avenue
26	4	8022765	5811 58 Avenue
19A	2	7621867	5804 58 Avenue
19B	2	7621867	5802 58 Avenue
Z	5	7604S	5918 57 Avenue
13-14	5	7604S	5910 57 Avenue
15-16	5	7604S	5906 57 Avenue
9	9	5692KS	5819 57 Avenue
7-8	9	7604S	5815 57 Avenue
25	4	8020600	5812 57 Avenue
27	3	7923071	5714 57 Avenue
25-26	3	7604S	5704 57 Avenue
1-3	1	3331AJ	5639 56 Street
9-11	1	3331AJ	5621 56 Street
25-26	7	7604S	6010 56 Avenue
3-4	15	7604S	6005 56 Avenue
1-2	15	7604S	6001 56 Avenue
18-19	9	7604S	5816 56 Avenue
20-21	9	7604S	5812 56 Avenue
1-2	13	2800AJ	5805 56 Avenue
10-11	12	5296HW	5721 56 Avenue
8A	12	7921790	5715 56 Avenue
25-30	1	3331AJ	5608 55 Street
Z	23	7604S	5914 52 Avenue

(v) ¹On the sites listed below, semi-detached housing with a common rear wall (back to back duplex) shall be added to the list of discretionary uses set out in the applicable land use district:

Lot	Block	Plan	Street Address
1-2	2	934AJ	5831 58A Street
6-8	2	934AJ	5821 58A Street
21, 22	2	8721703	5826 & 5827 58A Street (if they both developed concurrently)
9-10	2	934AJ	5817 58A Street
23	2	0727482	5813 58A Street
24	2	0727482	5811 58A Street

¹ 3357/U-2009

¹(w) In order to accommodate diverse forms of advertising within the C1 and C4 Districts for sites that have no less than 100 metre frontage on Gaetz Avenue and offer conference and convention space, *Dynamic Signs* which comply with section 3.4(14) of this bylaw may be allowed as a discretionary use on the following sites:

- (i) LOT E, Plan 5009KS (3310- 50 Avenue),
- (ii) LOT 5, BLOCK 15, Plan 4436TR (2929 - 50 Avenue),
- (iii) LOT 1A, BLOCK 44, PLAN 8121177 (4311- 49 Avenue)

²(x) On the site listed below, the relocation of a Dynamic Sign, lawfully in existence on September 30, 2010 to another location on the same site, is a discretionary use provided that the dynamic portion of the sign is not altered and provided that the sign complies with the applicable provisions of sections 3.3 and 3.4.

- (i) LOT 1-3 BLOCK 5, Plan H (4802 51 Avenue)

³(y) To allow for the compatible redevelopment on sites listed below, multi-family and multi-attached residential buildings shall be added to the list of discretionary uses in the applicable land use district to allow redevelopment of the property to less than or equivalent gross floor area as the existing structure and to a maximum height of 2 storeys or 10 metres or to the maximum height of the existing building Section 7.11 shall continue to apply.

¹ 3357/F-2013, 3357/R-2010

² 3357/Y-2010, Clerical Correction re: numbering

³ 3357/H-2013

Lot	Block	Plan	Civic Address
10-11	E	K11	5601 42 St
2	A	3019KS	5506 41 St
1	1	223AI	3930 55 Av
5	2	4618KS	3926 56 Av
Z	1	223AI	3905 56 Av
1	7	1429HW	3815 54 Av
14-16	9	6269AF	5409 38 St
5	19	970KS	5501 37 St
1	25	970KS	5553 36 St
54	31	7520383	2 Watson St
53	31	7520383	4 Watson St
52	31	7520383	6 Watson St
51	31	7520383	8 Watson St
50	31	7520383	10 Watson St
49	31	7520383	12 Watson St
48	31	7520383	14 Watson St
47	31	7520383	16 Watson St
46	31	7520383	18 Watson St
45A	31	7520383	20 Watson St

¹(z) Subject to the approval of the Municipal Planning Commission, on the site listed below, two Dynamic Signs may be placed within the existing Canopy Sign on the existing building, provided that the overall Sign, including the Dynamic Signs, otherwise complies with sections 3.3 and 3.4:

(i) Lot 6A, Block 18, Plan H (Civic Number 4922 – 49 Street)

²(aa) The location highlighted below, south of Timberlands Drive and abutting the road right-of-way, shall be restricted to a mixed use building as described herein. A portion of the said building must abut Timberlands Drive. The building shall be comprised of at-grade (main floor) commercial use and 3-storeys of multi-family residential. The building shall have an active commercial street face built close to or abutting Timberlands Drive. For further clarity, the restrictions of this Section 8.22(aa) shall be considered fundamental land use restrictions applicable to this location highlighted below; and, the restrictions of this Section 8.22 (aa) shall ‘overlay’ or restrict and limit the listed permitted and discretionary uses of any general Land Use District (e.g. C5 District) that may otherwise apply to the location highlighted below.



³(bb) Notwithstanding Section 3.1(1), on Lot 1A, Block 44, Plan 812 1177 (4311 49 Avenue) parking will be subject to the regulations in Section 3.1 and Section 3.2.

¹ 3357/L-2014

² 3357/D-2015

³ 3357/F-2015

1(cc) Notwithstanding Section 6.2 of I2 Industrial (Heavy Industrial) District of this Land Use Bylaw the following exceptions apply to the lands currently owned by EVRAZ INC. NA CANADA, located at 27251 Township Road 391 (short legal: NW ¼ Sec 3-39-27-W4, Linc 0018975856): any expansion of the use or development shall require the submission of a detailed noise impact study by the proponent, prepared by a qualified consultant, to determine what on-site mitigation measures are required to avoid excess sound emissions to the satisfaction of the Development Officer.

²(dd) Notwithstanding Section 5.6 of this Land Use Bylaw, on Lot 1, Block 2, Plan 932 1800 (2506 19 Street) development requires approval by the Development Authority and is subject to the following development regulations/standards:

(i) Regulations:

- (1) Site Coverage: Maximum of 25%
- (2) Building Height: Maximum of 2 storeys (maximum 9.0m)
- (3) Landscaped Area Minimum: 20% of site area
- (4) Parking Spaces: Subject to sections 3.1 & 3.2
- (5) Design Criteria: Subject to section 8.22(1)(dd)(iii)

(ii) Approving Authority

- (1) The Development Authority is the Approving Authority for all uses and development on this property. In exercising its approval powers, the Development Authority shall ensure that development, in addition to the above Regulations, also complies with any Design Criteria. Variances to the Regulations or Design Criteria will not be considered.
- (2) All development standards, site plan, site access, the relationship between buildings, structures and open space, the architectural treatment of any building, the provision and architecture of landscaped areas, and the parking layout shall be subject to approval by the Approving Authority.

(iii) Design Criteria

- (1) The Design Criteria within this site exception shall prevail over the C5 District Design Criteria
- (2) The physical relationship of building with the street is critical in establishing the overall character of the area. The Building shall have a strong presence along its public street fronting property line and an inviting interface with the public realm's sidewalk and street

¹ 3357/U-2015

² 3357/HH-2016

- (3) Developments shall create variety, character, comfortable scale and visual interest by incorporating a variety of building styles.
- (4) The Principles of Crime Prevention through Environmental Design (CPTED) shall be applied to all development.
- (5) High quality hard and soft landscaping elements shall be provided including trees and shrubs that add value throughout all seasons.
- (6) Developments shall be designed with green technologies and materials that reduce energy, waste and conserve water (i.e. green roofs, solar energy systems, district energy).
- (7) Building fronting collector streets shall have minimal front yard setbacks unless additional space is required for such things as an eating patio, major private art display, water feature or other amenity.
- (8) The rear yard setbacks shall be flexible and as required to allow for site access, on-site parking, loading and servicing. The west yard setback to building to be a minimum of 23.0m, with the exception of the southwest corner of the site permitting a minimum setback of 7.0m to building face.
- (9) Developers shall create opportunities for pedestrian linkages to the east and south only.
- (10) Street elevations of buildings located on corner properties shall have equal sidewalk interface and architectural corner features and high quality elevation treatments along each side.
- (11) Building walls facing a public street shall be articulated at approximately 6-8 metre intervals containing varied design elements such as entrances, windows, vertical accents, setbacks, canopies and signage, projections, and roof lines.
- (12) All businesses or stores shall have their own clearly identifiable street level entry.
- (13) All commercial ground floor elevations facing a street shall contain un-tinted glass windows.
- (14) Underground parking is highly encouraged. All surface parking shall be paved and located behind the building(s) in carefully designed, landscaped lots with defined, integrated pedestrian connections to public sidewalks and trails. No surface parking shall be allowed between a street and a building.

- (15) To assist in establishing a sustainable urban environment, internal private laneways are encouraged as part of the design to allow servicing, access to parking, as well as key pedestrian linkages.
- (16) Signage shall comply with the signage requirements of the Land Use Bylaw for the C1 District.
- (17) Illuminated signage mounted on buildings shall not be permitted, with the exception of a fuel sales site. Signage may be accentuated by lighting fixtures projecting light either back at the building or down towards the ground.
- (18) A 2.4m high solid opaque fence is required along the entire west property line.
- (19) Garbage collections shall be underground waste disposal system or equal. Garbage collection bins and waste disposal that is 100% above ground shall not be permitted.
- (20) The majority of the tree buffer along the northwest boundary be retained.
- (21) The location of fuel sales and accessory car wash are located adjacent to the arterial and collector roadways away from the single family residential to the west.

¹(ee) On those sites listed below, a Supervised Consumption Services may be considered as a Discretionary Use with City Council as the designated Development Authority:

- (i) Lot 1, Block 7, Plan 8621676 (3942 50A Avenue)

²(ff) At 6300 Cronquist Drive (Heritage Ranch, within the SW ¼ Sec 18; 38-27-W4), any legally existing use prior to January 8, 2017 shall be considered a discretionary use thereafter.

2. Areas Specifically Exempted from a Particular Use

- (a) No new or used car lot or trailer sales establishment shall be permitted on any site situated on any of the following areas.

<u>Abutting</u>	<u>Between</u>	<u>And</u>
Ross Street	48 Avenue	51 Avenue
Gaetz Avenue	47 Street	53 Street
49 Avenue	Lane south of: 49 Street	Lane north of: 51 Street

¹ 3357/II-2017

² 3357/F-2018

(b) On those sites in the Heritage Business Park, or portions thereof herein listed, the following uses will not be allowed:

(i) a gaming or drinking establishment:

- (1) Lot 3, Block 13, Plan 832-2275 (6290-67A Street)
- (2) Lot 6, Block 13, Plan 912-1753 (6284-67A Street)
- (3) Lot 8, Block 13, Plan 952-4412 (6264-67A Street)
- (4) Lot 7, Block 13, Plan 952-4124 (6104-67A Street)

(c) ¹On Lot 174, Block 2, Plan 142 1595 (42 Timberstone Way) no uses of the R2 Residential (Medium Density) District shall be allowed except for “assisted living facilities” and “‘big house’ styled multiple family building up to three storeys”, both of which shall be discretionary uses on this parcel.

(d) ²On Lot 1, Block 7, Plan 952 0967 (2827-30 Avenue) the following uses shall not be allowed as either permitted or discretionary uses:

- (i) Liquor Store
- (ii) Sale of Fuel

(e) ³On Lot 1, Block 2, Plan 932 1800 (2506 19 Street) the following uses shall not be allowed as either permitted or discretionary:

- (i) Dwelling units above the ground floor
- (ii) Home music instructor/instruction
- (iii) Home occupations which, in the opinion of the Development Office, will not generate traffic
- (iv) Live work unit
- (v) Multiple family building with a minimum density of 35 dwelling units/hectare
- (vi) Multi-attached building with a minimum density of 35 dwelling units/hectare
- (vii) Show Home or Raffle Home
- (viii) Accessory building or use
- (ix) Assisted living facility
- (x) Commercial entertainment facility
- (xi) Drinking establishment (adult entertainment prohibited)
- (xii) Parking lot / parking structure
- (xiii) Place of worship or assembly
- (xiv) Public and quasi-public buildings
- (xv) Outdoor display or sale of goods
- (xvi) ⁴Restaurant with drive-through

¹ 3357/V-2014

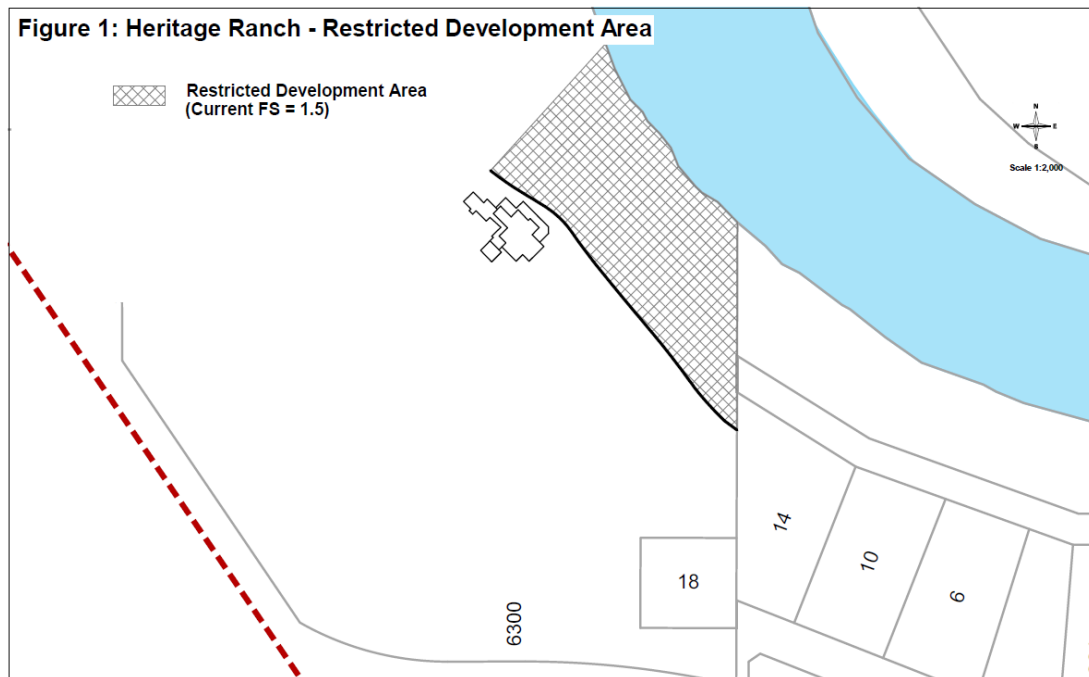
² 3357/T-2016

³ 3357/HH-2016

⁴ 3357/G-2018

- (f) ¹On 4718-19 Street the following uses shall not be allowed as either permitted or discretionary uses:
 - (i) Motor Vehicle Sales

- (g) ²At 6300 Cronquist Drive (Heritage Ranch, within the SW ¼ Sec 18; 38-27-W4), no uses or development will be permitted within the Restricted Development Area as shown on Figure 1 below and “Land Use Constraints Map I14”. All other uses and development is subject to the provisions of subsections 2 through 5, and subsections 7 through 10 of Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District.



¹ 3357/X-2017

² 3357/F-2018

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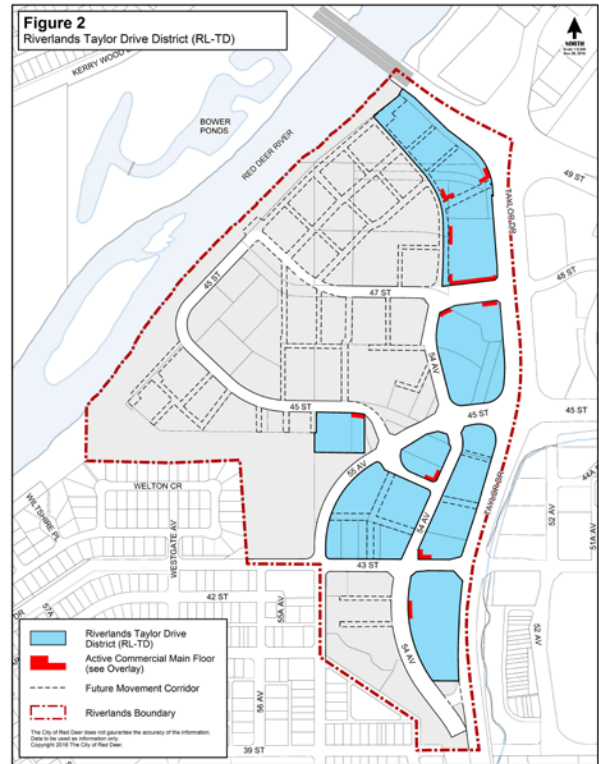
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10.2 Riverlands Taylor Drive District (RL-TD)

General Purpose

To facilitate redevelopment of the Riverlands area of Downtown Red Deer consistent with Riverlands Area Redevelopment Plan 2016, specific to the lands generally east of 54th Avenue and 55th Avenue adjacent to Taylor Drive (Figure 2). The Riverlands Taylor Drive District functions primarily as an Office/Commercial transition area between Historic Downtown, the Red Deer Regional Hospital, and the Residential area within Riverlands. Due to the proximity of this district to Historic Downtown and the Regional Hospital, the emphasis of this District is on Office and Commercial uses, with a mix of Residential Dwelling Units. Office or Commercial uses shall be a component of any Principal Building within the Riverlands Taylor Drive District.



10.2.1 Permitted Uses

- (a) ¹Drive-throughs are not allowed in the Riverlands Taylor Drive District.
- (b) With the exception of the portions of Sites identified in Figure 2 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Permitted Uses in the Riverlands Taylor Drive District:
 - (i) Accessory Building
 - (ii) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) **Artist Gallery**
 - (iv) **Artist Studio**
 - (v) Commercial Services Facility (excluding Day Care Facility, Commercial School)
 - (vi) **Convenience Food Store**
 - (vii) Dwelling Units above the Main Floor
 - (viii) **Grocery Store**
 - (ix) Health and Medical Service
 - (x) Home music instructor/instruction (two students)
 - (xi) Home Occupation which, in the opinion of the Development Officer, will not generate additional parking

¹ 3357/G-2018

- (xii) **Hotel**
- (xiii) **Information Service Provider**
- (xiv) **Market**
- (xv) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xvi) **Mixed Use Commercial/Office with Dwelling Units**
- (xvii) **Office**
- (xviii) **Open Space**
- (xix) **Print Centre**
- (xx) **Radio, Television, and Recording Studio**
- (xxi) **Restaurant**
- (xxii) **Show Home or Raffle Home**
- (xxiii) **Specialty Food Store**
- (xxiv) **Signs**
 - i. **A-board Sign;**
 - ii. **Awning Sign;**
 - iii. **Canopy Sign;**
 - iv. **Fascia Sign;**
 - v. **Freestanding Sign;**
 - vi. **Neighbourhood Identification Sign;**
 - vii. **Painted Wall Sign;**
 - viii. **Projecting Sign;**
 - ix. **Property Management Sign;**
 - x. **Under-Canopy Sign;**
 - xi. **Wall Sign; and**
 - xii. **Window Sign**
- (xxv) **Utilities**

10.2.2 Discretionary Uses

- (a) ²Drive-throughs are not allowed in the Riverlands Taylor Drive District.
- (b) With the exception of the portions of Sites identified in Figure 2 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Taylor Drive District:
 - (i) **Accessory Use**
 - (ii) **Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016**
 - (iii) **Assisted Living Facility**
 - (iv) **Commercial Entertainment Facility**
 - (v) **Commercial Recreational Facility**
 - (vi) **Commercial Service Facility**
 - (vii) **Community Entrance Feature**
 - (viii) **Drinking Establishment (adult entertainment prohibited)**
 - (ix) **Gaming or Gambling Establishment**

² 3357/G-2018

- (x) Home music instructor/instruction (six students)
- (xi) Home Occupation which will generate additional parking
- (xii) Institutional Service Facility (excluding detention and correction centres)
- (xiii) **Liquor, Beer, and/or Wine Sales**
- (xiv) Microbrewery
- (xv) **Parking Structure**
- (xvi) Public and Quasi Public Buildings
- (xvii) Outdoor display of goods and sales
- (xviii) **Seasonal Sales Area**
- (xix) **Social Organization**
- (xx) Temporary surface parking lot

10.2.3 Riverlands Taylor Drive District Development Standards

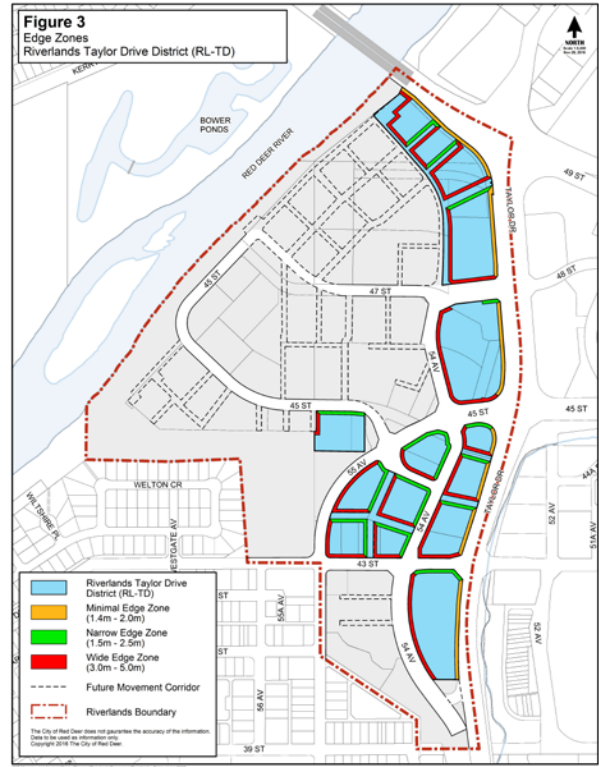
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.2 Riverlands Taylor Drive District contradict or will not serve to achieve the uses or development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District, the Overlay District shall prevail.

10.2.3.1 *Building setbacks*

- (a) Building setbacks from Streets, **Movement Corridors**, and **Public Spaces** are established by **Edge Zones**. Applicable **Edge Zone** development standards are described below and in Section 10.6.3.
- (b) All other Yard setbacks are established in Section 10.6.2 Building Setbacks

10.2.3.2 Edge Zones

- (a) The following **Edge Zone** minimums and maximums shall be applied to new Buildings in the Riverlands Taylor Drive District, in accordance with the Riverlands Taylor Drive District Edge Zone (Figure 3):
- (i) **Minimal Edge Zone**, minimum 1.4 m, maximum 2.0 m;
 - (ii) **Narrow Edge Zone**, minimum 1.5 m, maximum 2.5 m; and
 - (iii) **Wide Edge Zone**, minimum 3.0 m, maximum 5.0 m.
- (b) **Edge Zone** development standards are split into two (2) categories; **Commercial Edge Zones** and **Residential Edge Zones**. Section 10.6.3.1 **Commercial Edge Zones** shall be applied where the abutting Main Floor contains (or will contain) **Commercial** uses. Section 10.6.3.2 **Residential Edge Zones** shall be applied where the abutting **Main Floor** contains (or will contain) **Residential** uses.

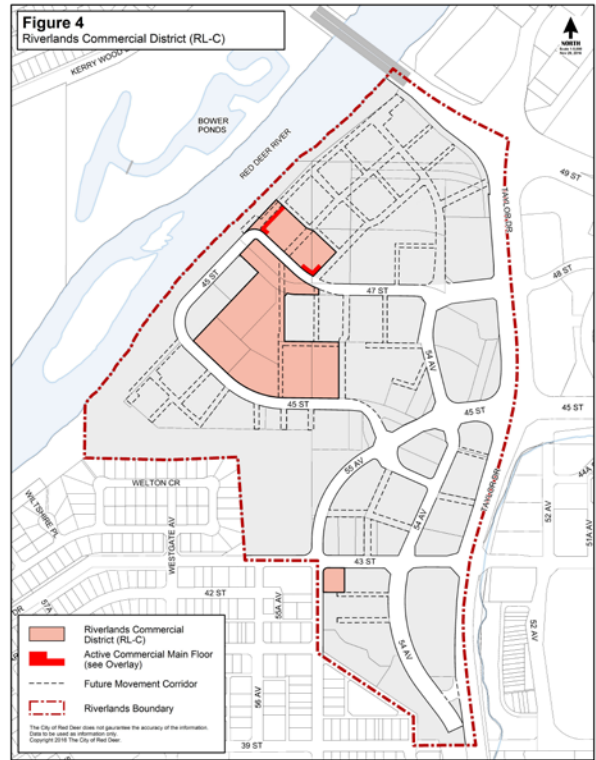


See Figure 10 Commercial Edge Zone Illustration in Section 10.6.3.1 and Figure 11 Residential Edge Zone Illustration in Section 10.6.3.2

10.3 Riverlands Commercial District (RL-C)

General Purpose

³To facilitate the redevelopment of the Riverlands area of Downtown Red Deer consistent with Riverlands Area Redevelopment Plan 2016, specific to the lands generally located on the centre-west portion of Riverlands between 45th Street and 47th Street, including lands located in the existing Cronquist Business Park (Figure 4). The Riverlands Commercial District functions primarily as a Commercial/Office area with limited Residential to reflect the existing Commercial/Office uses occurring in Cronquist Business Park.



10.3.1 Permitted Uses

- (a) ⁴Drive-throughs are not allowed in the Riverlands Commercial District.
- (b) With the exception of the portions of Sites identified in Figure 4 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Permitted Uses in the Riverlands Commercial District:
 - (i) Accessory Building
 - (ii) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) **Artist Gallery**
 - (iv) **Artist Studio**
 - (v) **Business Incubator**
 - (vi) **Commercial Entertainment Facility**
 - (vii) **Commercial Recreation Facility**
 - (viii) **Commercial Service Facility**
 - (ix) **Grocery Store**
 - (x) **Health and Medical Service**
 - (xi) **Hotel**

³ 3357/MM-2016

⁴ 3357/G-2018

- (xii) **Information Service Provider**
- (xiii) **Market**
- (xiv) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xv) **Microbrewery**
- (xvi) **Open Space**
- (xvii) **Office**
- (xviii) **Print Centre**
- (xix) **Radio, Television and Recording Studio**
- (xx) ⁵**Restaurant without drive-through**
- (xxi) **Specialty Food Store**
- (xxii) **Signs**
 - i. **A-board Sign;**
 - ii. **Awning Sign;**
 - iii. **Canopy Sign;**
 - iv. **Fascia Sign;**
 - v. **Freestanding Sign;**
 - vi. **Neighbourhood Identification Sign;**
 - vii. **Painted Wall Sign;**
 - viii. **Projecting Sign;**
 - ix. **Property Management Sign;**
 - x. **Under-Canopy Sign;**
 - xi. **Wall Sign; and**
 - xii. **Window Sign**
- (xxiii) **Utilities**

10.3.2 Discretionary Uses

- (a) ⁶Drive-throughs are not allowed in the Riverlands Commercial District.
- (b) With the exception of the portions of Sites identified in Figure 4 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Commercial District:
 - (i) **Accessory Use**
 - (ii) **Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016**
 - (iii) **Community Entrance Feature**
 - (iv) **Drinking Establishment (adult entertainment prohibited)**
 - (v) ⁷**Dwelling units above the ground floor.**
 - (vi) **Gaming or Gambling Establishment**
 - (vii) **Institutional Service Facility (excluding detention and correction centres)**
 - (viii) **Liquor, Beer and/or Wine Sales**
 - (ix) **Microbrewery**

⁵ 3357/G-2018

⁶ 3357/G-2018

⁷ 3357/MM-2016

- (x) Outdoor display of goods and sales
- (xi) **Parking Structure**
- (xii) Public and Quasi Public Buildings
- (xiii) **Seasonal Sales Area**
- (xiv) **Social Organization**
- (xv) Temporary surface parking lot
- (xvi) Temporary surface parking lot for a minimum of ten (10) years, from the passing of Bylaw 3357/Q-2016 on December 5, 2016, on the remnant portion of Lot 1 Block 3 Plan 802 0453 and Lot 8A Block 7 Plan 3824 TR that will be located south of the 47th Street (Alexander Way) Street realignment.

10.3.3 Riverlands Commercial District Development Standards

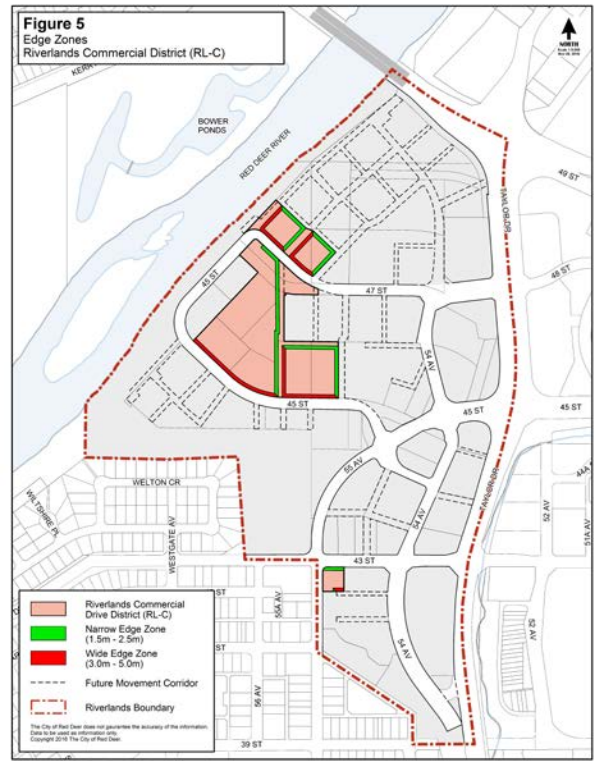
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.3 Riverlands Commercial District contradict or will not serve to achieve the uses or development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District, the Overlay District shall prevail.

10.3.3.1 *Building setbacks*

- (a) Building setbacks from Streets, **Movement Corridors**, and **Public Spaces** are established by **Edge Zones**. Applicable **Edge Zone** development standards are described below and in Section 10.6.3.
- (b) All other Yard setbacks are established in Section 10.6.2 Building Setbacks

10.3.3.2 Edge Zones

- (a) The following **Edge Zone** minimums and maximums shall be applied to new Buildings in the Riverlands Commercial District, in accordance with the Riverlands Commercial District Edge Zone (Figure 5):
- (i) **Narrow Edge Zone**, minimum 1.5 m, maximum 2.5 m; and
 - (ii) **Wide Edge Zone**, minimum 3.0 m, maximum 5.0 m.
- (b) **Edge Zone** development standards for all uses in this District are contained in Section 10.6.3.1 **Commercial Edge Zones**.

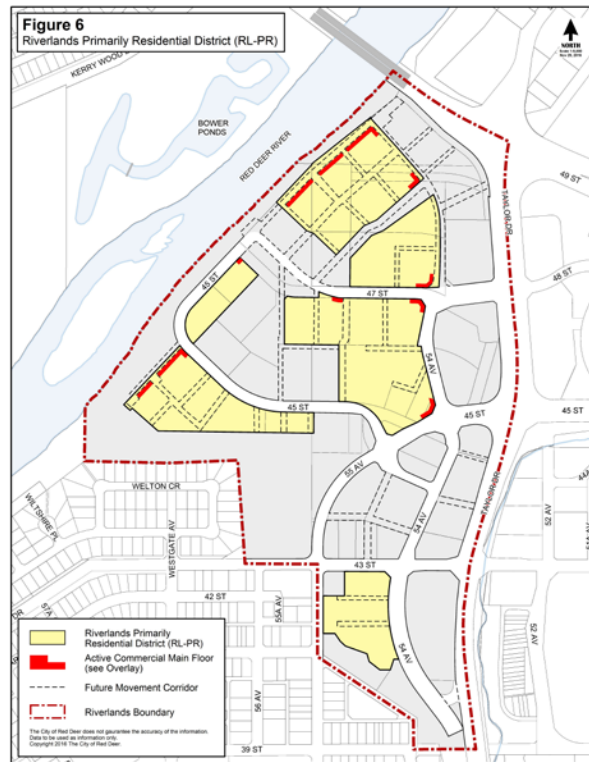


See Figure 10 Commercial Edge Zone Illustration in Section 10.6.3.1 and Figure 11 Residential Edge Zone Illustration in Section 10.6.3.2

10.4 Riverlands Primarily Residential District (RL-PR)

General Purpose

To facilitate the redevelopment of the Riverlands area of Downtown Red Deer consistent with Riverlands Area Redevelopment Plan 2016, specific to the lands generally west of 54th Avenue (Figure 6). The Riverlands Primarily Residential District is to accommodate a mix of Residential housing types, with Commercial uses compatible with the primarily Residential function of this District. Residential Dwelling Units shall be a component of any Principal Building within the Riverlands Primarily Residential District.



10.4.1 Permitted Uses

- (a) ⁸Drive-throughs are not allowed in the Riverlands Primarily Residential District.
- (b) With the exception of the portions of Sites identified in Figure 6 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Permitted Uses in the Riverlands Primarily Residential District:
 - (i) Accessory Building
 - (ii) **Artist Gallery**
 - (iii) **Artist Studio**
 - (iv) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (v) **Business Incubator**
 - (vi) Commercial Service Facility (excluding financial or insurance services outlet, animal veterinary clinic or dog grooming salon, Commercial School or Day Care Facility)
 - (vii) **Convenience Food Store**
 - (viii) Home music instructor/instruction (two students)
 - (ix) Home Occupation which, in the opinion of the Development Officer, will not generate additional parking

⁸ 3357/G-2018

- (x) **Information Service Provider**
- (xi) **Live Work Unit**
- (xii) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xiii) **Mixed Use Commercial/Office with Dwelling Units**
- (xiv) **Multi-Attached Building** (excluding 2 storey townhouses and row houses, triplexes, and fourplexes)
- (xv) **Multiple Family Building**
- (xvi) **Open Space**
- (xvii) **Show Home or Raffle Home**
- (xviii) **Signs**
 - i. **A-board Sign;**
 - ii. **Awning Sign;**
 - iii. **Canopy Sign;**
 - iv. **Fascia Sign;**
 - v. **Freestanding Sign;**
 - vi. **Neighbourhood Identification Sign;**
 - vii. **Painted Wall Sign;**
 - viii. **Projecting Sign;**
 - ix. **Property Management Sign;**
 - x. **Under-Canopy Sign;**
 - xi. **Wall Sign; and**
 - xii. **Window Sign**
- (xix) **Specialty Food Store**
- (xx) **Utilities**

10.4.2 Discretionary Uses

- (a) ⁹Drive-throughs are not allowed in the Riverlands Primarily Residential District.
- (b) With the exception of the portions of Sites identified in Figure 6 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Primarily Residential District:
 - (i) **Accessory Use**
 - (ii) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) **Assisted Living Facility**
 - (iv) **Commercial Service Facility** (excluding financial or insurance services outlet)
 - (v) **Community Entrance Feature**
 - (vi) **Home music instructor/instruction** (six students)
 - (vii) **Home Occupation** which will generate additional parking
 - (viii) **Multi-Attached Building**
 - (ix) **Outdoor display of goods and sales**
 - (x) **Restaurant**
 - (xi) **Seasonal Sales Area**

⁹ 3357/G-2018

- (xii) **Social Organization**
- (xiii) Temporary surface parking lot
- (xiv) ¹⁰Commercial Entertainment Facility on 5589-47 Street (Condominium Plan 152 2369)
- (xv) ¹¹Commercial Recreational Facility on 5589-47 Street (Condominium Plan 152 2369)
- (xvi) ¹²Office on 5589-47 Street (Condominium Plan 152 2369)

10.4.3 Riverlands Primarily Residential District Development Standards

- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.4 Riverlands Primarily Residential District contradict or will not serve to achieve the uses or development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District, the Overlay District shall prevail.
- (b) Any development permit application for a principle Building on 5581 – 45th Street (Lot 2 Block 1 Plan 762 1616) shall be circulated to landowners between 85 Welton Crescent and 138 Welton Crescent for comment.

10.4.3.1 *Building setbacks*

- (a) Building setbacks from Streets, **Movement Corridors**, or **Public Spaces** are established by the **Edge Zone**. Applicable **Edge Zone** development standards are described below and in Section 10.6.3.
- (b) All other Yard setbacks are established in Section 10.6.2 Building Setbacks

¹⁰ 3357/KK-2016

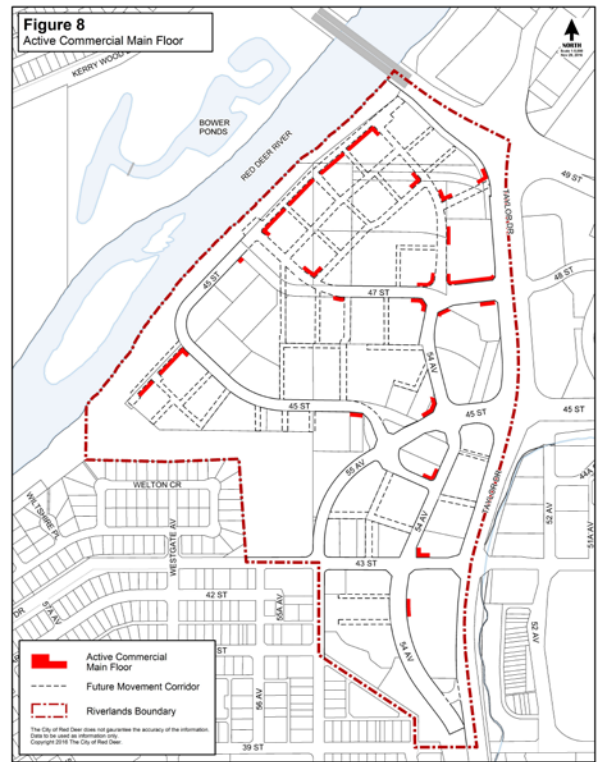
¹¹ 3357/KK-2016

¹² 3357/KK-2016

10.5 Riverlands Active Commercial Main Floors Overlay District

General Purpose

To identify strategic locations for street oriented **Active Commercial Main Floor** uses crucial for lively Streets and **Public Spaces**. The locations applicable to this Overlay District are identified on the Riverlands Active Commercial Main Floors Overlay District (Figure 8) and the development standards shall apply to the **Main Floor**, but may be applied on subsequent floors if desired. The Overlay District is related to the **Movement Corridors** in the Riverlands Area Redevelopment Plan. Any change in **Movement Corridors** will require review and potential amendments to the Active Commercial Main Floors Overlay District.



10.5.1 Permitted Uses

- (a) ¹³Drive-throughs are not allowed in the Riverlands Active Commercial Main Floors Overlay District.
- (b) The following uses are Permitted Uses in the Riverlands Active Commercial Main Floors Overlay District:
 - (i) Accessory Use
 - (ii) **Active Artist Studio**
 - (iii) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iv) **Artist Gallery**
 - (v) **Bakery**
 - (vi) **Butcher**
 - (vii) **Coffee Shop**
 - (viii) **Convenience Food Store**
 - (ix) **Drinking Establishments (adult entertainment prohibited)**
 - (x) **Grocery Store**
 - (xi) **Liquor, Beer, and/or Wine Sales**

¹³ 3357/G-2018

- (xii) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xiii) **Open Space** as identified in the 2016 Riverlands Area Redevelopment Plan as public squares
- (xiv) **Restaurant**
- (xv) **Signs**
 - i. A-board Sign;
 - ii. Awning Sign;
 - iii. Canopy Sign;
 - iv. Fascia Sign;
 - v. Freestanding Sign;
 - vi. Painted Wall Sign;
 - vii. Projecting Sign;
 - viii. Property Management Sign;
 - ix. Under-Canopy Sign;
 - x. Wall Sign; and
 - xi. Window Sign
- (xvi) **Specialty Food Store**

10.5.2 Discretionary Uses

- (a) ¹⁴Drive-throughs are not allowed in the Riverlands Primarily Residential District.
- (b) The following uses are Discretionary Uses in the Riverlands Active Commercial Main Floors Overlay District:
 - (i) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (ii) Microbrewery

10.5.3 Riverlands Active Commercial Main Floors Overlay District Development Standards

10.5.3.1 Application

- (a) The uses and development standards of this Overlay District apply to the **Main Floors** of Sites located in whole or in part within the areas identified as **Active Commercial Main Floors** in Figure 8.
- (b) Where the uses and development standards in the **Riverlands Districts** or Section 10.6 Development Standards for Riverlands Land Use Districts contradict or will not serve to achieve the uses or development standards contained in this Overlay District, the uses and development standards in this Overlay District shall prevail.
- (c) For the purposes of this Part, Corner Sites have two (2) front boundaries.

¹⁴ 3357/G-2018

- (d) On Corner Sites abutting two (2) Streets or a Street and a Lane, the uses and development standards in this Overlay District shall apply to a minimum of 10 m measured from the Site corner along the boundaries of both Site Frontages.
- (e) On Interior Sites, except for those fronting along 45th Street between 47th Street and Taylor Drive, the uses and development standards in this Overlay District shall apply to a minimum of 10 m of Frontage measured along the Front Site Boundary.
- (f) On Sites fronting 45th Street between 47th Street and 54th Avenue, the uses and development standards in this Overlay District shall apply to all **Main Floors**.
- (g) On Sites on the north side and fronting 47th Street between 54th Avenue and Taylor Drive, the uses and development standards in this Overlay District shall apply to all **Main Floors**.
- (h) On Lot 2 Block 1 Plan 762 1616, the uses and development standards in this Overlay District shall apply to the majority of **Main Floors** fronting the Red Deer River.

10.5.3.2 Building Design

- (a) Buildings must be designed with a front façade that runs the entire length of the Frontage, except where:
 - (i) A break in continuous façade is needed to accommodate access to parking facilities and no other access point is reasonable. The parking facility access shall be a maximum width of 7.0 m; and
 - (ii) Where the Development Authority has approved a Side Yard setback with an adjacent Site.
- (b) The entire **Main Floor** of all Buildings subject to this Overlay District shall have a minimum **Main Floor** height of 3.5 m measured from the interior floor to the underside of the floor above.

10.5.3.3 Building setbacks

- (a) Building setbacks from Streets, **Movement Corridors**, and **Public Spaces** are established by **Edge Zones**. Applicable **Edge Zone** development standards are described below and in Section 10.6.3.
- (b) All other Yard setbacks are established in Section 10.6.2 Building Setbacks

10.5.3.4 Edge Zones

- (a) The following **Edge Zone** minimums and maximums shall be applied to Buildings in Section 10.5 Riverlands Active Commercial Main Floors Overlay District, in accordance with Figure 9:
 - (i) Minimal **Edge Zone**, minimum 1.4 m, maximum 2.0 m;
 - (ii) Narrow **Edge Zone**, minimum 1.5 m, maximum 2.5 m; and
 - (iii) Wide **Edge Zone**, minimum 3.0 m, maximum 5.0 m.
- (c) **Edge Zone** development standards for all uses in this District are contained in Section 10.6.3.1 **Commercial Edge Zones**.

See Figure 10 Commercial Edge Zone Illustration in Section 10.6.3.1 and Figure 11 Residential Edge Zone Illustration in Section 10.6.3.2

10.6 Development Standards for Riverlands Districts

10.6.1 Development Authority for Riverlands Districts

- (a) In exercising its approval powers, the Development Authority shall ensure that Development conforms to the general intent of the 2016 Riverlands Area Redevelopment Plan.
- (b) All development standards, site plan, site access, the relationship between Buildings, Structures and Amenity Space and Edge Zones, the architectural treatment of any Building, the provision and architecture of Landscaped Areas, and the parking layout shall be subject to approval by the Development Authority.

10.6.2 Building Setbacks for Riverlands Districts

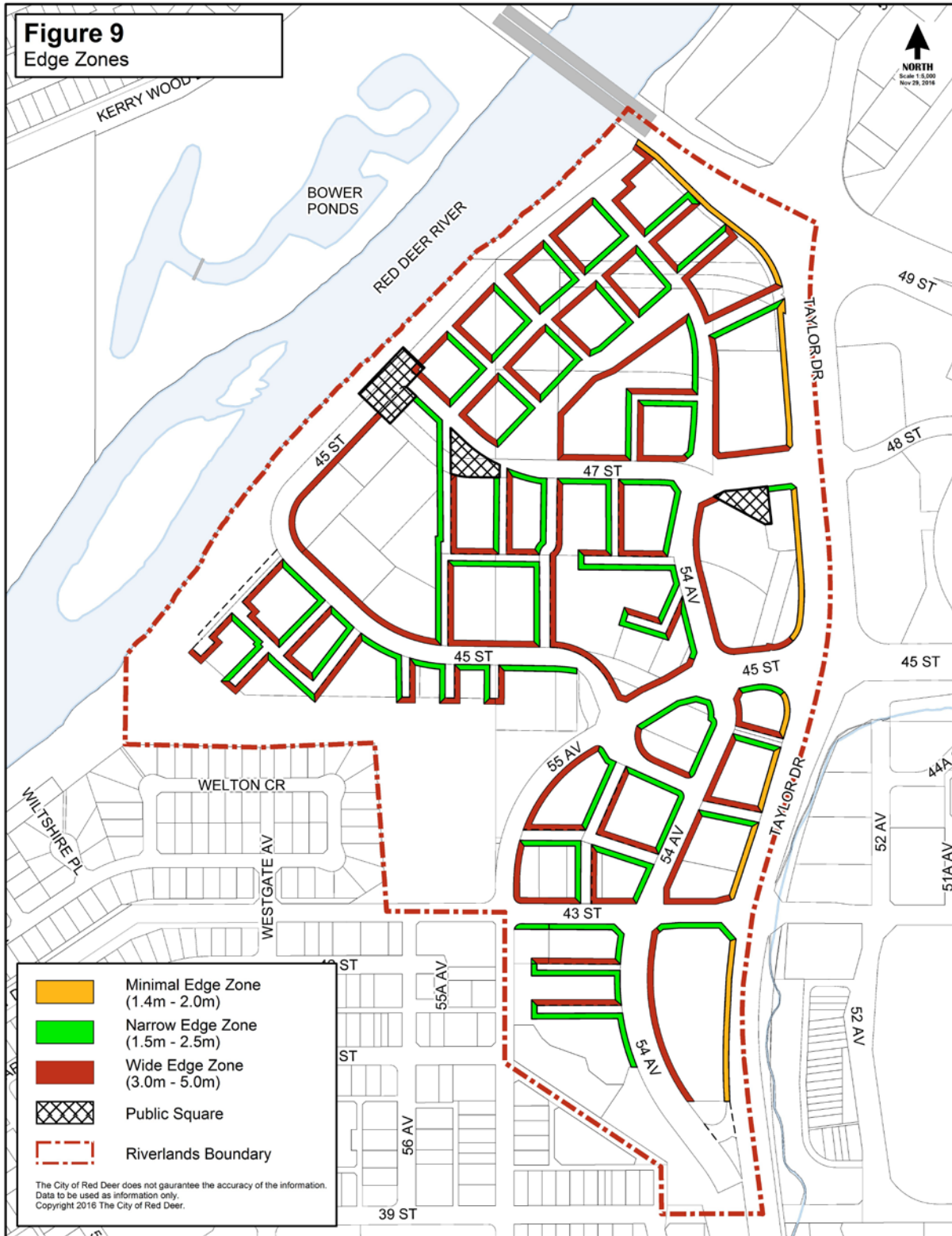
- (a) A Front Yard Building setback is determined by the Edge Zone and Section 10.6.3. Front Yard Building setbacks abutting a Street, Movement Corridor, or Public Space that is not subject to an Edge Zone shall be determined by the Development Authority.
- (b) Where Edge Zones are applied the Building shall abut the Edge Zone. Buildings shall not be setback farther than the maximum Edge Zone.
- (c) Side Yard Building setback for a Side Yard abutting a Street, Movement Corridor, or Public Space is determined by the Edge Zone in Section 10.6.3.
- (d) Side Yard Building setback for a Side Yard abutting a Site is determined by the Development Authority.
- (e) Rear Yard Building setback for a Rear Yard abutting a Street is determined by the Development Authority.
- (f) Rear Yard Building setback for a Rear Yard abutting a Site is determined by the Development Authority.

10.6.3 Edge Zone Development Standards for Riverlands Districts

- (a) For the purpose of Edge Zones all non-Residential uses shall comply with the Commercial Edge Zone Development Standards.
- (b) Edge Zones development standards shall apply to new Buildings and surface parking.
- (c) Compliance with Edge Zones for Existing Buildings and surface parking is optional but is strongly encouraged to contribute to the vision of Riverlands and improve the public realm.
- (d) Edge Zone development standards apply to any redevelopment on the front of the Main Floor of an Existing Building.
- (e) Compliance with Edge Zone development standards is encouraged for an application to develop additional storeys.

- (f) Compliance with **Edge Zones** development standards is not required for redevelopment that results in additions built within a Rear Yard or a Side Yard abutting another Site.
- (g) New Building **Edge Zones** development standards shall be applied to new Buildings abutting **Public Spaces**.
- (h) **Edge Zone** development standards shall not be varied by the Development Authority, unless allowed in this Part.
- (i) Where **Edge Zones** apply, the applicable **Edge Zone** setback and **Edge Zone** development standards apply along the entire **Building** façade.
- (j) Where a Site abuts three (3) or more Streets, **Movement Corridors**, or **Public Spaces**, the Development Authority shall ensure the requirements for **Edge Zones** are met on at least two (2) of the abutting sides. In assessing which sides of multi-face Sites should be required to comply, the Development Authority will take into consideration continuation of existing developed Streets, **Movement Corridors**, **Public Spaces**, and/or **Edge Zones** and will prioritize **Edge Zone** application to the abutting **Movement Corridors** in the following order of highest preference to lowest priority: Urban Corridor; Green Spine; Neighbourhood Connector; Local Connector; then Residential Mews (Figure 13 in Section 10.6.17)
- (k) Fencing of the **Edge Zone**, or any part of the **Edge Zone**, is subject to Section 3.20 of this Bylaw.

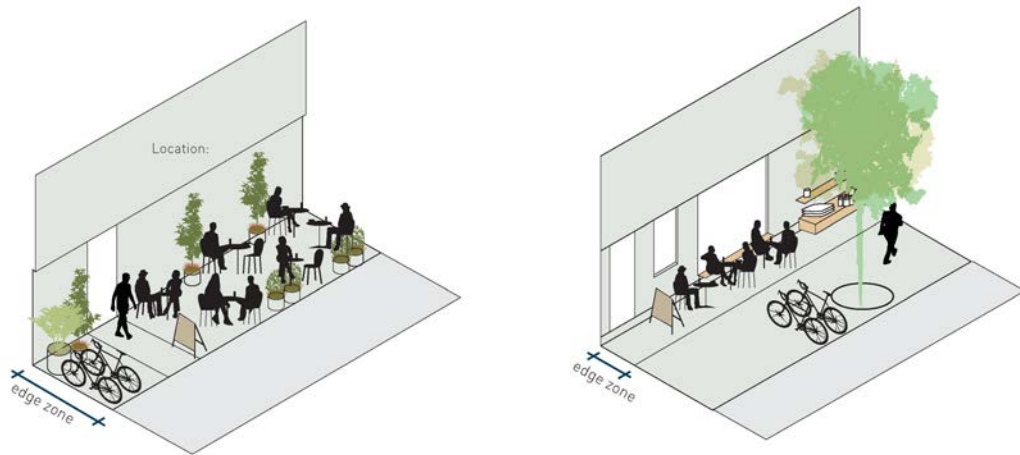
Figure 9
Edge Zones



10.6.3.1 *Commercial Edge Zones for Riverlands Districts*

- (a) **Commercial Edge Zones** are applied where the abutting **Main Floor** contains (or will contain) **Commercial** uses.
- (b) **Commercial Edge Zones** shall provide at least two (2) of the following as permanent features, in addition to the required bicycle racks described in Section 10.6.12(a):
 - (i) Art installation (for example, mosaics, murals, sculptures);
 - (ii) Product display directly associated with the abutting **Commercial** use on the same Site;
 - (iii) Seating;
 - (iv) Water feature;
 - (v) Wooden decks or decorative paving/concrete; or
 - (vi) Other feature(s) that facilitate spill-out functions of the **Commercial** uses that add life to the **Movement Corridor, Street, or Public Space**, at the discretion of the Development Authority.

Figure 10: **Commercial Edge Zone** Illustrations

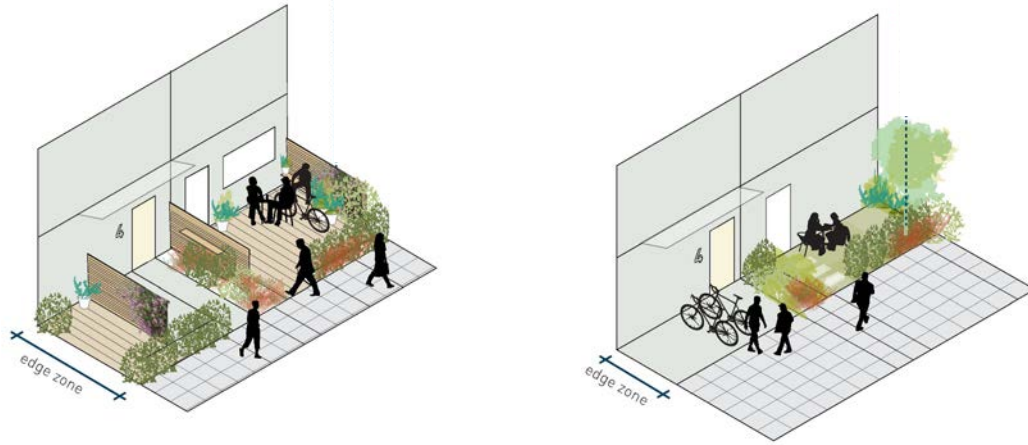


10.6.3.2 *Residential Edge Zones for Riverlands Districts*

- (a) **Residential Edge Zones** are applied where the abutting **Main Floor** contains (or will contain) **Residential** uses.
- (b) All **Residential Main Floor Dwelling Units** facing the **Movement Corridor** and/or **Street** shall incorporate the abutting **Edge Zone** as private space. The **Dwelling Units** shall use landscaping features or materials to provide privacy as well as to demarcate the private from the public.
- (c) **Residential Edge Zones** shall provide at least two (2) of the following as permanent features, in addition to the required bicycle racks described in Section 10.6.12(a):
 - (i) Art installations (for example, mosaics, murals, sculptures);
 - (ii) Garden;
 - (iii) Play structures;
 - (iv) Seating;
 - (v) Water feature;
 - (vii) Wooden decks or decorative paving/concrete; or

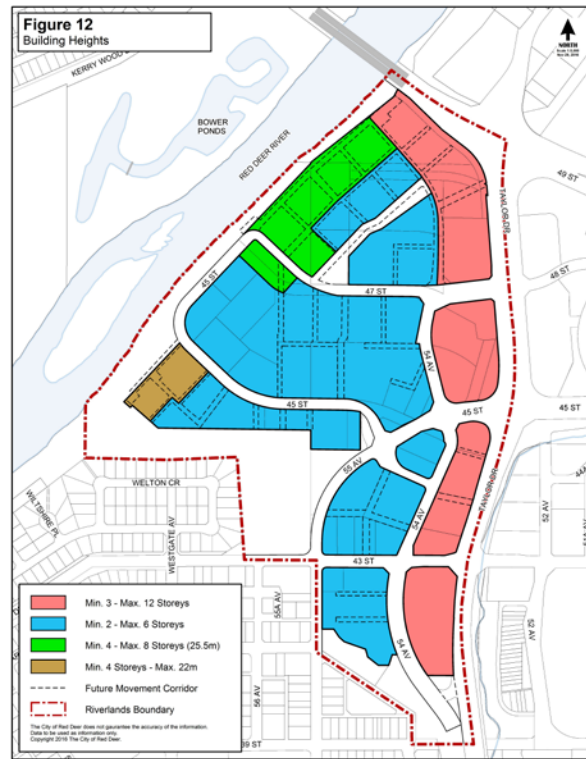
- (viii) Other feature(s) that provide a privacy threshold and outdoor space for Residential activities to occur, at the discretion of the Development Authority.

Figure 11: Residential Edge Zone Illustrations



10.6.4 Building Heights for Riverlands Districts

- (a) Building Heights may not be varied by the Development Authority.
- (b) Building Heights for all Developments in this Part shall be provided in accordance with Figure 12 Building Heights.



10.6.5 Site Coverage for Riverlands Districts

- (a) Minimum Site Coverage shall not be varied by the Development Authority to accommodate an increase in parking, with the exception of temporary surface parking lots.
- (b) Minimum Site Coverage shall be 40% of the total Site for all Developments in the Riverlands Districts.

10.6.6 Dwelling Units for Riverlands Districts

- (a) A minimum of three (3) Dwelling Units shall be provided in each Principal Building within the Riverlands Primarily Residential (RL-PR) District.
 - (i) The minimum Dwelling Units required for Principal Buildings in the Riverlands Primarily Residential (RL-PR) District may not be varied by the Development Authority.
- (b) Dwelling Units may be provided in Principal Buildings within the Riverlands Taylor Drive (RL-TD) District.
- (c) ¹⁵DELETED

10.6.7 Building Design for Riverlands Districts

- (a) Buildings shall define the Street and/or **Movement Corridor**, shall horizontally and vertically abut the **Edge Zones** and shall create visual spatial components to create a comfortable Street and/or **Movement Corridor** environment which contributes to walkability.
- (b) Buildings located on Corner Sites shall have equal architectural corner features and high quality elevation treatments along each **Movement Corridor**, Street, or **Public Space**.
- (c) Building entrances shall be designed and architecturally treated to emphasize the Building entrances.
- (d) **Residential** and **Commercial** entrances are encouraged to be architecturally differentiated to avoid confusion.
- (e) **Commercial** uses on the **Main Floor** shall have convenient entrances and transparent fronts with un-tinted glass windows.
- (f) Dwelling Units with any portion of the unit located at the **Main Floor** shall have individual, separate, and direct access to the **Edge Zone**.
- (g) More than one type of high quality Building material, including but not limited to, brick, stone, concrete, hardy board, and cement stucco shall be used in a variety of combinations for ornamentation and articulation.

¹⁵ 3357/MM-2016

- (h) Building elevations abutting an **Edge Zone** shall be visually articulated at a minimum of every 6 m to a maximum of every 8 m intervals containing varied design elements such as entrances, windows, vertical accents, variation of colour and Building materials, canopies and signage, projections and roof lines.
- (i) Blank walls over 5 m in length shall be mitigated where, in the opinion of the Development Authority the blank wall is unavoidable, through a combination of the following treatments:
 - (i) Art installations (for example mosaics, murals, decorative masonry patterns, sculptures);
 - (ii) **Building Lighting**;
 - (iii) Different textures, colours, and materials;
 - (iv) Setting the wall back to provide room for landscaping or raised planter bed;
 - (v) Vertical trellis; or
 - (i) Other treatments that break up the expansive blank wall, at the discretion of the Development Authority
- (j) Elements which are utilitarian in nature, including but not limited to, air conditioning units, electrical equipment, service areas, waste receptacles and the like shall be **Screened**.
- (k) With the exception of Sites identified in Section 10.5 Riverlands Active Commercial Main Floors Overlay District, Buildings are strongly encouraged to have a minimum **Main Floor** height of 3.5 m measured from the interior floor to the underside of the floor above along the entire **Main Floor**.

10.6.8 **Amenity Space for Riverlands Districts**

- (a) All Buildings containing three or more Dwelling Units and/or Assisted Living Facility units shall provide **Amenity Space**. **Amenity Space** may be provided as **Common Amenity Space**, **Private Amenity Space**, provide linkages with abutting Sites or a combination of all three (3). **Amenity Space** locations may be provided in, but not limited to, **Edge Zones**, **Landscaped Areas**, and/or **Roof Terraces**.
- (b) Minimum **Amenity Space** is 4.5m² per Dwelling Unit, and 15.0 m² per unit for an Assisted Living Facility.
 - (i) **Private Amenity Space**:
 - i. Shall adjoin and be directly accessible from the Dwelling Unit; and
 - ii. Shall have a minimum of 1.8 m x 2.0 m in dimension.
 - (ii) **Communal Amenity Space**:
 - i. May be provided indoor and/or outdoor;
 - ii. **Communal Amenity Space** outdoor shall provide at least one of the following as permanent features:
 - (1) Art installation;
 - (2) Barbeque area with tables and garbage receptacles;
 - (3) Communal garden;
 - (4) Gazebo;
 - (5) Play structure;
 - (6) Pergola;
 - (7) Seating;
 - (8) Water feature; or

- (9) Other feature, at the discretion of the Development Authority.
- iii. Shall be accessible to all Dwelling Units or Assisted Living Facility units;
- iv. Shall have a minimum contiguous area of 50.0 m² with no dimension less than 6.0 m; and
- v. Should be located at or above Grade.

10.6.9 Pedestrian Connections for Riverlands Districts

- (a) Every Use contained in a Building that has an exterior public entrance shall have a **Walkway** connecting the public entrance to a **Sidewalk**.
- (b) Opportunities for pedestrian linkages with abutting properties shall be provided.

10.6.10 Parking Requirements for Riverlands Districts

- (a) Parking requirements are subject to Section 3.1.
- (b) Parking requirements in Table 3.1 of this Bylaw may only be varied by the Development Authority where it can be demonstrated in writing, through a parking study within the Riverlands Boundary, by the applicant, and to the Development Authority's satisfaction, the following:
 - (i) Availability and number of off-site parking stalls within the Riverlands Boundary and 500 m of the subject Site, and identification of any use restrictions, including but not limited to hours of operation, whether or not it is pay parking and if so, the duration of the paid parking component, if metered parking the allowable length of stay, and whether it is dedicated parking for a specified duration;
 - (ii) Availability of monthly parking stalls within the Riverlands Boundary and 500 m, of the subject Site;
 - (iii) Availability of transit service and the distance the proposed development is to bus stops;
 - (iv) Availability of active transportation options, including but not limited to whether or not the proposed development will provide **Bicycle Storage**, the proximity to **Sidewalks** and trails, and any additional facilities the applicant is proposing to encourage active transportation; and
 - (v) The public and **Commercial** amenities within the Riverlands Boundary and 500 m of the subject Site.
- (c) For Buildings containing Dwelling Units, the minimum allowable parking requirement shall be one (1) parking stall for every Dwelling Unit. The Development Authority shall not allow any further reduction.
- (d) The Development Authority shall not vary the minimum Site Coverage, or the landscaping requirements in the **Riverlands Districts** to accommodate an increase in parking, with the exception of temporary surface parking lots.

10.6.11 Parking Standards for Riverlands Districts

- (a) Temporary surface parking lots will be considered for a maximum of two (2) years and may be extended for a maximum of one (1) additional year following a review by the Development

Authority, with the exception of the remnant portion of Lot 1 Block 3 Plan 802 0453 and Lot 8A Block 7 Plan 3824 TR that will be located south of the 47th Street (Alexander Way) Street realignment where a temporary surface parking lot may be considered for a minimum of ten (10) years from the passing of Bylaw 3357/Q-2016 on December 5, 2016.

- (b) In addition to Section 3.2 of this Bylaw, the following Parking Standards apply to the **Riverlands Districts**.
- (c) **Edge Zones** are not applicable to temporary surface parking lots.
- (d) Parking is prohibited in the **Edge Zone** of all Sites.
- (e) Parking integrated into the Building Design is strongly encouraged.
- (f) Internal private laneways are encouraged as part of the parking design to allow for servicing, access to parking, as well as provide key pedestrian linkages.
- (g) Pedestrian **Walkway** connections are required to connect all adjacent buildings, trails, **Walkways**, **Movement Corridors** and **Sidewalks**.
- (h) Underground parking is strongly encouraged.
 - (i) Where underground parking is provided, parking entrances shall be provided at the rear of the Building or off a lane. The sizes of parking openings are strongly encouraged to be no wider than 7.0 m.
- (i) Where surface parking will be located on a Site, the following Standards shall be adhered to:
 - (i) All surface parking is subject to **Edge Zone** development standards contained in Section 10.6.3.
 - (ii) Surface parking shall be **Screened** by fencing or a continuous landscaping along the entire perimeter of the surface parking area, within the **Edge Zone**
 - i. Exception to the above is to accommodate parking access, which shall be a maximum width of 7.0 m.
 - (iii) Fencing height shall be a minimum of 0.6 m to a maximum of 0.9 m in height measured from Grade.
 - (iv) Where fence material is chain link, it shall be painted black.
 - (v) Surface parking shall not be greater than 40% of the Frontage.

10.6.11.1 *Parking Structure for Riverlands Districts*

- (a) **Parking Structures** shall define the Street and/or **Movement Corridor** horizontally and vertically abutting the **Edge Zone** and create visual spatial components to create a comfortable Street and/or **Movement Corridor** environment which contributes to walkability.
- (b) **Parking Structures** located on Corner Sites shall have equal architectural corner features and high quality elevation treatments along each **Movement Corridor**, Street, or **Public Space**.
- (c) **Parking Structure** entrances shall be well lit, well designed, and architecturally differentiated to clearly emphasize the entrances for vehicles and the entrances for pedestrians.

- (d) **Main Floors of Parking Structures** shall have a low wall, a minimum of 0.6 m to a maximum of 0.9 m in height measured from Grade, abutting all **Main Floor** parking stalls.
- (e) The low wall and the façade of the **Parking Structure** shall not contain blank walls over 2.0 m in length.
- (f) The low wall shall be designed to provide visual interest by way of integrating at least one (1) of the following as permanent features:
 - (i) Art installations (for example, mosaics, murals, decorative masonry patterns, etc.);
 - (ii) Different textures, colours, and materials;
 - (iii) Lighting;
 - (iv) Vertical trellis; or
 - (v) Other feature to provide visual interest, at the discretion of the Development Authority.
- (g) **Parking Structure** façade exterior materials shall integrate colour, or use a perforated metal with an image, and **Building Lighting**.
- (h) Where the **Parking Structure** contains blank walls over 5 m in length, it shall be mitigated where they are unavoidable in the opinion of the Development Authority, through a combination of the following treatments:
 - (i) Art installations (for example, mosaics, murals, decorative masonry patterns, sculptures);
 - (ii) **Building Lighting**;
 - (iii) Different textures, colours, and materials;
 - (iv) Settling the wall back to provide room for landscaping or raised planter beds;
 - (v) Vertical trellis; or
 - (vi) Other treatments that break up the expansive blank wall, at the discretion of the Development Authority
- (i) **Parking Structure** stairwells shall be provided along the exterior of the **Parking Structure**, shall be visually transparent from the **Movement Corridor, Street, or Public Space**, and shall provide weather protection to the satisfaction of the Development Authority.
- (j) Fully enclosed internal **Parking Structure** stairwells are prohibited unless transparent materials are used.
- (k) **Parking Structure** interiors shall be well lit and are strongly encouraged to be painted white to maximize visibility.
- (l) **Parking Structure** interiors shall provide clearly marked internal **Walkways** that link up to **Sidewalks**
- (m) **Parapet Walls** shall be integrated into the overall **Parking Structure** façade. Where this is not possible, **Parapet Walls** shall complement the façade exterior material, colour, and appearance.

10.6.12 Bicycle Facilities for Riverlands Districts

- (a) Secure outdoor bicycle racks that allow the bicycle frame to be locked directly to the rack shall be provided within the **Edge Zone** of each Building.
- (b) In addition to the secure outdoor bicycle racks required in (a) above, all Buildings containing three (3) or more Dwelling Units shall provide **Bicycle Storage**. The bicycle racks required in (a) above do not count towards this **Bicycle Storage** requirement.

10.6.13 Garbage and Recycling Facilities for Riverlands Districts

- (a) Recycling facilities shall be provided for every Building containing Dwelling Units, Office, and other **Commercial** uses.
- (b) All garbage and recycling facilities shall be fully **Screened** with a solid fence, landscaping, or a combination of both.
- (c) All garbage and recycling facilities shall be constructed of water proof materials or finishes and should be coordinated with the look and finish of the Building on the Site.
- (d) Composting facilities are strongly encouraged for all Buildings containing Dwelling Units and **Commercial** uses.
- (e) Sufficient space shall be allotted aside from parking requirements to provide appropriate waste and recycling collection vehicle access.

10.6.14 Landscaping for Riverlands Districts

- (a) Landscaping Standards may not be varied by the Development Authority to accommodate an increase in parking, with the exception of temporary surface parking lots.
- (b) Landscaping shall be a minimum of 20% of the total Site area for all Developments in the **Riverlands Districts**. The 20% landscaping requirement is calculated by all space that is occupied or used (or will be occupied and used), for example:
 - (i) Existing trees and shrubs on Site whose health can be successfully maintained through construction;
 - (ii) Trees, shrubs, sod, and raised planters. Planters shall be of adequate design in terms of soil capacity and insulation to promote healthy plant growth;
 - (iii) **Vertical Greening** on facades, or vertical gardens. In this instance, the area of **Vertical Greening** shall be calculated using the dimensions of the base containing the roots;
 - (iv) Landscaping within an **Edge Zone**, **Courtyard**, and/or **Roof Terrace**;
 - (v) **Softscaping** or **Hardscaping** of outdoor **Amenity Space** that adheres to Section 10.6.8;
 - (vi) 50% of Softscaped materials shall be native, drought tolerant, or of low-maintenance.
- (c) Any part of the Site used for motor vehicle access, vehicle parking and garbage or recycling facilities shall not be included in the calculation of a Landscaped Area.

- (d) The **Edge Zone** shall contain landscaping in accordance with this subsection.
- (e) All plant material provided shall be of a species capable of healthy growth in Red Deer. Incorporation of naturescaping is required.
 - (i) Applicants shall use The City of Red Deer’s Naturescaping Plant List as a guide.
- (f) Existing trees that are healthy and that have long-term viability are to be preserved by rigid temporary protective fencing to protect the root zone during construction, in accordance with *Contract Specifications*, The City of Red Deer. See Section 32 93 50 Tree and Shrub Preservation and Parks Standard Drawing, 50 08 05, “Tree Protection Fence”.
- (g) Crime Prevention Through Environmental Design principles are encouraged to be considered in the treatment of all landscaping and **Edge Zone** design.

10.6.15 **Lighting for Riverlands Districts**

- (a) All exterior and outdoor lighting shall be located and arranged to:
 - (i) Prevent direct rays of light directed towards any adjoining properties; and
 - (ii) Ensure direct and indirect rays of light do not interfere with the effectiveness of any traffic control devices.
- (b) **Building Lighting:**
 - (i) Shall be integrated into the overall Building design on all Building elevations adjacent to a **Movement Corridor, Street, or Public Space**; and
 - (ii) Is strongly encouraged to be integrated into all other elevations; and
 - (iii) The use of colour is encouraged in both the lighting fixture and lighting itself.
- (c) **Entrance Lighting:**
 - (i) Shall be provided above or beside primary and secondary Building entrances;
 - (ii) Where **Entrance Lighting** is provided beside the primary Building entrance, the fixture shall be positioned to be 1/3 of the height of the door if there is only one fixture, and 1/4 of the height of door where there are two fixtures (one on each side of the door).
- (d) **Amenity Space and Edge Zone lighting:**
 - (i) **Edge Zones** are strongly encouraged to integrate pedestrian lighting that is no taller than the **Main Floor** height;
 - (ii) **Trail Lighting** at or close to Grade along **Walkways** is strongly encouraged; and
 - (iii) The use of colour is encouraged in both the lighting fixture and lighting itself.

10.6.16 **Signs for Riverlands Districts**

- (a) In addition to Sections 3.3 and 3.4 of this Bylaw, the following Standards apply to Signs in the **Riverlands Districts**.
- (b) All Signs shall match or compliment through consideration of scale, massing, design and materials of the applicable Building(s) and or Site.

- (c) Signs may be located within the **Edge Zone**, on a **Building**, in a **Side Yard** abutting a **Movement Corridor**, **Street**, **Public Space**, or in the **Rear Yard**.

10.6.17 Movement Corridors

