

¹ City of Red Deer Land Use Bylaw Index - DELETED

¹ 3357/A-2006, 3357/E-2006, 3357/L-2006, 3357/C-2007, 3357/M-2007, ² 3357A-2008, 3357/L-2009, 3357/N-2018

Part One: Title, Definitions, General Operative Clauses

1.1 Title.....	1-2
1.2 General Operative Clauses.....	1-2
1.3 Definitions.....	1-5
1.4 Establishment of Districts.....	1-20
1.5 Deleted.....	1-23
1.6 Effective Date.....	1-23

Part Two: Administrative Duties and Responsibilities, Procedures, Bylaw Amendments and Council Guidelines

2.1 Development Officer.....	2-2
2.2 Permission Required for Development.....	2-2
2.3 Method of Development Permit Application.....	2-2
2.4 Plans and Information Required for Development Permit.....	2-2
2.5 Crime Prevention Through Environmental Design (“C.P.T.E.D”).....	2-7
2.6 Land Titles.....	2-7
2.7 Development Officer’s Decisions on Permit Applications.....	2-8
2.8 Municipal Planning Commission Decisions on Permit Applications...	2-9
2.9 Notification of Decision.....	2-10
2.10 Conditions of Issuing a Development Permit.....	2-10
2.11 Applications Within Escarpment Areas.....	2-16
2.12 Revocation of Development Permit.....	2-14
2.13 Limit of Frequency of Development Permit Applications.....	2-14
2.14 Failure to Commence Development.....	2-14
2.15 Failure to Complete Development.....	2-14
2.16 Termination of Discretionary Uses.....	2-15
2.17 Notice of Appeal Hearings.....	2-15
2.18 DELETED.....	2-15
2.19 Land Use Bylaw Amendment Application.....	2-15
2.20 Decision of Council on Bylaw Amendment.....	2-16
2.21 Notice of Public Hearing for Bylaw Amendment.....	2-17
2.22 Limit of Frequency of Applications for Amendments.....	2-17
2.23 Guidelines.....	2-17
2.24 Applications Within Landfill / Wastewater Treatment Plan Setback Areas.....	2-17

(2) R1WS Residential (Wide/Shallow Lots) Regulations.....	4-8
4.2 R1A Residential (Semi-Detached Dwelling) District.....	4-11
(1) R1A Permitted and Discretionary Uses Table.....	4-11
(2) R1A Residential (Semi-Detached Dwelling) Regulations.....	4-12
(3) R1A Residential (Semi-Detached Dwelling) West Park Overlay District	4-13
Figure 19 – West Park Overlay District	4-14
4.3 R1N Residential (Narrow Lot) District	4-15
(1) R1N Permitted and Discretionary Uses Table.....	4-15
(2) R1N Residential (Narrow Lot) Regulations	4-15
4.3.1 R1G Residential (Small Lot) District.....	4-18
(1) R1G Permitted and Discretionary Uses Table.....	4-18
(2) R1G Residential (Small Lot) Regulations.....	4-18
(3) R1G Design & Development Criteria.....	4-20
4.3.2 RLW Residential (Live Work) District	4-21
(1) RLW Permitted and Discretionary Uses Table	4-21
(2) RLW Residential (Live Work) Regulations	4-22
4.4 R2 Residential (Medium Density) District.....	4-24
(1) R2 Permitted and Discretionary Uses Table.....	4-24
(2) R2 Residential (Medium Density) Regulations.....	4-25
(3) R2 Residential (Medium Density) Site Location.....	4-27
4.4.1 R2T Residential (Town House) District.....	4-28
(1) R2T Permitted and Discretionary Uses Table.....	4-28
(2) R2T Residential (Town House) District Regulations.....	4-28
4.5 R3 Residential (Multiple Family) District.....	4-30
(1) R3 Permitted and Discretionary Uses Table	4-30
(2) R3 Residential (Multiple Family) Regulations	4-31
(3) R3 Residential (Multiple Family) Site Development.....	4-33
4.6 R4 Residential (Manufactured Home) District.....	4-34
(1) R4 Permitted and Discretionary Uses Table	4-34
(2) R4 Residential (Manufactured Home) Regulations.....	4-34
4.6.1 R1E Residential Estate District	4-36
(1) R1E Permitted and Discretionary Uses Table	4-36
(2) R1E Estate Residential Regulations	4-36
(3) Redevelopment within existing subdivision.....	4-37
(4) Regulations for Vegetation and Landscaping	4-38
4.7 Residential District Regulations	4-39
(1) General Regulations	4-39
(2) Redevelopment in Existing Neighbourhoods.....	4-42
(3) Accessory Residential Structures	4-42
(4) Objects Prohibited or Restricted in Yards.....	4-42
(5) Projections Over Yards	4-44
(6) Corner Sites Restrictions (Site Lines)	4-45
(7) Vehicular Access to Lots from Public Roadways.....	4-45
(8) Home Occupations	4-46
(9) Secondary Suite Use Provisions and Development Regulations	4-48
Figure 3A – Secondary Suites Neighbourhood Boundary	

(10) Home Music Instructor/Instruction	4-56
(11) Bed & Breakfasts.....	4-57
(12) Temporary Home Stay Accommodations	4-59
(13) Garden Suite Building Regulations.....	4-60
(14) Temporary Building Permits	4-61
(15) Landscaping Regulations	4-61
(16) Show Home or Dwelling Home.....	4-62

Part Five: Commercial Districts and Regulations

5.1 C1 Commercial (City Centre) District	5-5
(1) C1 Permitted and Discretionary Uses Table	5-5
(2) C1 Commercial (City Centre) Regulations	5-6
(3) Heritage Buildings	5-9
(4) Gaetz-Ross Heritage Area	5-10
(5) Setbacks	5-10
5.2 C1A Commercial (City Centre West) District.....	5-11
(1) C1A Permitted and Discretionary Uses Table	5-11
(2) C1A Commercial (City Centre West) Regulations.....	5-12
5.3 C2A Commercial (Regional Shopping Centre) District	5-14
(1) C2A Permitted and Discretionary Uses Table	5-14
(2) C2A Commercial (Regional Shopping Centre) Regulations	5-15
5.4 C2B Commercial (District Shopping Centre) District.....	5-16
(1) C2B Permitted and Discretionary Uses Table	5-16
(2) C2B Commercial (District Shopping Centre) Regulations.....	5-17
5.5 C3 Commercial (Neighbourhood Convenience) District	5-18
(1) C3 Permitted and Discretionary Uses Table	5-18
(2) C3 Commercial (Neighbourhood Convenience) Regulations.....	5-19
5.6 C4 Commercial (Major Arterial) District.....	5-20
(1) C4 Permitted and Discretionary Uses Table	5-20
(2) C4 Commercial (Major Arterial) District Regulations	5-21
(3) C4 Commercial (Major Arterial) Site Development.....	5-22
5.6.1 C5 Commercial (Mixed Use) District	5-22
(1) C5 Permitted and Discretionary Uses Table	5-22
(2) C5 District Regulations	5-23
(3) Approving Authority	5-24
(4) Design Criteria	5-24
5.7 General Commercial District Regulations	5-27
(1) Site Development.....	5-27
(2) Additional Setbacks	5-28
Figure 4-Front/Side Yard Building Setbacks	5-31
Figure 5-Front/Side Yard Building Setbacks 49 th Avenue & 55 Street	5-32
Figure 6-Front/Side Yard Building Setbacks 55 Street	5-33
Figure 7-Front/Side Yard Building Setbacks 55 Street	5-34
Figure 8-Front/Side Yard Building Setbacks Ross Street.....	5-35
Figure 9-Front/Side Yard Building Setbacks Ross Street.....	5-36
Figure 10-Front/Side Yard Building Setbacks Ross Street.....	5-37
Figure 11-Front/Side Yard Building Setbacks 40 Avenue	5-38
Figure 12-Front/Side Yard Building Setbacks 40 Avenue	5-39
Figure 13-Front/Side Yard Building Setbacks 45 Street	5-40
Figure 14-Front/Side Yard Building Setbacks 49 Avenue	5-41
(3) Loading Spaces	5-42
(4) Projection Over Yards.....	5-42

(5) Vehicular Access to Lots from Public Roadways	5-42
(6) Low Impact Commercial Use	5-43
(7) Late Night Club.....	5-45
(8) Drinking Establishments	5-46
(9) Outdoor Storage in Commercial Districts.....	5-48
(10) Outdoor Display or Sale of Goods in Commercial Districts	5-49
(11) Funeral Homes.....	5-50
(12) Cannabis Retail Sales Development Standards.....	5-50

Part Six: Industrial Districts and Regulations

6.1 I1 Industrial (Business Service) District.....	6-2
(1) I1 Permitted and Discretionary Uses Table.....	6-2
(2) I1 Industrial (Business Service) District Regulations.....	6-3
6.2 I2 Industrial (Heavy Industrial) District.....	6-5
(1) I2 Permitted and Discretionary Uses Table.....	6-5
(2) I2 Industrial (Heavy Industrial) District Regulations.....	6-5
(3) Site Location.....	6-6
6.3 I1A/BSR (Light and Business Service-Residential) District.....	6-7
(1) I1A/BSR Permitted and Discretionary Uses Table.....	6-7
(2) I1A/BSP (Light Industrial and Business Service-Residential)Regulations	6-9
(3) Site Development.....	6-9
6.4 General Industrial District Regulations.....	6-11
(1) Site Development.....	6-11
(2) Industrial Standards Definitions.....	6-11
(3) General Industrial Performance Standards.....	6-12
(4) Projection Over Yards.....	6-13
(5) Vehicular Access to Lots from Public Roadways.....	6-13
(6) Outdoor Storage in Industrial Districts.....	6-13

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1.1	Title.....	1-2
1.2	General Operative Clauses.....	1-2
1.3	Definitions.....	1-5
1.4	Establishment of Districts	1-20
1.5	¹Deleted	1-23
1.6	Effective Date	1-23

¹ 3357/W-2015

- (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.
- (t) ⁴Target Grazing on City owned lands, including lands within an Escarpment Area or Direct Control District 32, which is carried on by, or on behalf of, the City.

¹ 3357/D-2016

² 3357/A-2017

³ 3357/G-2018

⁴ 3357/N-2018

Appeal Board means the Subdivision and Development Appeal Board.

Arterial Road means any roadway identified as an arterial road in the city of Red Deer Cost Share Arterial Roadway Transportation System Bylaw.

¹**Assisted Living Facility** means a building, or a portion of a building operated for the purpose of providing live in accommodation for six or more persons with chronic or declining conditions requiring professional care or supervision or ongoing medical care, nursing or homemaking services or for persons generally requiring specialized care but may include a Secured Facility as an accessory component of an Assisted Living Facility. An assisted Living Facility does not include a Temporary Care Facility.

Bed & Breakfast means a detached or semi-detached dwelling occupied by the property owner or the Bed & Breakfast host as a primary residence, in which overnight accommodation and a breakfast meal are offered for sale to guests.

Boarding House means a dwelling in which the proprietor lives on site and supplies for a fee sleeping accommodation with board for more than two persons, but does not include a bed and breakfast operation.

Boundary means the registered property line of a site.

Boundary, Front means the boundary of a site adjacent to a street. In the case of a corner site, the front boundary is deemed to

be the shorter of the two boundaries which are common with the streets.

Boundary, Rear means the boundary of a site lying opposite the front boundary.

Boundary, Side means the boundaries of a site connecting the front with the rear boundary.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

²**DELETED.**

³**By-product** means a secondary product, or waste product, derived from a manufacturing process that can be used as an input material or resource for another manufacturing operation.

⁴**Carriage Home** means a self-contained Dwelling Unit located above a detached garage.

Call Centre means a minimum 15,000.0 ft² facility with more than 50 employees who provide information on sales, goods and services, takes orders for sales, goods and services, and/or provide technical after sales support to customers by telephone, e-mail or, other telecommunication technologies but does not include other office uses.

⁵**Campground** means a Site intended to accommodate temporary camping, including the erection of tents or the parking of recreational vehicles, either of which may be

¹ 3357/C-2007, 3357/A-2017

² 3357/W-2015

³ 3357/H-2014

⁴ 3357/L-2013, 3357/D-2016

⁵ 3357/N-2018

used for short term sleeping or living accommodations.

¹**Cannabis** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

²**Cannabis Accessory** means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

³**Cannabis Retail Sales** means a retail store that is licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend at the premises.

Cemetery means land that is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains are buried. A cemetery may include a crematorium as an accessory use.

⁴**Character Statement** means a Council approved planning tool that defines the design elements of a specific geographic area that makes it different from another geographic area.

Clearing and Grading means clearing land of trees or shrubs, or stripping and removal of topsoil, or the initial recontouring of the surface of land prior to development.

Collector Road means any roadway listed in Schedule “C” of the Transportation System Bylaw.

⁵**Commercial District** means a land use District primarily related to or used for commercial uses.

⁶**Commercial Entertainment Facility** means an enclosed facility in which:

- (a) a fee is charged to the public for the provision of a performance, or
- (b) a minimum fee is charged for admission to the facility or the sale of any item, not including Cannabis Retail Sales, food, or beverage therein, which includes the provision of a performance and, without limiting the generality of the foregoing, may include facilities for movies, live theatres, and dancing, but does not include an adult mini theatre or a facility in which lap dancing is performed, or a late night club.

⁷**Commercial Recreational Facility** means a facility in which the public participate in recreational activity, and without limiting the generality of the foregoing, may include amusement arcades, billiard or pool halls, bowling alleys, fairs, gymnasiums, racquet courts, roller skating, and simulated golf but does not include a gaming or gambling establishment.

⁸**Commercial School** means a facility which provides education or training to adults or children in general education, recreation or life skills or in business skills,

¹ 3357/L-2018

² 3357/L-2018

³ 3357/L-2018

⁴ 3357/A-2016

⁵ 3357/B-2018

⁶ 3357/L-2018

⁷ 3357/J-21007

⁸ 3357/L-2011

the Site, the Frontage is measured at the maximum Front Yard setback.

¹Funeral 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.

²Green Building Materials means building materials that are salvaged, refurbished, or recycled (pre and post-consumer products).

³Green 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.

⁴Gross 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.

⁵Gross Leasable Floor Area is the amount of Floor Area available to be rented in a commercial property. Specifically, Gross Leasable Floor Area is the total Floor Area designed for tenant occupancy and exclusive use.

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.

⁶Health 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.

Home Music Instructor/Instruction means the instruction of students in musical

¹ 3357/L-2009

² 3357/H-2014

³ 3357/H-2014

⁴ 3357/A-2006

⁵ 3357/N-2018

⁶ 3357/E-2011

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.

¹**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.

²**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.

³**Industrial District** means a land use District primarily related to or used for industrial uses.

⁴**Industrial Support Service** means a Development whose principal use is to

provide support services to industrial clients. 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. Does not include Cannabis Retail Sales.

⁵**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.

⁶**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.

¹ 3357/C-2007

² 3357/A-2016, 3357/GG-2017

³ 3357/B-2018

⁴ 3357/C-2016, 3357/L-2018

⁵ 3357/L-2011

⁶ 3357/C-2007, 3357/T-2015, 3357/A-2017

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

¹**Landfill** means a Landfill as defined in the Subdivision and Development Regulation, as amended.

²**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.

³⁴**Landscaped Area** means the portions of a lot or development which are modified and enhanced through the use of lawns, garden plots, naturescaping 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.

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.

⁵**License to Occupy Agreement** means an agreement between the City and a person to permit the use of City owned lands and may include permission for the erection or display of a sign or signs on public property.

⁶**Licensing Agreement** means an agreement between The City and a person to permit the erection or display of a sign overhanging or on public property.

⁷**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.

¹ 3357/G-2018

² 3357/G-2018

³ 3357/T-2009, 3357/F-2011

⁴ 3357/H-2014

⁵ 3357/B-2018

⁶ 3357/B-2018

⁷ 3357/BB-2009

¹Low Impact Commercial Use means the conducting of merchandise sales, not including Cannabis Retail 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.

²Machinery Sales means the retail sale, service, and rental of new or used commercial and industrial vehicles, including farm vehicles and equipment related to the agriculture community. This includes, but is not limited to, heavy duty vehicles, vacuum and welding trucks, tractors, harvesting or threshing machinery, spraying machinery for agricultural use, grain trucks, and mechanical equipment typically used in Building, roadway, pipeline, oilfield and mining construction.

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

³Medical 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.

⁴Microbrewery 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. Does not include Cannabis Retail Sales.

⁵Minimum 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.

⁶Multi-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

¹ 3357/L-2018

² 3357/N-2018

³ 3357/E-2014

⁴ 3357/AA-2014, 3357/T-2015, 3357/V-2017, 3357/L-2018

⁵ 3357/I-2013

⁶ 3357/I-2013

is not limited to, townhouses, row houses, triplexes and fourplexes.

¹**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

²**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 technical criteria established for the Canada-Alberta Flood Damage Reduction Program.

³**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. Does not include Cannabis Retail Sales.

¹ 3357/I-2013

² 3357/T-2009

³ 3357/E-2006, 3357/L-2018

⁴**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.

⁵**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.

⁶**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'.

⁷**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:

⁴ 3357/E-2006

⁵ 3357/G-2018

⁶ 3357/S-2016

⁷ 3357/M-2008

- (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.

¹**Public Property** means all lands owned or under the control of The City of Red Deer and includes highways, medians, boulevards, sidewalks and parks.

²**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.

³**Residential District** means a land use district primarily related to or used for residential housing (for example, a Detached Dwelling Unit, Multi-attached Building).

¹ 3357/E-2006

² 3357/T-2015

³ 3357/GG-2017

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.

⁴**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.

⁵**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 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

⁴ 3357/Z-2009

⁵ 3357/A-2017

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.

⁴**Sign** has the meaning assigned in Section 11.5 where any mention of a Sign is referred to in this Bylaw, such Signs shall have the definition and accompanying development standards set forth in Part Eleven: Sign Development Standards.

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.

¹ 3557/U-2015

² 3357/J-2013

³ 3357/T-2015

⁴ 3357/B-2018

⁵**Site, Corner** – DELETED

⁶**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.

⁷**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.

⁸**Stacked 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

⁵ 3357/Q-2016

⁶ 3357/Q-2016

⁷ 3357/H-2008

⁸ 3357/I-2013

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.

¹**Supervised 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.

²**Targeted Grazing** means the temporary placement of livestock on a Site as a form of low impact weed control to manage plant communities and invasive plant species and to accomplish landscape management goals. Targeted Grazing may include temporary fencing.

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”.

³**Temporary 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/II-2017

² 3357/N-2018

³ 3357/C-2007

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

¹**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. This definition does not include Cannabis Retail Sales.

²**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.

³**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/L-2018

² 3357/G-2018

³ 3357/H-2014

13.0 General Regulations Applicable to All Districts:

- (1) Cannabis Retail Sales is a use only where listed as Cannabis Retail Sales in the District Use Table as Permitted or Discretionary Use.

3.1 Parking Spaces and Areas

- (1) ²Except in the C1 (City Centre District) an owner or occupant of land must provide for not less than the number of on-site parking spaces for the applicable land use(s) as specified Table 3.1 below, notwithstanding the provisions of Parts 4-8. In calculating the parking space requirement, a fractional number will be taken to the next higher number.”

³Table 3.1 Parking Requirements

USES	PARKING SPACES
Places of Worship	1.0 per 6.0 persons, based on maximum occupancy of the primary congregation/sanctuary area
Auditorium, Arena	1.0 per 10.0 seats
Health Care (excluding Hospitals)	2.5 per 93.0 m ²
⁴ Hospitals, Temporary Care Facility	1.0 per 93.0 m ²
⁵ Regional Shopping Centres	5.1 per 93m ² (Gross Leasable Floor Area)
⁶ District Shopping Centres	5.1 per 93m ² (Gross Leasable Floor Area)
⁷COMMERCIAL & INDUSTRIAL	
USES	PARKING SPACES
Adult Mini-Theater	1.0 per 3.0 seats with a minimum of 1.0 space for each individual viewing area containing 3.0 seating spaces or less
Call Centre	8.0 stalls per 93.0 m ² (gross floor area)
Commercial Recreation Facility: Racquet Sports Facility	4.0 per court
⁸ Gaming or Gambling Establishment	1.0 space per 2.3 seats
Bowling Alleys	5.0 per alley plus, 5.0 for staff
All other uses	1.0 per 2.0 participants (at maximum capacity) plus 1.0 per 20.0 m ² (gross floor area)
Commercial Entertainment Facility	1.0 per 5.0 seats

¹ 3357/L-2018

² 3357/H2009

³ 3357/A-2006

⁴ 3357/C-2007

⁵ 3357/N-2018

⁶ 3357/N-2018

⁷ Correction 29

⁸ 3357/J-2007

¹Table 3.1 Parking Requirements – continued	
COMMERCIAL & INDUSTRIAL - Continued	
USES	PARKING SPACES
Commercial Service Facility, excluding Funeral Homes	2.5 per 93.0 m ²
Drinking Establishment	1.0 per 4.0 seats
Funeral Homes	1.0 per 5.0 seats
Hotels, Motels and Hostels	1.0 per guest room
² Live Work Unit	1 additional parking space per unit
Local Convenience Shopping Centres	5.1 per 93.0 m ² (gross floor area)
³ Manufacturing and Industrial Plants, Wholesale, Servicing and Repair Establishments, Research, Laboratories and Transportation, Communication or Utility Facility	3.0 per 93.0 m ² , but not less than 4.0 spaces per tenant or establishment (The Development Authority may vary this regulation to accommodate more labour intensive uses)
Warehousing, Storage Buildings and Yards	1.0 per 93.0 m ² , but not less than 4.0 spaces per tenant or establishment
Merchandise Sales and/or Rentals:	
Sales/Rental Areas	5.1 per 93.0 m ²
Office Areas	2.0 per 93.0 m ²
Warehouse	1.0 per 93 m ²
Warehouse Sales	5.1 per 93 m ²
Offices	2.0 per 93.0 m ²
Regional Shopping Centres	4.4 per 93 m ² (gross floor area)
District Shopping Centres	5.1 per 93 m ² (gross floor area)
Repair Services	2.0 per 93.0 m ²
Restaurants	1.0 per 4.0 seats
Vehicle and Equipment Sales	2.0 per 93.0 m ²
Schools	
Public or Private Elementary and Junior High Schools	1.0 space for each classroom
Public or Private Senior High Schools	1.0 per 3.3 students, based on maximum occupancy
Colleges, Business or Commercial or Technical Schools	1.0 per 10.0 seats, plus auditorium requirements where applicable

¹ 3357/A-2006

² 3357/BB-2009

³ Correction 29

Part Four: Residential Districts and Regulations

Part Four: Residential Districts and Regulations	1
4.1 R1 Residential (Low Density) District	3
1. R1 Permitted and Discretionary Uses Table.....	3
2. R1 Residential (Low Density) District Regulations	4
4.1.1 R1C Residential (Carriage Home) District.....	5
3. R1C Residential (Carriage Home) Regulations.....	6
4.1.2 R1WS Residential (Wide/Shallow Lot) District	8
1. R1WS Permitted and Discretionary Uses Table.....	8
2. R1WS Residential (Wide/Shallow Lot) Regulations.....	8
4.2 R1A Residential (Semi-Detached Dwelling) District	11
1. R1A Permitted and Discretionary Uses Table.....	11
2. R1A Residential (Semi-Detached Dwelling) Regulations.....	12
3. R1A Residential (Semi-Detached Dwelling) West Park Overlay District.....	13
4.3 R1N Residential (Narrow Lot) District.....	15
1. R1N Permitted and Discretionary Uses Table.....	15
2. R1N Residential (Narrow Lot) Regulations	15
4.3.1 R1G Residential (Small Lot) District	18
1. R1G Permitted and Discretionary Uses Table.....	18
2. R1G Residential (Small Lot) Regulations	18
3. R1G Design & Development Criteria	20
4.3.2 RLW Residential (Live-Work) District	21
1. RLW Permitted and Discretionary Uses Table	21
2. RLW Residential (Live-Work) Regulations.....	22
4.4 R2 Residential (Medium Density) District.....	24
1. R2 Permitted and Discretionary Uses Table	24
2. R2 Residential (Medium Density) Regulations	25
3. R2 Residential (Medium Density) Site Location.....	27
4.4.1 R2T Residential (Town House) District.....	28
1. R2T Permitted and Discretionary Uses Table	28
2. R2T Residential (Town House) District Regulations	28
4.5 R3 Residential (Multiple Family) District	30
1. R3 Permitted and Discretionary Uses Table.....	30
2. R3 Residential (Multiple Family) Regulations.....	31
3. R3 Residential (Multiple Family) Site Development	33
4.6 R4 Residential (Manufactured Home) District	34
1. R4 Permitted and Discretionary Uses Table.....	34
2. R4 Residential (Manufactured Home) Regulations.....	34
4.6.1 R1E Residential Estate District	36
1. R1E Permitted and Discretionary Uses Table	36
2. R1E Estate Residential Regulations	36
3. Redevelopment within existing subdivision.....	37
4. Regulations for Vegetation and Landscaping.....	38
4.7 Residential District Regulations	39
1. General Regulations	39
2. Redevelopment in Existing Neighbourhoods	Error! Bookmark not defined.
3. Accessory Residential Structures	42
4. Objects Prohibited or Restricted in Yards	42
5. Projections over Yards	44
6. Corner Sites Restrictions (Site Lines)	45
7. Vehicular Access to Lots from Public Roadways	45

8. Home Occupations46

9. Secondary Suite Use Provisions and Development Regulations48

10. Home Music Instructor/Instruction56

11. Bed & Breakfasts.....57

12. Temporary Home Stay Accommodations59

13. Garden Suite Building Regulations60

14. Temporary Building Permits - DELETED61

15. Landscaping Regulations.....61

16. Show Home or Dwelling Home62

The following are tables are a summary of the general residential regulations that are applicable to all residential districts and specific regulations applicable to single detached dwelling units, manufactured homes, semi-detached dwelling units, multi-attached dwelling units, and multi-family dwelling units. For more detailed regulations refer to each residential district.

General Residential Regulations - ¹DELETED

Detached Dwelling Regulations (Manufactured Home in R4) - ¹DELETED

Multi-Family Dwelling Regulations - ¹DELETED

Multi-Attached Dwelling Regulations – ¹DELETED

Semi-Detached Dwelling Regulations – ¹DELETED

¹ 3357/N-2018

2. ¹DELETED

3. Accessory Residential Structures

- (g) In addition to the requirements of section 3.5 when allowed in a residential land use district an accessory building shall not:
- (i) exceed one storey or 4.5 metres in height, or
 - (ii) occupy more than two thirds of the width of the rear yard of any site, or
 - (iii) be located in the front yard of a residential district unless approved by the Development Authority, or
 - (iv) be erected or placed in the rear yard of a site within 0.9 metres of the side or rear boundary of the site, provided that in the case of an accessory building erected on and serving two abutting sites, such building may be erected on the side boundary common to such sites, or
 - (v) be used as a dwelling.

4. Objects Prohibited or Restricted in Yards

- (a) Except for one commercial vehicle of gross vehicle weight rating not exceeding 4,500 kg which may be parked in the rear yard, no motor vehicle other than a passenger vehicle shall be parked on a site in any residential districts for longer than is necessary to load or unload.
- (b) No person shall allow:
- (i) a commercial motor vehicle or trailer to remain or be parked in a front yard of the site in a residential district, except for:
 - (1) one trailer used as a dwelling or sleeping place which may be parked on a constructed parking pad in the front yard
 - (2) between the first day of April and the thirty-first day of October of any year;
 - (3) one non-commercial trailer used to transport off-road vehicles (excluding snowmobiles) or watercraft which may

¹ 3357/C-2018

be parked on a constructed parking pad in the front yard between the first day of April and the thirty-first day of October in any year; or

- (4) one non-commercial trailer used to transport snowmobiles, which may be parked on a constructed parking pad in the front yard between the first day of November and the thirtieth day of April in any year.
- (ii) a motor vehicle used for stock car races, or which has all or part of its superstructure removed, or which is in a dilapidated or unsightly condition to remain or be parked in any yard of a site in a residential district.
- (iii) a passenger vehicle to be parked in a front yard except on a driveway.
- (c) In any residential district, not more than one trailer shall be parked on any site.
- (d) ¹No person in lawful possession or control of a site shall allow or permit a trailer parked on such site to be used for living or sleeping accommodation except as follows:

 - (i) A trailer parked in an approved campground.
 - (ii) A trailer parked in the Westerner Exposition site if their on-site campground is full or if exhibitors require close proximity to on-site facilities.
 - (iii) A self-container trailer parked in the parking lot of a church, school, recreation venue site, community centre or major hotel with conference/convention facilities providing:

 - (1) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;
 - (2) the owner of the site has obtained approval from the Development Authority;
 - (3) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;

¹ Correction 19

- (4) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;
 - (5) no fees shall be charged for overnight parking;
 - (6) the owner of the site will be responsible to ensure that all City of Red Deer Bylaws, including the Public Order Bylaw, are complied with.
- (iv) A trailer parked on a site in a residential district for 48 hours or less between the first day of April and the thirty –first day of October each year providing:
- (1) the owner of the site obtains approval from the Development Authority;
 - (2) no rent or fees are paid for the use of the site or facilities;
 - (3) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.

5. Projections over Yards

Except as provided in this Part, no person shall allow any portion of the principal building on a site to project into a minimum yard setback.

The portions of, and attachments to, a principal building, which may project over or on a minimum yard are:

- (a) On a site in a residential district:
 - (i) ¹Front Yard: An unenclosed veranda, porch, balcony, barrier free ramp, bay window, bow window, or chimney, which projects not more than 1.5 m over or on a minimum front yard,
 - (ii) ²Rear Yard: a canopy, eaves, chimney, or steps which projects not more than 1.5 m over or on a minimum rear yard, and an unenclosed veranda, balcony or barrier free ramp, which projects not more than 3.0 m over or on a minimum rear yard.
- (iii) Side Yard:

¹ 3357/I-2013

² 3357/I-2013

- (1) a canopy, eaves, or chimney, which projects not more than one half of the minimum side yard required for the site,
- (2) unenclosed steps, including a landing, not more than 0.6 m above grade, which projects not more than 0.9 m into the minimum side yard; except, that no steps, landings, or balconies may project into a 3.0 metre side yard required in a laneless subdivision, unless provisions are made for a garage or carport, or vehicular access to the rear of the property.

5.1 Below-Grade Development

No person may construct any below-grade development within 0.6 m of the property line of any residential lot.

6. Corner Sites Restrictions (¹Site Lines)

- (a) All corner sites are subject to section 3.11.
- (b) In the front yard of a site in a residential district, no fence or hedge more than 0.9 m in height shall be permitted within 6.0 metres of the intersection of a driveway or lane and a road (for illustrative purposes see Part 3, Figure 2).

7. Vehicular Access to Lots from Public Roadways

- (a) The location and number of proposed entrances to, and exits from, a development must conform to the provisions of the applicable Engineering Standards in force from time to time as determined by Engineering Services.
- (b) Where a development permit for an R2 or R3 development authorizes access from the parking area of the development to a lane which is adjacent to a residential district, the owner of the property being developed shall be required, as a condition of the granting of the development permit, to enter into a development agreement:
 - (i) agree to the passage of a Local Improvement Bylaw and to pay for a proportionate share of the cost of constructing a paved lane servicing the development and the adjacent area, which share shall be calculated pursuant to the City Policy in effect from time to time for local improvements of that nature.

¹ 3357/I-2013

8. Home Occupations

- (a) Home Occupations are intended to permit the use of residential premises for purposes related to business, provided that such use does not cause excessive vehicular or pedestrian traffic or otherwise interfere with or detract from the peace and quiet of a residential neighbourhood. Accordingly it is intended that a home occupation may not involve any retail or industrial activity on the site.
- (b) A home occupation, notwithstanding its inclusion in any land use district as a permitted or discretionary use, constitutes a conditional right to use property, provided that such use must be in accordance with the regulations contained in this section.
- (c) No person shall operate or permit or allow the operation of a home occupation without being the holder of a valid and subsisting home occupation license.
- (d) Application for a home occupation license may be made at the Inspections and Licensing Department at City Hall. In addition to providing such information as the Inspections and Licensing Department shall require, the applicant shall pay the fees prescribed in the License Bylaw.
- (e) Where a home occupation is a discretionary use, the Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to the application being considered by the Commission.
- (f) ¹Deleted
- (g) Where any of the provisions of this Bylaw dealing with home occupations are breached, the Development Officer may take such action as may be available to the Development Officer under the law, including revocation of a home occupation license or the issuance of a notice under the provisions of the *Municipal Government Act* requiring the person to cease the home occupation ('Stop Order').
- (h) The issuance of a Stop Order is appealable to the Subdivision and Development Appeal Board in accordance with the provisions of the *Municipal Government Act*.
- (i) ²Pursuant to the License Bylaw, the revocation of a home occupation license by the License Inspector is appealable to the Red Deer Appeal &

¹ 3357/E-2014

² 3357/X-2009

Review Board, in accordance with the relevant procedures as outlined in the Committees Bylaw.

- (j) The following regulations apply to all home occupations:
- (i) a home occupation shall not be staffed by any person other than a resident of the home,
 - (ii) not more than two adult residents of the home are permitted to work in the home occupation,
 - (iii) no advertising may be posted at the site of a home occupation, nor shall there be any evidence of the home occupation which is noticeable from the exterior of the property, whether visual or otherwise,
 - (iv) a home occupation may not result in a disturbance to the peace and quiet or other amenities of the neighbourhood, nor may it cause the emission of dust, noise, odour, smoke, electronic interference, bright lights, or other nuisance,
 - (v) outside storage of equipment material or goods in connection with a home occupation is prohibited,
 - (vi) not more than one commercial vehicle used in conjunction with the home occupation may be parked on the site or any street adjacent thereto,
 - (vii) there shall be no storage or use of hazardous, noxious or dangerous goods in connection with any home occupation,
 - (viii) a home occupation shall be confined to a maximum of 30.0 m² (322.0 square feet) or 20% of the net floor area of the dwelling unit, whichever is less,
 - (ix) a home occupation may be accommodated in a private garage, provided however, that it does not prevent the continued use of the garage for the intended purpose of parking motor vehicles and that the parking requirements of any bylaw continue to be met,
 - (x) an accessory building may not be constructed or used for the sole purpose of a home occupation,
 - (xi) a home occupation which is allowed as a permitted use shall not generate additional traffic subsequent to the date of approval.

(k) Notwithstanding section 4.7 (8)(a) or any other provision of this Bylaw, the holder of a home occupation license (the “Licensee”) may hold one retail sale or open house per year from the premises in which the home occupation is located, subject to the following conditions:

- (i) the Licensee shall notify the Development Officer two weeks prior to the date of the proposed sale,
- (ii) the sale may run for one day only,
- (iii) admission to the sale shall be by invitation only and the sale may not be generally advertised, and
- (iv) ¹the retail sale of goods shall be restricted to products produced in the home, for which the licensee is a licensed home occupation, and must not include the sale of Cannabis.

9. ²Secondary Suite Use Provisions and Development Regulations

General Purpose

(9.1)(A) ³**Definitions**

For the purpose of 9.8(b)(iii)the following definitions shall apply:

“100 metres” means Residential Buildings within a 100 metre radius of the Site.

“Block” means a row of Residential Buildings which ends at the intersection of a Street or Lane, includes both sides of the Street the Site is on, and the Lane to the rear of the Site, or as determined by the Development Authority.

“Street” means one end of a Street to another, as determined by street name, or as determined by the Development Authority, but shall consist of no more than 50 Residential Buildings on either side of the Site.

“Row of Residential Buildings” means a row of Residential Buildings which ends at the intersection of a Street or Lane, but shall consist of no more than 10 Residential Buildings on either side of the Site.

¹(9.1)(B) The purpose of this section is to regulate Secondary Suites.

¹ 3357/L-2018

² 3357/Z-2009, 3357/S-2010, 3357/B-2011, 3357/N-2015

³ 3357/S-2017

Approved Secondary Suites are to be located within Detached Dwelling Units in residential neighbourhoods and are intended to provide an integrated residential use that is secondary to the primary Detached Dwelling Unit in order to:

- (a) create more supply and choice in the range of housing options;
- (b) create additional Dwelling Units that meet applicable fire and building codes;
- (c) create more affordable home ownership and rental accommodation; and
- (d) provide an opportunity for increasing neighbourhood populations and densities.

Use Provisions

(9.1.1) A Secondary Suite is only allowed in a Detached Dwelling Unit.

(9.2) ²Where a Secondary Suite is shown as a permitted use in a Detached Dwelling Unit in the R1, R1A, R1C and R2 Residential Districts, it is allowed only:

- (a) On a Site identified for a Secondary Suite in a Neighbourhood Area Structure Plan adopted before January 1, 2010; or
- (b) On a Site located within a Neighbourhood Area Structure Plan adopted after January 1, 2010, provided that the Site has a Lane, that the primary Dwelling Unit is not developed with a zero lot line and that the Site meets one of the following requirements:
 - (i) it is a Corner Site; or
 - (ii) the Site is on a Street containing residential development on only one side of the Street; or
 - (iii) any portion of the Front Boundary of the Site is located directly across the Street from a Site zoned (PS) Public Service District or from a Municipal Reserve Site, either of which is not less than 10.0 m wide; or
 - (iv) a Side Boundary of the Site abuts a Municipal Reserve parcel which is not less than 10.0 m wide; or
 - (v) a Side Boundary or Rear Boundary of the Site abuts, or is

¹ 3357/S-2017

² 3357/L-2013

within 10.0 m of the Boundary of a Site in a Commercial or Industrial District; or

(vi) a Side Boundary of the Site abuts a Site zoned as R2 or R3.

(9.3) ¹A Secondary Suite is a Discretionary Use in a Detached Dwelling Unit in any R1, R1A, R1C, R1WS, R2, R3 Residential and C1 Commercial District, except where it is a Permitted Use under section 9.2.

(9.4) A Secondary Suite which exists as of December 14, 2009 in any residential district and which has not previously received development approval under this Bylaw or its predecessors, is considered a Discretionary Use provided that:

(a) The Secondary Suite complies with the Safety Codes Act; and

(b) The owner applies for a development permit in respect of the Secondary Suite prior to September 1, 2010.

(9.5) Whether it is listed as a Permitted Use or a Discretionary Use, a Secondary Suite may not be developed in any applicable Residential District if such development would increase the number of Secondary Suites in a neighbourhood beyond 15% of the total number of Detached Dwelling Units in that neighbourhood. For the purpose of this section, the Secondary Suite Neighbourhood Zone Boundaries shall be the boundaries as illustrated on Figure 3A.

(9.6) Notwithstanding that a Secondary Suite may be listed as a Permitted Use or Discretionary Use in a district, such use is only allowed if the Secondary Suite meets the following requirements, which shall not be varied by the Development Authority:

(a) Except as allowed by section 4.7(9)(9.4), a Secondary Suite may only be developed in a detached Dwelling Unit;

(b) Not more than one Secondary Suite is allowed in a Dwelling Unit;

(c) A Secondary Suite is not allowed in an Accessory Building; and

(d) A Secondary Suite and a Discretionary Use Home Occupation are not allowed in the same detached Dwelling Unit.

(9.7) Before the Development Authority considers an application for a Secondary Suite, all landowners located within 100m of the Boundary of

¹ 3357/L-2013

the Site on which the proposed Secondary Suite is to be located must have been notified by the Development Officer of the application.

Discretion of Development Authority

(9.8) In making its decision on Discretionary Use applications the Development Authority may consider any relevant planning criteria including, but not limited to:

- (a) ¹The design and accessibility of the area surrounding the Site, in consideration of the following:
 - (i) the Site is located in an area that can provide additional on-Street parking options, such as a location within close proximity to a neighbourhood park or open space area, a neighbourhood commercial Site or a community trail/pathway system.
- (b) ²The density of the area surrounding the Site, in consideration of the following:
 - (i) the developments in the area surrounding the Site consist largely of Detached Dwelling Units,
 - (ii) the residential developments in the area surrounding the Site consist largely of a lot area minimum of 360.0 m²,
 - (iii) the number and location of Secondary Suites:
 - 1. within 100 metres of the Site;
 - 2. within the Block;
 - 3. within the Street; and
 - 4. within the Row of Residential Buildings, or
 - (iv) the number and location of Semi-detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.
 - (v) the number and location of Semi-detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.
- (c) ³The availability of on-Street parking, in consideration of the

¹ 3357/S-2017

² 3357/S-2017

³ 3357/S-2017

following:

- (i) Corner Site locations,
 - (ii) residential development located on only one side of the Street and parking allowed on the other side of the Street,
 - (iii) adjacent residential developments do not consist largely of front attached garages and driveways.
 - (iv) a Side Boundary of the Site abuts a Municipal Reserve Site, along which on-Street parking is allowed, which is not less than 10.0 m wide,
 - (v) any portion of the Front Boundary of the Site is located across the Street from a Site zoned (PS) Public Service District or from a Municipal Reserve Site either of which is not less than 10.0 m wide, or
 - (vi) a Side Boundary or Rear Boundary of the Site abuts, or is within 10.0m of the Boundary of a Site zoned Commercial or Industrial.
- (9.9) In making its decision on a Secondary Suite, the Development Authority shall not consider the condition of the property or the behaviour of the occupants of the property, as these matters are enforced through the Community Standards Bylaw and other legislation.

Discretion of Development Officer

- (9.10) The Development Officer may issue a decision on a Discretionary Use Secondary Suite application if:
- (a) No relevant planning objection has been received from the 100m landowner consultation process; and
 - (b) The application meets all requirements of the Land Use Bylaw..

Development Regulations

- (9.11) The following regulations apply to all Permitted Use and Discretionary Use Secondary Suites, unless varied by the Development Authority:
- (a) The Secondary Suite must have its own exterior entrance, which can be located on a side or rear elevation of the Building, but shall

not be located on a front elevation of a Building facing a Street. Notwithstanding this, a shared entry door providing access to an enclosed shared landing area from which both the primary Dwelling Unit and Secondary Suite take access, may be located on a front elevation of a Building facing a Street.

- (b) The Floor Area of a Secondary Suite shall not exceed the total Floor Area used by the primary Dwelling Unit.
- (c) In addition to meeting the parking requirements for the primary Dwelling Unit as set out in section 3.1 and 3.2 of this Bylaw, a property which contains a Secondary Suite must also meet the following parking requirements:
 - (i) a Secondary Suite with two or fewer bedrooms shall provide one off-street parking space;
 - (ii) a Secondary Suite with three or more bedrooms shall provide two off-street parking spaces;
 - (iii) the parking spaces for the Secondary Suite shall not be in tandem with the parking spaces required for the primary Dwelling Unit, however, if two parking spaces are required for the Secondary Suite, these can be arranged in tandem with each other.
 - (iv) parking spaces for the Secondary Suite shall be available for the exclusive and unrestricted use of the occupant(s) of the Secondary Suite,
 - (v) all parking spaces to be developed to a Minimum Gravel Parking Standard;
 - (vi) parking spaces for a Secondary Suite must be located in one of the following locations:
 - (1) in an attached or detached Garage or on its driveway,
 - (2) in the Rear Yard, or
 - (3) in the Side Yard to the rear of the Front Yard.
 - (vii) on lots where the parking space for a Secondary Suite cannot be provided in the location described in subsection

(vi), the Development Authority may allow the parking space(s) to be located within the Front Yard provided that

- (1) a minimum of 25% of the Front Yard remains landscaped,
- (2) the parking spaces for the Secondary Suite are not in tandem with the parking spaces for the Primary Dwelling Unit; and
- (3) the parking space is developed to the satisfaction of the Development Authority.

(vii) ¹a hard surfaced walkway shall be provided between any Secondary Suite parking space(s) and the primary Dwelling unit in which the Secondary Suite is located.

(d) ²the Site must meet one of the following requirements:

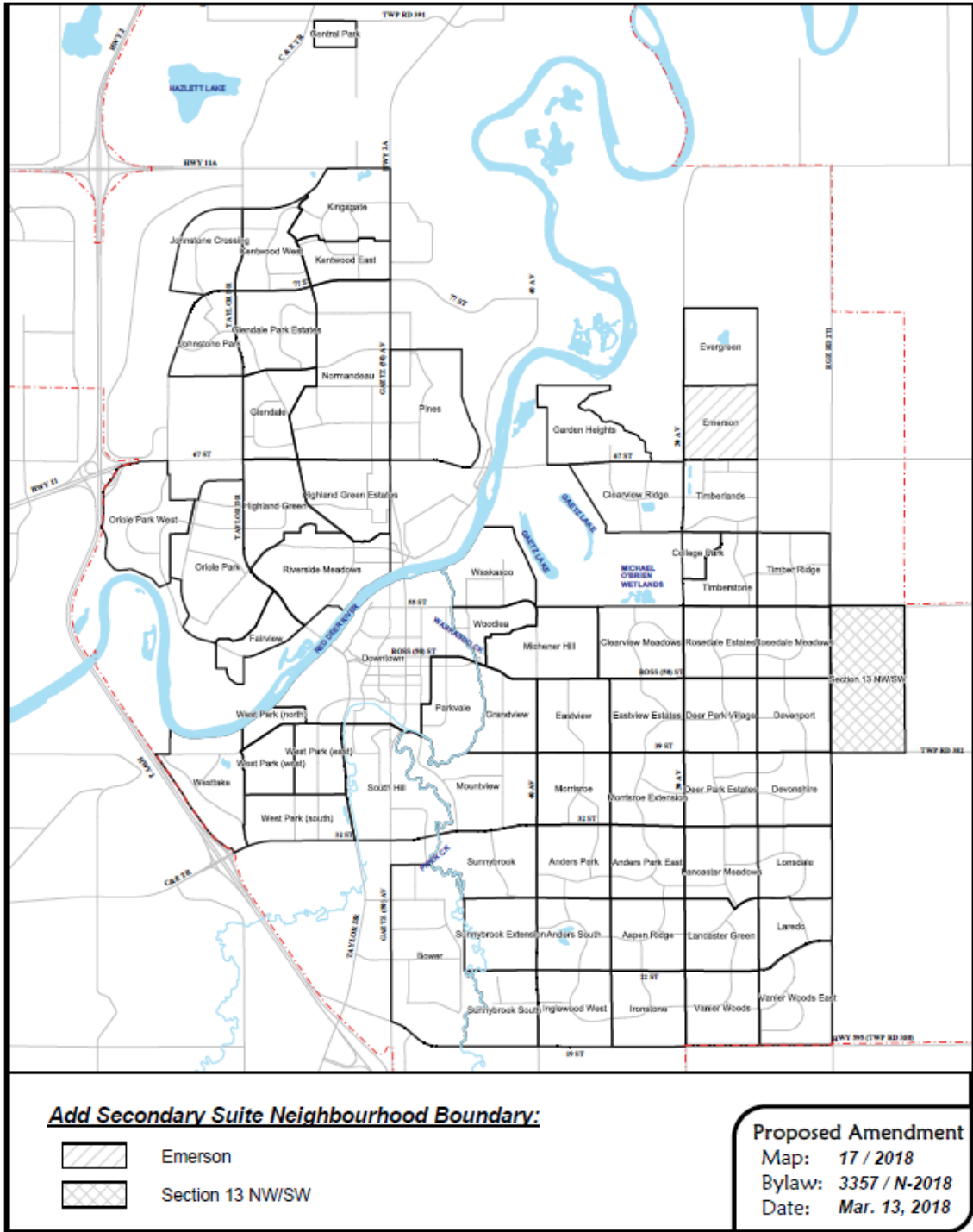
- (i) the Site is located on a Street that has more than one entrance/exit,
- (ii) the Site has access from a Lane, or
- (iii) the Site is a Corner Site.

¹ 3357/E-2014

² 3357/S-2017

Schedule "A"

THE CITY OF Red Deer Proposed Amendment to Land Use Bylaw 3357/2006



1

¹ 3357/N-2018

10. Home Music Instructor/Instruction

- (a) No person shall undertake home music instruction without being the holder of a valid and subsisting discretionary use development permit and/or a business license.
- (b) “Home music instructor/instruction”, notwithstanding its inclusion in any land use district as a permitted use or as a discretionary use, constitutes a conditional use right, provided that such use must be in accordance with the regulations contained in this section.
- (c) Where home music instructor/instruction is a discretionary use the Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to an application being considered by the Commission.
- (d) The following requirements shall be met:
 - (i) home music instruction which is allowed as a permitted use shall not involve more than two students simultaneously, and home music instruction which is allowed as a discretionary use shall not involve more than six students simultaneously;
 - (ii) advertising may not be posted at the site;
 - (iii) home music instruction shall not be allowed to constitute a principle use on any property;
 - (iv) home music instruction shall not cause excessive vehicular traffic and/or on-street and/or off-street parking that are uncharacteristic to the particular residential neighbourhood, nor shall home music instruction in any other way cause nuisances that interfere with, detract from or disturb the character of the residential neighbourhood;
 - (v) a private garage may not be used for the purpose of home music instruction, unless, to the satisfaction of the Development Authority, alternative provisions have been made for the accommodation of the required minimum two parking spaces for residential properties and adequate provisions have been taken to contain noise;
 - (vi) a home music instructor may hold an annual recital at the site.

11. Bed & Breakfasts

General Purpose

The general purpose of this section is to provide discretionary opportunities for residents of any residential community in the city to operate bed and breakfasts from detached or semi-detached dwellings as an integral part of the neighbourhoods in which they may be located. The intention is that bed and breakfasts are to be operated in such a manner that they will not be experienced by other residents as an intrusive commercial land use or as a nuisance to the neighbourhood in any manner, bearing in mind what are generally acceptable activities for any residential community in the city. Specifically it is expected that a bed and breakfast will not cause noise, vehicle and pedestrian traffic, on-street or off-street parking or social activities exceeding that which are prevalent in the neighbourhood in which it is located.

- (a) A bed & breakfast may be allowed as an accessory use to a detached or a semi-detached dwelling, within those land use districts in Parts 4-8 of this Bylaw in which it is listed as a discretionary use.
- (b) ¹Application for a discretionary use development permit to establish and operate a bed & breakfast may be made at City Hall.
- (c) In addition to providing such information as the Inspections and Licensing Department may require, the applicant shall pay the fees prescribed by Bylaw.
- (d) ² Landowners, located within 100m of the site of an application for a bed and breakfast facility, the neighbourhood community association, if one exists, and the Heritage Preservation Committee, when a building or site that appears on The City's inventory list is the application site, shall be notified and provided opportunity to provide comments for the consideration of the Development Authority.
- (e) The Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to the application being considered by the Commission.

1 3357/W-2015

2 3357/E-2014

- (f) When needed the Development Officer shall review the performance of all approved bed and breakfasts in the City based on any complaints received about any bed and breakfast during the previous year, and take a report to the Development Authority advising of the actions taken with respect to such complaints and proposing any recommendations on additional steps to be taken by The City with respect to relevant contraventions of this Bylaw.
- (g) Anyone may lodge complaints to the Development Authority about any nuisance that a bed and breakfast may be imposing on the neighbourhood or adjacent properties including but not limited to noise, vehicle or pedestrian traffic, parking or social activities.
- (h) The Development Authority may impose conditions of approval on a discretionary use development permit.
- (i) The following additional regulations shall apply to all bed & breakfasts:
 - (i) The property owner or bed & breakfast host shall occupy the subject dwelling as his or her primary residence.
 - (ii) No full time employees outside of the occupant family will be allowed to staff the bed & breakfast or work on the premises. Casual labour may be hired for yard cleaning, repair work, housekeeping services, etc. in the usual manner.
 - (iii) The maximum length of stay for a guest at a bed & breakfast shall be 14 nights in any 30 day period.
 - (iv) The planning, operation and appearance of a bed & breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the curb appearance of a detached or a semi-detached dwelling, including landscaping of a minimum of 20% of the front yard.
 - (v) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, a bed & breakfast may occupy not more than two guestrooms with associated washrooms. The rooms must be established within the principal building and provide direct interior access between the principal building and the guestrooms (additional outside access is optional).

- (vi) Notwithstanding subsection (v), at no time shall more than eight guests be accommodated.
- (vii) Guestrooms shall not be self-contained dwelling units, i.e. there shall not be any cooking facilities available in the guest rooms for the use of guests to prepare meals.
- (viii) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, parking spaces shall be provided on-site to the ratio of one parking space per guestroom, additional to any other parking requirements of this Bylaw. The interior parking stalls in a tandem parking stall set will not be counted towards fulfilling the minimum parking requirements (see definition of “Tandem Parking”). The combined width of parking spaces provided in the rear yard may not exceed 85% of the rear lot width.
- (ix) No meals may be served on the premises of a bed & breakfast, with the exception of breakfast to overnight guests only.
- (x) No other services or retail sales may be offered at or from the same premises than that of a bed & breakfast, and no home occupation is permitted on the premises of a bed & breakfast.
- (xi) There shall be no secondary suite or garden suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.
- (xii) At the discretion of the Development Authority, a bed & breakfast may have one sign (approximately 0.27 m² in size) displaying the name of the bed & breakfast, the name of the operator and/or the street address, or any combination of these. The appearance and position of the sign shall be subject to the approval of the Development Officer. Generally, signs must be placed discretely, be unobtrusive and be styled in a manner that is compatible with the appearance of the principal building in terms of colour and material, or with such architectural controls as may be required by the developer of a subdivision. No self-illuminated signs shall be allowed. If lighting of the sign is required, the source shall be spot lighting.

12. Temporary Home Stay Accommodations

- (a) Temporary Home Stay Accommodations are permitted in any residential district but only during such period of time as may be specified in a

declaration issued by the Mayor. The Mayor may issue such a declaration but only where the following has occurred:

- (i) The Red Deer Visitor and Convention Bureau has advised the Mayor that a survey of the hotels, motels and commercial bed & breakfast operations in the Red Deer Area has satisfied the Red Deer Visitor and Convention Bureau that hotels, motels and commercial bed & breakfast operations in the Red Deer area are substantially booked,
 - (ii) An event is being held in the Red Deer area, for which additional overnight accommodation is required and therefore the Visitor and Convention Bureau has requested that the Mayor make the necessary declaration to allow the operation of a temporary home stay accommodation.
- (b) For the purposes of this section, the term ‘Red Deer area’ means the city of Red Deer, County of Red Deer, County of Lacombe and the town and villages therein.

13. Garden Suite Building Regulations

- (a) A Garden Suite shall:
- (i) not be located in the front yard,
 - (ii) not exceed one storey in height,
 - (iii) maintain a minimum side yard of 1.5 m,
 - (iv) maintain a rear yard of:
 - (1) 2.0 m when there is a lane,
 - (2) 2.0 m when there is no lane and the garden suite has a blank wall facing the rear parcel line,
 - (3) 3.0 m when there is no lane and the garden suite has a window opening on the wall facing the rear parcel line,
 - (4) have a minimum separation distance of 2.4 m from the principal building and 1.5 m from all other buildings on the same site,

- (v) not to be located on any site which contains two or more permanent dwelling units.

(b) Garden Suites:

- (i) are a temporary use and are subject to annual review,
- (ii) shall not be occupied by any person other than a parent or parents or cognitively impaired adult, of the registered owner of the lot upon which it is situate,
- (iii) shall not, in combination with the principal residence, result in site coverage in excess of 40% of the area of the lot, and
- (iv) shall be located on the lot in a location approved by the Development Authority.

(c) The registered owner shall remove the Garden Suite from the said lot within 6 months:

- (i) upon the occupant for whom such dwelling unit was approved ceasing to occupy it, and
- (ii) upon the registered owner ceasing to occupy the principal building on the lot.

(d) Approval of a Garden Suite shall be subject to an agreement between the registered owner of the lot and The City, satisfactory to The City, to enforce performance of the requirements of this section.

14. ¹ DELETED

15. Landscaping Regulations

- (1) ²An owner of a residential site shall ensure that the landscaping on the landscaped area of the Site is completed within two years of the date that the building is occupied.
- (2) For the purpose of this section, completion of landscaping shall mean, at the minimum, that the landscaped area is covered by lawn.

1 3357/X-2014
2 3357/W-2015

16. ¹Show Home or Dwelling Home

- (a) Where a Dwelling Unit is used a Show Home or Raffle Home, an additional development permit shall be obtained allowing the use of the Dwelling Unit as a Show Home or Raffle Home.
- (b) Once the use of a Show Home or Raffle Home ceases, any area of the Development used as a Show Home or Raffle Home shall revert to residential use.
- (c) The Show Home or Raffle Home shall provide sufficient on-Site and off-Site parking, in the opinion of the Development Authority, to ensure that adjacent Sites would not be adversely affected.
- (d) A Show Home shall not operate for a period of more than 12 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a development permit.
- (e) A Raffle Home shall not operate for a period of more than 9 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a development permit.
- (f) A Raffle Home may only be used for the purpose of:
 - (i) public viewing; and
 - (ii) sale of tickets in connection with a lottery where a Raffle Home is a prize.

¹ 3357/T-2015

Part Five: Commercial Districts and Regulations

5.1	C1 Commercial (City Centre) District.....	3
(1)	C1 Permitted and Discretionary Uses Table.....	3
(2)	C1 Commercial (City Centre) Regulations.....	4
(3)	Heritage Buildings.....	8
(4)	Gaetz-Ross Heritage Area	8
(5)	Setbacks.....	8
5.2	C1A Commercial (City Centre West) District	10
(1)	C1A Permitted and Discretionary Uses Table.....	10
(2)	C1A Commercial (City Centre West) Regulations.....	11
5.3	C2A Commercial (Regional Shopping Centre) District.....	13
(1)	C2A Permitted and Discretionary Uses Table.....	13
(2)	C2A Commercial (Regional Shopping Centre) Regulations	14
5.4	C2B Commercial (District Shopping Centre) District	15
(1)	C2B Permitted and Discretionary Uses Table.....	15
(2)	C2B Commercial (District Shopping Centre) Regulations.....	16
5.5	C3 Commercial (Neighbourhood Convenience) District	17
(1)	C3 Permitted and Discretionary Uses Table.....	17
(2)	C3 Commercial (Neighbourhood Convenience) Regulations	18
5.6	C4 Commercial (Major Arterial) District	19
(1)	C4 Permitted and Discretionary Uses Table.....	19
(2)	C4 Commercial (Major Arterial) District Regulations	20
(3)	C4 Commercial (Major Arterial) Site Development	21
5.6.1	C5 Commercial (Mixed Use) District.....	22
(1)	C5 Permitted and Discretionary Uses Table.....	22
(2)	C5 District Regulations	23
(3)	Approving Authority	24
(4)	Design Criteria	24
5.7	General Commercial District Regulations	27
(1)	Site Development	27
(2)	Additional Setbacks.....	28
	Figure 4-Front/Side Yard Building Setbacks	31
	Figure 5-Front/Side Yard Building Setbacks 49 th Avenue & 55 Street.....	32
	Figure 6-Front/Side Yard Building Setbacks 55 Street	33
	Figure 7-Front/Side Yard Building Setbacks 55 Street	34
	Figure 8-Front/Side Yard Building Setbacks Ross Street.....	35
	Figure 9-Front/Side Yard Building Setbacks Ross Street.....	36
	Figure 10-Front/Side Yard Building Setbacks Ross Street.....	37
	Figure 11-Front/Side Yard Building Setbacks 40 Avenue	38
	Figure 12-Front/Side Yard Building Setbacks 40 Avenue	39
	Figure 13-Front/Side Yard Building Setbacks 45 Street	40
	Figure 14-Front/Side Yard Building Setbacks 49 Avenue	41
(3)	Loading Spaces.....	42
(4)	Projection Over Yards	42
(5)	Vehicular Access to Lots from Public Roadways	42
(6)	Low Impact Commercial Use.....	43
(7)	Late Night Club	45
(8)	Drinking Establishments	46
(9)	Outdoor Storage in Commercial Districts	48
(10)	Outdoor Display or Sale of Goods in Commercial Districts	49
(11)	Funeral Homes	50
(12)	Cannabis Retail Sales Development Standards.....	50

¹Uses Table - DELETED

¹General Commercial Regulations Table - DELETED

5.1 C1 Commercial (City Centre) District



General Purpose

This district is located in the central area of the city with excellent road access, access to transit and a good pedestrian environment. In accordance with the Area Redevelopment Plan, this district is intended to act as the main office area for the city and provide a wide range of commercial, institutional, cultural and residential development. Generally, the land uses are to serve the city and region as a whole.

1. C1 Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	¹ Building Sign; and
(ii)	Commercial recreation facility.
(iii)	Commercial service facility.
(iv)	Dwelling units above the ground floor.
(v)	² Freestanding Sign.
(vi)	Hotel or motel
(vii)	Restaurant
(viii)	³ Merchandise sales and/or rental, excluding agricultural and industrial motor vehicles or machinery and Cannabis Retail Sales.
(ix)	Office.
(x)	Service and repair of goods traded in the C1 district, excluding motor vehicles.
(xi)	⁴ DELETED
(b) Discretionary Uses	
(i)	Above ground storage tanks for motor fuel products including propane and used oil.
(ii)	Accessory building or use subject to section 3.5.
(iii)	⁵ Assisted living facility
(iv)	Commercial entertainment facility.
(v)	Dangerous goods occupancy.
(vi)	Detached dwellings and their accessory buildings existing legally at the time of adoption of this Bylaw.
(vii)	Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
(viii)	Drinking establishment (adult entertainment permitted and subject to section 5.7(8)).
(ix)	Cannabis Retail Sales

¹ 3357/B-2018
² 3357/B-2018
³ 3357/L-2018
⁴ 3357/B-2018
⁵ 3357/C-2007

(b) Discretionary Uses <i>continued</i>	
(ix)	¹ Dynamic Fascia Sign, on Sites described in Section 11.8.1(4).
(x)	² Dynamic Freestanding Sign, on Sites described in Section 11.8.1(4).
(xi)	Funeral home
(xii)	Home occupations subject to section 4.7 (8).
(xiii)	Hostel.
	³ Institutional service facility
(xiv)	Motor vehicle service and repair, including the sale of fuel but excluding the service or repair of agricultural or industrial motor vehicles or machinery.
(xv)	⁴ Multiple Family Building, excluding ground floor dwelling units within the downtown core as outlined in section 7.11 Figure 18.
(xvi)	Late night club subject to section 5.7(7).
(xvii)	Parking lot/parking structure.
(xviii)	⁵ DELETED
(xix)	⁶ Temporary care facility
(xx)	Transportation, communication or utility facility.
(xxi)	⁷ Outdoor display or sale of goods.
(xxii)	⁸ Gaming or Gambling Establishment subject to section 5.7 (1) (f)
(xxiii)	⁹ Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
(xxiv)	¹⁰ Show Home or Raffle Home.
(xxv)	¹¹ Cannabis Retail Sales

2. C1 Commercial (City Centre) Regulations

(a) Table 5.1 C1 Regulations

Regulations	Requirements
Floor Area	Commercial – Nil Residential Minimum - dwelling units 37 m ² Residential Maximum – three times site area
Building Height Maximum	¹² The Development Authority shall have discretion in reviewing height based on the buildings impact on surrounding properties and the streetscape. For

¹ 3357/B-2018

² 3357/B-2018

³ 3357/C-2007

⁴ 3357/V-2008

⁵ 3357/B-2018

⁶ 3357/C-2007

⁷ 3357/E-2006

⁸ 3357/J-2007

⁹ 3357/Z-2009

¹⁰ 3357/T-2015

¹¹ 3357/P-2018

¹² 3357/X-2014

Regulations	Requirements
	development greater than four storeys, the Development Authority shall be the Municipal Planning Commission.
Front Yard Minimum	Commercial – nil, subject to sections 5.7(2) & 3.19 Residential – 7.5 m or as required by the Commission
Side Yard Minimum	Commercial – nil, subject to sections 5.7(2) & 3.19 unless the side yard abuts a lane, in which case it shall be 1.5 m Residential – as required by the Commission
Rear Yard Minimum	Commercial – 1.5 m, subject to sections 5.7(2) & 3.19 Residential – as required by the Commission
Landscaped Area	Commercial – nil Residential – 15 % unless otherwise required by the Commission
Parking	Subject to sections 3.1 & 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one
Site Area Minimum	278.0 m ²
Frontage Minimum	7.5 m

- (b) C1 district is subject to any applicable commercial regulations listed within section 5.7.
- (c) The Development Authority will consider the lot configuration as well as the standards in corresponding residential districts when evaluating the site plan for a residential development in the C1 District.
- (d) The following development design criteria apply to all C1 Commercial lands located south of the Red Deer River:
 - (i) Building Fronts – All Buildings:
 - (1) Street facing elevations shall be parallel to the street. In the case of corner lots or parcels with multiple street frontages, a minimum of two street facing elevations shall be parallel to the street.
 - (2) Minimum building height shall be 8.5 m from grade to the cornice (eave) line.
 - (3) Street frontage elevations of buildings located on corner lots shall have equal quality architectural treatment.
 - (4) No street frontage building elevation shall have any single horizontal wall length greater than 5.0 m unless it contains distinct architectural elements such as

projections, recesses, jogs or windows, to provide visual variety and interest.

- (5) Where lanes exist, access to on-site parking and for loading and delivery zones shall be provided from the lane.
- (6) No parking is permitted between a building elevation and a street, except: in the case of parcels with street frontage on 3 sides, parking may be allowed on one side; and in the case of parcels with street frontage on 4 sides, parking may be allowed on 2 sides.
- (7) Existing boulevard areas and sidewalk trees are to be preserved and may not be removed for new developments, including driveways.
- (8) Fencing along the street fronts of vacant sites, construction sites and around garbage compounds, will be subject to the approval of the Development Authority.

(ii) Building Fronts - Commercial Buildings:

- (1) All building front development criteria listed in subsection (i) also apply to commercial buildings.
- (2) On the side facing a street, buildings shall be constructed:
 - (a) to the property line,
 - (b) to the setback line from the property line provided for in Section 5.7(2) (a) (i), or
 - (c) to the setback provided by the Development Authority to allow for an amenity to the pedestrian environment under Section 5.7(2) (a) (ii).
- (3) In the case of parcels with frontage on 3 or more streets, at least 2 of the building elevations shall be built to the standards set out in subparagraph (ii) above.
- (4) A building on a corner lot shall be constructed so that parking on the site is not visible from any street front.
- (5) Street level elevations shall replicate the historic pattern of store front modules of 7.5 to 10.0 m wide, each containing varied design elements such as entrances, windows, canopies, projections, roof lines and signage.

- (6) The ground floor of any street facing building elevation shall contain a minimum of 50% windows.
- (7) Display windows shall be provided adjacent to each retail front entrance.
- (8) The minimum ground floor height shall be 3.6 m.
- (9) As a minimum, overhead weather protection shall be provided for pedestrians along building fronts at each building entrance.
- (10) Building cantilevers and attached awnings and canopies shall not project more than 3.0 m from any front building face.
- (11) Front entrances shall be angled and recessed 0.9 to 1.5 m from the building face.

(iii) Building Fronts - Residential Buildings:

- (1) All building front development criteria listed in subsection (i) also apply to residential buildings
- (2) Each main floor dwelling unit fronting a street shall have a private front yard and individual direct front entry access from the sidewalk.
- (3) The main floor shall not be located higher than 1.5 m above the grade of the front sidewalk.
- (4) Retaining walls, railings, fences or hedges located in the minimum front yard shall not exceed 1.0 m in height unless of an open design.
- (5) Architectural design elements such as balconies, verandas, canopies and window projections shall be incorporated into front building faces.
- (6) Trees of a minimum 60 mm caliper (deciduous) or minimum 2.5 m height (coniferous) shall be planted in the front yard at one tree per 7.5 m of lot frontage.

- (e) ¹Notwithstanding anything in this bylaw, the following uses are not permitted on the ground floor of any building in the downtown core area of the C1 district as identified in section 7.11 Figure 18:

(a) Dwelling Units

- (b) The residential component of a building associated with any other permitted or discretionary use in the C1 district.**

3. Heritage Buildings

- (a) For the purpose of this section, heritage buildings and properties are only those listed in sections 7.5 and 7.6 of the Land Use Bylaw that are located within the C1 Commercial District.
- (b) ¹Deleted
- (c) The Development Officer shall as part of their normal circulation process, refer any development proposal within the boundary of any Main Street Programme, or a property abutting the Main Street Programme boundary, to the Main Street Local Advisory Board for comment.
- (d) Where a proposed development affecting a heritage property, or a property abutting a heritage property, is to be forwarded to the Municipal Planning Commission for a decision, or is the subject of an appeal before the Subdivision Development Appeal Board, the Development Officer shall notify The Heritage Preservation Committee and any Main Street Local Advisory Board of the time and date at which the development will be considered.

4. Gaetz-Ross Heritage Area

- (a) The Gaetz-Ross Heritage area is defined as all those parcels of land fronting onto Gaetz Avenue from 48 Street north to, and including, the Hamilton Block (5211 Gaetz Avenue) and, all those parcels fronting onto Ross Street between, and including, the former CP Railway Station and the Old Court House Professional Centre building (4838 Ross Street).
- (b) All building front development criteria listed in subsections (i) to (iii) also apply to all developments in the Gaetz-Ross Heritage area.
- (c) Any portion of a new building higher than two storeys at the front building face shall be stepped back a minimum of 1.2 m from the front building façade of the lower two storeys. A second storey cornice line shall be architecturally accentuated.

5. Setbacks

- (a) The minimum rear yard setback of 1.5 m required under section 5.1(2)(a) Table 5.1, shall not apply to a lot in respect of which the owner has transferred title to The City of the land that would otherwise be required as additional setback, provided that, where the setback or any portion of it is occupied by a building, the owner has also entered into a License to Occupy agreement with The City.

¹ 3357Q-2007

- (b) The minimum side yard setback of 1.5 m required under section 5.1(2)(a) Table 5.1, shall not apply to a lot in respect of which the owner has transferred title to The City of the land that would otherwise be required as additional setback, provided that, where the setback or any portion of it is occupied by a building, the owner has also entered into a License to Occupy agreement with The City.

5.2 C1A Commercial (City Centre West) District



General Purpose

This general purpose of this district is to facilitate the development of a unique area of land uses, which includes office and a combination of commercial, industrial, institutional, cultural and residential developments. Generally, the land uses are to serve The City and the region, as a whole. This district is distinct from, and includes higher standards of development than, the C1 District.

1. C1A Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	¹ Building Sign; and
(ii)	Commercial service facility.
(iii)	² Freestanding Sign.
(iv)	³ Merchandise sales and/or rental excluding Cannabis Retail Sales, all motor vehicles, machinery and fuel – maximum building size of 1500 m ² (16,146 sq ft.).
(v)	Office.
(vi)	Restaurant.
(vii)	⁴ DELETED

¹ 3357/B-2018

² 3357/B-2018

³ 3357/L-2018

⁴ 3357/B-2018

(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) ¹Assisted living facility.
 - (iv) ²Commercial entertainment facility
 - (v) Commercial recreation facility.
 - (vi) Dangerous goods occupancy.
 - (vii) Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
 - (viii) Funeral home.
 - (ix) Late night club subject to section 5.7(7).
 - (x) Home occupations subject to section 4.7 (8).
 - (xi) Hotel, motel, or hostel.
 - (xii) Manufacturing of any articles.
 - (xiii) ³Merchandise sales (excluding Cannabis Retail Sales) and/or rental.
 - (xiv) Multiple family building.
 - (xv) Parking lot/parking structure
-
- (xiv) Service and repair of any articles.
 - (xv) ⁴DELETED
-
- (xvi) ⁵Temporary care facility.
 - (xvii) Transportation, communication or facility.
 - (xviii) Warehouse in the existing structure.
 - (xix) ⁶Outdoor storage.
 - (xx) ⁷Outdoor display or sale of goods.
 - (xxi) ⁸Gaming or Gambling Establishment subject to section 5.7 (1) (f)
 - (xxii) ⁹Show Home or Raffle Home

2. C1A Commercial (City Centre West) Regulations

(a) Table 5.2 C1A Regulations

Regulations	Requirements
Floor Area	Minimum - dwelling units 37.0 m ²

¹ 3357/C-2007

² 3357/R-2007

³ 3357/L-2018

⁴ 3357B-2018

⁵ 3357/C-2007

⁶ 3357/E-2006

⁷ 3357/E-2006

⁸ 3357/J-2007

⁹ 3357/T-2015

Regulations	Requirements
	Maximum – one third of site area (ground floor)
Building Height Maximum	As approved by the Commission
Front Yard Minimum	6.0 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	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	20.0 m

(b) C1A District is subject to any applicable commercial regulations listed within section 5.7.

5.3 C2A Commercial (Regional Shopping Centre) District

General Purpose



The general purpose of a Regional Shopping Centre District is to facilitate the development of regional trade centres, which also include services, offices and dwelling units as secondary functions, generally to serve The City and the region, as a whole.

1. C2A Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	¹ Building Sign
(ii)	Commercial service facility.
(iii)	² Freestanding Sign.
(iv)	³ Merchandise sales and/or rental excluding Cannabis Retail Sales, all motor vehicles, machinery and fuel.
(v)	Office in total not to exceed 10% of the gross leasable area of the whole shopping centre.
(vi)	Restaurant.
(vii)	Service and repair of goods traded in the C2A (Regional Shopping Centre) District, excluding motor vehicles.
(viii)	⁴ DELETED
(b) Discretionary Uses	
(i)	Above ground storage tanks for motor fuel including propane and used oil.
(ii)	Accessory building or use subject to section 3.5.
(iii)	Commercial entertainment facility.
(iv)	Commercial recreation facility.
(v)	Dangerous goods occupancy.
(vi)	Drinking Establishment (adult entertainment prohibited and subject to section 5.7(8)).
(vii)	Dwelling units above the ground floor.
(viii)	⁵ Dynamic Fascia Sign; and
(ix)	⁶ Dynamic Freestanding Sign.
(x)	Home occupations subject to section 4.7 (8).
(xi)	Hotel or motel.
(xii)	Motor vehicle sales, service and repair, including the sale of fuel but excluding agricultural or industrial motor vehicles or machinery.
(xiii)	Parking lot.
(xiv)	⁷ DELETED
(xv)	¹ DELETED

¹ 3357/B-2018

² 3357/B-2018

³ 3357/L-2018

⁴ 3357/B-2018

⁵ 3357/B-2018

⁶ 3357/B-2018

⁷ 3357/G-2016, 3357/B-2018

- | | |
|---------|--|
| (xvi) | Transportation, communication or utility facility. |
| (xvii) | ² Outdoor storage. |
| (xviii) | ¹ Outdoor display or sale of goods. |
| (xix) | ² Gaming to Gambling Establishment subject to section 5.7 (1) (g) |
| (xx) | ³ Show Home or Raffle Home. |

2. C2A Commercial (Regional Shopping Centre) Regulations

(a) Table 5.3 C2A Regulations

Regulations	Requirements
Floor Area	Dwelling Units Minimum – 55.0 m ² Shopping Centre Maximum – gross leasable floor area shall not exceed one third of site area
Building Height Maximum	3 storeys
Front Yard Minimum	9.0 m
Side Yard Minimum	9.0 m
Rear Yard Minimum	9.0 m
Landscaped Area Minimum	15% of site area
Parking	⁴ Subject to sections 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	3.0 ha

(b) C2A District is subject to any applicable commercial regulations listed within section 5.7.

¹ 3357/B-2018

² 3357/E-2006 ² 3357/J-2007

³ 3357/T-2015

⁴ 3357/N-2018

5.4 C2B Commercial (District Shopping Centre) District



¹General Purpose

The general purpose of a District Shopping Centre is to facilitate the development of district trade centres, which also include services, and dwelling units as secondary functions, to serve residential districts or non-commercial areas of the district in which they are situated only.

1. C2B Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	² Building Sign.
(ii)	Commercial service facility.
(iii)	³ Freestanding Sign.
(iv)	⁴ Merchandise sales and/or rental excluding Cannabis Retail Sales, all motor, machinery, fuel and liquor, beer or wine sales.
(v)	Service and repair of goods traded in C2B District, excluding motor vehicles.
(vi)	⁵ DELETED
(b) Discretionary Uses	
(i)	Accessory building or use subject to section 3.5.
(ii)	Commercial recreation facility.
(iii)	Dangerous goods occupancy.
(iv)	Drinking Establishment (adult entertainment prohibited and subject to section 5.7(8)).
(v)	Dwelling units above the ground floor.
(vi)	⁶ Dynamic Fascia Sign
(vii)	⁷ Dynamic Freestanding Sign.
(viii)	Home occupations subject to section 4.7(8).
(ix)	Liquor, beer or wine sales.
(x)	Motor vehicle sales, service and repair, including the sale of fuel but excluding agricultural or industrial motor vehicles or machinery.
(xi)	Health and medical services.
(xii)	Parking lot.
(xiii)	Restaurant.
(xiv)	⁸ DELETED
(xv)	Transportation, communication or utility facility.
(xvi)	⁹ Outdoor storage.
(xvii)	¹ Outdoor display or sale of goods.

¹ 3357/E-2016

² 3357/B-2018

³ 3357/B-2018

⁴ 3357/L-2018

⁵ 3357/B-2018

⁶ 3357/B-2018

⁷ 3357/B-2018

⁸ 3357/B-2018

⁹ 3357/E-2006

- | | |
|---------|--|
| (xviii) | ³ Gaming or Gambling Establishment subject to section 5.7 (1) (g) |
| (xix) | ² Show Home or Raffle Home. |

2. C2B Commercial (District Shopping Centre) Regulations

(a) Table 5.4 C2B Regulations

Regulations	Requirements
Floor Area	Dwelling Units Minimum – 55.0 m ² Shopping Centre Maximum – gross leasable floor area shall not exceed one third of site area
Building Height Maximum	3 storeys
Front Yard Minimum	9.0 m
Side Yard Minimum	9.0 m
Rear Yard Minimum	9.0 m
Landscaped Area Minimum	15% of site area
Parking	³ Subject to sections 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	Shopping centre minimum 1.0 ha Shopping centre maximum 3.0 ha

(b) C2B District is subject to any applicable commercial regulations listed within section 5.7.

¹ 3357/E-2006

³ 3357/J-2007

² 3357/T-2015

³ 3357/N-2018

5.5 C3 Commercial (Neighbourhood Convenience) District

C3

General Purpose

The general purpose of this district is to facilitate the development of local convenience trade centres, which may also include the provision of services, dwelling units and medical offices as secondary functions. The uses in this district are primarily intended to serve residents within a one kilometre radius (the “adjoining neighbourhood”). However, uses that serve residents beyond the adjoining neighbourhood may be allowed on a discretionary basis subject to the conditions set out in section 5.5(1)(b).

1. C3 Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	¹ Building Sign.
(ii)	² Merchandise sales and/or rental, servicing the neighbourhood only, excluding all uses where the primary focus is adult oriented merchandise and/or entertainment, motor vehicles, machinery, fuel, Cannabis Retail Sales and liquor, beer or wine sales.
(iii)	Service and repair of goods traded in the C3 District, (serving the neighbourhood only).
(iv)	³ DELETED
(b) Discretionary Uses	
(i)	Above ground storage tanks for motor fuel products including propane and used oil.
(ii)	Accessory building or use (serving the neighbourhood only and subject to section 3.5).
(iii)	Commercial service facility (serving the neighbourhood only).
(iv)	Dangerous goods occupancy, where required, in association with a dry cleaning business.
(v)	Dwelling unit above the ground floor.
(vi)	⁴ Freestanding Sign.
(vii)	Restaurant.
(viii)	Home occupations subject to section 4.7 (8).
(ix)	Motor vehicle service, including the sale of fuel but excluding agricultural or industrial motor vehicles or machinery (serving the neighbourhood only)

¹ 3357/B-2018

² 3357/L-2018

³ 3357/B-2018

⁴ 3357/B-2018

(b) Discretionary Uses - *continued*

- (x) Notwithstanding the restriction in section 5.5 (1) which confines uses to those serving the neighbourhood only, a use which serves residents beyond the adjoining neighbourhood may be allowed provided that the use:
 - (1) is otherwise listed in section 5.5 (1); will not result in excess traffic or parking demand, and
 - (2) will operate during business hours compatible with the business hours of other businesses on the site; will not, in the opinion of the Development Authority, result in excessive noise or vagrancy or otherwise adversely affect the amenities of the neighbourhood.
- (xi) Office – medical (serving the neighbourhood only).
- (xii) ¹DELETED
- (xiii) Transportation, communication or utility facility (serving the neighbourhood only).
- (xiv) ²Show Home or Raffle Home.

2. C3 Commercial (Neighbourhood Convenience) Regulations

(a) Table 5.5 C3 Regulations

Regulations	Requirements
Floor Area	Dwelling Units Minimum – 55.0 m ² Local Convenience Centres Maximum – one third of site area
Building Height Maximum	One storey, not exceeding 6.0 m, unless the approval allows dwelling units above the ground floor, in which case a second storey is allowed
Front Yard Minimum	6.0 m
Side Yard Minimum	1.5 m, unless the side yard abuts a residential parcel, in which case it shall be 3.0 m
Rear Yard Minimum	3.0 m, unless the rear yard abuts a lane, in which case it may be reduced to 1.5 m
Landscaped Area Minimum	15% of site area
Parking	Commercial - 5.1 spaces for every 93.0 m ² of gross leasable floor area, subject to section 3.1 and 3.2 Residential – subject to section 3.1 and 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one, which may be used as a parking space, subject to approval by the Development Authority
Site Area	Minimum 378.0 m ² Maximum 4047.0 m ²
Frontage:	Minimum 7.5 m

(b) C3 District is subject to any regulations listed within section 5.7.

¹ 3357/B-2018

² 3357/T-2015

5.6 C4 Commercial (Major Arterial) District



General Purpose

The general purpose of this District is to facilitate the development of the primary location for trade and service related to automotive transportation and the automobile traveller, and other commercial land uses which are built at low densities, in planned centres, generally, to serve the city and the region, as a whole.

1. C4 Permitted and Discretionary Uses Table

(a) Permitted Uses

- (i) ¹Building Sign
- (ii) Commercial recreation facility.
- (iii) Commercial service facility.
- (iv) ²Freestanding Sign.
- (v) ³Merchandise Sales (excluding Cannabis Retail Sales)
- (vi) Restaurant.
- (vii) Service and repair of goods traded in the C4 District.
- (viii) ⁴DELETED

(b) Discretionary Uses

- (i) Above ground storage tanks for motor fuel products including propane and used oil.
- (ii) Accessory building or use subject to section 3.5.
- (iii) ⁵Billboard Sign;
- (iv) Dangerous goods occupancy.
- (v) Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
- (vi) Drinking establishment (adult entertainment permitted and subject to section 5.7(8)).
- (vii) ⁶Dynamic Fascia Sign; and
- (viii) ⁷Dynamic Freestanding Sign.
- (ix) Funeral Home.
- (x) ⁸Health and Medical Services

¹ 3357/B-2018

² 3357/B-2018

³ 3357/L-2018

⁴ 3357/B-2018

⁵ 3357/B-2018

⁶ 3357/B-2018

⁷ 3357/B-2018

⁸ 3357E/2011

(b) Discretionary Uses *continued*

- (xi) Hotel, motel or hostel.
- (xii) ¹Merchandise Sales (excluding Cannabis Retail Sales)
- (xiii) ²Outdoor display or sale of goods.
- (xiv) ³DELETED
- (xv) Transportation, communication or utility facility.
- (xvi) Warehouse.
- (xvii) ⁴Outdoor storage.
- (xviii) ⁵Gaming or Gambling Establishment subject to section 5.7 (1) (g)
- (xix) ⁶Cannabis Retail Sales

2. C4 Commercial (Major Arterial) District Regulations

(a) Table 5.6 C4 Regulations

Regulations	Requirements
⁷ 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/L-2018

² 3357/E-2006

³ 3357/G-2016, 3357/B-2018

⁴ 3357/E-2006

⁵ 3357/J-2007

⁶ 3357/P-2018

⁷ 3357/G-2018

3. C4 Commercial (Major Arterial) Site Development

- (a) The relationship of the use to adjacent residential areas will be a factor in considering the size, site plan and architectural treatment of the building.

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) ³ Building Sign
(ii) Day care facility
(iii) Dwelling units above the ground floor
(iv) ⁴ Freestanding Sign
(v) Health and medical services
(vi) Home music instructor/instruction, subject to section 4.7(10)
(vii) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(viii) Live work unit subject to section 4.3.2(2)(b)
(ix) ⁵ Merchandise sales and/or rental (excluding industrial goods, motor vehicles, machinery, Cannabis Retail Sales, fuel and all uses where primary focus is adult orientated merchandise and/or entertainment)
(x) Multiple family building with a minimum density of 35 dwelling units/hectare
(xi) Multi-attached buildings with a minimum density of 35 dwelling units/hectare
(xii) ⁶ Restaurant without drive-through
⁷ (xiii) Show Home or Raffle Home.
(xiv) ⁸ DELETED

¹ 3357/L-2013

² 3357/D-2015

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/L-2018

⁶ 3357/G-2018

⁷ 3357/T-2015

⁸ 3357/B-2018

(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 Dynamic Fascia Sign
(viii)	³ Dynamic Freestanding Sign.
(ix)	⁴ Office in total not to exceed 10% of the gross commercial floor area of the site on which it is located.
(x)	Parking lot/parking structure
(xi)	Place of worship or assembly
(xii)	Public and quasi-public buildings
(xiii)	Transportation communications or utility facility
(xiv)	Outdoor display or sale of goods
(xv)	⁵ Restaurant with drive-through
(xvi)	Sale of fuel
(xvii)	⁶ DELETED

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/B-2018

³ 3357/B-2018

⁴ 3357/G-2018

⁵ 3357/G-2018

⁶ 3357/B-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) ²All commercial ground floor elevations facing a Street shall contain un-tinted glass windows. Ground floor windows may have window signs.
- (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) ³DELETED

¹ 3357/V-2017

² 3357/N-2018

³ 3357/B-2018

(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.”

5.7 General Commercial District Regulations

1. Site Development

- (a) Within C1, C1A, C2A, C2B, C3, and C4 Districts 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 Development Authority.
- (b) ¹Within C1 and C1A Districts, where a drinking establishment is proposed as an accessory use or as the main use and where it would abut a residential neighbourhood or lane or street or reserve which abuts a residential neighbourhood, the developer shall provide the Development Authority with an impact statement as part of the application for a development permit, indicating the measures taken to ensure that noise or visual impacts from the proposed establishment will not negatively affect the adjoining residential neighbourhood.
- (c) All buildings in the C1 and C1A Districts shall feature street oriented design elements for all elevations visible from adjacent public roadways (excluding lanes). These design elements shall include street level windows, appropriately designed entrances, street oriented signage, pedestrian scale design and building materials, which complement other buildings in the downtown. Screening shall be used, as necessary, to ensure that any waste receptacles are not visible from the surrounding public roadways (excluding lanes).
- (d) If strict adherence to C2A, C2B and C4 corresponding regulations listed in Tables 5.3, 5.4 & 5.6 prohibits an effective relationship between buildings, structures and open spaces on the site and adjoining property the Commission may relax the requirements of the corresponding regulations.
- (e) ²A drinking establishment in a C2A, C2B and C4 District shall not be located where it would abut a residential land use district or a lane or street or reserve which abuts a residential land use district. This prohibition shall not apply to a drinking establishment which is proposed as an accessory use, subject to the developer providing the Development Authority as part of the application for a development permit, an impact statement being an assessment of measures to be taken to ensure that noise or visual impacts from the drinking establishment will not negatively affect adjoining properties.

¹ 3357/J-2007

² 3357/J-2007

- (f) ¹Within C1, C1A and DC (6) Districts, where a gaming or gambling establishment is proposed as an accessory use or as the main use and where it would abut a residential neighbourhood or lane or street or reserve which abuts a residential neighbourhood, the developer shall provide the Development Authority with an impact statement as part of the application for a development permit, indicating measures taken to ensure that noise or visual impacts from the proposed establishment will not negatively affect the adjoining residential neighbourhood. The Development Authority will notify all property owners and any community association located within 65 metres of the boundary of the site which is the subject of the intended development. In addition, a neighbourhood meeting is required for gaming or gambling establishments as a main use.
- (g) ²A gaming or gambling establishment in a C2A, C2B, C4, DC (1) DC (20) and DC (20.1) District shall not be located where it would abut a residential land use district or lane or street or reserve which abuts a residential land use district. This prohibition shall not apply to a gaming or gambling establishment which is proposed as an accessory use, subject to the developer providing the Development Authority as part of the application for a development permit, an impact statement being an assessment of measures to be taken to ensure that noise or visual impacts from the gaming establishment will not negatively affect adjoining properties.

2. Additional Setbacks

(a) Setbacks from Streets:

- (i) The minimum front and side yard setbacks of sites abutting the streets illustrated with a solid heavy line for illustrative purposes on Figure 4, shall be increased by an additional building setback of 2.13 m to be added to each side of the original 20.12 m wide street right of way. This additional setback is necessary for future traffic demands and shall not be relaxed.
- (ii) ³The minimum front and side yard setbacks of sites abutting the streets illustrated with a dashed heavy line for illustrative purposes on Figure 4, shall be increased by an additional building setback of 2.13 m to be added to each side of the original 20.12 m wide street right of way. As this setback is intended for pedestrian and/or other planning enhancements, the Development Authority, in its discretion, may relax this requirement in accordance with section 5.1(3)(b) of the Land Use Bylaw.

¹ 3357/J-2007

² 3357/J-2007

³ 3357/Q-2015

- (iii) Notwithstanding subsections (i) and (ii) the minimum front and side yard setbacks of a site abutting other streets are illustrated on the following figures:
- (1) 55 Street (Gaetz Avenue to 42A Avenue) – See Figures 5, 6 & 7
 - (2) Ross Street (45 Avenue to west boundary of N.E. 15-38-27-4) – See Figures 8, 9 & 10
 - (3) 40 Avenue (44 Street to 52 Street) – See Figures 11 & 12
 - (4) 45 Street (Taylor Drive to 51 Avenue) – See Figure 13
- (iv) Subsection (i) and (ii) shall not apply to:
- (1) a lot in respect of which the owner has transferred title to The City of the land that would otherwise be required as additional setback;
 - (2) a lot where the setback or any portion of it is occupied by a building, and the owner has also entered into a License to Occupy Agreement with The City.
- (v) The minimum front and side yard setbacks shown in Figure 4 for illustrative purposes, do not apply to the following types of buildings where the development has been approved by the Development Authority and which meet the design guidelines set out in section 5.1(3)(b) of the Land Use Bylaw:
- (1) Any historic building identified in sections 7.5 to 7.6 of the Land Use Bylaw,
 - (2) New construction for which the Development Authority has granted approval as a historical “echo” or “replica” building, or
 - (3) Any building located within the Red Deer Main Street Programme boundary.
- (vi) The minimum front and side yard setbacks for sites on streets with the area marked by the dashed heavy line for illustrative purposes on Figure 4, may be reduced or eliminated by the Development 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:
- (1) Development within the setback area is non-structural.

- (2) Space for pedestrian amenities such as walkways, sidewalks, bicycle routes, green spaces and landscaping, urban sculptures and benches or other street furniture.
- (3) 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.
- (4) Development that takes into account the unique character of an area or any applicable individual neighbourhood design guidelines,
- (5) 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.

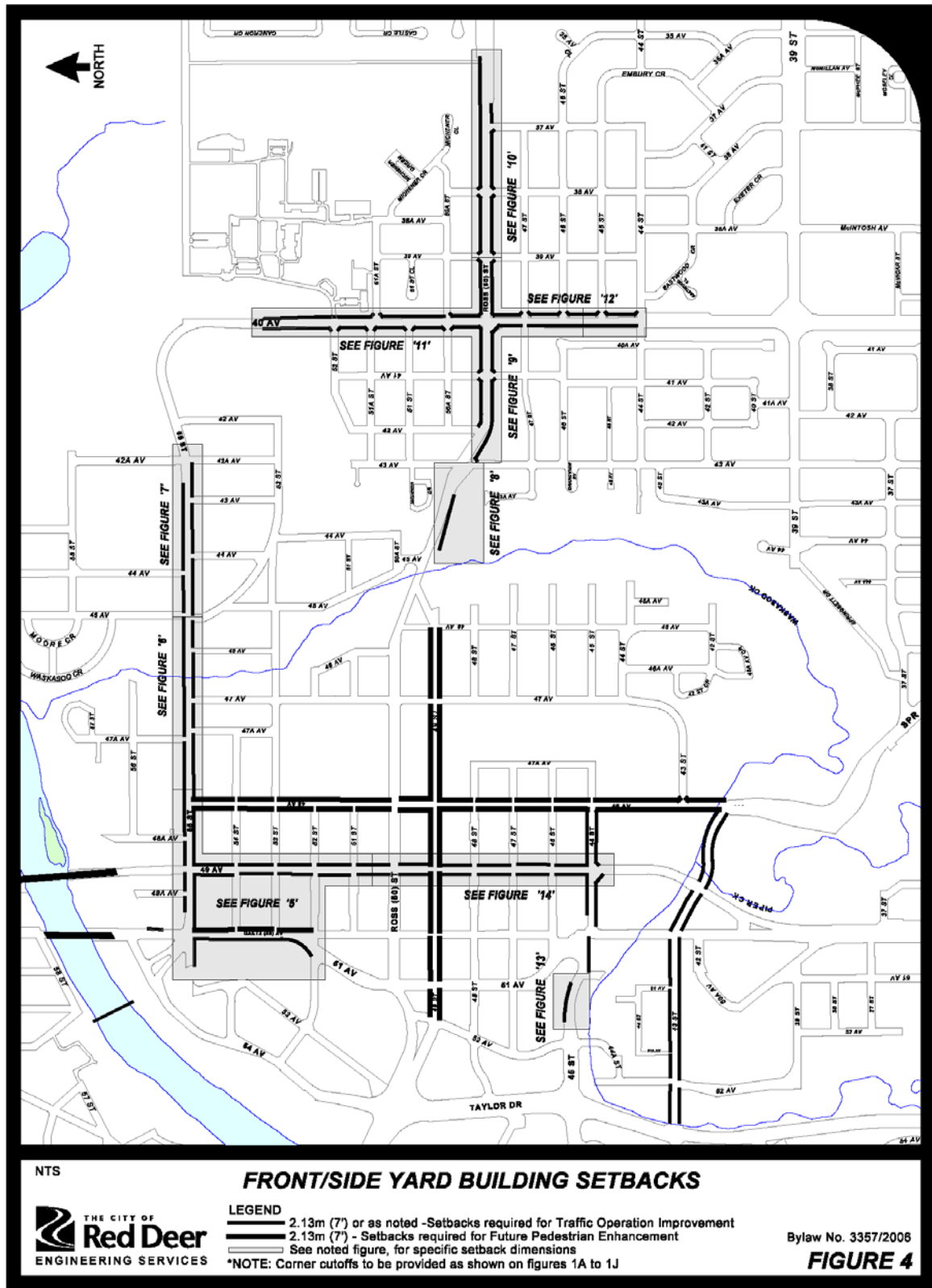


Figure 4-Front/Side Yard Building Setbacks

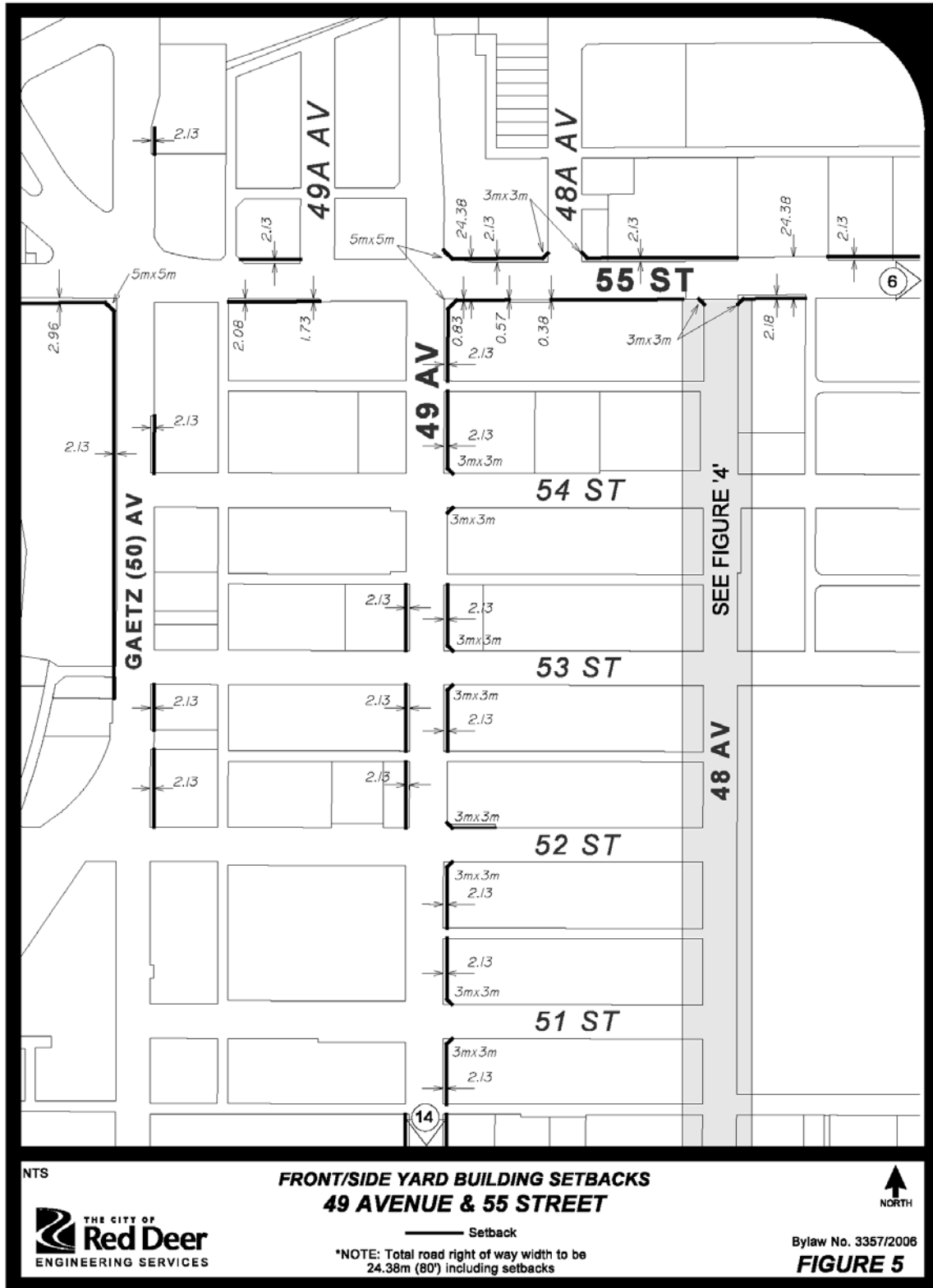


Figure 5-Front/Side Yard Building Setbacks 49th Avenue & 55 Street

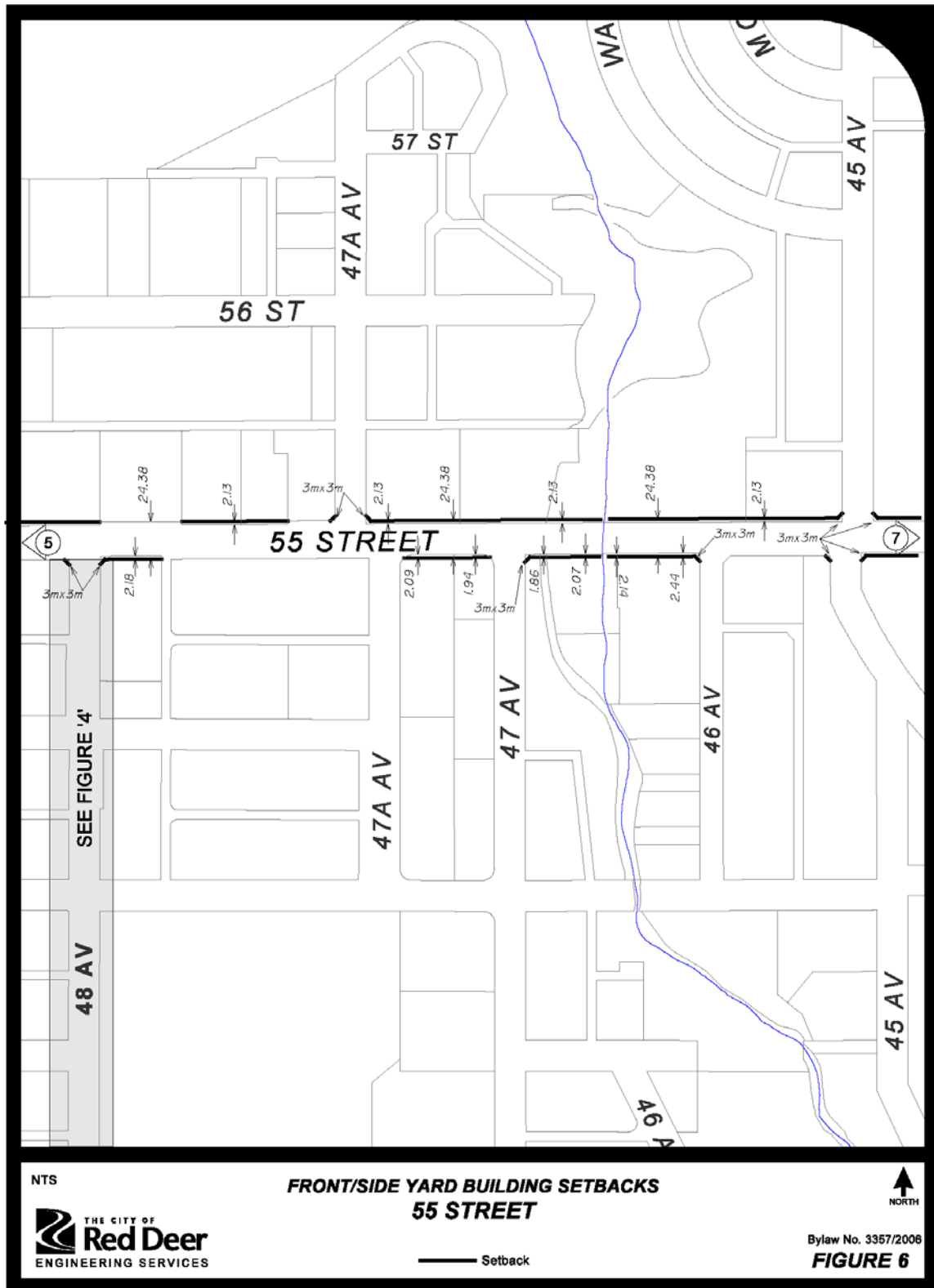


Figure 6-Front/Side Yard Building Setbacks 55 Street

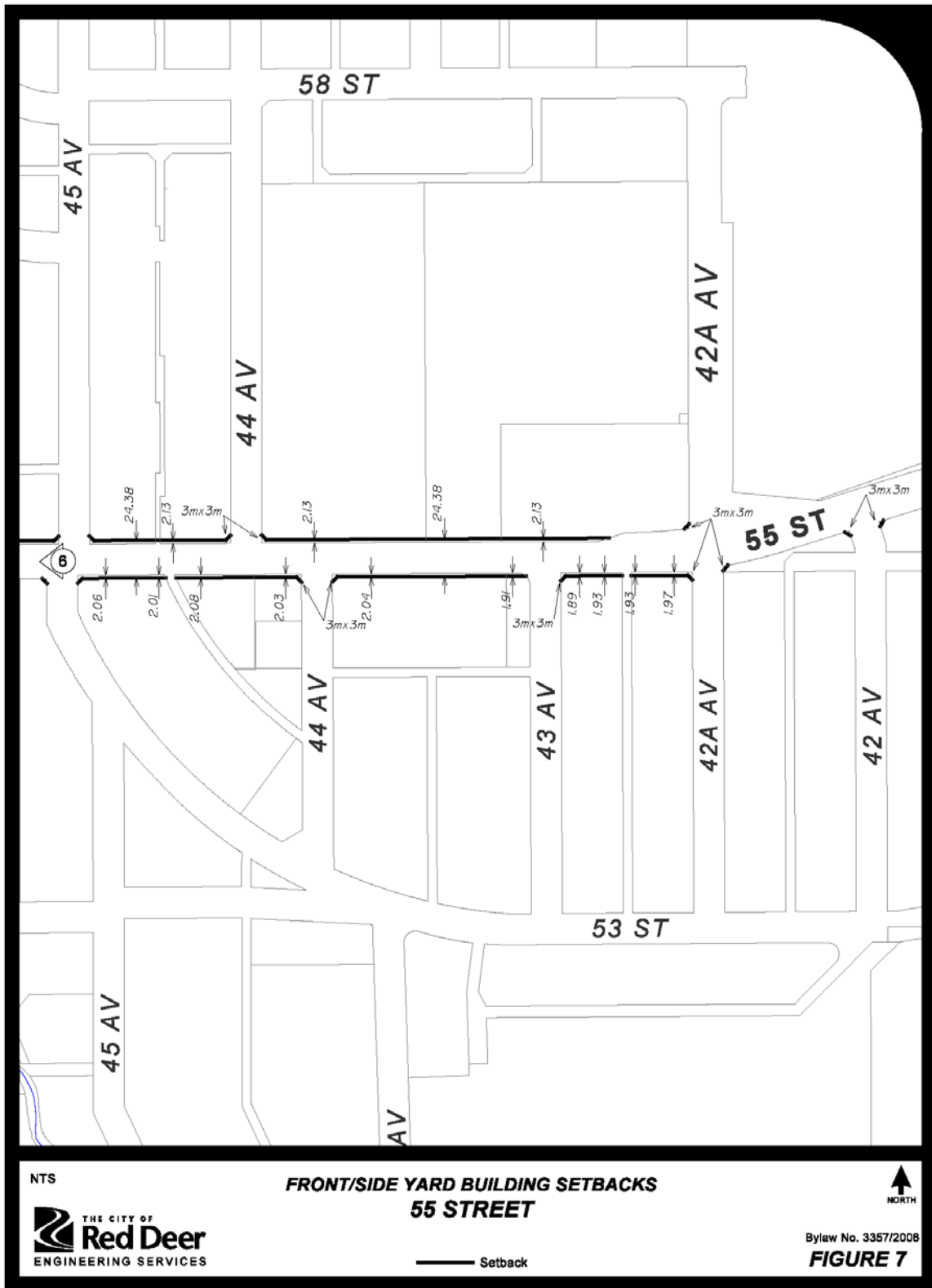


Figure 7-Front/Side Yard Building Setbacks 55 Street

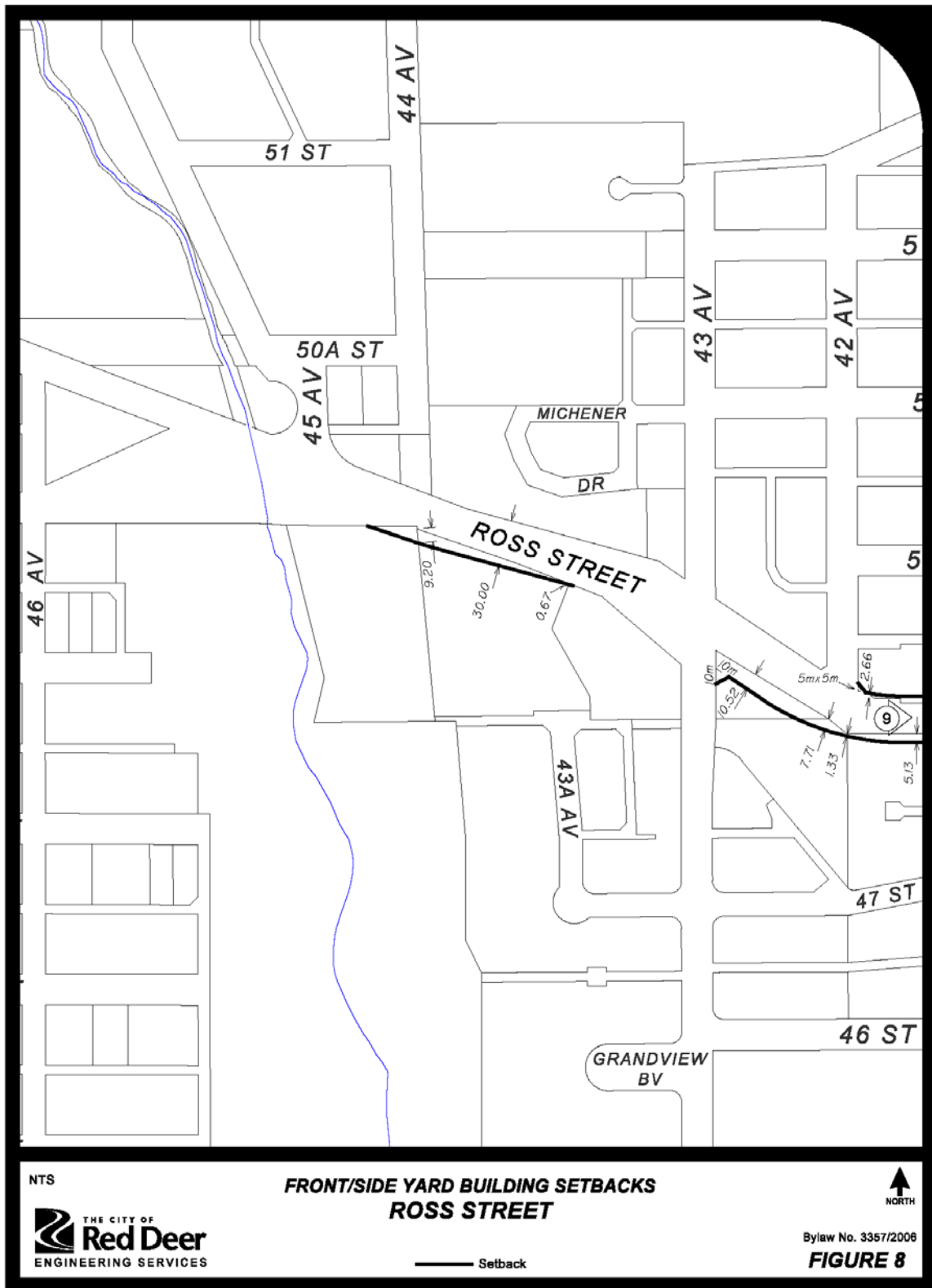


Figure 8-Front/Side Yard Building Setbacks Ross Street

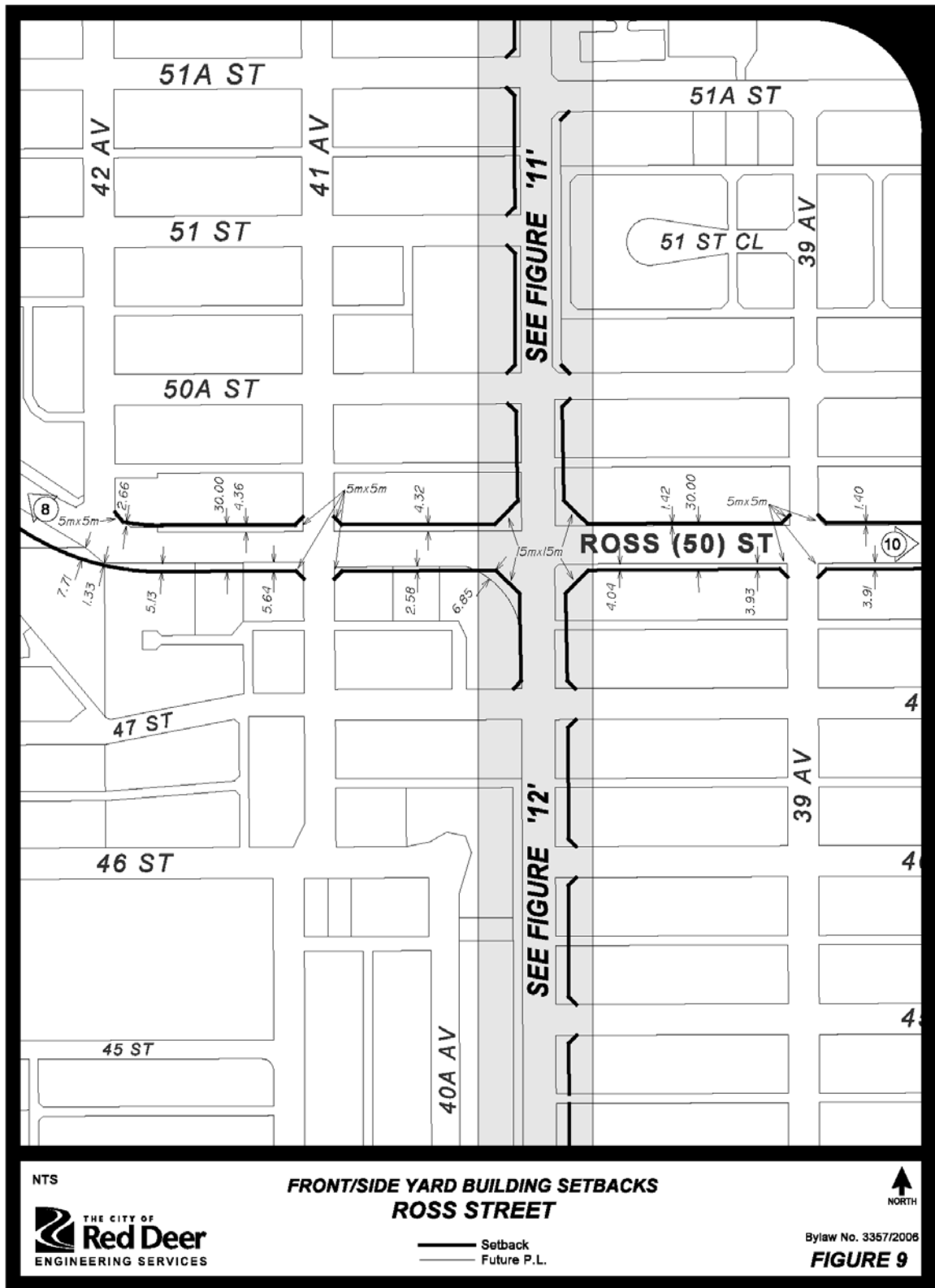


Figure 9-Front/Side Yard Building Setbacks Ross Street

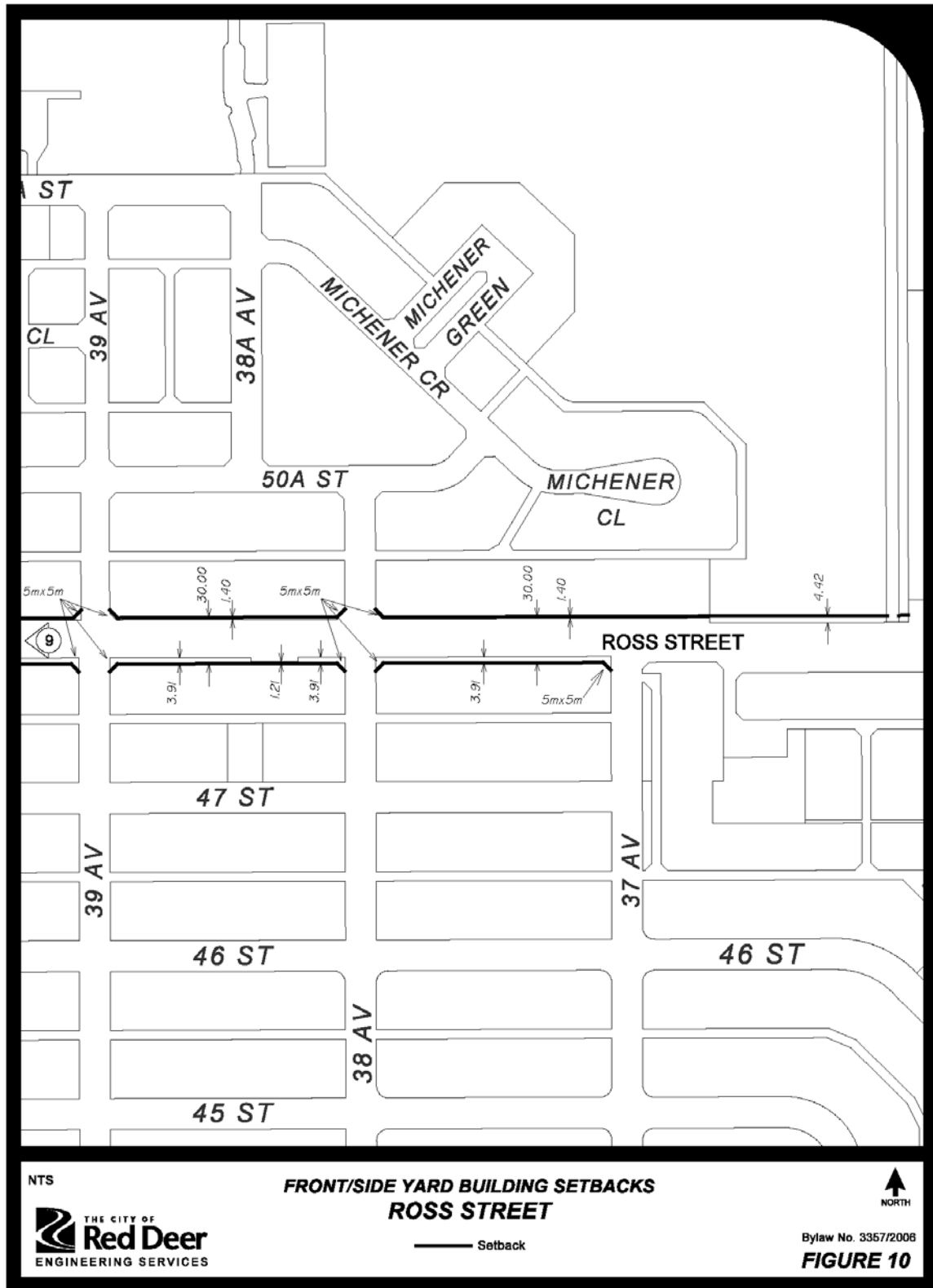


Figure 10-Front/Side Yard Building Setbacks Ross Street

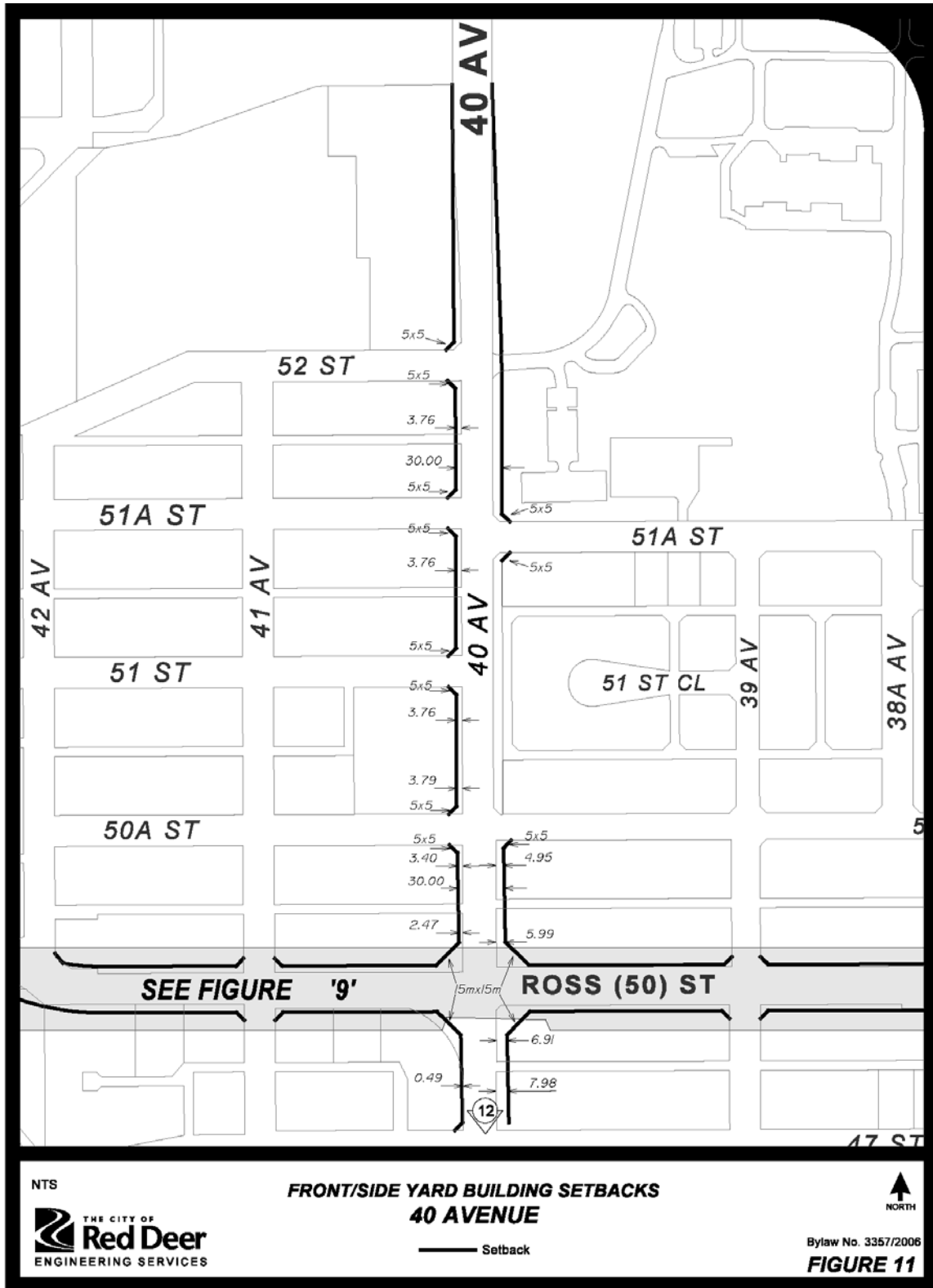


Figure 11-Front/Side Yard Building Setbacks 40 Avenue

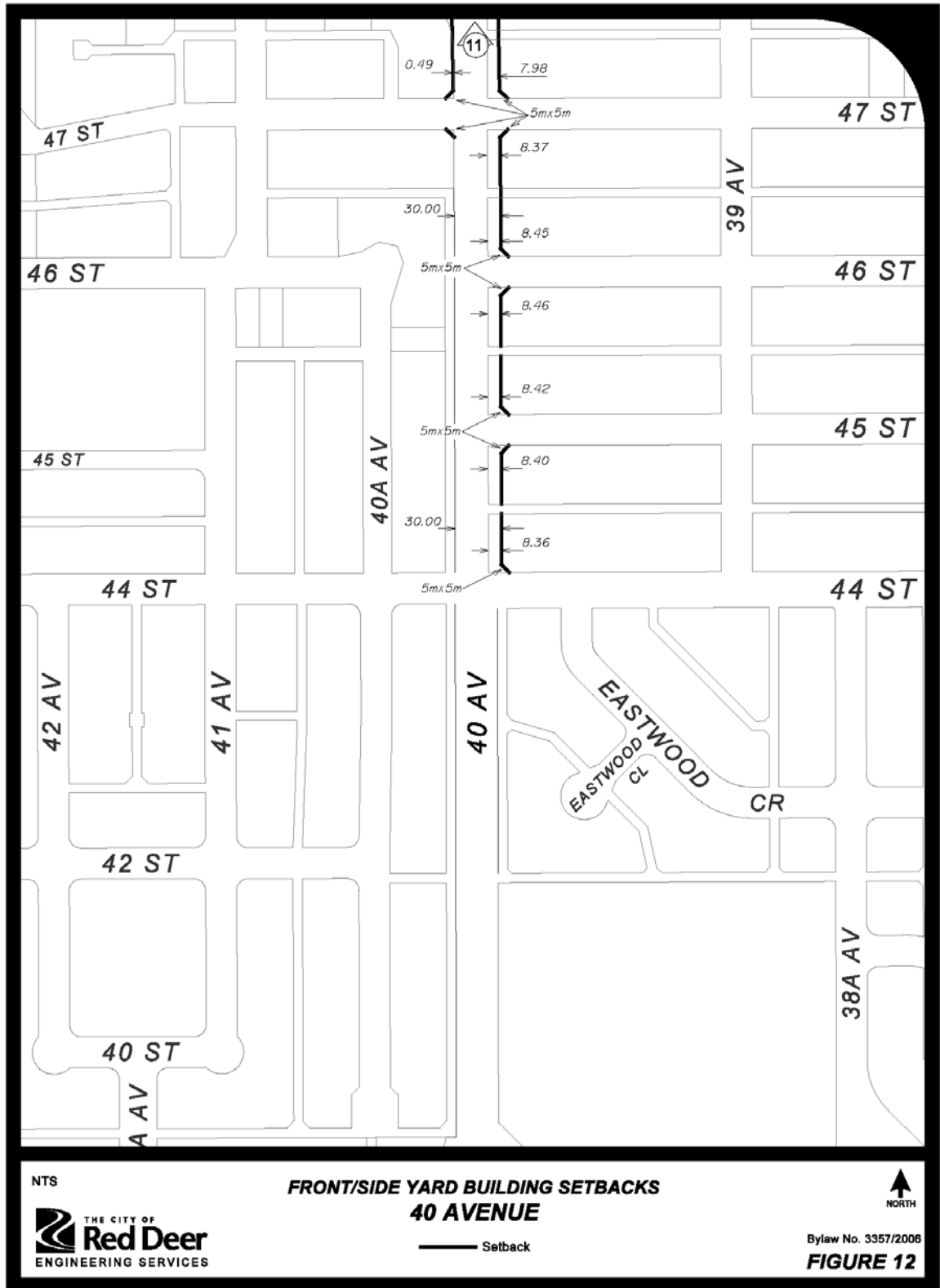


Figure 12-Front/Side Yard Building Setbacks 40 Avenue

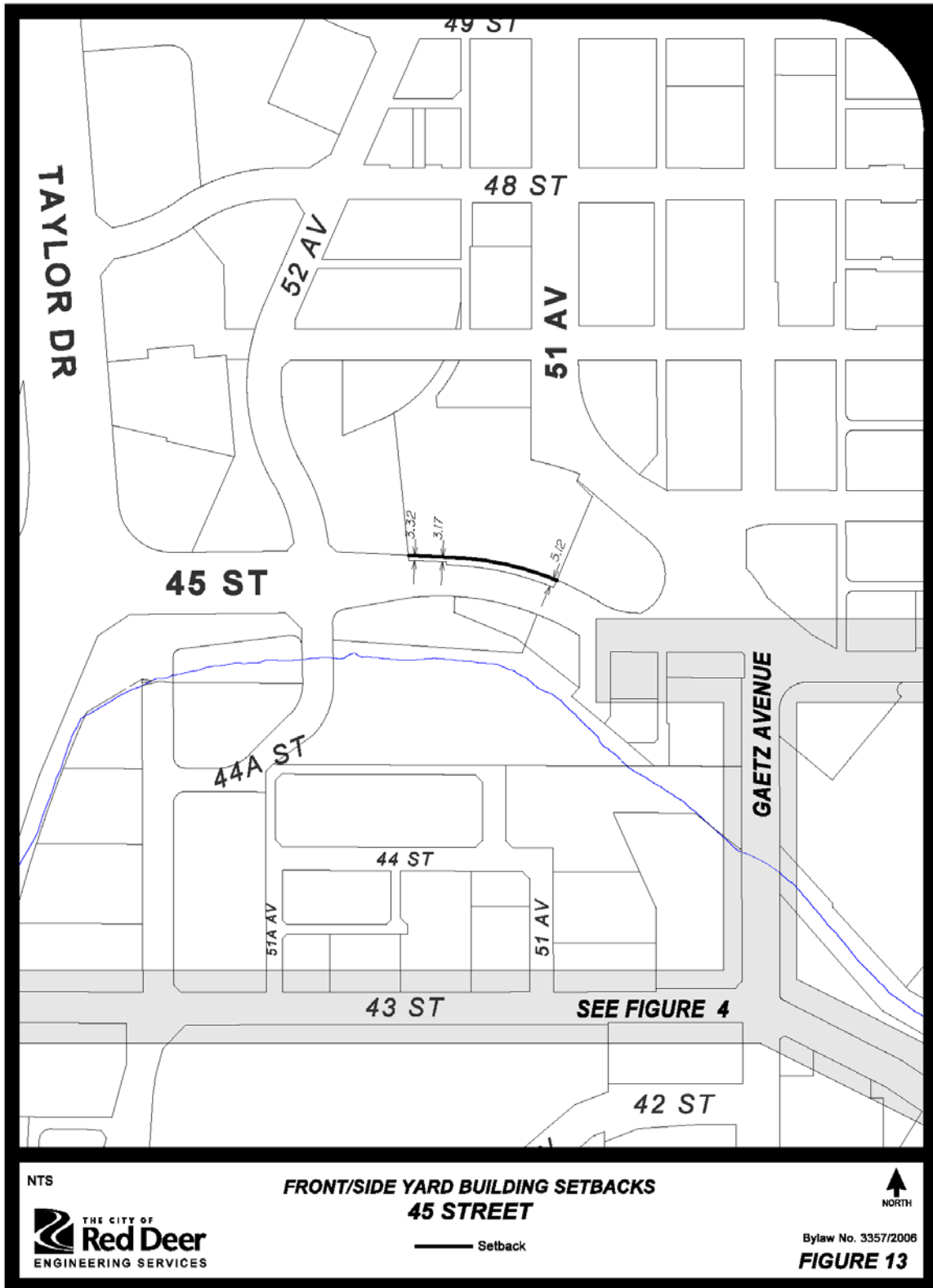


Figure 13-Front/Side Yard Building Setbacks 45 Street

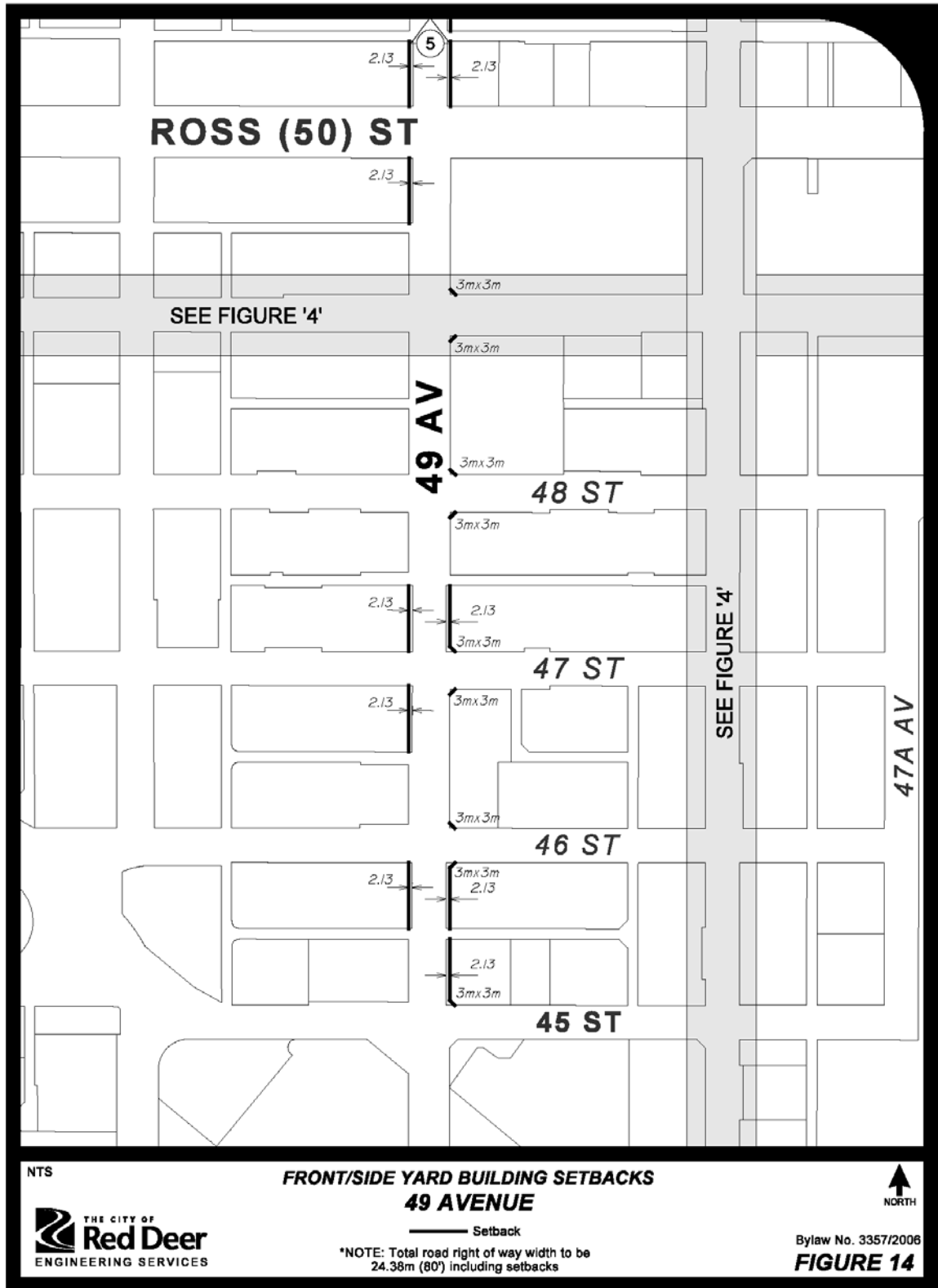


Figure 14-Front/Side Yard Building Setbacks 49 Avenue

3. Loading Spaces

- (a) Load space standards are subject to section 3.7 (2).
- (b) Minimum required number of loading spaces:
 - (i) In C1, C1A, C2A, C2B, C3 and C4 Districts, one loading space opposite each loading door with a minimum of one shall be provided.

4. Projection Over Yards

- (a) All projections over yards are subject to section 3.9.
- (b) The portions of, and attachments to, a principal building, which may project over or on a minimum yard are:
 - (i) On sites in commercial and/or industrial districts, a canopy if:
 - (1) the canopy is at least 3.6 m above the surface of the yard, and
 - (2) no supports or posts are constructed under the portion of the canopy projecting over the minimum rear yard.

5. Vehicular Access to Lots from Public Roadways

- (a) The location and number of proposed entrances to, and exits from, a development must conform to the provisions of the applicable Engineering Standards in force from time to time as determined by Engineering Services.
- (b) Where access from a lane adjacent to an R1, R1A, R1N, R2, R3 or R4 District is required to give access to a commercial use in a C1, C1A, C2A, C2B, C3 or C4 land use district adjacent to such lane, the Development Authority may require the owner of such commercial site, as a condition of the granting of the development permit or as a provision of a development agreement:
 - (i) to pay for up to 100.0% of the cost of the construction of a paved lane, or
 - (ii) agree to the passage of a Local Improvement Bylaw and to pay for a proportionate share of the cost of constructing a paved lane servicing the development and the adjacent area, which share shall be calculated pursuant to The City policy in effect from time to time for local improvements of that nature.

6. Low Impact Commercial Use

(a) General Purpose: Low impact, commercial uses are intended to allow the use of detached dwellings for small offices, commercial and personal services, and sales, whether or not in conjunction with single family residential use, in designated transition areas between low density residential neighbourhoods and the commercial land uses in the downtown, while retaining, preserving and maintaining the low density residential character of the individual properties, the adjacent residential neighbourhoods and the streetscapes in terms of privacy, enjoyment, amenities, and general appearance.

(b) ~~Deleted.~~

(c) A low impact commercial use may include, but is not limited to, a professional or medical office, an antique store, a boutique, an art studio or gallery, a photography studio, a beauty or hair salon, a coffee shop, a florist shop, or other similar uses.

(d) Notwithstanding subsection (c), the following uses shall not be allowed as low impact commercial uses:

- (i) Businesses whose normal operating hours (i.e. shipping goods, or receiving clients or customers) are anytime on Sunday, or earlier than 8:00 a.m. or later than 6:00 p.m. from Monday to Saturday.
- (ii) Businesses which are expected to cause nuisances including, but not limited to, emissions, odours or noise.
- (iii) Businesses which require more than a total of ten on-site parking spaces, including any parking spaces required for a dwelling unit.
- (iv) ²The following specific uses: parking lots except at, for a temporary parking lot for a 9 year period commencing the date of development permit issuance, 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, and (excluding parking lots ancillary to the low impact commercial use or another use on the same site), drinking establishments, service stations, drug stores, convenience stores, adult entertainment uses, sales and/or rental of adult oriented merchandise, restaurants, fast food outlets, amusement arcades, animal services, commercial entertainment facilities, late night clubs, commercial recreational facilities, dry cleaning or laundering outlet, funeral home, liquor store, gaming establishments, any industrial or warehousing uses or motor

¹ 3357/W-2015

² 3357/H-2015

vehicle sales or service or repair.

- (v) Any other use which, in the opinion of the Development Authority, would adversely affect the amenities of the residential neighbourhood or the privacy or the enjoyment of adjacent properties.
- (e) A low impact commercial use, notwithstanding its inclusion in any land use district as a discretionary use, constitutes a conditional right to use property, provided that such use must be in accordance with the following regulations:
- (i) The lot frontage may not exceed 30.5 m.
 - (ii) The low impact commercial use must be operated from a building resembling a detached dwelling.
 - (iii) Development on the lot shall comply with the regulations of the underlying residential district, and, if applicable, those of the underlying historic preservation district or historic significance district.
- (f) Parking spaces shall be provided on-site at the rates indicated below:

USE COMPONENT	NUMBER OF PARKING SPACES REQUIRED
General Office	1.6 parking spaces per staff person on duty.
Medical, Dental or related Office	2.0 parking spaces per personal consultation cubicle, plus 1.0 parking space per staff person on duty.
Commercial Service or Personal Service or Merchandise Sales	5.0 parking spaces per 93.0 m ² floor area or part thereof plus 1.0 parking space per staff person on duty.
Residential	2.0 parking spaces per dwelling unit.

Provided that:

- (i) a use requiring more than ten on-site parking spaces, including any parking spaces required for residential use, shall not be allowed to establish as a low impact commercial use,
- (ii) parking spaces shall not be allowed in the front yard or the side yards of a principle building,
- (iii) parking spaces shall be screened from the front street view,
- (iv) access to the parking spaces shall be off the rear lane only,

- (v) all employee and commercial vehicles shall be parked on-site, and
- (vi) for the purpose of the calculation of the number of parking spaces required for commercial services, personal services and merchandise sales, the term “floor area” is defined as those entire floor spaces associated with the low impact commercial use, excluding storage area and washrooms.
- (g) Exterior lighting of the premises shall not impose upon the privacy or the enjoyment of adjacent properties or the area in general.
- (h) Waste containers shall be located in the rear yard only and be appropriately screened to the satisfaction of the Development Authority.
- (i) Outside storage or display of any kind shall not be permitted.
- (j) The Development Authority may require that the position of existing mature trees or hedges shall be indicated on a site map as part of the development permit application and that such vegetation shall be retained and preserved by the property owner or, if destroyed due to any reason during construction or after commencement of the low impact commercial use, shall be replaced by the property owner with similar sized plants.
- (k) Notwithstanding any other provisions in this or another bylaw, no signs other than those approved by the Development Authority may be erected. Signs shall not exceed 1.0 m by 1.2 m in size and may not exceed a maximum height of 1.8 m. Within these maximums, the size, appearance and position of the sign shall be subject to the approval of the Development Authority. Generally, signs must be placed discretely, be unobtrusive and be styled in a manner that is compatible with the appearance of the principal building in terms of colour and material. No self-illuminated signs shall be allowed. If lighting of the sign is required, the source shall be spot lighting. No window signs shall be permitted.
- (l) Upon receipt of an application for a low impact commercial use, the Development Authority shall refer the application for comments to adjacent landowners and the relevant Community Association.

7. Late Night Club

- (a) In considering an application for a new late night club or for renovations to an existing late night club, whether as a principal use or ancillary use, the Development Authority shall obtain and consider a report from the RCMP and where an application is granted, the Development Authority shall require the developer to:
 - (i) demonstrate provision of adequate parking within 150.0 m of the site,

- (ii) provide adequate outside lighting in the area, and
- (iii) if the proposed development abuts a residential area, provide an impact statement as part of the application indicating the measures to be taken to ensure that noise and visual impacts from the late night club will not negatively affect the adjoining neighbourhood.

(b) A late night club shall meet the following regulations:

- (i) gross floor area not to exceed a maximum of 557.0 m²,
- (ii) building occupancy not to exceed a maximum of 300 persons, and
- (iii) ¹A Late Night Club with a gross floor area greater than 186.0m² shall not be located within 150.0m of the Boundary of the Site of another Late Night Club or a Drinking Establishment with a gross floor area greater than 186.0 m².

8. Drinking Establishments

(a) ²When considering an application for approval of a Drinking Establishment (adult entertainment prohibited) as either an Accessory Use or a principal use, the Development Authority shall:

- (i) refer the application to the RCMP for comment,
- (ii) notify the Downtown Business Association if the application is located within the boundary of the Business Revitalization Zone,
- (iii) require the developer to:
 - (1) demonstrate provision of adequate parking within 150.0 m of the site,
 - (2) provide adequate outside lighting in the area, and
 - (3) if the proposed development abuts a residential area, as part of the application provide an impact statement being an assessment of measures to be taken to ensure that noise or visual impacts from the drinking establishment will not negatively affect the adjoining neighbourhood,
- (iv) require the following regulations to be met:
 - (1) gross floor area not to exceed a maximum of 557.0 m²,

¹ 3357/T-2015

² 3357/T-2015

- (2) building occupancy not to exceed a maximum of 300 persons, and
- (3) a Drinking Establishment (adult entertainment prohibited) with a gross floor area greater than 186.0m² shall not be located within 150.0 m of the Boundary of the Site of another Drinking Establishment or Late Night Club with a gross floor area greater than 186.0 m².
- (4) ¹not be allowed as an accessory use in any I1 or I2 Industrial District.

(b) ²When considering an application for approval of a Drinking Establishment (adult entertainment permitted) as either an Accessory Use or a principal use, the Development Authority shall:

- (i) refer the application to the RCMP for comment,
- (ii) notify the Downtown Business Association if the application is located within the boundary of the Business Revitalization Zone,
- (iii) require the developer to:
 - (1) demonstrate provision of adequate parking within 150.0 m of the site, and
 - (2) provide adequate outside lighting in the area.
- (iv) require the following regulations to be met:
 - (1) gross floor area not to exceed a maximum of 557.0 m²,
 - (2) building occupancy not to exceed a maximum of 300 persons,
 - (3) a Drinking Establishment (adult entertainment permitted) with a gross floor area greater than 186.0m² shall not be located within 150.0m of the Boundary of the Site of another Drinking Establishment or a Late Night Club with a gross floor area greater than 186.0m², and
 - (4) ³a Drinking Establishment (adult entertainment permitted) shall not be located on a Site within 150.0 m of:

(a) the boundary of a Residential Site, or

¹ 3357/I-2013

² 3357/T-2015

³ 3357/T-2015

- (b) the Boundary of any Direct Control District in which residential uses are the main use within the Direct Control District, or
- (c) any Site with an Institutional Service Facility, or
- (d) any public lot developed for active or passive park purposes (excluding P1 buffer strips and/or road boulevards), or
- (e) any use which may have a playground on the Site, or
- (f) a Site on Nash (68th) Street or Orr Drive.

(5) ¹Not be allowed as an accessory use in any I1 or I2 Industrial District.

- (v) no exterior display of nudity or partial nudity in respect of any adult entertainment offered within the premises.

9. ²Outdoor Storage in Commercial Districts

- (a) The Development Authority may approve an application for outdoor storage in any Commercial district in which outdoor storage is a discretionary use, or in any Direct Control district in which commercial activity is conducted, subject to the imposition of such conditions as it deems necessary in order to comply with the intent of this Bylaw.
- (b) All outdoor storage must meet the following requirements:
 - (i) Outdoor storage is permitted for a period of one year.
 - (ii) Outdoor storage shall be concealed from sight from adjacent roads.
 - (iii) Outdoor storage areas shall be screened so that no stored goods are visible above the screening. Screening shall not exceed 2.5 metres in height.
 - (iv) Outdoor storage areas shall not exceed 2.5% of the gross floor area of the principal building on the site, or where there is more than one building on the site, shall not exceed 2.5% of the gross floor area of the building to which the Outdoor Storage area relates.
 - (v) An outdoor storage area may not reduce the parking spaces available for use on the site below the number of spaces required under the Land Use Bylaw or approved by the Development Authority.

¹ 3357/I-2013

² 3357/E-2006

- (vi) A portable storage container may be used for outdoor storage provided that it is painted to match the principal building on the site and does not exceed dimensions of 12 metres in length by 2.4 metres in width by 2.6 metres in height. A portable storage container does not need to be screened.

10. ¹Outdoor Display or Sale of Goods in Commercial Districts

- (a) The Development Authority may approve an application for the outdoor display or sale of goods in any Commercial district in which the use is listed, or in any Direct Control district in which commercial activity is conducted, subject to the imposition of such conditions as it deems necessary in order to ensure compliance with the intent of this Bylaw.
- (b) Such approval may be granted on a permanent basis, for a specific period of time or for limited times during the year.
- (c) All areas used for the outdoor display or sale of goods shall comply with the following requirements:
 - (i) Display areas shall be fenced or screened as approved by the Development Authority.
 - (ii) Goods in a display area may be visible from outside the display area provided they are not visible from any street and further provided that the visible goods are displayed in an orderly manner.
 - (iii) Fencing or screening shall not exceed 2.5 metres in height.
 - (iv) No goods may be stored so as to be visible above the screening.
 - (v) Outdoor display or sales areas shall not exceed 25% of the gross floor area of the establishment to which that outdoor display or sales area relates.
 - (vi) An outdoor display or sales area may not reduce the parking spaces available for use on the site below the number of spaces required under the Land Use Bylaw or approved by the Development Authority.
 - (vii) Where sheds form part of the outdoor display or sale of goods, a maximum of six sheds will be allowed immediately adjacent to the retail establishment or at such other specific location as may be approved by the Development Authority. The exterior of any sheds on display must be finished and are not required to be screened.

¹ 3357/E-2006

- (d) ¹Unless otherwise directed by the Development Authority, a person who has received approval for an annual temporary outdoor display or sale of goods may erect the outdoor display or sales area every year provided that it is constructed in the manner and for the duration approved by the Development Authority.
- (e) Notwithstanding the provisions of 5.7 (10), no development approval is required for the outdoor display or sale of goods which does not extend further than 4.5 metres from the front of a building on private property in a C1, C1A, C2A, C2B or C4 Commercial district, or on an approved DC site, provided the goods are not displayed on any area intended for the passage of vehicles, and are displayed in an orderly fashion and in a manner that does not impede pedestrian or vehicular traffic.
- (f) The size of an outdoor display or storage area associated with a lumber yard in a Commercial District shall be at the discretion of the Development Authority, notwithstanding the provisions of section 5.7 (10).

11. ²Funeral Homes

Notwithstanding anything in this bylaw, a Funeral Home may not contain a cremation chamber or conduct cremations on its premises.

12. Cannabis Retail Sales Development Standards

- (a) Cannabis Retail Sales shall not be co-located with the retail sale of tobacco and/or pharmaceuticals, a Drinking Establishment (adult entertainment prohibited), a Drinking Establishment (adult entertainment permitted), Microbrewery or Liquor, Beer, and/or Wine Sales use;
- (b) Cannabis Retail Sales shall not be located adjacent to or connected to a Drinking Establishment, Microbrewery or Liquor, Beer, and/or Wine Sales use;
- (c) No person may smoke, vape or otherwise use Cannabis in the Cannabis Retail Sales premises;
- (d) All functions of the use shall be fully enclosed within the Building;
- (e) No Outdoor Storage shall be allowed on the Site;

¹ 3357/W-2015

² 3357/M-2008

- (f) All garbage containers, waste material and loading facilities shall be fully enclosed within the Building;
- (g) The use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
- (h) 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;
- (i) Products in the store must not be visible from outside the premise;
- (j) Drive-through windows are prohibited;
- (k) The primary sales of a Cannabis Retail Sales use must be Cannabis not Cannabis Accessories;
- (l) A Cannabis Retail Sales use must be protected by a professionally installed and supervised alarm system;
- (m) A Cannabis Retail Sales use must have a digital camera security system;
- (n) A Cannabis Retail Sales use must secure perimeter entry points against unauthorized access;
- (o) The business name is to be prominently displayed in signage at all public access points of the Cannabis Retail Sales use;
- (p) Hours of operation for Cannabis Retail Sales shall be limited to between 10:00 a.m. and 10:00 p.m. only;
- (q) Except where a different separation distance is set out in subsection (r) below, A Cannabis Retail Sales use shall not be located within 100 metres of a “school” as defined by the *School Act*, other than early childhood services programs or homeschool sites; and
- (r) The following separation distances, measured in a straight line from the closest points, to/from the following specified uses are to be met, regardless of which use is approved first:
 - (i) 300 metres from the property boundary of all schools operated by the Red Deer Public School District, Red Deer Regional Catholic Schools, and Conseil Scolaire Centre-Nord, to the occupied floor area of a Cannabis Retail Sales;

- (ii) 300 metres from the occupied floor area of one Cannabis Retail Sales use to the occupied floor area of another Cannabis Retail Sales use.
- (iii) 300 metres from the occupied floor area of a Day Care Facility to the occupied floor area of a Cannabis Retail Sales use;
- (iv) 300 metres from the property boundary of an indoor City – operated recreation facility, to the occupied floor area of a Cannabis Retail Sales; and
- (v) 300 metres from the property boundary of an “approved hospital” as defined by the *Hospitals Act*, namely the Red Deer Regional Hospital Centre and the Central Alberta Cancer Centre, to the occupied floor area of a Cannabis Retail Sales.

All other uses: subject to approval of the Development Authority

¹8.20.4 Direct Control District No. 24 DC (24) (See Map H20)

DC (24)

General Purpose

²The general purpose of this district is to provide for motor vehicle, recreational vehicle, Trailer, and Machinery Sales and related uses, such as Service and Repair, in a manner that is complimentary to adjacent industrial uses and recognizes highway exposure.

1. DC (24) Discretionary Use Table

(a) Discretionary Uses	
(i)	³ Building Sign
(ii)	⁴ Freestanding Sign
(iii)	⁵ Motor Vehicle, recreational vehicle, Trailer and Machinery Sales, Service and Repair.
(iv)	Outdoor display or Sale of Goods in association with primary use building
(v)	Outdoor storage in association with primary use building
(vi)	⁶ DELETED

2. Direct Control District No. 24 Regulations

- (a)** The regulations set out in section 6.1(2); being the I1 Industrial (Business Service) District regulations, apply to this district.
- (b)** 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 Development Authority.
- (c)** All development shall meet the requirements of section 3.12 Major Entry Areas Development Standards.
- (d)** All lighting must not interfere with highway traffic and must be approved by the Development Authority.

¹ 3357/DD-2007

² 3357/D-2018, 3357/N-2018

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/N-2018

⁶ 3357/B-2018

<p>(xiv) Concession booths for the sale of food or beverages to members and guests of a group approved under this table;</p> <p>(xv) ¹DELETED</p>
<p>(b) ²Discretionary Uses</p>
<p>(i) Accessory Building</p> <p>(ii) Any ancillary use approved by City Council</p> <p>(iii) ³Electronic Message Fascia Sign</p> <p>(iv) ⁴Electronic Message Freestanding Sign.</p> <p>(v) School</p> <p>(vi) Utilities</p>

2. ⁵Approving 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. ⁶Development 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 Kanyon Park amenities shall be developed based on the Kin Kanyon 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 3357/B-2018

² 3357/N-2018

³ 3357/B-2018

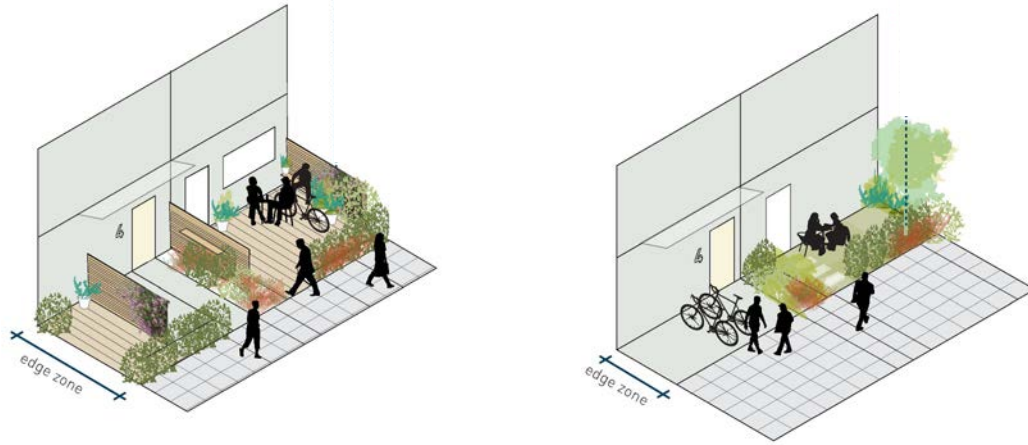
⁴ 3357/B-2018

⁵ Correction #29

⁶ Correction #29

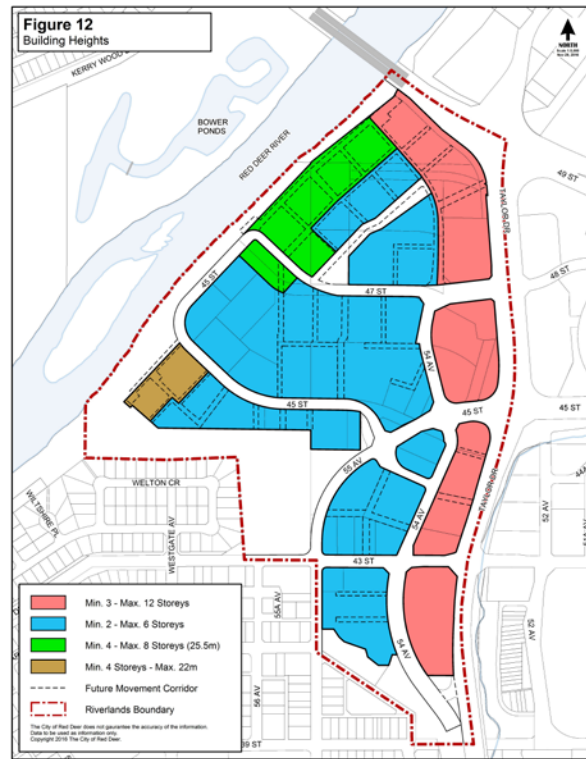
- (viii) Other feature(s) that provide a privacy threshold and outdoor space for Residential activities to occur, at the discretion of the Development Authority.

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) ⁴⁷ Building Heights for all Developments in this Part, excluding Accessory Buildings, shall comply with Figure 12 Building Heights.
- (c) ⁴⁸ Accessory Buildings for Riverlands Districts shall comply with sections 3.5 and 4.7.3 of this bylaw.



⁴⁷ 3357/N-2018

⁴⁸ 3357/N-2018