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¹ 3357/W-2015

the sale of financial investments and the provision of financial planning services.

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

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

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

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

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

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

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

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

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

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

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

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

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

³**Green Building Materials** means building materials that are salvaged, refurbished, or recycled (pre and post-consumer products).

⁴**Green Roof** means a roof on a building which has been designed to facilitate the growth of vegetation in a growing medium. The green roof may be partially or completely covered in plants.

² 3357/L-2009

³ 3357/H-2014

⁴ 3357/H-2014

¹ 3357/Q-2016

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.

¹**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.

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

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

² **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.

³**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.

¹ 3357/Z-2009

² 3357/U-2015

³ 3357/J-2013

The Development Authority may, at its discretion, relax the setback after consultation with TransCanada.

⁴**Show Homes** means a Dwelling Unit that is used temporarily to exhibit Dwelling Units for sale or rent, and may be used as a sales office.

Signs where any type of sign is referred to in this Bylaw, such sign shall have the definition set forth in the sections 3.3 and 3.4.

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

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

⁴ 3357/T-2015

⁵ 3357/Q-2016

⁶ 3357/Q-2016

⁷ 3357/H-2008

emergency vehicles and fire suppression; the location, dimension and screening of waste containers. In addition, in the case of a residential bare land condominium development, the term “site plan” also means the configuration, size and dimensions of individual bare land condominium units and the setbacks of building locations from the boundaries of such units.

¹**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 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.

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

Temporary Building means a building without any foundation below grade and includes a soft-sided or other structure

designed to serve as a temporary garage, storage shelter or greenhouse, but does not include an “Accessory Building”.

²**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

¹ 3357/I-2013

² 3357/C-2007

transmission, and water, sewer or electrical energy transmission, or railway right of way.

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

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

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.

¹**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/H-2014

1.4 Establishment of Districts

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

A1	Future Urban Development District
A2	Environmental Preservation District
C1	Commercial (City Centre) District
C1A	Commercial (City Centre West) District
C2A	Commercial Regional (Shopping Centre) District
C2B	Commercial District (Shopping Centre) District
C3	Commercial (Neighbourhood Convenience) District
C4	Commercial (Major Arterial) District
C5	Commercial (Mixed Use) District
DC	Direct Control District (which may be subdivided into sub-districts designated by number)
I1	Industrial (Business Service) District
I1A/BSR	(Light Industrial and Business Service–Residential) District
I2	Industrial (Heavy Industrial) District
P1	Parks and Recreation District
PS	Public Service (Institutional or Governmental) District
R1	Residential (Low Density) District
R1A	Residential (Semi-Detached Dwelling) District
R1C	Residential (Carriage Home) District
⁶¹ R1G	Residential (Small Lot) District
R1N	Residential (Narrow Lot) District
R1WS	Residential (Wide/Shallow Lot) District
⁶² RL-C	Riverlands Commercial District
⁶³ RL-PR	Riverlands Primarily Residential District
⁶⁴ RL-TD	Riverlands Taylor Drive District
R2	Residential (Medium Density) District
R2T	Residential (Town House) District
R3	Residential (Multiple Family) District
R4	Residential (Manufactured Home) District
RLW	Residential (Live-Work) District

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

⁶¹ Correction #29

⁶² 3357/Q-2016

⁶³ 3357/Q-2016

⁶⁴ 3357/Q-2016

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

(3) District Delineation Rules

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

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

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

1.5 ⁶⁵DELETED

1.6 Effective Date

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

⁶⁵ 3357/W-2015

- (j) A real estate or property management sign on private property in a district other than a residential district provided that the total sign area does not exceed 6.0 m²;
- (k) Signs placed on a premises for the guidance, warning or restraint of persons;
- (l) Window signs, unless otherwise stated in this section;
- (m) ¹A-Board signs located within the boundaries of Sites in the I1, I2, C1, C1A, and the Riverlands Districts provide that:
 - (i) Such Signs do not display Third-party Advertising;
 - (ii) In the I1 and I2 Districts such Signs may not be placed on any portion of a Site which abuts an arterial road; and
 - (iii) Provided these Signs meet the requirements in Section 3.4(1).
- (n) Candidates' election signs only during the following time frames:
 - (i) between September 1 of an election year and the date of the election, in the case of an election under the Local Authorities Election Act;
 - (ii) between the date the election is officially called and the date of the election, in the case of elections for Federal and Provincial public office;provided that the signs comply with section 3.4 (12).
- (o) ²Directional signs when located within the boundaries of a site with an area less than 1.4m².
- (p) Construction signs provided they conform to the following requirements:
 - (i) there shall not be more than a total of four construction signs per site;
 - (ii) in residential subdivisions, the total area of all four construction signs shall not exceed 6.4 m²; and

¹ 3357/Q-2016

² 3357/F-2009, Correction 39

- (iii) in commercial and industrial subdivisions, the total area of all four construction signs shall not exceed 25 m².
- (q) Garage sale signs provided that:
 - (i) there are no more than 3 signs per garage sale event;
 - (ii) the signs do not exceed a size of 1.4 m² ; and
 - (iii) there are not more than 3 garage sale events per year from any one dwelling unit.
- ¹(r) Show Home Signs and Raffle Home Signs provided each Site has a limit of one Sign per Site and:
 - (i) Show Home Signs shall be no larger than 5.94 m².
 - (ii) Raffle Home Signs shall be no larger than 11.96 m².

Signs shall be contained within the Site Boundaries and shall be removed when the Show Home or Raffle Home use has stopped or its respective development permit has expired, whichever is earlier shall apply.

(3.1) The following regulations apply to signs described in subsection 3.3(3):

- (a) No individual construction sign in a residential area may exceed 3.2 m² in area.
- (b) All construction signs must be located on private property.
- (c) Construction signs shall be professionally designed and maintained to the satisfaction of the Development Officer.
- (d) Construction signs may be erected within a period starting not earlier than six months before the date of intended construction and ending three months following the completion of construction, but in no case shall a construction sign be erected for a maximum total time period of 18 months.
- (e) Garage Sale signs may be placed on boulevards adjacent to residential districts where the sale is taking place for a 24 hour period prior to the garage sale event and 24 hours following the garage sale event.
- (f) ¹Open House or Show Home signs may be placed on boulevards in or adjacent to residential districts where the sale is taking place, for

¹ 3357/T-2015

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- iii) a building plan which shall include:
 - floor plans showing proposed use(s);
 - total dimensions of the Site and Building(s) of the Site coverage calculations;
 - where required to determine parking requirements, the allocation of floor space for different uses;
 - patios, steps, porches, decks, playgrounds, amenity and open space areas, and other similar features;
 - in the case of a Manufactured Home park or multiple unit projects, proposed unit locations, number of units, and amenity areas within the overall development area;
 - cross sections;
 - foundation plans;
- iv) a building elevation plan which shall include:
 - colour renderings of each face of the Building(s);
 - description of exterior finishing materials;
 - building height and number of stories;
 - ¹In addition to the foregoing, for applications in the Riverlands Districts, the Building elevation plan shall also include the layout, features, and materials of the Edge Zones.
- e) for an Accessory Building:
 - i) a Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);
 - ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);
- f) for a change of use:
 - i) a comprehensive Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);
 - ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);
- g) in addition to the foregoing, for Multiple Family Buildings or Multi-attached Buildings, Manufactured Homes, commercial Developments and industrial Developments:
 - i) proposed on-Site parking and loading facilities including location and dimensions of all aisles; the dimensions and number of all parking spaces;

¹ 3357/Q-2016

- identification of accessible parking; pedestrian access and walkways;
curbing and location of any lighting;
- ii) location and elevations for proposed garbage and recycling enclosures, as well as collection routes;
- iii) location of existing and proposed transit stops;
- iv) in the case of the development of a Site with multiple uses, a master plan and preliminary engineering plan for the entire Site;
- v) a lighting plan for all outdoor parking lots showing location of all light poles, illumination levels, aiming direction and angle of light source;
- vi) for a large scale Development, unless sufficient information has been provided elsewhere in the application or with previous applications, a traffic impact analysis stamped by a professional engineer or a registered professional technologist accredited by APEGA. For the purpose of this section, a large scale Development is one that:
 - 1. regularly generates more than 100 trips in the peak hour; or
 - 2. because of its nature or unique circumstances may have an unusual impact on traffic in the area;
- h) in addition to the foregoing, every application for a development permit:
 - i) if in a Historical Preservation or Historical Significance District, shall be accompanied by a recommendation from the Heritage Planner, the City of Red Deer's Planning Department, or the Minister responsible for the *Historical Resources Act*, as the case may be;
 - ii) if abutting a Historical Preservation or Historical Significance District shall be accompanied by a recommendation from the Heritage Planner or The City of Red Deer's Planning Department.
 - iii) ¹if in an area which is subject to a Character Statement:
 - 1. shall include a letter of intent that contains a statement addressing how the proposed Redevelopment is compatible with the Immediate Street Context as identified in the Character Statement; and
 - 2. a tree preservation plan, if required.
- i) and such additional information as may be required by the Development Authority to assess or evaluate the proposed Development, including:
 - i) a real property report to verify the location and dimensions of the existing Development that is the subject of the development permit application, or to confirm the location and dimensions of other existing Developments;
 - ii) a geotechnical report;
 - iii) a parking assessment;
 - iv) a biophysical or environmental site assessment;

- v) a groundwater report;
- vi) a flood hazard mapping study;
- vii) a noise attenuation study;
- viii) a reclamation plan;
- ix) a wetland conservation plan;
- x) a tree preservation plan;
- xi) a walkability study;
- xii) a landscape plan;
- xiii) a topographical survey;
- xiv) a site grading or drainage plan;
- xv) a site servicing plan;
- xvi) a risk assessment report;
- xvii) an erosion or sediment control plan; and
- xviii) any other report, study, plan or information.

- (5) ¹Prior to an application being considered, the Development Authority, at its sole discretion, may require the applicant or its designated agent to host a public meeting to ensure information and an opportunity to comment about the development application is provided to the public at large. Notice of the meeting shall be provided by the City, at the applicant's cost, to all landowners located within 100 metres of the Boundary of the Site which is the subject of the application. The applicant or their designated agent must provide to the Development Authority a report summarizing the nature of the consultation process and the responses received. The report must identify any issues raised and discuss how the applicant or designated agent proposes to address these issues.

2.5 Crime Prevention Through Environmental Design ("C.P.T.E.D.")

- (1) The City encourages the inclusion in site plans for commercial buildings, school buildings, recreational buildings, places of worship, residential buildings consisting of three or more storeys, and parkades of the following design elements that incorporate C.P.T.E.D. principles:
- (a) natural surveillance – design the site and buildings thereon, including the use of lighting and the placing and selection of landscaping elements, to promote natural observation and maximize the opportunities for people to observe and be observed from adjacent space;
 - (b) access control – design the site and buildings thereon, including the placing and selection of landscaping elements, to physically or subtly create a perception of risk for potential offenders, clearly indicate public routes and discourage access to private areas and structural elements; and

¹ 3357/C-2007, 3357/D-2009, 3357/Q-2015

- (c) territorial reinforcements – design landscaping elements, sidewalks, lighting, fencing and building features to clearly identify and distinguish between public and private spaces.
- (2) The Development Authority may include in development permits for buildings and land uses listed in section 2.5 conditions to ensure adherence to C.P.T.E.D. principles.

2.6 Land Titles

- (1) The Development Authority is not required to examine the title to any land or to make any enquiry to discover whether or not the use of a building or land is affected by any City bylaw or any federal or provincial legislation or with any condition of any easement, covenant, building scheme or agreement.
- (2) An applicant whose development permit is approved nevertheless remains responsible to ensure that the development as constructed conforms to all applicable laws and regulations.

2.7 ¹Development Officer's Decisions on Permit Applications

- (1) The Development Officer:
 - a) Shall review each application to determine if it is complete;
 - b) Shall review each application to determine the use(s) that is being applied for;
 - c) May refer an application to any City department or provincial, federal or inter-jurisdictional body or other agency;
 - d) In respect of Discretionary Use applications and Permitted Use applications where a variance is required, may notify landowners within 100 metres of the Boundary of the Site which is the subject of an application that the application has been received and request their comments;
 - e) Shall not accept an application for a proposed Development that:
 - i) is for a use that is neither a Permitted Use nor a Discretionary Use in the applicable District;
 - ii) is for a use that has been prohibited in this Bylaw;
 - f) Must either refer to the Commission or refuse any application which a Development Authority is precluded from approving under the *Subdivision and Development Regulation* or the *Municipal Government Act*.

¹ 3357/Q-2015, 3357/S-2014

- g)** Shall approve an application for a Permitted Use which complies with this Bylaw:
 - i) without conditions; or
 - ii) subject to conditions if the power to do so is clearly set out in this Bylaw;
- h)** May, in respect of an application for a Discretionary Use:
 - i) approve the application with or without conditions;
 - ii) refuse the application, providing reasons; or
 - iii) refer the application to the Commission;
- i)** The Development Officer may approve an application for a Permitted Use or a Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Development Officer:
 - i) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - ii) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building;
- j)** Where the test set out in section 2.7(i) is met, the Development Officer may approve, with or without conditions, a variance related to the following regulations:
 - i) maximum height of Building;
 - ii) minimum Front Yard;
 - iii) minimum Rear Yard;
 - iv) minimum Side Yard;
 - v) maximum Site coverage;
 - vi) minimum parking requirements.
- k)** Shall refer to the Commission or Council all applications requiring the specific approval of the Commission or Council under this Bylaw and may refer to the Commission any application that the Development Officer determines is advisable.

2.8 ¹Municipal Planning Commission Decisions on Permit Applications

- (1) The Commission shall approve an application for a Permitted Use which requires no variance;
 - a) without conditions; or
 - b) subject to conditions if the power to do so is clearly set out in this Bylaw.
- (2) The Commission may, in respect of an application for a Discretionary Use:
 - a) Approve with or without conditions; or
 - b) Refuse, providing reasons.
- (3) Except for applications in Direct Control District 32 (DC32), the Commission may approve an application for a Permitted Use or Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Commission:
 - a) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - b) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building.

2.9 ²Notification of Decision

- (1) A decision of the Development Authority on an application for a development permit must be in writing and a copy of the decision must be given to the applicant. If the decision was a refusal, the decision must include the reasons for the refusal.
- (2) Within 14 days of a decision on an application for a Discretionary Use, or for a Permitted Use where the applicable regulations of this Bylaw were varied by the Development Authority, the Development Authority must publish a notice in a local newspaper which includes the legal description or civic address of the Site in questions, the nature of the approved Development and rights of appeal.
- (3) No notice is required to be given for a decision to approve an application for a Permitted Use for which no variance was granted.

¹ 3357/Q-2015, 3357/O-2014

² 3357/L-2006, 3357/Q-2015

- (4) No development permit shall be issued while a decision of the Commission or any appeal from it is pending or until the time for filing an appeal of the decision of the Development Authority has expired.

2.10 ¹Conditions of Issuing a Development Permit

- (1) The Development Authority may impose conditions limiting the duration of the validity of a Development approval for a Discretionary Use, a Permitted Use requiring a variance, or a use or a Structure that is intended to be temporary or that is inherently temporary.
- (2) As a condition of approving a development permit for a Permitted Use that meets the applicable regulations of this Bylaw, the Development Authority may
- (a) require the applicant to make arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such Utility or facility by the applicant;
 - (b) Require the applicant to:
 - (i) submit information, such as an environmental site assessment or risk assessment, to confirm that the Site is suited for the full range of uses contemplated in the application;
 - (ii) provide phasing of the Development;
 - (iii) provide Site design measures to mitigate the environmental hazards or risks inherent to or affecting the Site;
 - (iv) repair or reinstate, or to pay for the repair or reinstatement, to original condition, any Public Property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction upon the Site;
 - (v) where the application is for a Structure that encroaches on City property, mitigate the impact of the encroachment, including compensation, indemnities, insurance and a duty to remove the encroaching structure on receipt of notice.
 - (c) ²Where a Site has a zero Side Yard, the applicant is required to obtain an easement agreement for private maintenance and access with the property abutting the zero Side Yard, and ensure that the easement is registered against both properties.

1 3357/Q-2015

2 3357/Q-2016

- (3) ¹As a condition of issuing a development permit for a Permitted Use where a variance has been granted, the Development Authority may:
- (a) impose any of the conditions listed in section 2.10(1) and (2); and
 - (b) require the applicant to conform to a higher standard than required by the applicable regulations, if in the opinion of the Development Authority, conformance to a higher standard will off-set the impact of any variance which has been granted.
- (4) The Development Authority may, as a condition of issuing a development permit for a Discretionary Use, impose conditions in respect of the following:
- (a) any reason addressed in sections 2.10(1)-(3);
 - (b) the construction or maintenance of the proposed Development in accordance with the approved plans;
 - (c) the appropriate performance of a use;
 - (d) an environmental site assessment;
 - (e) the time or times a use may be carried out;
 - (f) phasing of the Development;
 - (g) limits imposed on the Development; and
 - (h) the furtherance of sound planning principles.
- (5) as a condition of issuing a development permit for a Development or use in a Direct Control District, the Development Authority may impose such conditions as are determined advisable, having regard to the regulations of the District and the provisions of any statutory plan.
- (6) the Development Authority may, as a condition of issuing any development permit, require the applicant to enter into an agreement with the City to do any or all of the following:
- (a) to construct or pay for the construction of a road required to give access to the Development;
 - (b) to construct or pay for the construction of
 - (i) a pedestrian walkway system to serve the Development, or

1 3357/O-2014, 3357/Q-2015

- (ii) pedestrian walkways to connect the pedestrian walkway system serving the Development with a pedestrian walkway system that serves or is proposed to serve an adjacent Development,
- or both;
- (c) to install or pay for the installation of Utilities, on or off the Site, that are necessary to serve the Development;
- (d) to construct or pay for the construction of
 - (i) off-street or other parking facilities;
 - (ii) loading and unloading facilities;
- (e) to pay an off-site levy or redevelopment levy;
- (f) to give security to ensure that the terms of the agreement under this section are carried out.

2.11 ¹Applications Within Escarpment Areas

- (1) all applications for subdivision or Development within an Escarpment Area shall be evaluated on their merits by the Subdivision or Development Authority in accordance with the provisions of this section.
- (2) the Subdivision or Development Authority may impose conditions of approval that the Subdivision or Development Authority determines are reasonable having considered the purpose of the intended application and the uniqueness of the Site, including, but not limited to:
 - (a) the provision of a real property report during preliminary construction showing the location of any Structure or Development relative to the crest of the escarpment;
 - (b) that the applicant meets the recommendations of any applicable report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;
 - (c) the provision of emergency access;
 - (d) ongoing monitoring programs and related access;
 - (e) stormwater, drainage and erosion control measures;

¹ 3357/Q-2015

- (f) that any Development shall be designed and constructed using materials, processes and/or techniques intended to minimize slope risks or instability;
- (g) that the applicant and any current or future owner of the Site shall enter into an Indemnity Agreement with the City respecting environmental risks, including but not limited to slope stability;
- (h) the provision of a post-construction certificate or report from a relevant professional confirming:
 - (i) that the Development has been located and constructed in accordance with any Site Plan or report accepted by the Subdivision or Development Authority; and
 - (ii) compliance with an accepted professional lot grading plan; and
 - (iii) that the applicant enter into and comply with an agreement with the City respecting those matters set out in sections 650, 651 and 655 of the *Municipal Government Act*.

2.12 Revocation of Development Permit

- (1) The Development Officer may revoke a development permit if:
 - (a) there is a contravention of any condition under which such permit was issued,
 - (b) the permit was issued in error, or
 - (c) the permit was issued on the basis of incorrect information.

2.13 Limit on Frequency of Development Permit Applications

- (1) When an application for a development permit for a discretionary use or building has been refused, another application for a permit on the same parcel of land and for the same or similar use of land may not be submitted by the same or any other applicant until at least 6 months after the date of the previous refusal.
- (2) Where there are reasonable grounds to do so, the Development Authority may, in its sole discretion and with the concurrence of an applicant, do any of the following:
 - (a) reconsider an approved site elevation, or
 - (b) reconsider, review, modify or clarify the terms of the conditions attached to an approved development permit.

2.14 Failure to Commence Development

- (1) A development permit shall cease to be valid 12 months after the date on which it was issued unless, prior to the expiry of that time, the applicant has commenced development or the Development Authority grants an extension of time, except as provided for in subsection (3).
- (2) The Development Authority may grant an extension of a development permit for a period of not more than, two consecutive one year extensions beyond the expiry date of the initial permit, provided that the proposed development still complies with the provisions of this bylaw. If the applicant has not commenced development within the extended time period, the development permit ceases to be valid.
- (3) Once work has been initiated in connection with a project approved by a development permit, the permit remains valid until the work is completed, provided that the project is substantially completed within two years of the date the permit was initially issued or within two years of the date that any extension of the permit is granted. If the work is not substantially completed within that time, then the permit shall be deemed to have expired.

2.15 Failure to Complete Development

- (1) A development must be completed to municipal standards within two years of the start of construction, failing which the Development Officer may direct that the site be returned to its original condition or to a state acceptable to the Development Officer.

2.16 Termination of Discretionary Uses

- (1) Notwithstanding anything in this bylaw, the right of any person to use land for a discretionary use approved by the Development Authority shall be deemed to have terminated six months after the date that such use ceased to be conducted upon the site.

2.17 Notice of Appeal Hearings

- (1) The Subdivision and Development Appeal Board shall give written notice of the hearing of a development appeal to:
 - (a) the parties specified in the *Municipal Government Act*,
 - (b) the Applicant for the development permit, if such Applicant is not the Appellant,

- (c) the owner of the land which is the subject of the development permit, if such owner is not the Appellant,
 - (d) the development authority or subdivision authority whose order, decision, or development permit is the subject of the appeal,
 - (e) ¹the owners of all parcels of land within 100 m of the land which is the subject of the development permit; and
 - (f) any other persons who the Subdivision and Development Appeal Board considers to be affected by the appeal and who should be notified.
- (2) If the Chairman of the Subdivision and Development Appeal Board is of the opinion that it is necessary or desirable, he or she may direct that notice of the hearing be published in a newspaper once a week for two consecutive weeks in a newspaper circulating in Red Deer.

2.18 ²DELETED

2.19 Land Use Bylaw Amendment Application

- (1) Proposed amendments to this bylaw shall be submitted in writing to the Planning Department, and in the case of a proposed amendment which affects a particular parcel or parcels rather than the municipality as a whole, shall be accompanied by the following supporting material:
- (a) a letter from the registered owner(s) and any other person beneficially interested in the parcels particularly affected,
 - (b) a statement from the applicant containing reasons in support of the proposed amendment,
 - (c) traffic, market, land use or feasibility studies and neighbourhood surveys required by City Administration,
 - (d) payment of all costs of advertising and holding any public meeting required by the Planning Department, and
 - (e) copies of any maps, documents or other material.
- (2) At the discretion of the Planning Department, the following additional material may be required, where appropriate:

¹ 3357/D-2009

² 3357/W-2015

- (a) drawings done on standard drafting material, fully dimensioned, accurately figured, explicit and complete,
 - (b) a neighbourhood area structure plan or area redevelopment plan, including the affected area and showing a level of detail acceptable to the Planning Department.
- (3) Subsection (1) and (2) applies to Land Use Bylaw amendments initiated by The City or the Planning Department, except that no undertaking to pay the costs of public information meetings is required.
- (4) The Planning Department shall forward a copy of the application to amend this bylaw to all relevant City departments for comment. The Planning Department shall confirm to the applicant that the application has been received and shall advise the applicant of the time and date Council will consider the application.
- (5) ¹If the Planning Department determines that a public meeting or other means of public consultation is required regarding any proposed Land Use Bylaw amendment, all property owners located within 100 m of the boundary of the site which is the subject of the Land Use Bylaw amendment shall receive notice of the proposed amendment.

2.20 Decision of Council on Bylaw Amendment

- (1) The Council in considering an application to amend this bylaw, after examining the proposed amendment for content and considering the written comments and recommendation of the Mayor and/or City Manager and the Planning Department, may at its sole discretion:
 - (a) refuse the application,
 - (b) refer the application for further information,
 - (c) pass first reading of an amending bylaw,
 - (d) defeat first reading of an amending bylaw, or
 - (e) pass first reading of an alternative amendment to this bylaw.

2.21 ²Notice of Public Hearing for Bylaw Amendment

- (1) Should first reading of an amending bylaw be passed, Council shall hold a Public Hearing respecting the amending bylaw in accordance with the provisions of the *Municipal Government Act*.

¹ 3357/C-2007, 3357/D-2009

² Correction #1-2011

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

2.22 Limit of Frequency of Applications for Amendments

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

2.23 Guidelines

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

- (d) Pedestrian walkways for parking lots containing more than 200 parking spaces shall be a minimum of 1.2 m in width and shall be oriented, to ensure safe and efficient pedestrian traffic flow. Such walkways shall be incorporated into any adjoining neighbourhood trail system.
- (e) All commercial developments shall provide for adequate stacking and queuing lanes for vehicles to ensure that traffic will not unduly cause hazard or impede traffic on public roads.
- (f) ¹With the exception of the Riverlands Districts, the parking intended for each use shall be located near the entrance of the Building containing that use.
- (g) All parking stalls within new developments shall be at least 2.7 m in width. Parking stalls within developments approved prior to September 11, 2006 shall be at least 2.6 m in width.

²3.2.2 Accessible Parking Design

- (1) The intent of this subsection is to establish development standards for parking lots and walkways within all commercial, public service and to some multiple family residential developments is required to ensure accessibility by persons with mobility challenges (i.e. wheelchairs, strollers, walkers, walking canes). The requirement of this subsection 3.2.2 apply to all development permit applications for:
 - (a) new and existing developments in commercial and public service districts; and
 - (b) new and existing multiple family building residential developments which have a shared or common entrance:
- (2) Concrete curb stops shall be provided for all parking spaces adjacent to all walkways fronting commercial, public service and multiple family residential development entrances. Such curb stops shall be set back a sufficient distance from the walkways to prevent vehicles from projecting over the walkway.
- (3) Walkways along the front, rear and side of commercial, public service and multiple family residential structures shall be free of obstructions and architectural features that would impede access and travel for persons with mobility challenges.
- (4) Ramps shall be constructed on walkways along the front, rear or side of commercial, public service and multiple family residential structures, wherever required so as to ensure that such walkways are accessible to persons with mobility challenges.
- (5) Walkways shall be provided:

¹ 3357/Q-2016

² 3357/A-2008

3.25 ¹Community Gardens

Community Gardens are discretionary use in all districts and subject to approval by the Development Authority.

3.26 ²Temporary Buildings

(1) A temporary building may not be erected without the permission of the Development Authority which may be granted as follows:

(a) any district other than a residential district subject to the owner agreeing to remove such a building in accordance with the terms and conditions stipulated by the Development Authority.

(b) a residential land use district provided that:

(i) no such temporary building shall have a floor area exceeding 16.5 square metres, be more than 3.0 metres in height or be set back less than 1.2 metres from the side of the property line; and

(ii) the owner enters into an agreement to remove such a building in accordance with the terms and conditions stipulated by the Development Authority;

(iii) there shall be no more than one temporary building per site;

(iv) a temporary building being used as a garage must be placed in the rear yard only;

(v) in the case of a pre-manufactured temporary building, the elevations shall be subject to the approval of the Development Authority;

(vi) the temporary building must be set back at least 1.2 metres from the property line; and

(vii) the permit for the temporary building shall expire at the end of 24 months unless extended by the Development Authority.

(2) If an owner fails to comply with the terms and conditions of a temporary building permit, the Development Authority may remove or cause to be removed such building as the case may be, the costs of which shall be charged against the lands upon which the temporary building is situated and shall be payable by the owner to The City on demand.

(3) A temporary building may not be used as a dwelling

¹ 3357/P-2011

² 3357/X-2014

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- (i) Distance requirements between freestanding signs shall not apply to entrance or exit signs used for the purpose of directing traffic, providing:
 - (ii) those signs do not display any advertising message, excluding a logo; and
 - (1) the sign area does not exceed 2.0 m².
 - (iii) ¹In the C1, C1A, C4, and the Riverlands Districts there shall be a maximum of two Signs per Site.
 - (iv) Notwithstanding section 3.4(6) (g) (iii) where the site is at the corner of two or more arterial roads, one additional sign may be allowed on the site.
- (h) The maximum area of a freestanding sign:
- (i) in the A1, P1 and R1 Districts is 2.0 m²;
 - (ii) in the C3 District is 5.0 m²;
 - (iii) ²in the C1, C1A, I1, I2 and the Riverlands Districts is 12.0m²
 - (iv) in the C4 and DC(2) Districts is 18.5 m² where the site is adjacent to an arterial road; where there is a service road between the site and the arterial road, a 25.0 m² free-standing sign may be allowed.
- (i) The maximum height of a freestanding sign:
- (i) in the A1, P1, R1 and C3 Districts is 4.5 m;
 - (ii) ³in the C1, C2A, C2B, C1A, I1, I2, DC(2) and the Riverlands Districts is 9.0m
 - (iii) in the C4 District is 12.0 m.
- (j) The bottom of freestanding signs:
- (i) in C3 Districts shall be a minimum of 2.8 m above grade; and
 - (ii) ⁴in all other Districts where such signs are allowed, shall be a minimum of 3.6 m above grade, unless a lesser distance is approved by the Development Officer, and the space between the

¹ 3357/Q-2016

² 3357/I-2013, 3357/Q-2016

³ 3357/Q-2016

⁴ 3357/W-2015

bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

(7) Neighbourhood Identification Signs

(a) A neighbourhood identification sign may be erected by a developer at the entrances to a subdivision, subject to the developer entering into a Development Agreement to the satisfaction of Engineering Services and dealing with the precise location, number, size, design and character of the sign and making provision for the perpetual maintenance and care of the sign.

(b) Neighborhood identification signs shall:

- (i) be for neighbourhood identification purposes only;
- (ii) display no advertising; and
- (iii) be constructed of maintenance free material wherever possible.

(c) A neighborhood identification sign shall not:

- (i) encroach upon a utility right-of-way; or
- (ii) affect traffic safety.

(8) Painted Wall Signs

(a) A painted wall sign shall not exceed 3.1 m in height and 9.14 m in length.

(b) Only one sign per wall is permitted.

(c) Notwithstanding section 3.4(8) (b), a super graphic may be the entire length of an exterior wall providing the design has been approved by the Municipal Planning Commission.

(9) Portable, Temporary, Inflatable Signs and Banners

(a) Intent:

- (i) portable signs are intended for temporary on site advertising relating to the commercial activities of the landowner or tenants. Third party advertising is not permitted on portable signs with the exception only of promotions of not for profit organizations;
- (ii) the portable sign owner or licensee, not The City will determine which tenant(s) shall have the benefit of the portable sign; and

- (iii) a portable sign being used to advertise activities or events with the exception of not for profit organizations may only be located on a site where the event or activity is taking place.

(b) Districts in which Portable Signs are allowed:

- (i) Subject to the provisions of this part, portable signs are a permitted use in C1, C1A, C3, C4, I1, I2 and discretionary in all other Districts except residential districts, in which they are neither permitted nor discretionary.

(c) Specific locations in which Portable Signs are allowed:

- (i) no portable sign is allowed on any site which contains an A-board;
- (ii) the landowner or a lessee with the consent of the landowner of a site for which a portable sign is proposed may apply for a portable sign permit;
- (iii) an application for portable sign permit must include a site plan showing the proposed location of the portable sign, all dimensions of the sign including height and face area of the sign, the design of the sign including a photograph of same, the type of construction, material and finish of the sign, the manner of stability and support of the sign, the distance from curb lines, property lines and driveway locations;
- (iv) notwithstanding (iii) herein, a portable sign must be wholly located on the property of the landowner who has been granted a permit;
- (v) notwithstanding (i), (ii), (iii), or (iv) above, no portable sign shall be located closer than 100 linear metres to any other portable sign; and
- (vi) a portable sign may only be located at the specific location for which a permit is granted.

(d) Portable Sign Standards:

- (i) a portable sign shall be installed, serviced, removed, and accessed from within the property on which the sign is located;
- (ii) a portable sign shall not exceed 4.0m² per face, nor shall any such sign exceed 3.0m in height from grade;

- (iii) no portable sign shall be illuminated or employ any flashing or sequential lights or any mechanical or electronic device to produce or simulate motion;
- (iv) a portable sign shall not interfere with pedestrian and/or vehicular traffic;
- (v) notwithstanding (iv) above, no portable sign shall be located closer than 1.5 m to a property line or within 3.0 m of any access/egress to/from a property or within 10.0 m of any intersection;
- (vi) a portable sign must be stabilized but shall not use unsightly or potentially hazardous methods. The means by which stability is to be provided shall be included as part of the permit application. An inflatable sign may, however, use guy wires;
- (vii) a portable sign shall be removed immediately on ceasing to be in use; and
- (viii) a portable sign in use shall at all times be maintained in good condition and, specifically, shall contain lettering and signage which is secure and complete. Any damaged or missing signage must be repaired within 24 hours of knowledge of same coming to the attention of the permit holder.

(e) Permit Requirements

- (i) ²no portable sign shall be erected without a permit and if applicable, a validating marker or ID tag from The City of Red Deer Inspections and Licensing Manager;
- (ii) an applicant for a portable sign permit shall provide all of the information required by these provisions, and include such other information as the Inspections and Licensing Manager may reasonably require;
- (iii) no portable sign may be placed other than at a location approved by the Inspections and Licensing Manager and shown on a site plan forming part of the permit application;
- (iv) the maximum length of a permit is 60 days. The maximum duration of display at one location for each portable sign shall be 60 days twice a year, provided, however, that no portable sign shall remain at one location for more than 60 consecutive days at a time. A site shall remain free of portable signs for a minimum of 60

¹ 3357/I-2013

² 3357/I-2013

consecutive days before a further permit for such site can be issued. No permit may be applied for more than 7 days in advance of the date of placement;

- (v) portable signs shall be removed on or before the date on which the permit expires; and

(f) Short Term Seasonal Activity Portable Signs:

- (i) ¹on application the Inspections and Licensing Manager may in his/her sole discretion permit the placement of a portable sign for short term seasonal activities but in any event for a period not exceeding 30 days.

(g) Inflatable Signs:

- (i) except as enumerated herein, all provisions applicable to portable signs generally shall apply to inflatable signs;
- (ii) an inflatable sign shall be tethered or anchored and shall be touching the surface to which it is anchored;
- (iii) an inflatable sign shall not exceed the maximum free standing sign height allowable for the district;
- (iv) there shall be a maximum of 1 inflatable sign per site, but no inflatable sign shall be permitted on the site containing any other portable sign;
- (v) an inflatable sign may be placed on a site twice within a calendar year, but for not more than 30 days at a time; and
- (vi) an inflatable sign may not be located on the roof of a structure.

(h) Banners:

- (i) a banner shall not be displayed at any one site for longer than 90 consecutive days and for no more than 180 days within a calendar year;
- (ii) ²the application for a permit respecting a banner shall indicate the location and the area the banner will cover but in no circumstance will a banner be permitted on anything other than a permanent building;

¹ 3357/I-2013

² 3357/E-2014

- (iii) notwithstanding the above, a banner size shall not exceed 10% of the gross area of the face of the structure to which it is attached;
 - (iv) a banner shall be maintained in good condition and promptly removed if damaged; and
 - (v) except as enumerated herein, all provisions applicable to portable signs generally shall apply to Banners.
- (i) Exception:
- (i) These provisions do not apply to portable signs including banners erected by The City or the RCMP as warning signs in connection with traffic speed or safety.

(10) Projecting Signs

- (a) ¹No projecting sign shall be erected so that the bottom thereof is less than 2.8 m above the sidewalk; provided however, where traffic lights may be obscured in the opinion of the Development Officer, the minimum requirement for the bottom of the projecting sign may be increased to a height of 3.6 m or more above the sidewalk.
- (b) All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The *Electrical Protection Act*.
- (c) The maximum area of a projecting sign shall be 4.5 m².
- (d) The nearest edge of a projecting sign shall not be set off more than 0.3 m from the building face.

(11) ²Wall Signs

- (a) Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.
 - (i) The maximum horizontal dimension of a wall sign shall be 6.1 m.

(12) ³Election Signs

- (a) Election signs may be placed on private or public property (with the approval of the owner/public authority).
 - (i) Election signs are permitted on municipal property only as designated by the City Council.
 - (ii) Election signs must be located at least 3.0 m from the back of sidewalk or if there is no sidewalk, the back of curb.
 - (iii) Election signs on public property may not exceed 3.0 m² in size nor 3.6 m in height.
 - (iv) Candidates shall remove their election signs from public and private property within 48 hours after the close of the voting stations on election day and ensure that the site is cleaned up and that the holes are filled with a mixture of topsoil and grass seed.
 - (v) If a candidate fails to remove his or her election signs within 48 hours after the voting stations close on election day, the

¹ 3357/W-2015

² Correction 29

³ Correction 29

Designated Officers may remove them and the candidate shall be liable for the cost of removal.

- (vi) When an election sign interferes with work being carried out by City work crews or contractors doing work on behalf of The City, the crews may remove and dispose of such signs.
- (vii) Designated Officers employed by The City may remove any election signs which have been erected, affixed, posted or placed on any City property in contravention of this bylaw.
- (viii) A candidate whose name appears on an election sign which is in contravention of this bylaw shall be guilty of an offence under this bylaw.

(13) Offensive Signage

- (a) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.
- (b) No billboard, wall sign, or painted wall sign, including supergraphics or portable sign shall be allowed to advertise adult entertainment or services which feature nudity.

(14) ¹Dynamic Sign Regulations

- (a) A Dynamic Sign may display Public Service Announcements, but shall not include Third Party Advertising or Sponsor Recognition except when it is located on a Site in a PS district which is over 17.0 hectares;
- (b) Messages shall be displayed for a minimum time period of 3 seconds;
- (c) A Dynamic Sign must have an adjustable brightness level and the level of brightness of a Dynamic Sign shall be to the reasonable satisfaction of the Development Officer; and
- (d) Dynamic Signs shall meet the following regulations which may be varied by the Development Authority:
 - (i) not be located within 30.0m radius of a residential District;
 - (ii) when the Site of a proposed Dynamic Sign is adjacent to a residential District notification will be sent by the City to property owners within a 100.0m radius of the proposed Site;

¹ 3357/F-2009, 3357/G-2016

- (iii) be limited to one Dynamic Sign per Building or Site, with the exception of PS Sites over 17ha which will be limited to two Dynamic Signs provided that one of the Dynamic Signs must be a Fascia Sign and the other Dynamic Sign must be a portion of a Free Standing Sign, and further provided that the two Dynamic Signs must be at least 50.0m apart;
- (iv) not be located on a Site within a 50.0m radius of the Boundary of a Site containing an existing Dynamic Sign; and
- (v) comprise not more than 25% of the total freestanding or fascia sign area.

3.5 Accessory Building Regulations

- (1) An accessory building:
- (a) shall not be erected or placed on the rear yard of a site closer to the side boundary which is a common boundary with a street than the minimum side yard for the site; and
 - (b) may not be erected or placed over a gas line if the accessory building is on a permanent foundation.
- (2) ¹No Accessory Building or Buildings designed or intended to be used for a workshop shall be erected on a Site in a C1 District or the Riverlands Districts if the ground floor area of such Accessory Building or Buildings exceeds 40% of the ground floor area of the Principal Building on the Site.
- (3) Where an accessory building is allowed to be located over a sewer or water line it shall be a condition of such approval that:
- (h) the owner provides at his expense an agreement registered by caveat on the title to the site, releasing The City from, and agreeing to indemnify The City for, any damage to such service lines or buildings on or adjacent to the site, and
 - (i) an accessory building shall not enclose the service valves or shut off valves of that line.
- (4) A private garage, or carport, in addition to the other provisions of this section and section 3.11 shall comply with the following:
- (a) where the vehicle entrance to the garage or carport face a lane, the building setback shall be either 6.0 m or 0.9 m from the lane, except in those cases where an easement has been placed along the rear property line, in which event the building setback shall be either 6.0 m or the width of the easement plus 0.5 m from the lane,
 - (b) where the vehicle entrance to the garage or carport face the side boundary of the site which is not a common boundary with a street, the building shall be not less than 6.0 m from the side boundary which the entrance faces. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,
 - (c) where the vehicle entrance to the garage or carport face the side boundary of the site which is a common boundary with the street, the building shall be not less than 6.0 m from the nearest edge of the sidewalk abutting such

¹3357/Q-2016

side boundary and where there is no sidewalk, not less than 2.4 m from such side boundary of the site. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,

(d) notwithstanding section 3.5(4)(a),(b), and (c), a garage which is within the following tolerances of the requirements therein stated shall be deemed to comply with those subsections namely: The distance: not less than 90% or more than 10% of the required distance, provided the garage does not encroach on an easement.

(5) ¹Accessory Buildings in all Residential Districts and Riverlands Districts shall be similar to, and complement, the Principal Building in exterior material, colour, and appearance.

¹ 3357/A-2016, 3357/Q-2016

3.6 Landscaping Regulations

- (1) The Developer shall submit detailed landscape design plans with the application for development for approval by the Development Authority in compliance with the Landscaping Regulations specified herein, which shall include the lands proposed for development as well as all adjacent boulevards and municipal reserves.
- (2) In addition to the requirements section 2.4, the landscape design plan shall include the following additional information:

 - (a) common botanical names;
 - (b) planting standards - excavation for all plantings shall be 50% larger volume than the soil ball and filled with acceptable topsoil. The minimum planting excavation will be 0.6 m x 0.6 m; and
 - (c) number of trees and shrubs.
- (3) ¹The landscape design plans shall include details, specifying the mixture of coniferous and deciduous trees and shrubs designed to provide landscape enhancement for year round effect as well as any water conservation methods or strategies employed. Any proposed landscaping plan with a naturescaping component for new development or redeveloped site shall be subject to Development Authority approval.
- (4) Landscape details shall consist of not less than the following standards:

 - (a) deciduous trees - minimum calliper 60.0 millimetres (measured 450.0 millimetres from ground level),
 - (b) coniferous trees - minimum height 2.5 m,
 - (c) deciduous shrubs – minimum #2 container class,
 - (d) coniferous shrubs – minimum #2 container class.
- (5) ²Refer to Section 7.15 Major Entry Areas Overlay District, Subsection (7) for Major Entry Areas Regulations for Landscaping.

¹ 3357/T-2009

² 3357/G-2016

- (6) ¹In all areas other than Major Entryways Areas the following minimum standards shall be met:
- (a) One tree is required for each 60.0m² of landscaped area;
 - (b) One shrub is required for each 30.0m² of landscaped area;
 - (c) The proportion of deciduous to coniferous trees or shrubs shall be approximately 2:1.
- (7) The use of landscaping is required adjacent to exterior walls which are visible from adjacent public roads, other than lands, to minimize the perceived mass of the building and to create visual interest.
- (8) The landscaping of boulevard and front yards shall include a mixture of coniferous/deciduous tree and shrubs.
- (9) Where off street parking for 25 or more vehicles is required and is being provided at grade, dispersed landscaped areas shall be provided within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells.
- (10) The landscaping treatment shall be in the form of landscaped islands, particularly at the termini of long rows of parking; tree lines separating facing rows of parking stalls, or some other form or combination of landscaping treatments.
- (11) The location, extent and type of plantings and other landscaping treatments shall be to the satisfaction of the Development Authority.
- (12) The applicant shall, as a condition of Development Permit approval, provide an Irrevocable Letter of Credit to The City equal to 100% of the estimated landscaping costs, with the conditions of the security being that:
- (a) if the landscaping is not completed in accordance with the provisions of this Bylaw and the approved landscaping plan within one growing season after the completion of the development, then the amount specified in the Irrevocable Letter of Credit shall be paid to The City on demand for its use absolutely, and
 - (b) Engineering Services shall not release the Irrevocable Letter of Credit until an inspection of the site has demonstrated that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping. This inspection will be performed at the discretion of the Development Authority within four weeks from the

¹ 3357/T-2009

date of receiving a written request for the applicant to perform said inspection.

- ¹(13) The parking of vehicles, the outdoor display or sale of goods and outdoor storage are all prohibited on any portion of a site which has been approved for landscaping (including the natural display of grass, plants or other landscaping features) unless approved by the Development Authority.
- ²(14) A minimum of 15% of all Landscaped Area of developments requiring a landscaping plan shall consist of Naturescaping.
- ³(15) The Developer is responsible for landscaping boulevards and roadway berms adjacent to the lot or development site.
- ⁴(16) In addition to subsection (15), with the exception of mixed use district areas, in the case of non-residential lots adjacent to residential lots, landscaping shall provide a visual buffer between the residential and non-residential uses.
- ⁵(17) 25% of all front yards of detached, semi-detached and multi-attached dwelling units shall consist of landscaped area.

¹ 3357/E-2006

² 3357/T-2009

³ 3357/T-2009

⁴ 3357/T-2009

⁵ 3357/T-2009

3.7 Loading Spaces

(1) The minimum required number of loading spaces:

- (a)** In C1, C1A, C2A, C2B, C3 and C4 Districts, one loading space opposite each loading door with a minimum of one shall be provided.
- (b)** In I1 and I2 Districts, one loading space opposite each loading door with a minimum of one for each 1,858.0 m² of floor space shall be provided.

(2) Loading Space Standard:

- (a)** A loading space shall be located on the same site as the building or use in respect of which it is required.
- (b)** A loading space situated within a setback distance from a street or lane shall not be counted for the purposes of this section.
- (c)** A loading space shall be designed, located and constructed so that:
 - (i)** it is reasonably accessible to any vehicle intended to be accommodated there;
 - (ii)** it can be properly maintained; and
 - (iii)** it is satisfactory to the Development Authority in size, shape, location and construction.
- (d)** ¹A loading space shall be at least 2.7m wide, having an area of at least 29.0 m², and have an overhead clearance of at least 3.6 m.
- (e)** A loading space and the driveway which provides access thereto shall be surfaced as directed by the Development Authority and be properly maintained.

²3.8 Deleted

¹ 3357/I-2013

² 3357/E-2006

3.9 Projection Over Yards

- (1) 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.
- (2) On a site in any district, an exterior fire escape not more than 1.2 m wide, provided that in commercial districts an exterior fire escape must be constructed at least 3.6 m above grade.

3.10 Number of Buildings per Site

- (1) Not more than one principal building shall be erected on a lot unless an overall site plan, which provides for one or more groups of buildings, has been approved by the Development Authority.

3.11 Restrictions on Corner Site Lines

- (1) No person shall erect, place, allow or permit any building, fence, vehicle or trailer, screening material or object, and no person shall plant or permit to grow any hedges, trees or vegetation which exceeds 0.9 m in height on a portion of a corner site determined as follows:
 - (a) where the corner site is at the intersection of two lanes or two streets, within a triangular area two sides of which shall be a minimum of 4.5 m long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect the points so determined on each such boundary (for illustrative purposes see Part 3, Figure 2), or
 - (b) in the case of a site which is at the intersection of a lane and a street, within a triangular area two sides of which shall be a minimum of 3.0 m long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect points so determined on each such boundary (for illustrative purposes see Part 3, Figure 2).
- (2) 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 m of the intersection of a driveway or lane and a road. (for illustrative purposes see Part 3, Figure 2).

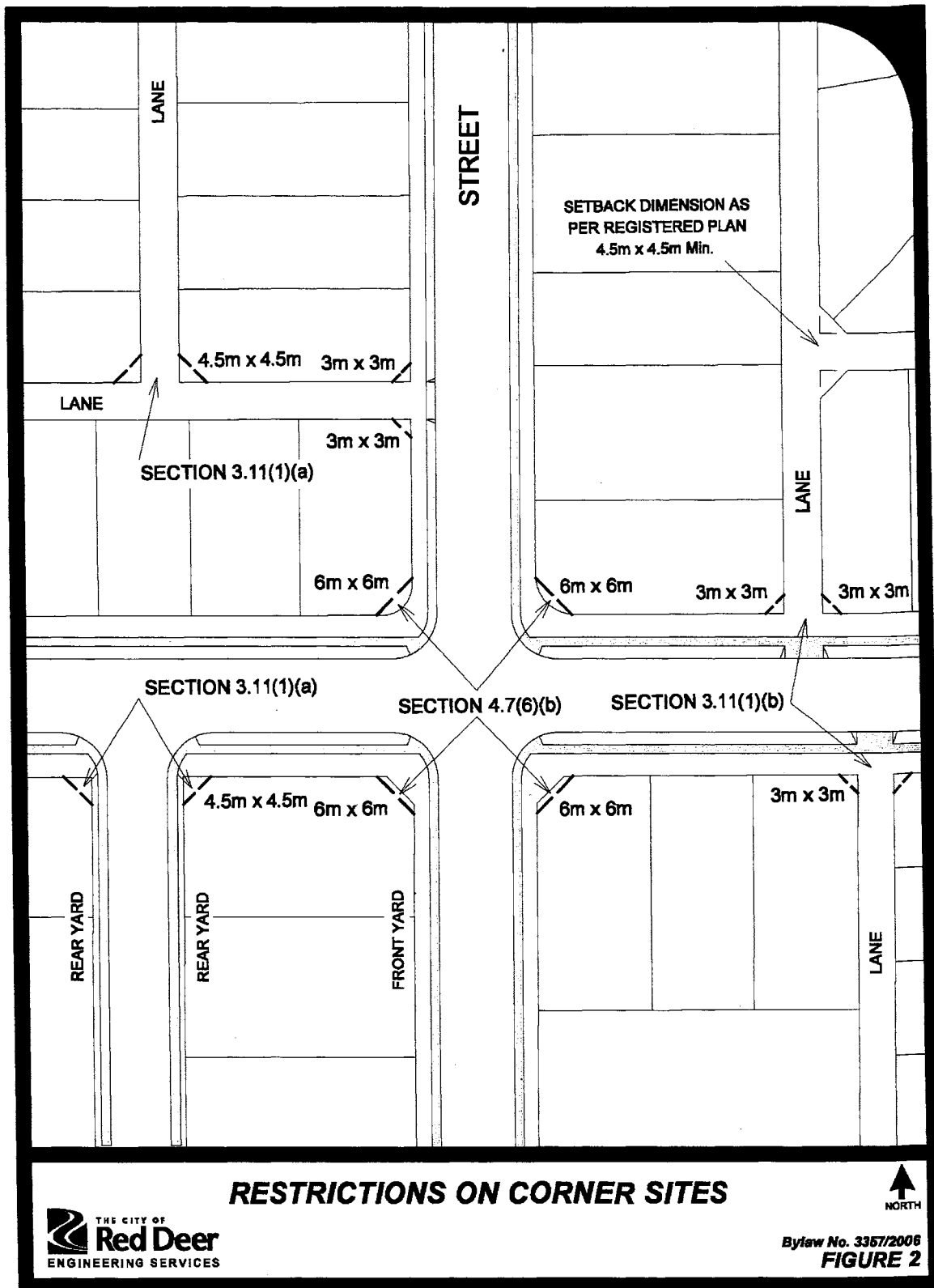


Figure 2-Restrictions on Corner Sites

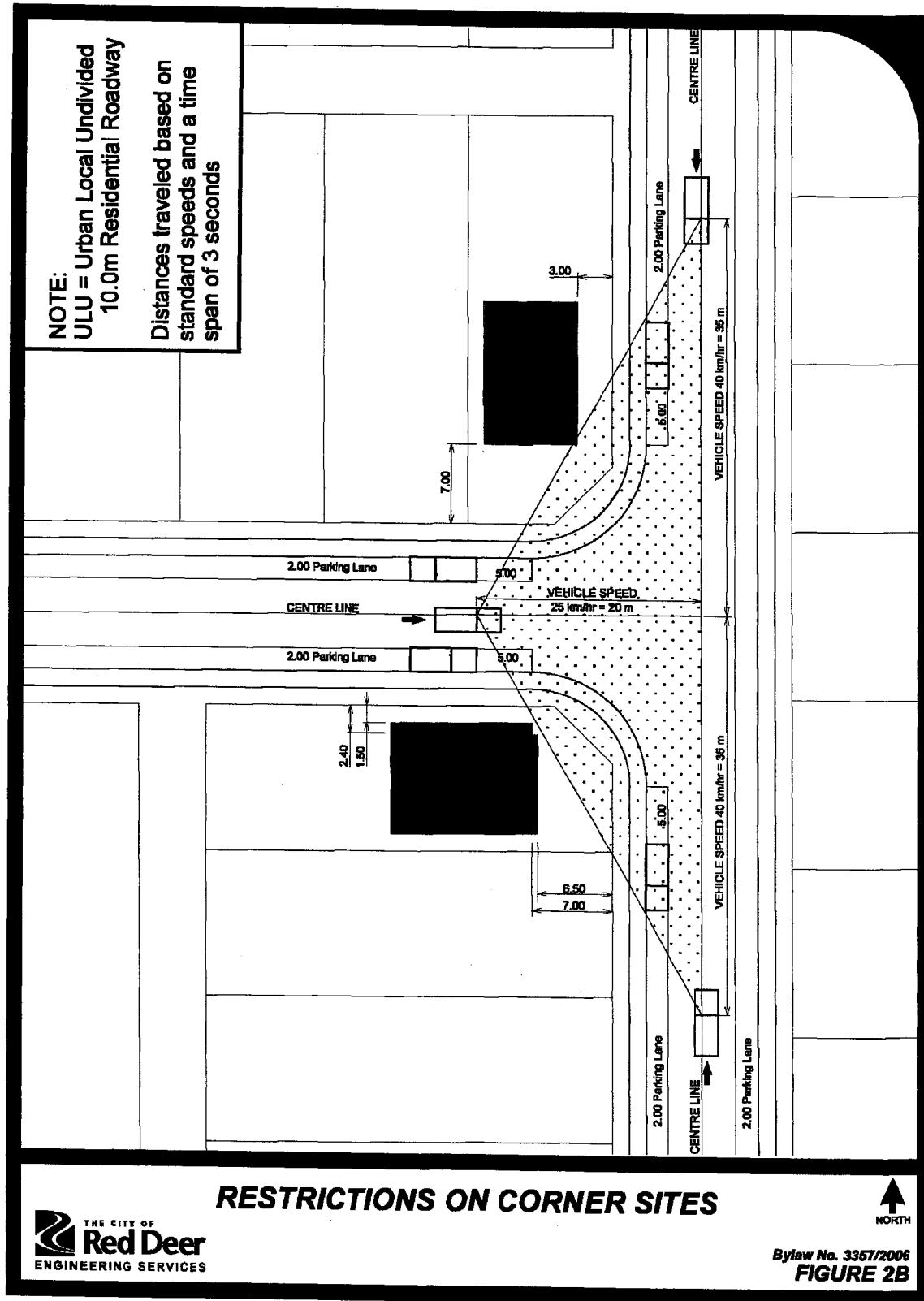


Figure 2B-Restrictions on Corner Sites

¹3.12 - DELETED

²Figure 3-Major Entry Areas - DELETED

3.13 Roof Drainage

- (1) All roof drainage shall be directed onto the site or as specified by the Development Authority.

3.14 Similar Use Permit

- (1) The list of discretionary uses for any land use district shall be deemed to include any use which is, in the opinion of the Commission, consistent with the overall intent of the land use district and similar to a listed permitted or discretionary use.

3.15 Building Heights

- (1) The height of a building is the vertical distance measured from the average grade to the highest point of the building.
- (2) The highest point of a building shall be determined without considering an elevator housing, roof stairway entrance, water tank, ventilating fan, skylight, steeple, chimney, smokestack, fire wall, parapet wall, roof sign, aerial array, flag pole or similar device or feature not structurally essential to the building.

3.16³ DELETED

3.17 Satellite Dish Antennas

- (1) No satellite dish antenna:
 - (a) shall be located in a front or side yard abutting a street,
 - (b) shall be illuminated, or
 - (c) shall exhibit or display any advertising.

¹ 3357/G-2016

² 3357/G-2016

³ 3357/W-2015

- (2) Satellite dish antennas greater than 0.8 m in diameter may not be erected in any residential district in such a manner that any part thereof is more than 3.0 m above the grade level, without the approval of the Development Authority.
- (3) Satellite dish antennas 0.8 m in diameter or less:
 - (a) in the case of a residential structure with a pitched roof, no portion of the satellite dish antenna may be located above the highest point of the pitched roof, without the approval of the Development Authority,
 - (b) in the case of a residential structure with a flat roof, may be attached to the building's fascia or soffit or any lower location.

3.18 Utility Regulation Stations

- (1) The Commission may approve the erection of a gas, electricity or waterworks pumping, regulating, transformer or storage building or equipment, on a site, notwithstanding that such development does not conform to the area or side yard requirements of this Bylaw.

3.19 Electrical Overhead Wiring Separation Distance

- (1) No building which exceeds 4.4 m in height may be constructed so that any part of it is closer than 4.3 m to a boundary which is adjacent to existing overhead wiring.
- (2) No building which is less than 4.4 m in height may be constructed so that any part of it is closer than 2.5 m to a boundary which is adjacent to existing overhead wiring.
- (3) In order to accommodate electrical wiring and equipment, the Development Authority may require the registration of an easement as a condition of the issuance of a development permit.
- (4) Where there is a difference between the setback required under this section and the setback required under Parts 4-8 of this Bylaw, the greater distance shall prevail.

3.20 Fence Regulations

- (1) No person shall erect or cause to be erected or shall have or maintain on any property located in the City of which he is the owner, occupant, tenant or lessee:
 - (a) any barbed wire fence or other barbed wire structure or any fence which is surmounted by nails, sharpened spikes, broken glass or other dangerous objects or materials; or

- (b) any electrified fence.
- (2) Subsection (1)(a) shall not apply:
 - (a) where barbed wire is placed on a fence at a height of not less than 1.83 m above the level of ground on a fence in a non-residential district;
 - (b) where the fence is located on land designated A-1 Future Urban Development District under this land use bylaw.
- (3) A fence in a residential district or other district in which the principle use is residential, must meet the following requirements:
 - (a) the portion of a fence which is located between the front of the building and the rear property line or along the rear property line may not exceed 2.0 m in height;
 - (b) the portion of a fence which is located between the front of the building and the front property line may not exceed 0.9 m in height.
- (4) For the purpose of subsection (3) the height of a fence is measured from ground level to the top of the fence, except where the fence is located on a retaining wall, in which case the height of the fence shall include the height of the retaining wall.
- (5) The Development Authority may grant a relaxation to the height requirement set out in subsection 3.20 (3).
- (6) No development permit is required for a fence in a residential district or other district in which the primary use is residential except unless a height relaxation under section 3.30 (5) is requested.
- (7) No development permit is required for a fence in a non-residential district.
- (8) ¹No person shall construct, allow or permit a fence to be located on City property, including a road or lane right-of-way, City boulevard, utility lot or municipal reserve lot, without the expressed written permission of The City.

¹ 3357/A-2012

3.21 Cremation Regulations

- (1) The use of a crematorium, retort or cremation chamber must not result in any noise, odor, smoke or other nuisance which emanates beyond the boundaries of the premises on which the use takes place.

3.22 Public Property Regulations

- (1) No person shall park or leave a vehicle, or any part of a vehicle, on or over any public property.
- (2) The prohibition in subsection (1) does not apply to a vehicle which is parked:
 - (a) in a designated parking stall or designated parking areas;
 - (b) on any carriageway intended for the passage of vehicles and where not otherwise prohibited;
 - (c) on public property in accordance with a license from or the express approval of The City.
- (3) Where one or more vehicles are parked or left on public property contrary to subsection (1), it shall be a separate offence for each day that such vehicle(s) is so parked or displayed.
- (4) No person shall store, display or sell goods on any public property, except in accordance with the terms of a valid City business license or other lawful authority granted by The City.
- (5) Subsection (4) does not prohibit occasional sidewalk sales provided that such sales do not impede pedestrian traffic on the sidewalk.

3.23 Objects Prohibited or Restricted in Yards

- (1) No 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:
 - (a) A trailer parked in an approved campground.
 - (b) 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.

- (c) 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:
- (i) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;
 - (ii) the owner of the site has obtained approval from the Development Authority;
 - (iii) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;
 - (iv) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;
 - (v) no fees shall be charged for overnight parking;
 - (vi) 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.
- (d) 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:
- (i) the owner of the site obtains approval from the Development Authority;
 - (ii) no rent or fees are paid for the use of the site or facilities;
 - (iii) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.

3.24 DELETED

¹ 3357/L-2009, 3357/Q-2015

3.25 ¹Community Gardens

Community Gardens are discretionary use in all districts and subject to approval by the Development Authority.

3.26 ²Temporary Buildings

(1) A temporary building may not be erected without the permission of the Development Authority which may be granted as follows:

- (a) any district other than a residential district subject to the owner agreeing to remove such a building in accordance with the terms and conditions stipulated by the Development Authority.
- (b) a residential land use district provided that:
 - (i) no such temporary building shall have a floor area exceeding 16.5 square metres, be more than 3.0 metres in height or be set back less than 1.2 metres from the side of the property line; and
 - (ii) the owner enters into an agreement to remove such a building in accordance with the terms and conditions stipulated by the Development Authority;
 - (iii) there shall be no more than one temporary building per site;
 - (iv) a temporary building being used as a garage must be placed in the rear yard only;
 - (v) in the case of a pre-manufactured temporary building, the elevations shall be subject to the approval of the Development Authority;
 - (vi) the temporary building must be set back at least 1.2 metres from the property line; and
 - (vii) the permit for the temporary building shall expire at the end of 24 months unless extended by the Development Authority.

(2) If an owner fails to comply with the terms and conditions of a temporary building permit, the Development Authority may remove or cause to be removed such building as the case may be, the costs of which shall be charged against the lands upon which the temporary building is situated and shall be payable by the owner to The City on demand.

(3) A temporary building may not be used as a dwelling

¹ 3357/P-2011

² 3357/X-2014

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8.20.1 ¹DELETED**8.20.2 Direct Control District No. 22 DC (22) (See Map L17)****DC (22)****General Purpose**

This District will allow for redevelopment of the former St. Joseph's Covent site in a manner that is compatible with the surrounding neighbourhood and in accordance with the Highland Green Estates Neighbourhood Area Structure Plan. The Municipal Planning Commission is the Development Authority.

1. DC (22) Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	One residential multiple family building to a maximum of 55 units.
(b) Discretionary Uses	
(i)	All permitted and discretionary uses listed in the PS Public Service District.
(ii)	Home occupations.
(iii)	Accessory building.
(iv)	² Show Home or Raffle Home.

2. Development Standards**Residential Multiple Family Building:**

- (a)** Maximum 4 storey building with total building height to be at least one-half storey (1.5m/5.9 feet) lower than the total building height of the adjacent Montfort Heights building;
- (b)** All parking to be contained on site:
 - (i)** Underground parking for tenants, and
 - (ii)** Surface parking for visitors;
- (c)** Building to be handicapped accessible with an elevator;
- (d)** Building to be separated a minimum 100 feet from any existing building on an adjacent property;
- (e)** Minimum 35% site landscaping;
- (f)** Maximum 40% site coverage; and
- (g)** All development standards not specifically referred to in this District including building elevations shall be approved by the Development Authority and shall generally follow the requirements of the R2 Residential (Medium Density) District.

¹ 3357/Q-2016² 3357/T-2015

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

This District is created to allow existing uses and/or development approved by Red Deer County prior to annexation and their potential expansion in a manner which is complementary to adjacent industrial uses and which recognises highway exposure.

1. DC (24) Discretionary Use Table

(a) Discretionary Uses	
(i)	Motor Vehicle, Recreational Vehicle and Trailer Sales, Service and Repair
(ii)	Outdoor display or Sale of Goods in association with primary use building
(iii)	Outdoor storage in association with primary use building
(iv)	Identification, local advertising and general advertising on the following types of signs subject to sections 3.3 and 3.4:
	(1) awning, canopy signs,
	(2) under canopy signs,
	(3) fascia signs,
	(4) free standing signs,
	(5) painted wall signs, and
	(6) projecting signs,
	(7) A-Board signs located within the boundaries of the lot, provided that subject to section 3.4:
	(a) Such signs may advertise only the businesses situated on such lot,
	(b) Such signs may not be placed on any portion of a lot which abuts an arterial road.

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.

¹ 3357/DD-2007

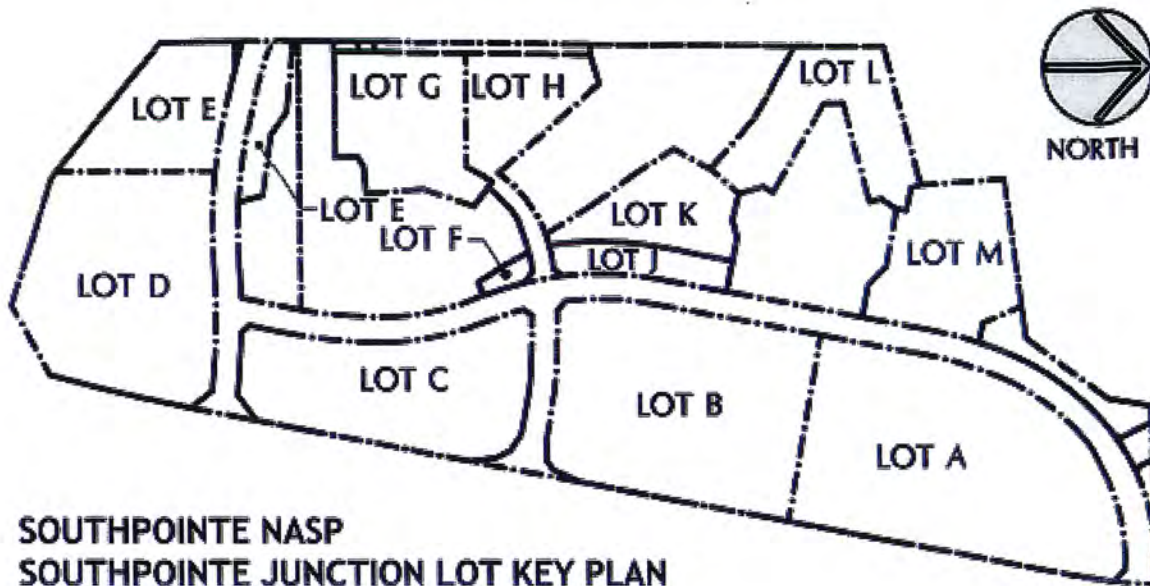
- (d) All lighting must not interfere with highway traffic and must be approved by the Development Authority.

3. Approving Authority

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

¹8.20.5 Direct Control District No. 25 DC (25)

DC (25)



¹ 3357/BB-2009

GENERAL

1. The DC-25 district is intended to promote a unique and coherent development concept for the area covered by the Southpointe NASP, with commercial development on Parcels A to F inclusive and residential development on Parcels G to M inclusive.
2. Development in the Southpointe NASP area will be consistent with proper forest management practices and Fire Smart principles as agreed between the City and the developer and as shown in Appendix 1.
3. The power to make decisions with respect to development and use applications within this district is delegated to the Development Authority, subject only to the direction that the provisions of the Southpointe NASP must be considered with respect to any application.

COMMERCIAL PARCELS**General Purpose**

The general purpose of the commercial portion of this District is to facilitate development of regional trade centres, which also includes commercial services, dwelling units, and limited amounts of offices as secondary functions, generally to serve The City and the region, as a whole.

1. **DC (25) – Permitted and Discretionary Uses Table Lots A, B, C, D, E and F**

(a) Permitted Uses	
(i)	Commercial service facility.
(ii)	Merchandise sales and/or rental excluding all motor vehicles, machinery and fuel.
(iii)	Office on the second floor and above ¹
(iv)	Restaurant – Lots A, B, C, D, and E only.
(v)	Service and repair of permitted goods traded in the DC (25) district, excluding motor vehicles and machinery.
(vi)	Signs (subject to section 3.3 and 3.4 of the Land Use Bylaw).
(a)	Awnings & canopy signs.
(b)	Fascia signs.
(c)	Free standing signs (subject to section (C) Signage Regulations.)
(d)	Projecting signs.
(b) Discretionary Uses	
(i)	Above ground storage tanks for motor fuel including propane and used oil – Lots D and E only.
(ii)	Accessory building or use subject to section 3.5 of the Land Use Bylaw.
(iii)	Commercial entertainment facility – Lots A, B, C, D, and E only.
(iv)	Commercial recreation facility.
(v)	Dwelling units above the ground floor
(vi)	Drinking establishment (adult entertainment prohibited & subject to section 5.7(8)) of the Land Use Bylaw – Lots A, B, C, D, E only

- (vii) Hotel or Motel – Lots A, B, C, D, and E only.
- (viii) Fuel sales – Lots D and E only.
- (ix) Parking Lot.
- (x) Parking Structure.
- (xi) Restaurant - Lot F only.
- (xii) Signs (subject to section 3.3 & 3.4 of the Land Use Bylaw)
 - (a) Under canopy signs
 - (b) Painted wall signs
 - (c) A-Board Signs - Lots A, B, C, and F only.
- (xiii) Transportation, communication or utility facility.
- (xiv) Outdoor storage (subject to section 5.7(9) of the Land Use Bylaw)
- (xv) Outdoor display or sale of goods (subject to section 5.7(10) of the Land Use Bylaw)
- (xvi) Service and repair of goods traded in the DC (25) district, excluding motor vehicles and machinery- Lot F only.
- (xvii) Office on the ground floor¹

¹ Office not to exceed 10% of the gross leasable floor area maximum of the whole shopping centre (Lots A/B, C, D, E and F). Total office not to exceed a maximum of 5914 m² / 63660 ft².

2. Regulations

(a) Table 1 DC (25) Commercial General Regulations

Regulations	Requirements
Floor Area	Shopping centre maximum – gross leasable floor area shall not exceed one third of site area Dwelling Units minimum – 55.0 m ²
Building Height Maximum	3 storeys – Lots A/B, C, D, E 1 storey, not exceeding 6.0 m – Lot F
Landscaped Area Minimum	15% of site area
Parking	Subject to section 3.1 & 3.2 of the Land Use Bylaw
Loading Spaces Minimum	One opposite each loading door with a minimum of one per building, subject to section 5.7 (3) of the Land Use Bylaw.
Site Area Minimum	0.4 ha – Lots A/B, C, D, E. 0.09 ha – Lot F

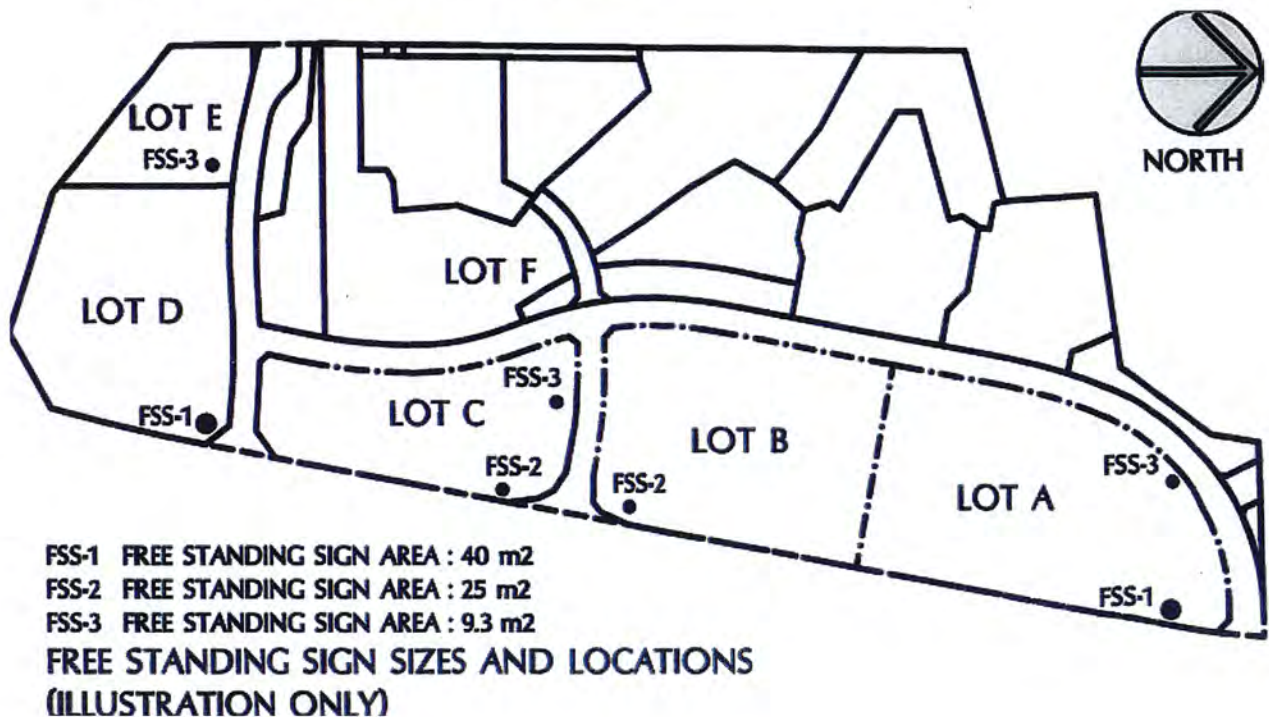
(b) The DC (25) District is subject to any applicable commercial regulations listed within section 5.7 of the Land Use Bylaw.

(c) Signage Regulations

- (i) Freestanding signs to a maximum height of 9.0m may be approved by the Development Authority, subject to the following restrictions:

- a. Two signs of a maximum area of 40m^2 each may be allowed in locations approved by the Development Authority on the Parcels marked "FSS-1" on Figure 1.
- b. Two signs of a maximum area of 25m^2 each may be allowed in locations approved by the Development Authority on the Parcels marked "FSS-2" on Figure 1, for the sole purpose of identifying the centre and its tenants.
- c. Three signs of a maximum area of 9.3m^2 each in locations approved by the Development Authority on the Parcels marked "FSS-3" on Figure 1.

Figure 1: Free Standing Sign Locations



3. Site Development

- (a) The site plan, the relationship between buildings, structures and open spaces, 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.

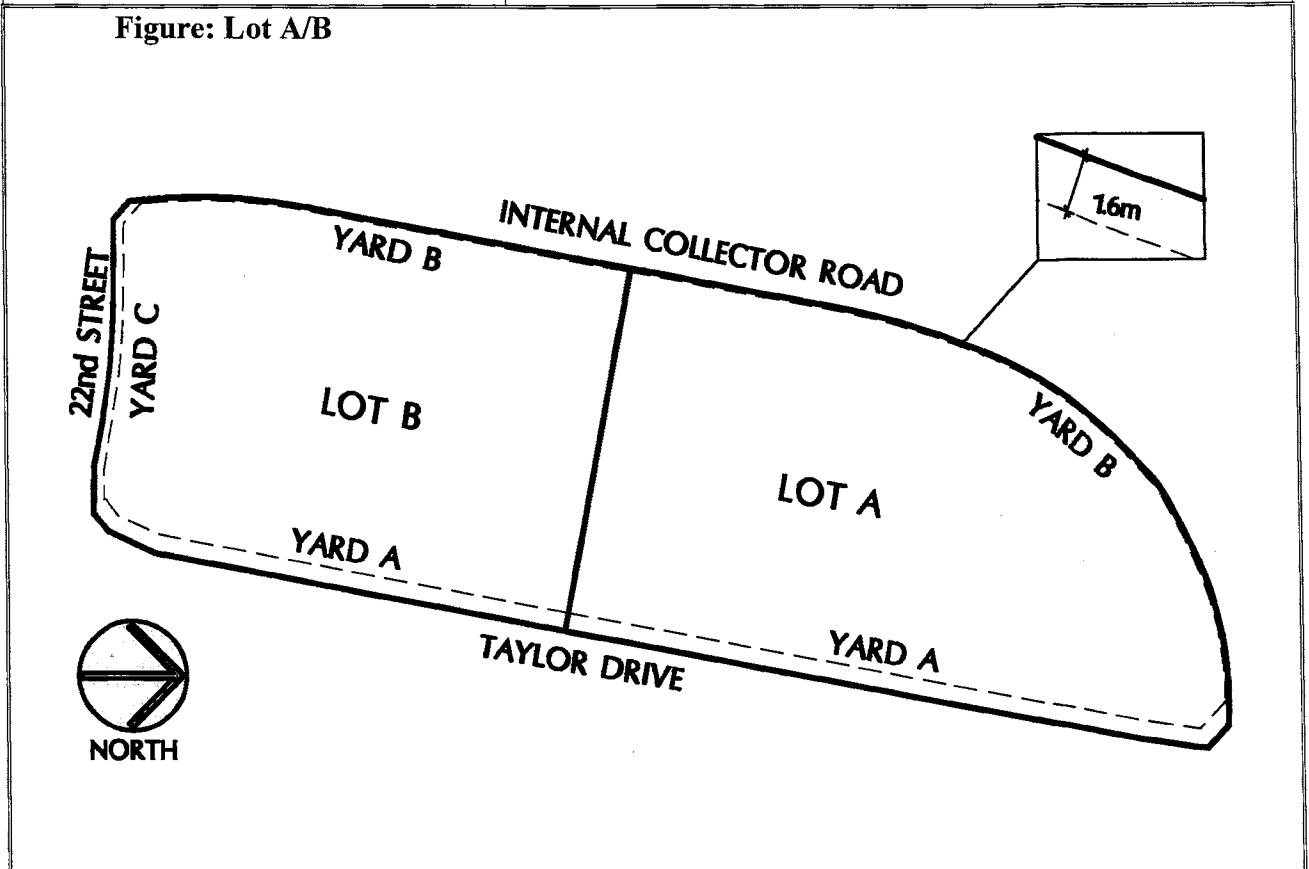
4. Setbacks

For lots in the DC (25) District, the minimum yard setbacks shall be in accordance with the following tables:

(a) Table 1 Lot A/B Setbacks

Yard	Setback
Yard A	5.3 m minimum
Yard B	1.6 m minimum
Yard C	5.0 m minimum

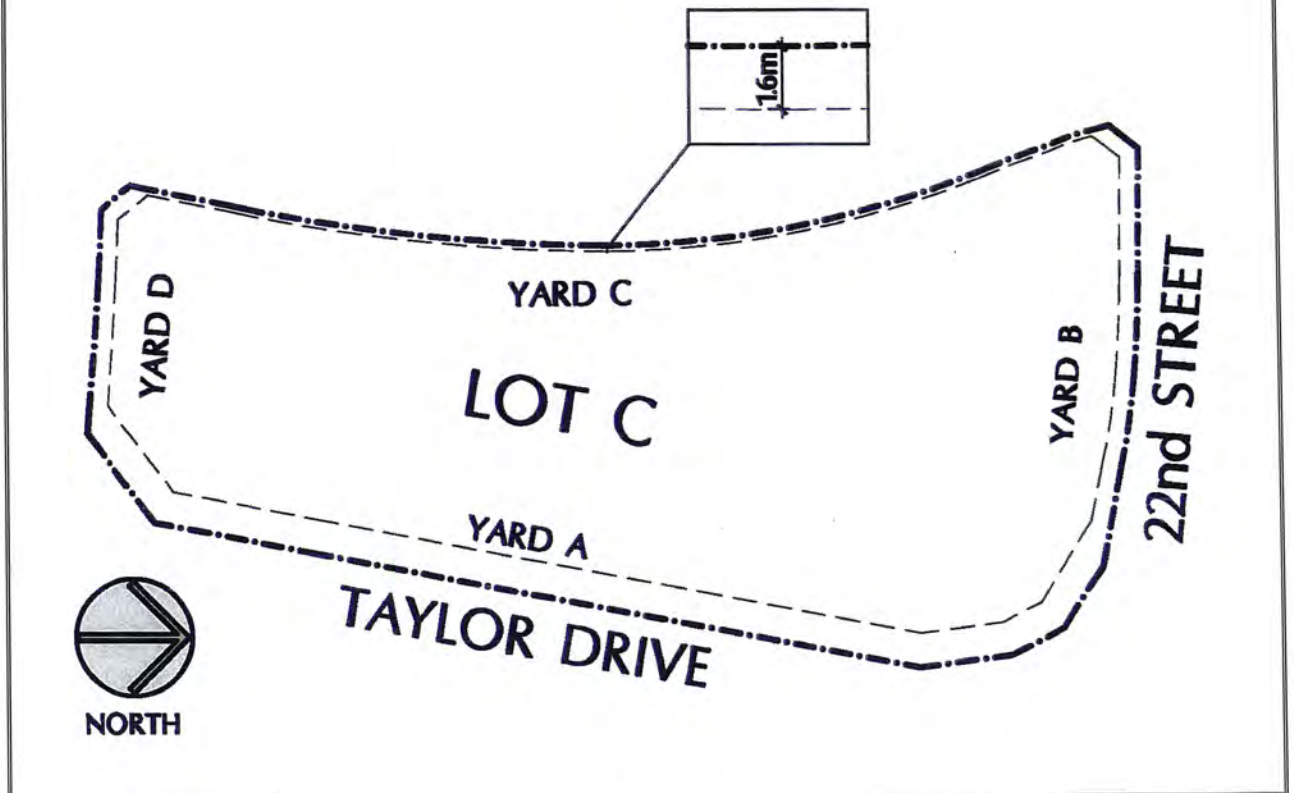
Figure: Lot A/B



(b) Table 2 Lot C Setbacks

Yard	Setback
Yard A	¹ 5.3 m minimum
Yard B	5.0 m minimum
Yard C	1.6 m minimum
Yard D	5.0 m minimum

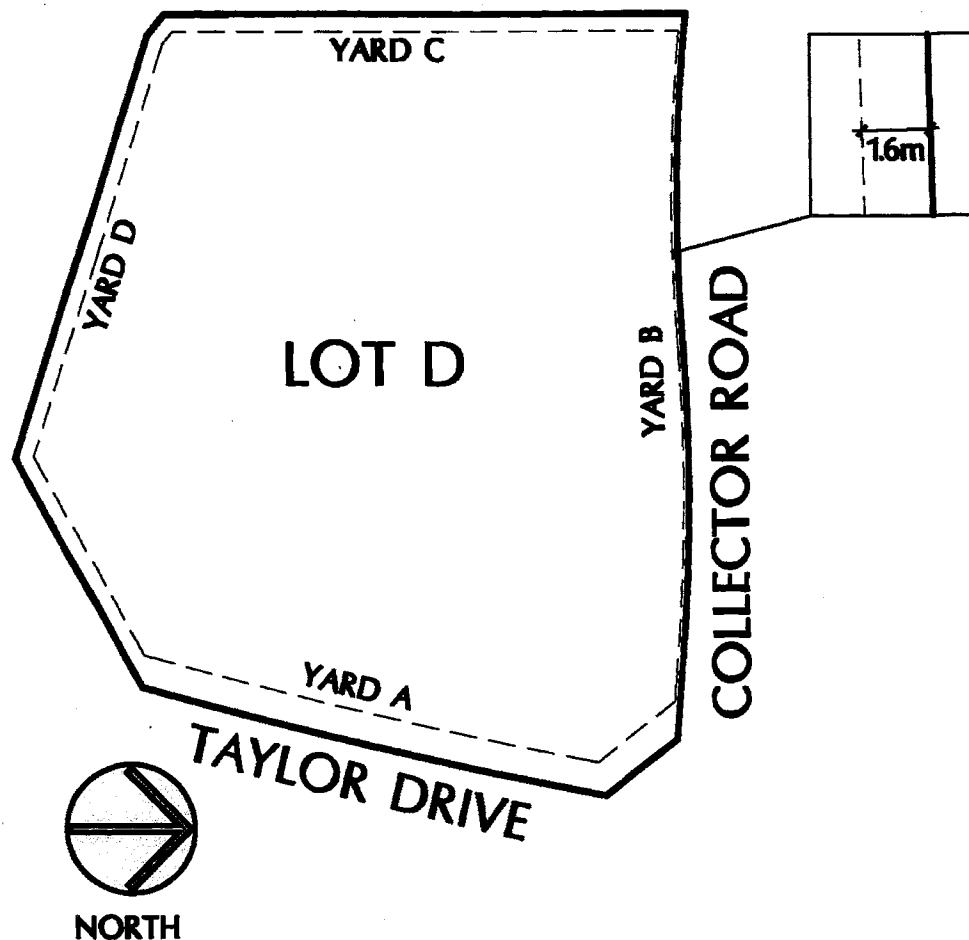
Figure: Lot C



(c) Table 3 Lot D Setbacks

Yard	Setback
Yard A	5.3 m minimum
Yard B	1.6 m minimum
Yard C	5.0 m minimum
Yard D	5.0 m minimum

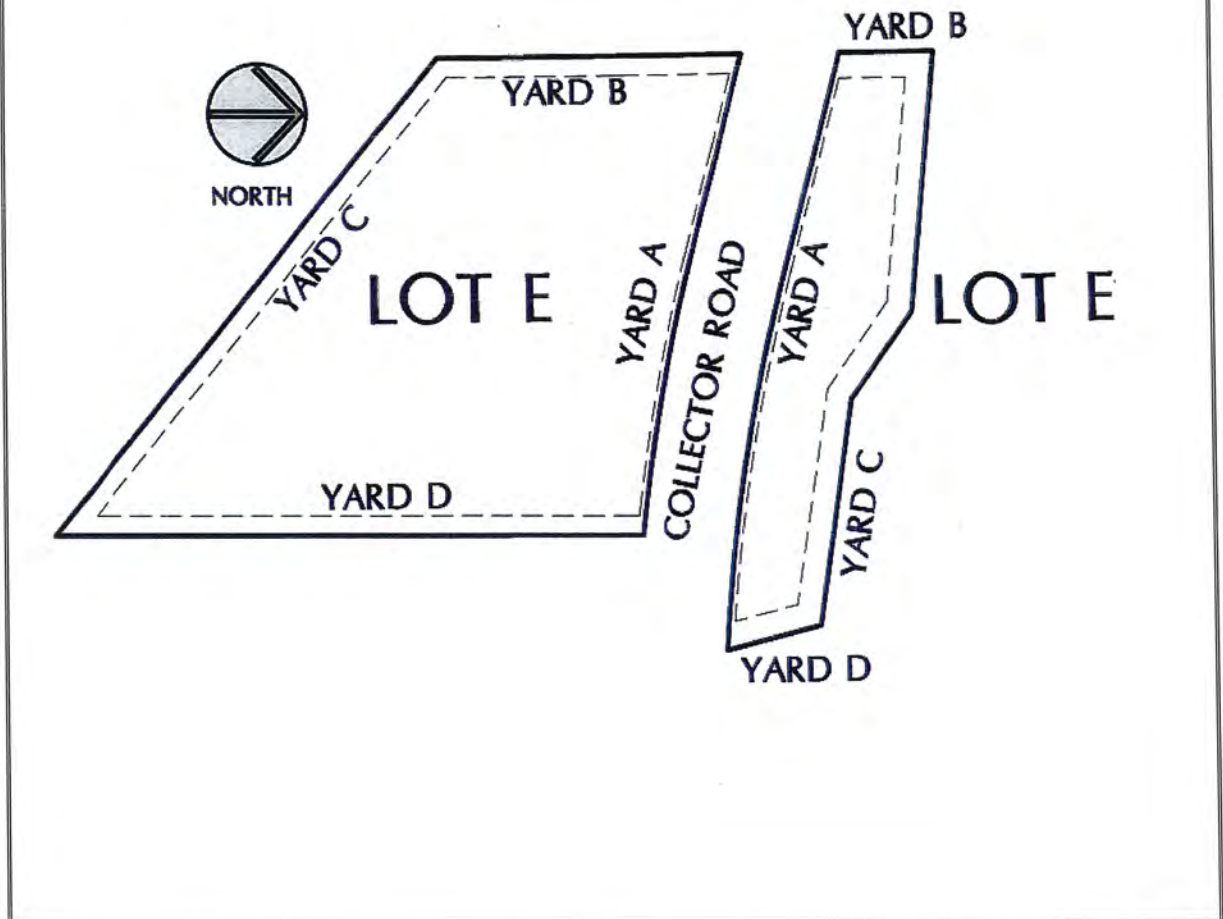
Figure: Lot D



(d) Table 4 Lot E Setbacks

Yard	Setback
Yard A	1.6 m minimum
Yard B	5.0 m minimum
Yard C	5.0 m minimum
Yard D	5.0 m minimum

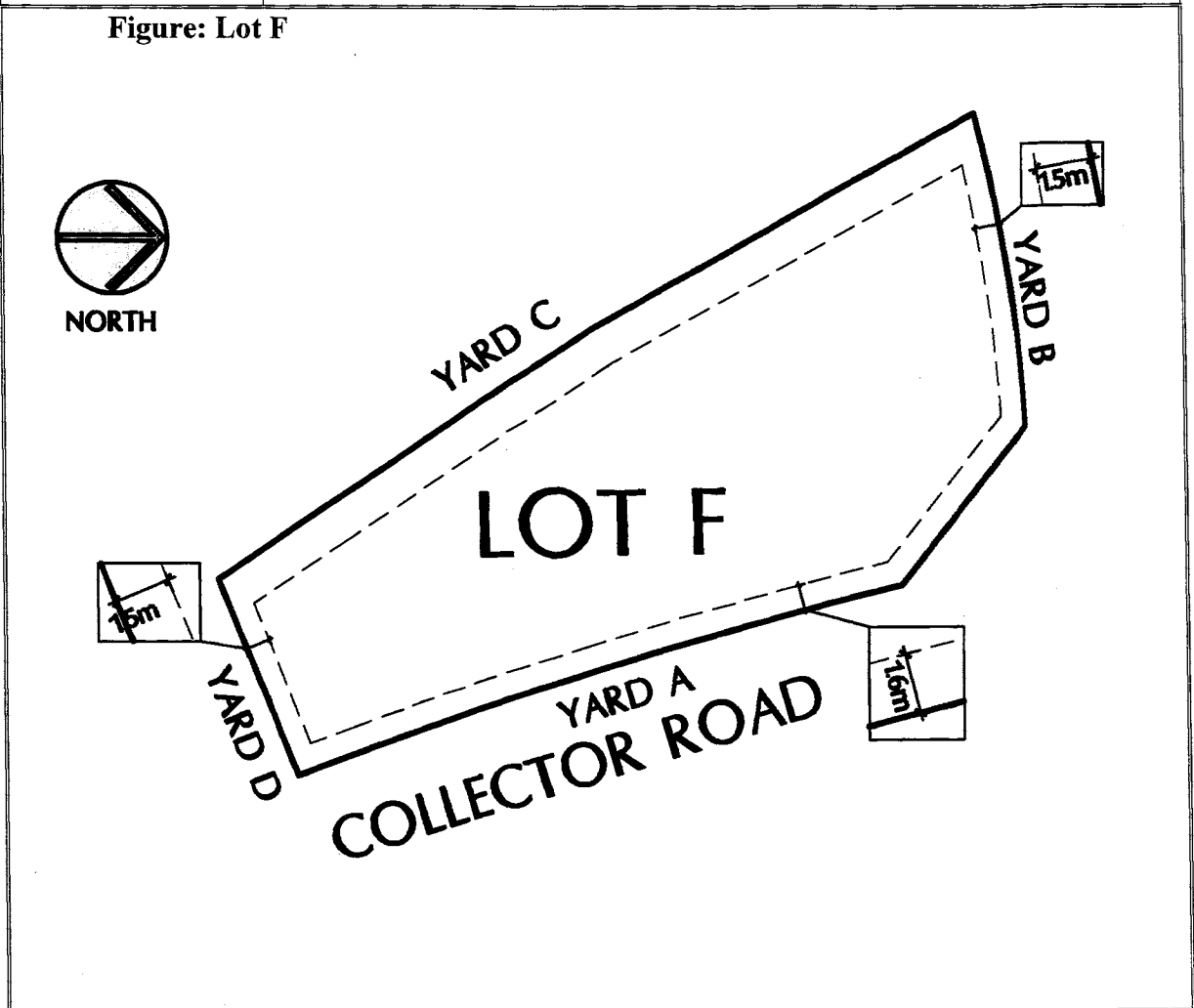
Figure: Lot E



(e) Table 5 Lot F Setbacks

Yard	Setback
Yard A	1.6 m minimum
Yard B	1.5 m minimum
Yard C	2.5 m minimum
Yard D	1.5 m minimum

Figure: Lot F



RESIDENTIAL PARCELS

General Purpose

The general purpose of the residential portion of this District is to accommodate and control medium and high density residential development.

1. DC(25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M

(a) Permitted Uses	
(i)	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8) of the Land Use Bylaw.
(ii)	Multi-attached dwelling unit building up to a maximum density of 52 units per hectare on Lot G .
(iii)	Multi-attached dwelling unit building up to a maximum density of 58 units per hectare on Lot J .
(iv)	Multiple family building up to a maximum density of <ul style="list-style-type: none"> (a) 52 units per hectare Lot G (b) 100 units per hectare Lot H (c) 58 units per hectare Lot J (d) 107 units per hectare Lot K (e) 111 units per hectare Lot L (f) 102 units per hectare Lot M
(v)	Neighbourhood identification signs subject to section 3.4 of the Land Use Bylaw.
(vi)	Accessory residential structure subject to section 4.7(3) of the Land Use Bylaw.
(b) Discretionary Uses	
(i)	Bed & Breakfast subject to section 4.7(11) of the Land Use Bylaw.
(ii)	Assisted Living Facility, Day Care Facility, Day Care Adult, or Place of Worship or Assembly.
(iii)	Home music instructor/instruction (two students), subject to section 4.7(10) of the Land Use Bylaw.
(iv)	Home music instructor/instruction (six students), subject to section 4.7(10) of the Land Use Bylaw.
(v)	Home occupations which will generate additional traffic subject to section 4.7(8).
(vi)	Multi-attached building up to a maximum density of 52 units per hectare – Lots H, K, L .
(vii)	Live work units subject to DC (25)Residential Section (3)– Lots G, H, J, K, L, M
(viii)	Semi-detached dwelling unit - Lots G and J .

(ix) ¹Show Home or Raffle Home.

2. Regulations

(a) Table 1 DC (25) Residential General Regulations

Regulations	Requirements
Floor Area Minimum	<p>Lots H, K, L, M Multi-attached: 40.0 m² for each unit Dwelling unit in a multiple family building: 37.0 m² Unit in assisted living facility: 23.0 m²</p> <p>Lots G and J Semi Detached Dwelling Unit: 65.0 m² for each unit Multi-attached: 40.0 m² for each unit Multi-family: 37.0 m² for each unit Unit in assisted living facility: 23.0m²</p>
Site Coverage Maximum	All residential lots: 45% (includes above-grade garage & accessory buildings)
Building Height Maximum	<p>2 storeys with a maximum of 10.0 m measured from the average of the lot grade.</p> <p>Multi-family or assisted living facility: 4 storeys.</p>
Landscape Area Minimum	35% of site area.
Parking Spaces	Subject to sections 3.1 & 3.2 of the Land Use Bylaw.
Lot Area Minimum	<p>Lot G Semi-detached dwelling unit: 232.0 m² per dwelling unit Multi-attached: 193.0 m² per unit Multi-family (no separate bedroom): 74.0 m² per unit Multi-family(one bedroom): 111.0 m² per unit Multi-family(more than one bedroom): 139.0 m² per unit</p> <p>Lots H, K, L, M 55.0 m² per unit in a multi-family or assisted living facility</p> <p>185.0 m² per internal unit and 240 m² per end unit in a Multi-attached building.</p> <p>Lot J Semi-detached dwelling unit: 232.0 m² per dwelling unit Multi-attached: 173.0 m² per unit Multi-family (no separate bedroom): 74.0 m² per unit Multi-family(one bedroom): 111.0 m² per unit</p>

¹ 3357/T-2015

	Multi-family(more than one bedroom): 139.0 m ² per unit
Frontage Minimum	<p>Lots G and J Semi-detached dwelling unit: 7.6 m per unit Multiple family building: 19.5 m Multi-attached: 5.5 m per each unit</p> <p>Lots H, K, L, M Multi-attached: 5.5 m per each unit Multi-family or multi-attached building refer to DC (25) Section (5) Setbacks.</p>

- (b) Where each half of a semi-detached dwelling unit is to be contained in a separate site no side yard shall be required on the side of the dwelling unit which abuts the adjacent dwelling unit.
- (c) Where the dwelling units of a multi-attached building are to be contained in separate sites, no side yards shall be required on either side in the case of an internal dwelling unit and no side yard shall be required on one side of the end dwelling unit.

3. Live-Work Unit Regulations

- (a) Where a Live-Work Unit is approved, it is subject to the following regulation, which may not be modified by the Development Authority:
- i. A Live-Work Unit 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.
 - ii. Outside storage or display of any kind shall not be permitted.
- (b) Where a Live-Work Unit is approved, it is subject to the following regulations, except as varied by the Development Authority:
- iii. the work portion of a Live-Work Unit may not exceed 50% of the gross floor area of the unit;
 - iv. when listed as a use, the following uses may be incorporated into a Live-Work Unit:
 - (a) artist's studio;
 - (b) beauty and body service;

- (c) counseling service;
- (d) office;
- (e) repair or sales of apparel, crafts, and jewelry that are made on the premises; and
- (f) other similar business uses approved by the Development Authority

(c) A Live-Work Unit must provide parking as required under sections 3.1 and 3.2 of the Land Use Bylaw. The Development Authority may increase the number of parking stalls required for a Live-Work Unit where deemed necessary for the work component of the unit.

(d) The number, size, location, and design of signage for a Live-Work Unit is subject to approval by the Development Authority.

4. Site Development

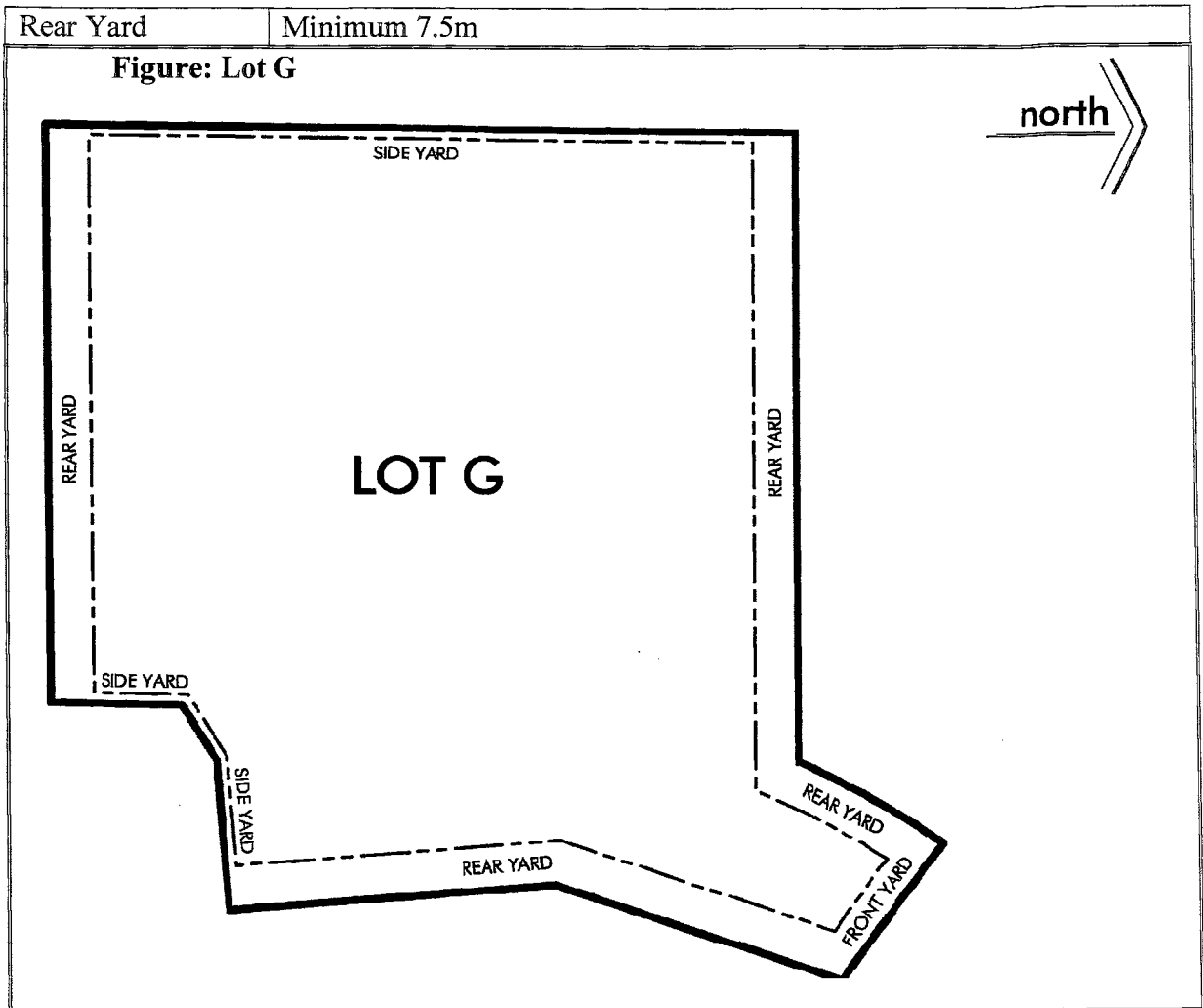
(a) The site plan and the relationship between buildings, structures, and open space the architectural treatment of buildings, the provision and architecture of landscaped open space and the parking layout shall be subject to approval by the Development Authority.

(b) Notwithstanding the minimum lot area requirements within the DC (25) Residential General Regulations, when an area has a density designation in accordance with the DC (25) Permitted and Discretionary Uses table, the minimum lot area is subject to approval of the Development Authority.

5. Setbacks

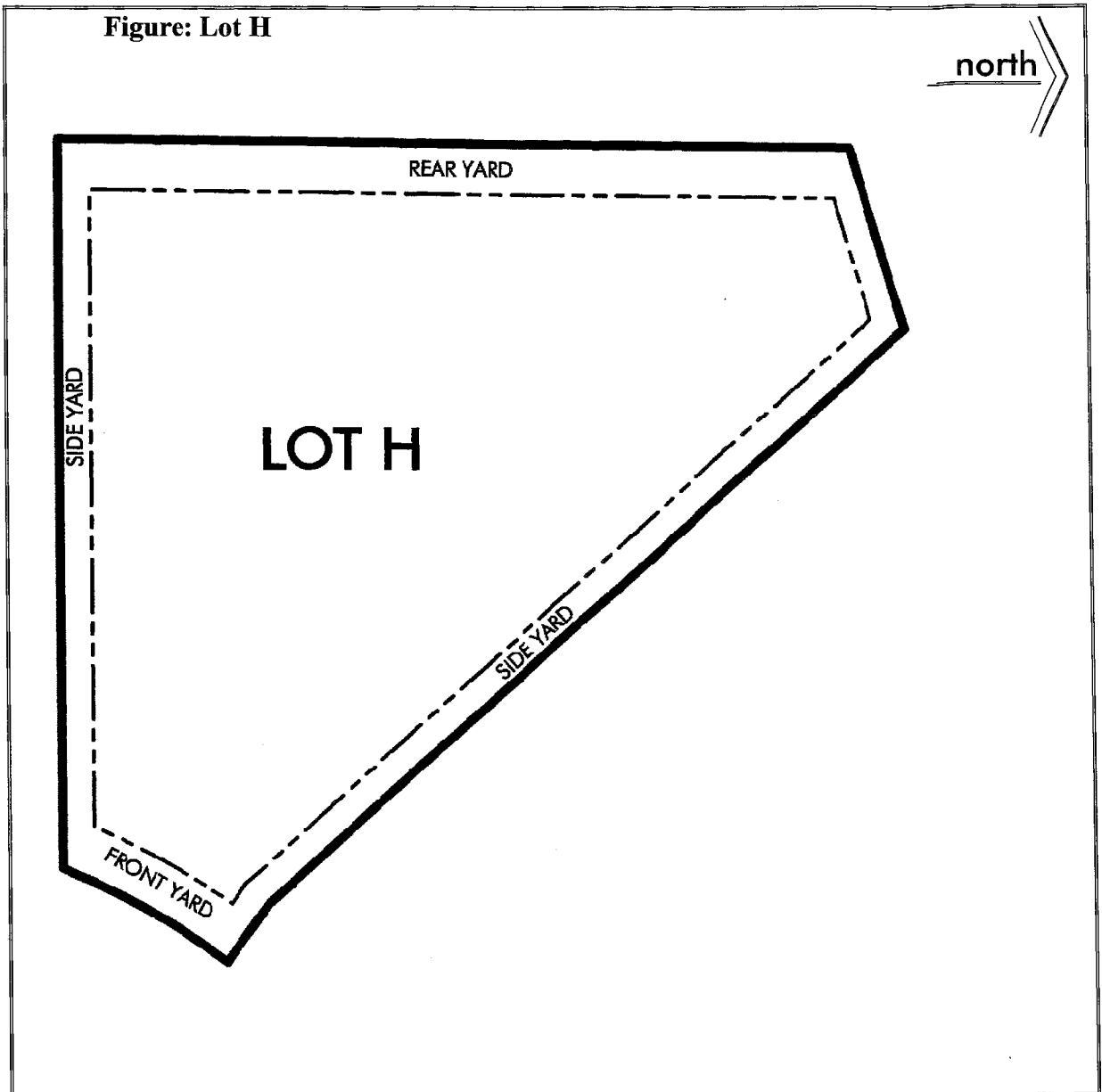
(a) Table 1 Lot G Setbacks

Yard	Setback
Front Yard	Multi-family minimum 4.5 m (Refer to Appendix 2: Front Yard Concepts) Multi attached (to front door): minimum 2.4m Multi attached (to any regularly occupied room): minimum 4.8
Side Yard	Semi-detached (without side entry): minimum 1.5 m Semi-detached (with side entry): minimum 2.4 m Multi-attached (without side entry): minimum 1.8 m Multi-attached (with side entry): minimum 2.4 m Multi-family: minimum 66% of building height and in no case less than 3.0m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Figure: Lot G

**(b) Table 2 Lot H Setbacks**

Yard	Setback
Front Yard	Minimum 6.0 m
Side Yard	Multi-attached (without side entry): minimum 1.8 m Multi-attached (with side entry): minimum 2.4 m Multi-family, multi-family live work or assisted living facility: minimum 3.0 m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with the corresponding figure.
Rear Yard	Minimum 7.5m

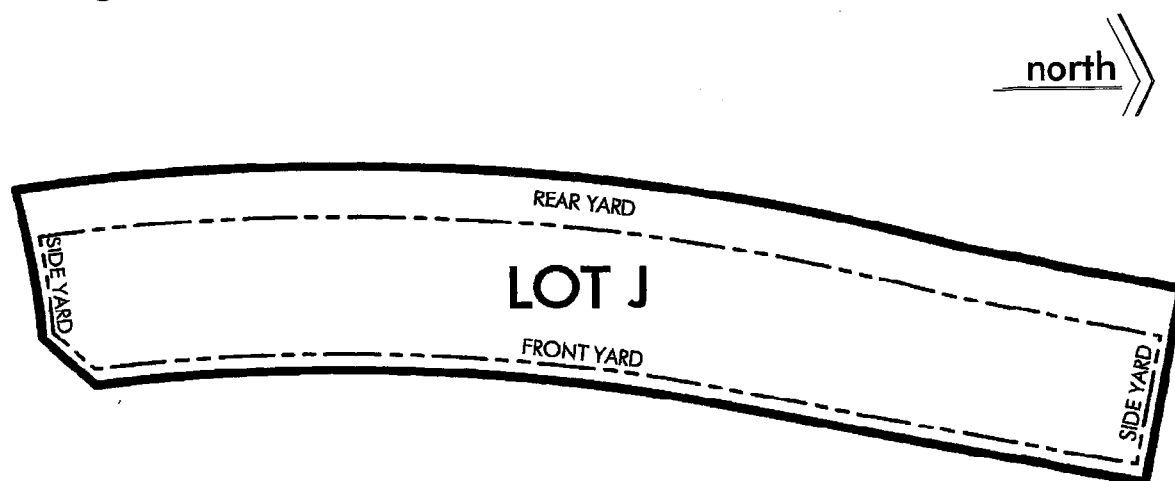
Figure: Lot H



(c) Table 3 Lot J Setbacks

Yard	Setback
Front Yard	Multi-family minimum 4.5 m (Refer to Appendix 2: Front Yard Concepts) Multi attached (to front door): minimum 2.4m Multi attached (to any regularly occupied room): minimum 4.8
Side Yard	Semi-detached (without side entry): minimum 1.5 m Semi-detached (with side entry): minimum 2.4 m Multi-attached (without side entry): minimum 1.8 m Multi-attached (with side entry): minimum 2.4 m Multi-family: minimum 66% of building height and in no case less than 3.0m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with the corresponding figure.
Rear Yard	Minimum 7.5m

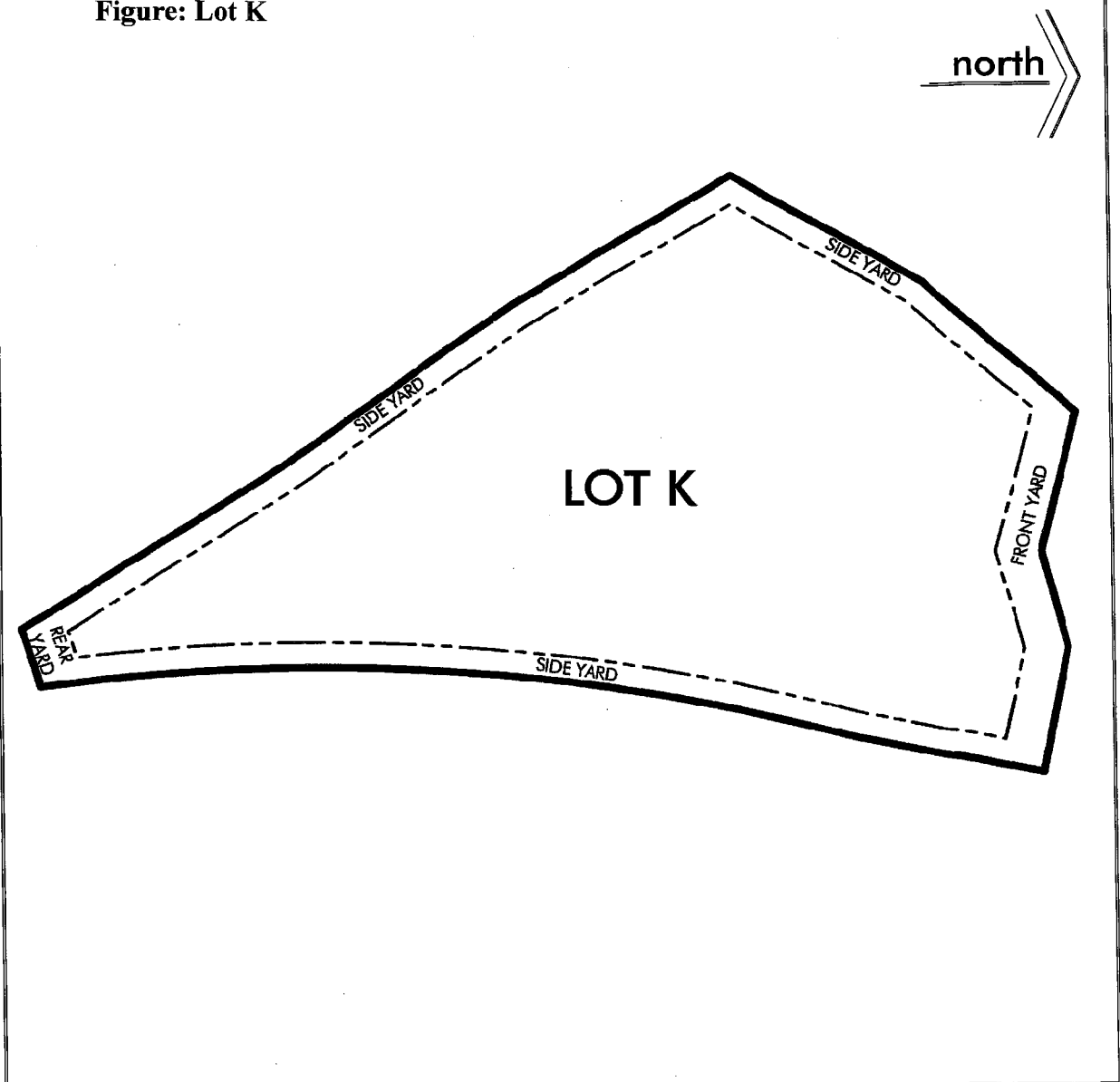
Figure: Lot J



(d) Table 4 Lot K Setbacks

Yard	Setback
Front Yard	Minimum 6.0 m
Side Yard	Multi-attached (without side entry): minimum 1.8 m Multi-attached (with side entry): minimum 2.4 m Multi-family, multi-family live work or assisted living facility: minimum 3.0 m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with the corresponding figure.
Rear Yard	Minimum 7.5m

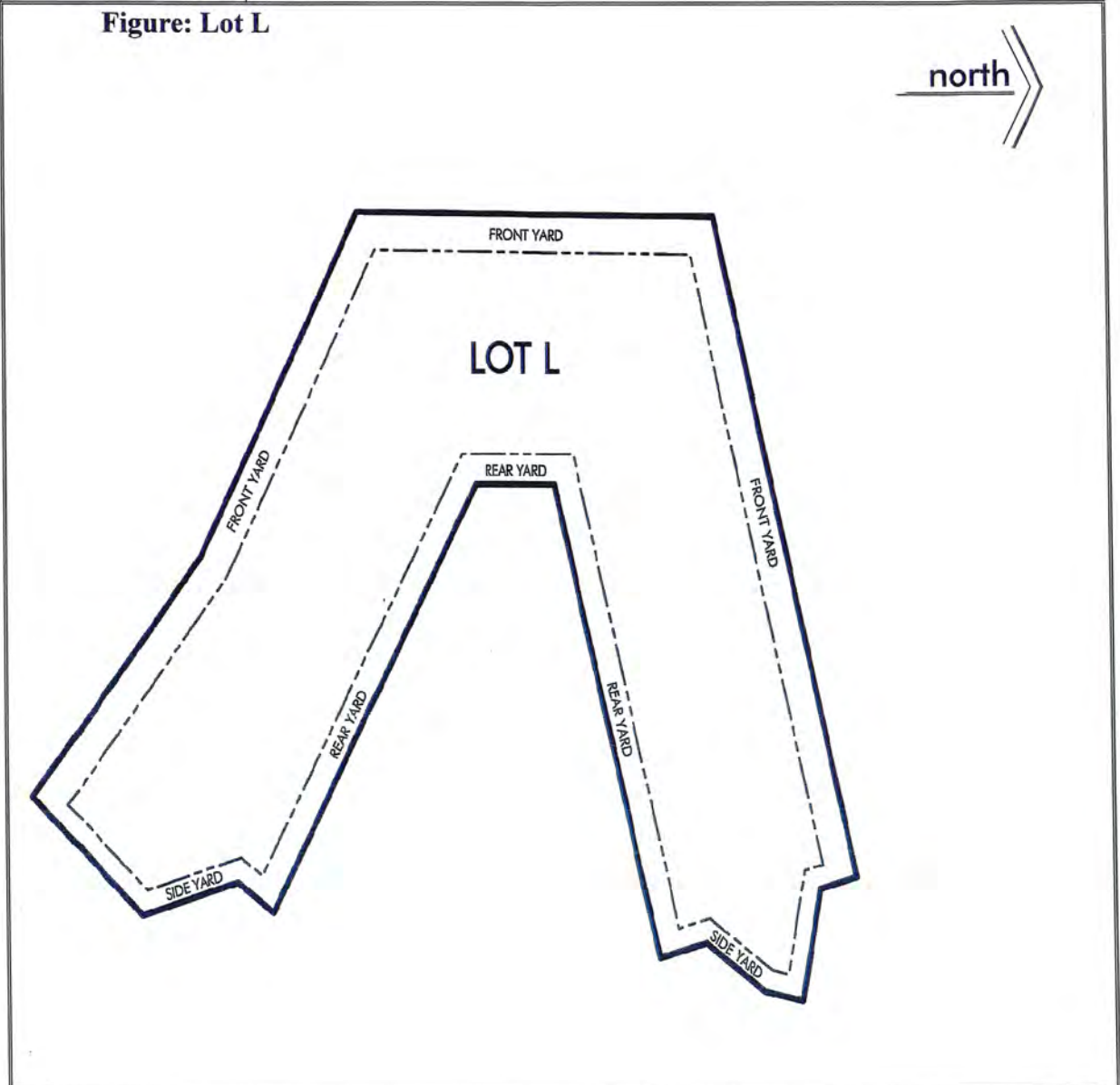
Figure: Lot K



(e) Table 5 Lot L Setbacks

Yard	Setback
Front Yard	Minimum 6.0 m
Side Yard	Multi-attached (without side entry): minimum 1.8 m Multi-attached (with side entry): minimum 2.4 m Multi-family, multi-family live work or assisted living facility: minimum 3.0 m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with the corresponding figure.
Rear Yard	Minimum 6.0 m

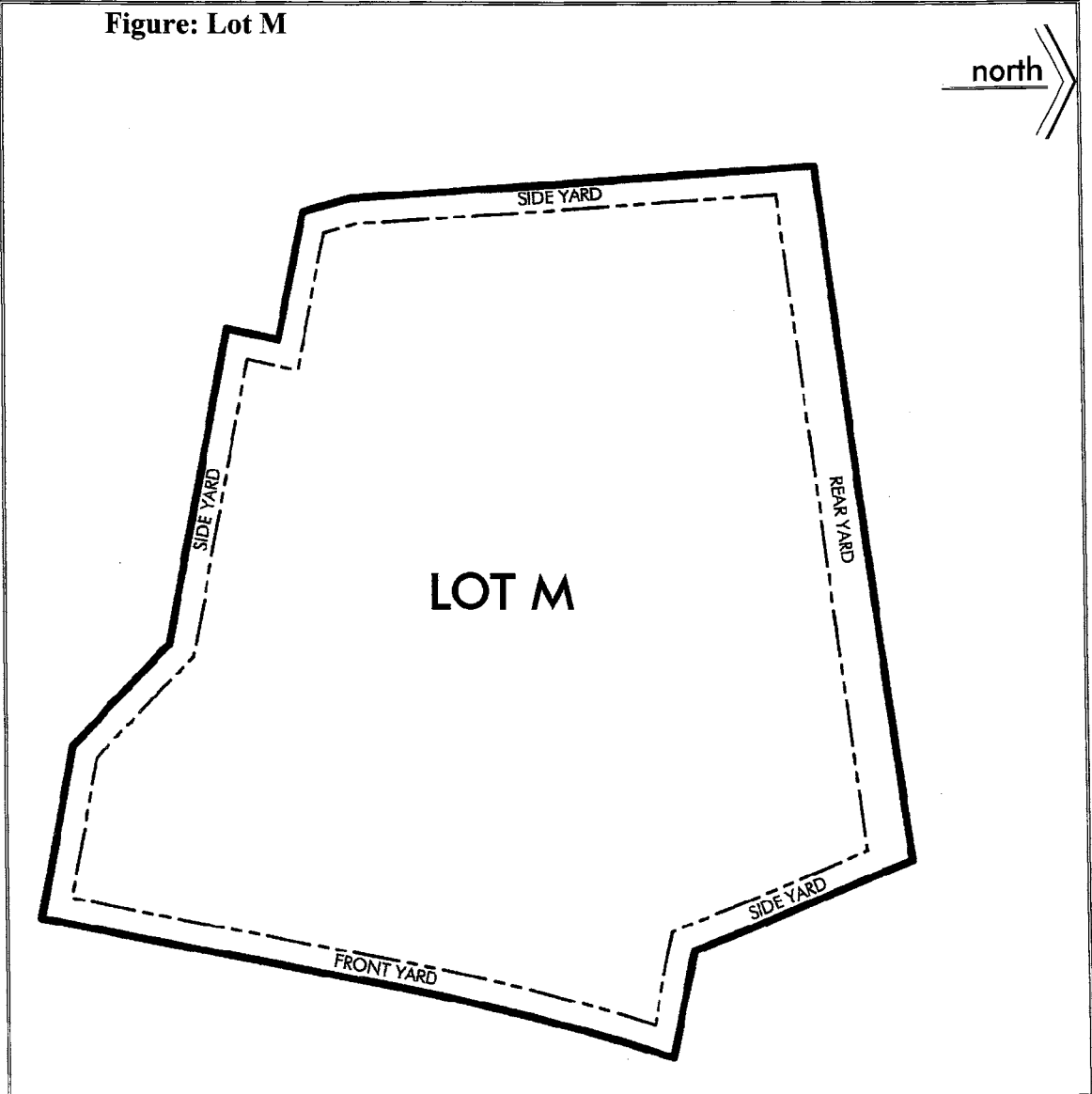
Figure: Lot L



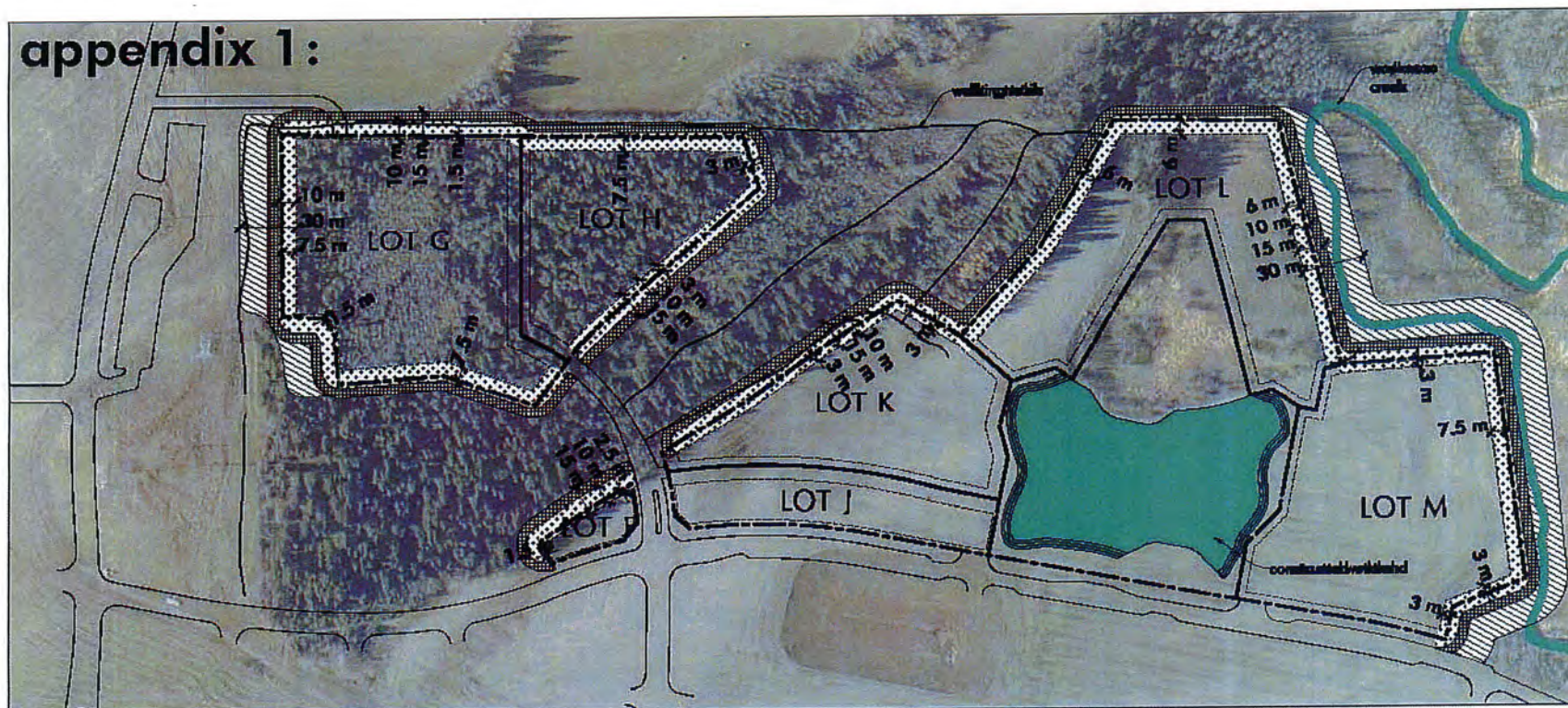
(f) Table 6 Lot M Setbacks

Yard	Setback
Front Yard	Multi-family minimum 4.5 m (Refer to Appendix 2: Front Yard Concepts) Multi attached (to front door): minimum 2.4m Multi attached (to any regularly occupied room): minimum 4.8
Side Yard	Multi-attached (without side entry): minimum 1.8 m Multi-attached (with side entry): minimum 2.4 m Multi-family, multi-family live work or assisted living facility: minimum 3.0 m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with the corresponding figure.
Rear Yard	Minimum 7.5m

Figure: Lot M

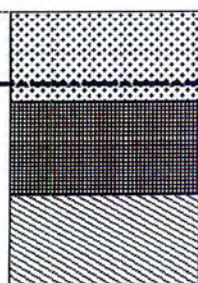


appendix 1:



maximum extent of building pockets as per DC zoning

residential parcel property lines



zone 1:

Flammable vegetation surrounding buildings is eliminated or converted to less flammable species. Distance between building footprint and untreated trees is 10 m.

agreement zone:¹

City of Red Deer has agreed to expand zone 1 by up to 5 m if required by any future revision to firesmart guidelines

¹ See Land Purchase Agreements, dated October 23, 2009

zone 2:

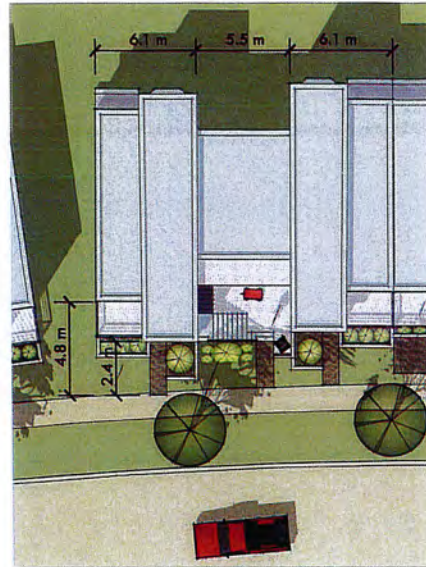
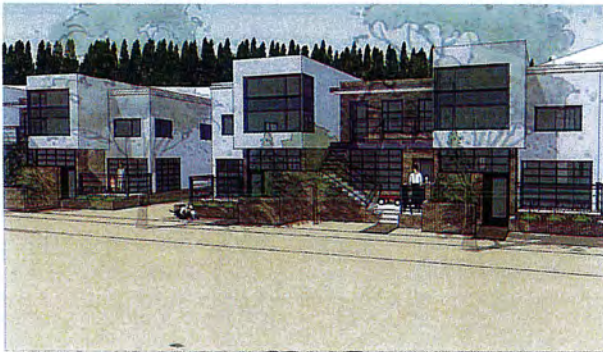
Area of reduced flammable vegetation, with variety of thinning and pruning actions.

firesmart interpretation
of maximum vegetation setbacks based
on maximum building footprints

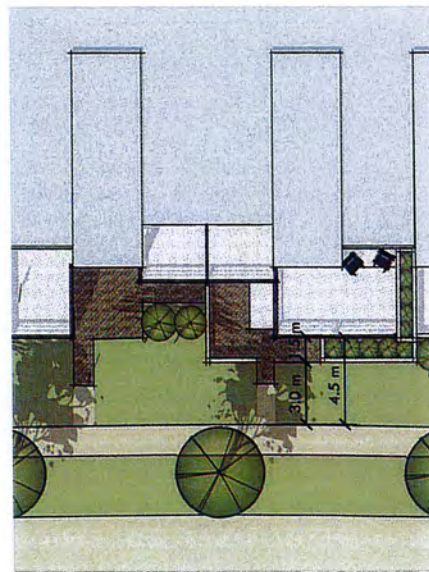
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Appendix 2: Front Yard Concepts

Multi-attached



Multiple Family/ Multiple Family Live Work



¹8.20.6 Direct Control District No. 26 DC (26) (See Map K16)**DC (26)****General Purpose**

The general purpose of this District is to permit redevelopment of the Valley Park Manor Site located at Lot B, Block 9, Plan 1919RS which satisfies the objectives of the *Riverside Meadows Area Redevelopment Plan*. Redevelopment of the site would be for compatible uses that are designed in accordance with the Riverside Meadows Overlay District to ensure quality and careful integration with the existing residential context of the neighbourhood and adjacent school site.

1. DC (26) Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Nursing Home
(ii)	Accessory building subject to sections 3.5 and 4.7(3)
(b) Discretionary Uses	
(i)	Detached dwelling unit
(ii)	Semi-detached dwelling unit
(iii)	Townhouses
(iv)	Seniors Lodge
(v)	Children Day Care Facility
(vi)	School
(vii)	Physical rehabilitation centre
(viii)	Designated seniors supportive living
(ix)	² Show Home or Raffle Home.

2. DC (26) Regulations

- (a) Development should generally be consistent with the R2 Medium Density Residential land use district requirements. The maximum height is 2 storeys or 10 metres.
- (b) All development must comply with the design regulations provided in the Riverside Meadows Overlay District, Section 7.11

3. Approving Authority

- (a) The Development Authority is the approving authority for all uses, and development in this district.

¹ 3357/U-2009² 3357/T-2015

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

DC (27)

²General Purpose

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

1. Permitted and Discretionary Uses Table

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

¹ 3357/Q-2010

² Correction #29

(b) Discretionary Uses

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

2. ³ Approving Authority

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

(a) ⁴the Development Authority, in the case of:

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

(b) ⁵City Council in the case of:

- (i) an application for a Permitted Use over 50,000 square feet (4,645 m²);
- (ii) an application for a Permitted Use which does not comply with the provisions of this district; and
- (iii) applications for Discretionary Use except as noted in subsection (a) (ii).

¹ 3357/B-2013

² 3357/T-2015

³ Correction #29

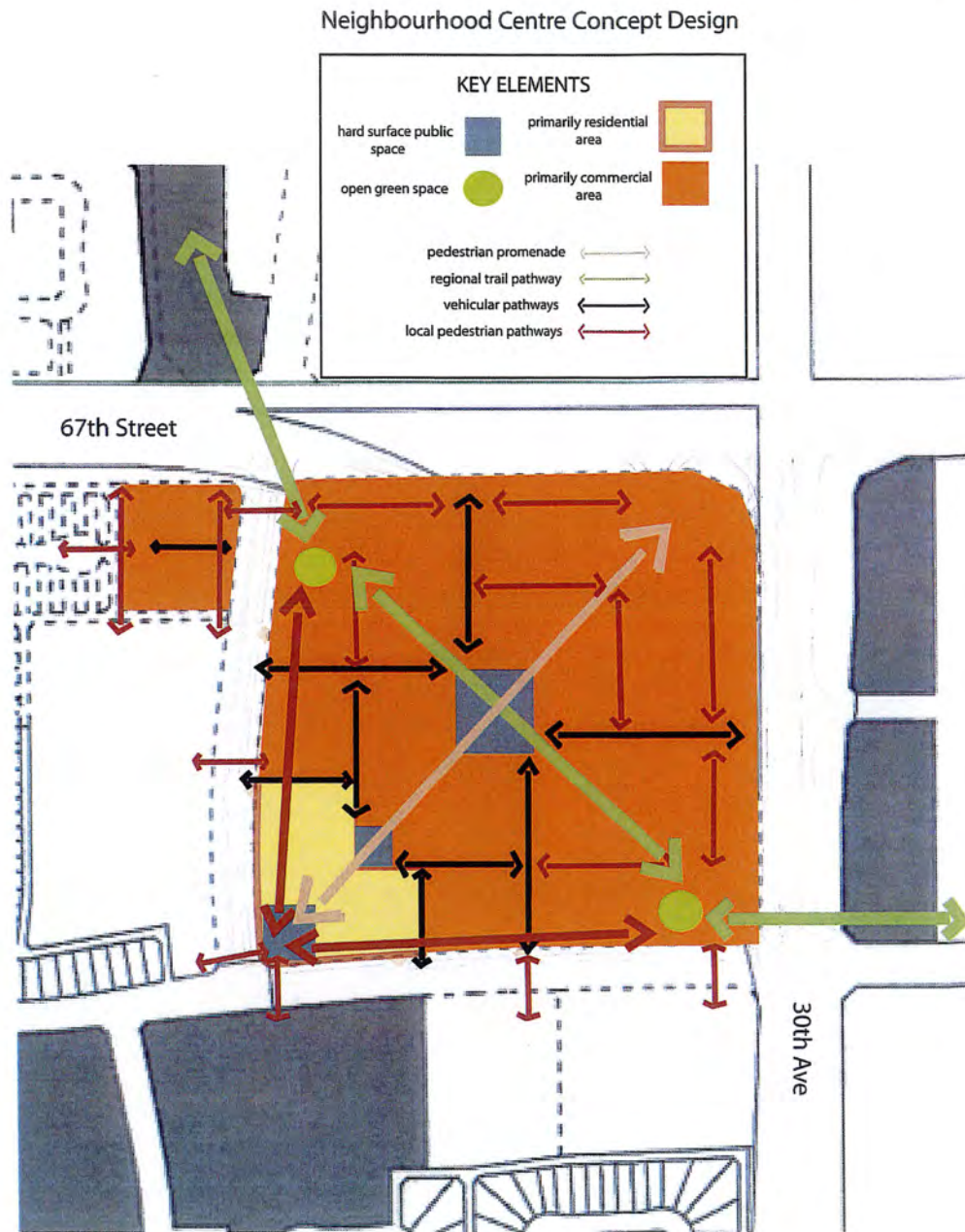
⁴ 3357/A-2012, 3357/I-2013

⁵ 3357/I-2013

- (c) The Development Authority may permit deviation from the Site Plan and Design Package as described in this bylaw, where the proposed changes are deemed by the Development Authority to be minor in scale or are changes that will result in an equal or greater standard of development than that outlined in the Site Plan and Design Package;
- (d) Where the Development Authority deems that the proposed deviation from the Site Plan and Design Package is major in scale or will result in a lower standard of development than that outlined in the Site Plan and Design Package as described in this bylaw, these changes must be approved by City Council."

3. Concept Design

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



4. General Design Guidelines

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

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

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

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

(c) Key Elements

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

(i) Hard Surface Public Spaces: Priority 1

Purpose and Location:

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

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

Components and Programming:

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

Design and Relationship with Adjacent Buildings:

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

Linkages:

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

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

(ii) Pedestrian Promenade: Priority 2

Purpose and Location:

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

Design and Relationship with Adjacent Buildings:

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

Components and Programming:

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

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

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

(iii) Regional Trail Pathway: Priority 3

Purpose and Location:

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

Components and Programming:

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

Design and Relationship with Adjacent Buildings:

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

(iv) Open Green Spaces: Priority 4

Purpose and Location:

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

Design and Relationship with Adjacent Buildings:

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

Components and Programming:

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

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

(v) Vehicular Pathways: Priority 5

Purpose and Location:

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

Components:

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

Design and Relationship with Adjacent Buildings:

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

(vi) Local Pedestrian Pathways: Priority 6

Purpose and Location:

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

Components and Programming:

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

Design and Relationship with Adjacent Buildings:

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

General Land Use

(vii) Primarily Residential Area

Purpose and Location:

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

Interface and Relationship with Adjacent Uses:

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

(vii) Primarily Retail Commercial

Purpose and Location:

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

Design and Relationship with Adjacent Uses:

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

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

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

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

(a) Permitted Uses	
(viii)	Merchandise sales on the ground floor excluding all motor vehicles, machinery, fuel, pawn shops, and adult entertainment.
(ix)	Dwelling Units above the ground floor.
(x)	Hotel.
(xi)	Office above the ground floor.
(xii)	Multiple family building.
(xiii)	Multi-attached dwelling unit building.
(xiv)	Restaurants (No drive through windows).
(xv)	Signs (subject to C1 regulations in sections 3.3 and 3.4):
	a. awning and canopy signs,
	b. under canopy signs,
	c. fascia signs,
	d. neighbourhood identification signs,
	e. projecting sign
(b) Discretionary Uses	
(i)	Accessory building or use subject to section 3.5.
(ii)	Any development legally existing or legally approved prior to the passing of this Bylaw deemed to be a discretionary use duly approved by the Development Authority.
(iii)	Assisted living facility.
(iv)	Commercial Entertainment Facility.
(v)	Commercial Recreation Facility.
(vi)	Commercial Service Facility (No drive through windows).
(vii)	Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
(viii)	Home occupations subject to section 4.7 (8).

¹ 3357/P-2010

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

2. Direct Control District No. 28 Regulations

(a) Table 1 DC (28) Regulations

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

3. Amenity Areas

- (a) The minimum front and side yard setbacks for sites within this district may be reduced or eliminated by the Development Authority, if the Development Authority determines, based on the merit of each individual development, that encroachment into the

¹ 3357/AA-2014

² 3357/T-2015

setback area is identified for pedestrian enhancements that meet the following criteria:

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

4. Approving Authority

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

5. Site Development

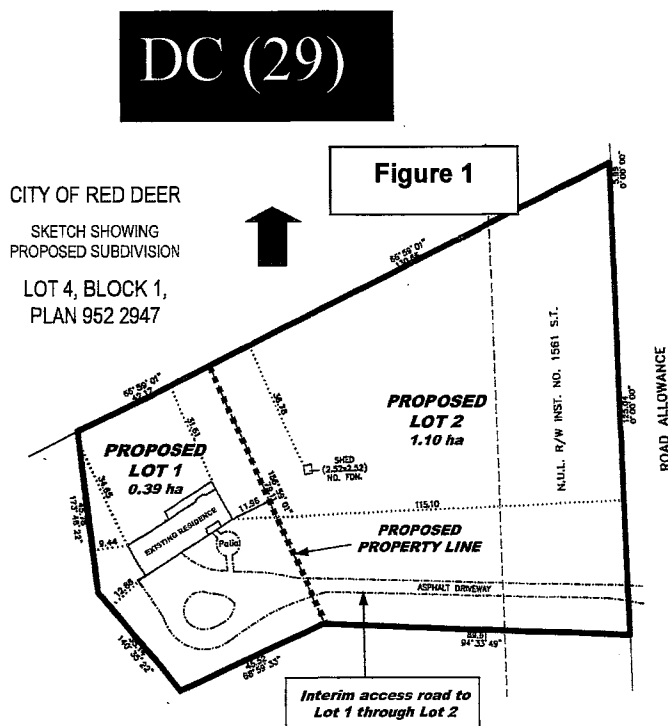
- (a) All development standards, site plan, site access, the relationship between buildings, structures and open space, the architectural treatment of any building, the provision and architecture of landscaped areas, and the parking layout shall be subject to approval by the Approving Authority.

6. General Design Purpose

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

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

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

**1. DC 29 Permitted and Discretionary Uses Tables**

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

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

¹ 3357/H-2010² 3357/T-2015

2. DC 29 Regulations

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

3. Approving Authority

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

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

DC (30)

General Purpose

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

1. DC 30 Permitted Uses Table

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

2. Development Standards

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

3. Approving Authority

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

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

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

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

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



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

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

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

Area of Application

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

1. ²DC 31 Permitted and Discretionary Uses Table

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

¹ 3357/I-2012

² Correction #29

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

2. ¹Approving Authority

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

3. ²Development Regulations

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

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

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

¹ Correction #29

² Correction #29

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

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

6. Site Development

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

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

A. Area of Application

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

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

1. Purpose

- (a) To identify and mitigate the significant environmental hazards or risks affecting the Westlake lands, formerly known as Riverview Park. Various Reports have been completed for Westlake and the adjacent Red Deer River escarpment or slopes (e.g. the 2003, 2012 and 2014 studies by ParklandGeo) and have identified the following relevant and significant hazards or risks:
- (i) river erosion of the tow-of-slope or escarpment;
 - (ii) planes of weakness in the subsoil or bedrock;
 - (iii) slope erosion, landslides and slumping;
 - (iv) the lower slope of the escarpment is considered “marginally stable”;
 - (v) the upper slope of the escarpment is considered “unstable” and subject to natural regression – the present slope will regress even if the tow of the slope can be stabilized;
 - (vi) destabilizing and variable natural springs below the crest of the escarpment;
 - (vii) various other natural and man – made risks associated with soil instability and slope destabilization (e.g. environmental changes, variable river flow and flooding, swimming pools, removal of vegetation, over watering, overloading, excavation, vegetation changes, variable ground water conditions, etc.); and

- (vii) that complex subsurface and surface conditions, affect Westlake, and can sometimes not be fully understood even using commonly accepted practices for professional technical assessment.
- (b) To establish a Restricted Development Area as identified on Figure 1; to restrict Development to areas of relatively lower expected risk, pursuant to the recommendations of the March 2014, "Geotechnical Investigation, Riverview Park Development Setback" (prepared by Parkland Geo).
- (c) To provide special land use criteria and supporting regulation reflective of existing Reports and directed to minimizing the risk of damage or loss to natural and private property and/or persons as well as public lands and infrastructure.

2. Definitions

In this District:

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

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

"Restricted Development Area" means the area shown as hatched on the attached Figure 1, which Figure 1 shall form part of this District. The Restricted Development Area as shown is an approximation only. The site-specific position of the Restricted Development Area relative to the crest of the escarpment will be identified upon application of Subdivision or Development Permit as required by the Subdivision or Development Authority.

"Subdivision or Development Authority" means the Municipal Planning Commission in its capacity as either the Subdivision or Development Authority; and

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

3. Fundamental Land Use Criteria

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

- (a) Development (including but not limited to, buildings, structures, construction, major renovations, excavation, placement of fill, ground

disturbance, tree or shrub removal, stripping and grading) is prohibited within the Restricted Development Area;

- (b) where a site-specific professional geotechnical assessment or other Report acceptable to the Subdivision or Development Authority has recommended a larger Development setback than the Restricted Development Area, the larger Development setback shall apply;
- (c) subdivision shall only be considered within this District for those lands presently known as ¹9 Cronquist Close, 15 Cronquist Close and 5 Cronquist Place, which lands are identified as “Subdivision Consideration” on attached Figure 1;
- (d) the Subdivision or Development Authority shall not approve any subdivision or Development unless, having considered all relevant Reports:
 - (i) approval will not detrimentally impact the overall groundwater regime or slope geometry’
 - (ii) public and private property will be reasonable safe from the hazards of slope and soil instability as identified through a Report, which may include, but is not limited to, professional geotechnical assessment; and
 - (iii) the lands at issue are suitable for the proposal considering:
 - (A) all relevant Reports;
 - (B) the full range of uses and Developments existing or contemplated respecting the subdivision or Development permit application and the adjacent lands;
 - (C) cumulative impacts to soil and slope stability; and
 - (D) emergency access and planning.
- (e) the following developments shall not be commenced without, and shall be carried out in accordance with, a site-specific professional geotechnical assessment acceptable to the Subdivision or Development Authority:

¹ Correction 36

- (i) excavation related to the construction, repair, or alteration of a building structure or Water Retaining Structure, other than the installation, connection, repair maintenance or replacement of a public utility;
- (ii) the construction or material alteration of a detached dwelling unit or garage; and
- (iii) the construction or material alteration of an accessory building or structure with a floor area of 10.0m or more and a height of 2.4m or more.

4. Application of the Fundamental Land Use Criteria

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

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

5. Exceptions to the Fundamental Land Use Criteria

- (a) Notwithstanding the fundamental use criteria set out in Section 3(a) of this District, the following Developments may be considered for approval by the Subdivision or Development Authority within the Restricted Development Area and shall be carried out pursuant to the terms and conditions of a subdivision approval or Development permit:
 - (i) the erection of warning signs respecting escarpment risks or safety;
 - (ii) the installation, connection, repair, maintenance or replacement of a public utility;
 - (iii) the material repair or minor alteration of the following, if constructed prior to September 15, 2014:
 - (A) a detached dwelling unit (which is connected to all City utility services) or associated retaining wall: and
 - (B) a Water Retaining Structure, if located at least 50m from the crest of the escarpment and subject to installation of an acceptable leak detection system and provided that there is no discharge toward the escarpment, slope or adjacent park or reserve areas.

- (iv) the stripping and/or grading, placement of fill, material alteration of vegetation, or existing or natural surface drainage patterns related to the demolition and/or relocation of a detached dwelling unit or Water Retaining Structure constructed prior to September 15, 2014 and pursuant to plans prepared by a Professional Engineer.
- (b) Notwithstanding the fundamental use criteria set out in Section 3(c), for all other lands within this District, the Subdivision or Development Authority may consider lot line adjustment or consolidation of title for the purpose of enlarging the potential building area while not increasing the number of registered lots.

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

6. DC 32 Discretionary Uses

(a) Discretionary Uses

- (i) Detached Dwelling Unit (which is connected to all City utility services);
- (ii) Home Music Instructor/Instruction (six students) subject to section 4.7 (10)
- (iii) Home Occupation which will generate additional traffic subject to section 4.7 (8);
- (iv) Accessory Building;
- (v) installation, connection, repair, maintenance or replacement of a public utility, pursuant to plans prepared by a Professional Engineer;
- (vi) Water Retaining Structure located beyond the Restricted Development Area and at least 50m from the crest of the escarpment;
- (vii) water line or underground sprinkler or irrigation system located beyond the Restricted Development Area and at least 50m from the crest of the escarpment, constructed in accordance with a design prepared by a Professional Engineer and installed under the supervision of a Professional Engineer;
- (vii) all signs, including warning signs respecting escarpment risks or safety;

- (ix) parking or storage of not more than one commercial vehicle or recreational vehicle or trailer of gross vehicle or trailer any of which may not have a weight rating exceeding 4,500kg;
 - (x) Temporary Building; and
 - (xi) stripping and/or grading, placement of fill, material alteration of vegetation or existing surface drainage patterns, pursuant to plans prepared by a Professional Engineer.
- (b) **Prohibited Uses** – without limiting the foregoing, the following uses are prohibited:
- (i) wetting or watering of the ground surface or subsurface or vegetation (including but not limited to, lawn) that may be detrimental or destabilizing to the lands, neighbouring lands, the escarpment or slopes, or adjacent park or reserve areas; and
 - (ii) tree removal from the ground surface or subsurface (including but not limited to, deadfall removal) that may be detrimental or destabilizing to the lands, neighbouring lands, the escarpment or slopes, or adjacent park or reserve areas.

7. Development Regulations

Respecting this District and lands therein:

- a) the provisions of this District shall govern in the event of a conflict or inconsistency between this District and any other provisions of this Land Use Bylaw;
- b) the subdivision or Development Authority shall not be bound by the regulations set out in Parts 2 and 3 of the Land Use Bylaw;
- c) Part 4 of the Land Use Bylaw does not apply to this District, except for provisions 4.7(8) (Home Occupations), 4.7(4) (Objects Prohibited) and 4(10) (Home Music Instructor/Instruction);
- d) any site grading shall be designed to drain surface water away from the escarpment;
- e) any Water Retaining Structures, water lines, underground sprinklers or irrigation systems shall be installed with an acceptable leak detection system and monitored and maintained by the landowner to ensure proper operation

and no unauthorized leakage, and shall be directed away from the escarpment, slope, or adjacent park or reserve areas;

- f) all discharge from roof leaders and weeping tile systems shall be directed away from the escarpment or to professionally engineering drainage pathways (e.g. asphalt or half culvert drop structures);
- g) new vegetation should be selected from native types with deep root systems that can grow with a minimum of watering.
- h) upon connection to City utility services, private services (e.g. septic system, groundwater well, associated water lines) shall be removed, abandoned, closed-in and reclaimed, as applicable, pursuant to the City's Utility Bylaw;
- i) where existing residence are relocated, former basements located within the Restricted Development Area shall be filled pursuant to the design and supervision of a Professional Engineer;
- j) Lot depth minimum of 40.0m;
- k) Frontage minimum of 22.0m; and
- l) in considering a Subdivision or Development Permit application, the Subdivision or Development Authority shall have discretion (subject to the land use constraints set out in Sections 3,5 and 6 of this District), to determine the Site Plan, parking requirements, architectural treatment of buildings, and the relationship between buildings, structures and open space. Without limiting the foregoing, the following regulations shall apply to the location of Buildings unless varied by the Subdivision or Development Authority:

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

Front Yard setback minimum of 6.0m;

Side Yard setback minimum of 1.5m; and

Rear Yard minimum setback of 7.5m (except as required by the land use constraints of this District – e.g. subject to site specific geotechnical, the Restricted Development Area, and a 50m minimum where specified).

8. Approving Authority

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

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

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

Surveyor) as determined by the Subdivision or Development Authority, confirming any or all of the following:

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

9. Development Permits

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

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

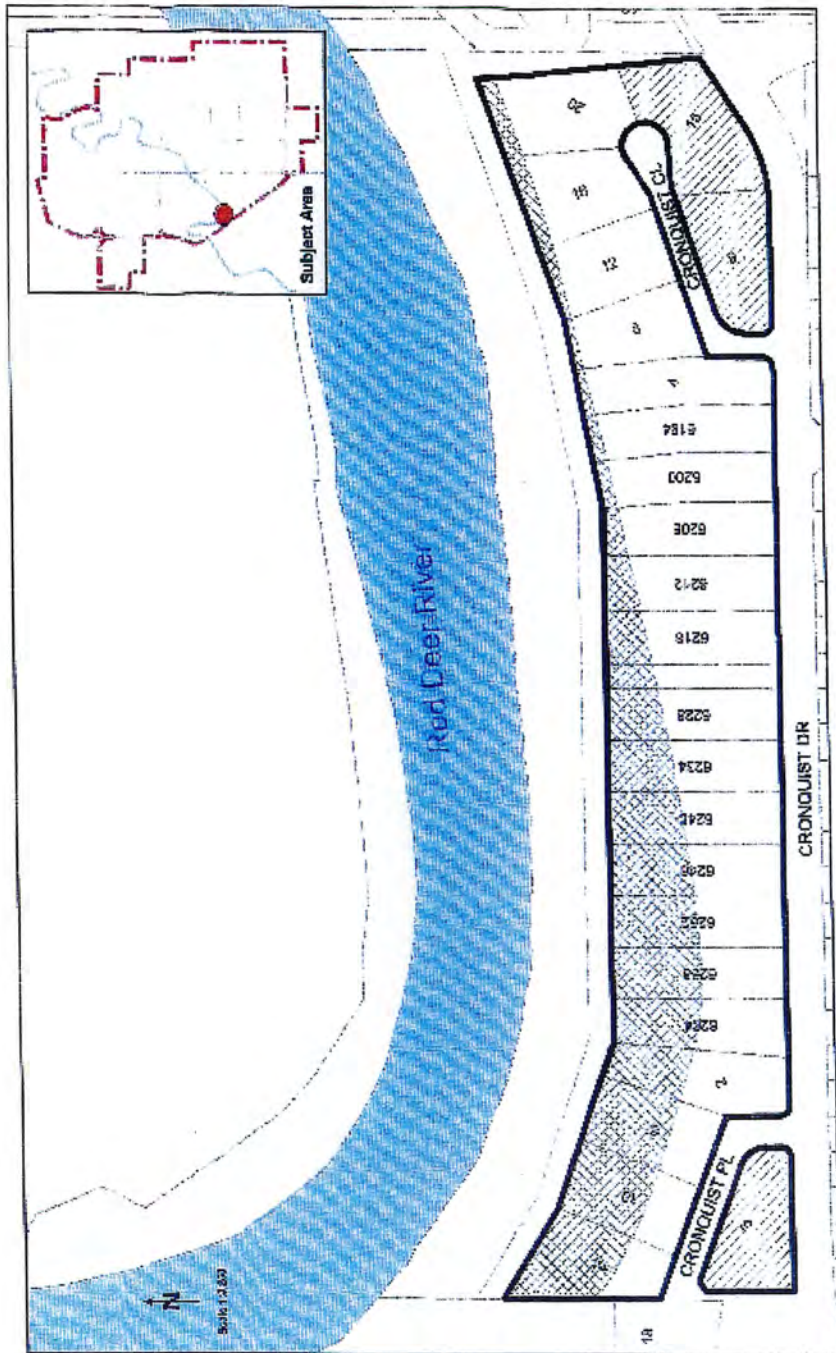
- (a) those Developments set out in “Application of the Land Use Bylaw” Section 1.2(2)(e), (f), (g), (j) and (l); and
- (b) up to 5 flow collectors (rain barrels) attached to authorized roof leaders, each collector having storage capacity of less than 420 litres).

10. Technical Reports

Where required by the provisions of this District or as further required by the Subdivision or Development Authority, applications for subdivision or Development shall be supported by a Report. Without limiting the foregoing, Reports:

- (a) may include, but are not limited to the following types: geotechnical, percolation, soil stability analysis, overland drainage and stormwater management, professional land use planning and risk analysis, emergency planning, landscape planning, architectural, lot grade planning, real property, and erosion and sediment control;
- (b) should reflect a “best practices” approach to the area of study (e.g. use currently recognized industry standards for risk assessment requirements);
- (c) shall include information and expertise rationally connected to the planning concern in question;
- (d) unless expressly varied by the Subdivision or Development Authority, shall be certified by a professional qualified in Alberta for the subject matter, which certification may be required to include express acknowledgement that the report is based upon full knowledge of the soil conditions and the location and design (including but not limited to the foundation) of all existing and proposed development on the subject lands;
- (e) should reflect the current state of the issue (i.e. up-to-date);
- (f) may be required to include a clear scaled and site-specific geo-referencing of the Restricted Development Area (and its relationship to any existing or proposed Development) and/or any further setback recommended by a more recent and site specific professional geotechnical assessment;
- (g) may be required to include site specific topographic information confirmed by site survey and/or photogrammetric or other data;

- (h) should, in assessing risk, factor the usage to be made of lands and structures, not just whether a structure is permanent or not and the physical impact of the structure;
- (i) should identify and explain the Development conditions for the property that are required and recommend for the purposes of mitigating property and personal risk and prolonging slope stability;
- (j) should provide a proposed reconciliation of any apparent inconsistencies between submitted site-specific reports and historic or known reports;
- (k) may be required to overlay all applicable and recommended setback lines and all site hazards identified through geotechnical assessment on plans showing aerial photograph information, field referenced to the actual top of bank;
- (l) may be required to include a detailed site plan approved by a Professional Engineer, designed to direct stormwater or overland flow toward the internal road system or professionally engineered pathways, and away from neighbouring properties, adjacent park or reserve lands, and/or escarpment or slopes.
- (m) may be required to use hazard-specific terminology that is consistent with existing reports used by the City including but not limited to the 2003, 2012 and 2014 reports prepared for the City by ParklandGeo;
- (n) may be required to include historical aerial photograph interpretation;
- (o) may be required to include subsurface exploration data derived from appropriate geotechnical drilling;
- (p) may be required to confirm that a geotechnical engineering consultant acting on behalf of the developer(s) participated in an actual top of bank walk as part of the preparation of the submitted report;
- (q) if a geotechnical report, shall be certified by a Professional Engineer.



Check the City of Red Deer
website for more information
on this project.

**Figure 1: DC District 32 Area
Westlake (formerly Riverview Park)**

Restricted Development Area Subdivision Consideration

8.21 Direct Control Districts General Regulations

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

8.22 Exceptions Respecting Land Use

1. Areas Specifically Designated for a Particular Use

- (a) In addition to the list of discretionary uses set out in the applicable land use district, those sites shall have the following additional discretionary uses and the Commission shall determine the floor area, yard requirements, building height, parking and loading requirements:

- (i) 40 Avenue and Ross Street (south side only) motor vehicle service and repair (no sales), car wash and drive-in,
- (ii) Lot 33, Block 1, Plan 772 2593 food establishment,
- (iii) 41 Avenue and Ross Street (southeast corner only) motor vehicle service and repair (no sales), car wash and drive-in,

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

- (b) On those sites listed below, medical offices and related facilities and related commercial services are discretionary uses provided that such offices shall not be located on any floor of the building which contains a dwelling unit. Parking lots are also a discretionary use for Block 4, Plan 6564 E.T.:

- (i) Block 4, Plan 6564 E.T. (5101 – 5129 39 Street & 5102-5130 38 Street)
- (ii) Lot 1, Block J, Plan 3999 R.S. (3939-50A Avenue),
- (iii) Lot 2, Block J, Plan 3999 R.S. (3947-50A Avenue),
- (iv) 5102-5130 38 Street and 5101 – 5129 39 Street.

- (c) On Lot 58, Block 14, Plan 792-0555 (88 Howarth Street), the development of C2B uses, except lounges, bars and amusement arcades may be allowed as discretionary uses, provided that landscaped buffers of 10 m and 3 m be developed along Howarth Street and the lane respectively, and be subject to all other provisions of the C2B Districts.

- (d) On those sites, or portions thereof herein listed, the following uses may be allowed as permitted uses:

- (i) One basement dwelling in a detached dwelling in addition to the uses listed in the R1 Use Table on:
 - (1) Lot 3C, Block E, Plan 792-3164 (5853-71 Street).
- (ii) Alberta Amateur Hockey Association Training Program and distribution of materials on:

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

¹ 3357/S-2009

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

- (ii) Upholstery business on:

¹ 3357/Y-2009

² 3357/P-2012

³ 3357/X-2013, Correction #31

⁴ 3357/Y-2014

⁵ 3357/D-2008

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

(iii) Semi-detached dwelling on:

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

(iv) ¹**DELETED**

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

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

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

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

(1) The security suite:

- (a) shall be located within the principal building on the site;
- (b) shall not be occupied by more than one (1) person dwelling in the suite;
- (c) shall be occupied by the owner or an employee whose primary responsibility is to provide surveillance, maintenance and/or security for the site; and
- (d) shall not contain more than one sleeping area

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

¹ 3357/T-2016

² 3357/E-2012

³ 3357/F-2013

⁴ 3357/EE-2013

additional parking space shall be designated for the security suite.

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

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

v. when listed as a use, the following uses may be incorporated into a Live-Work Unit:

- (a) artist's studio;
- (b) beauty and body service;

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

(i) Prosthetic services on:

(1) Lot 1A, Block 2, Plan 862-1950 (4926-55 Street).

(ii) ²Photographic studio on:

(1) DELETED – See 8.22(1)(g)(ii)

(iii) Hair salon on:

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

(iv) Detached dwelling with 2 basement units on:

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

(v) Contractor's business on:

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

(vi) ¹One basement dwelling suite on:

¹ 3357/H-2015

² 3357/T-2010

- (1) Lot 13, Block 36, Plan 5187 KS (5702 West Park Crescent)
- (2) Lots 25-26, Block 3, Plan 4516AC (4018 50 Street)

(vii) ²DELETED

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

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

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

- (1) fitness centre;
- (2) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet;
- (3) care of small animals such as a small animal veterinary;
- (4) commercial school
- (5) day care

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

- (6) prohibit uses that would result in associated noises, and/or odors extending beyond the interior of the building;
- (7) prohibit outdoor storage or display of materials associated with business.

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

(i) Office for a utility locating service on:

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

(ii) ¹A photography studio, Commercial Service Facility and related

¹ 3156/B-1998

² 3357/I-2013

³ 3357/A-2007

⁴ 3357/N-2013

signage on Lot 7, Block E, Plan K9 (4419 – 55 Street) but not including the following:

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

(2) kennelling of animals;

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

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

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

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

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

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

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

(iv) ³A Medical Marihuana Facility on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following development standards:

(1) no other use shall be allowed on the Site;

(2) the licensed processes and functions of the use shall be fully enclosed within the Building;

(3) no Outdoor Storage shall be allowed on the Site;

(4) all loading facilities shall be fully enclosed within the Building;

¹ 3357/T-2010

² 3357/U-2010

³ 3357/L-2016

- (5) all garbage containers and waste material shall be fully enclosed within the Building;
 - (6) the Site shall be fully enclosed by a fence;
 - (7) the use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
 - (8) the use shall not emit nuisances including, but not limited to, odour, noise and light, that may have a negative impact to adjacent Sites or the surrounding area; and
 - (9) the Site Plan, the Site access, the relationship between Buildings and open space, the architectural treatment of Buildings, landscaping, the minimum required loading spaces and parking spaces and the parking layout and surfacing shall be at the discretion of the Development Authority.
- (h) ¹DELETED
- (i) ²DELETED
- (j) ³DELETED
- (k) A low impact commercial use which complies with the provisions of section 5.7(6) may be allowed as a discretionary use on any lot along the north side of 49 Street between 46 Avenue and 47 Avenue, along both sides of Ross/50 Street between 46 Avenue and 47 Avenue and the lots adjacent to the east side of 47 Avenue between Ross/50 Street and 55 Street.
- (l) Notwithstanding anything in this Bylaw, on the sites listed below, a semi-detached dwelling unit shall be added to the list of permitted uses set out in the applicable land use district, but such semi-detached dwelling units must comply with the regulations applicable to the R1A district.
- (i) Lot 47 (4635 – 48 Street) and Lot 48 (4631 – 48 Street) Block C Plan 992 6203.
 - (ii) Lot 22 and Lot 23 Block C Plan K8 (4602B and 4602A – 47 Street).
 - (iii) Lot 33 and Lot 34 Block D Plan K10 (4621A and 4621B – 47 Street).
 - (iv) Lot 19A Block F Plan 3591 P (4612 – 44 Street).
 - (v) Lots 11A and 12A, Block F, Plan 022 0547 (4623A and 4623B – 45 Street).

¹ 3357/U-2009

² 3357/U-2009

³ 3357/U-2009

- (vi) Lot 19A (4309 – 46 Avenue) and Lot 20A (4310 – 45A Avenue) Block A Plan 2354 AE.
 - (vii) Lot 1 (4505 – 46 Avenue) and Lot 2 (4503 – 46 Avenue) Block K Plan 4900 R.
 - (viii) The most southerly sixty two and one half (62 ½) feet of Lots 1, 2, 3 and 4 and all of Lot 5, Block J Plan 4900 R (4601 – 46 Avenue).
 - (ix) Lots 45 and 46 Block J Plan 922 1244 (4519A and 4519B – 47 Street).
 - (x) Lot 1A, Block I, Plan 4900 R (4536 – 47 Street).
 - (xi) Lots 4 and 5, Block I, Plan 4900 R (4532A and 4532B – 47 Street).
 - (xii) Lots 10 and 11, Block I, Plan 4900 R (4520 – 47 Street).
 - (xiii) Lots 49 and 50, Block B, Plan 042 1756 (4644 – 48 Street and 4801 – 47 Avenue).
 - (xiv) Proposed Lots 5A and 6A Block F Plan 042 6407 (4642 – 44 Street).
- (m) Notwithstanding anything in this Bylaw, on the sites listed below, the uses shown below shall be added to the list of permitted uses set out in the applicable land use district, but the developments must comply with the regulations applicable to the R2 district and to the density and height restrictions specified below.
- (i) Lot 19A Block C Plan 2648 TR – a four unit multi-attached building (4606 – 47 Street).
 - (ii) Lots 6 and 7 Block I Plan 4900 R – a four unit multi-attached building (4526 – 47 Street).
 - (iii) The south 100' (one hundred feet) of Lots 1 to 4, Block F, Plan 3591 P – a six unit multi-attached building with a maximum height of two storeys (4405 – 47 Avenue).
 - (iv) Lot Z, Block E, Plan 3591 P (4624 – 45 Street) – a seventeen-unit apartment building at a maximum density of D95 and maximum height of three storeys.
 - (v) Lot 23, Block F, Plan 792 3231 (4616 – 44 Street) – an eight-unit apartment building at a maximum density of D87 and maximum height of two storeys.
- (n) On those sites or portions thereof listed, the following uses may be allowed as permitted uses:
- (i) Notwithstanding section 6.3(1) of this Land Use Bylaw, one new two storey building for the uses of paint supply, mixing paint, sale and distribution of automotive related finishes and parts may be built on Block N, Plan 3051HW (5825 Kerry Wood Drive) and may be expanded to include Lot 1, Block N, Plan 1861KS, if Lot 1, Block N, Plan 1861KS is consolidated by Plan of Survey with Block N, Plan 3051HW. This permitted use is subject to review of the building design by the Riverside Meadows Community Association and Municipal Planning Commission. The building is to be designed with a commercial appearance; outside storage will

be allowed provided it is adequately screened. All other standards are contained in sections 6.3(2) and 6.3(3). This land use exception will expire on July 15, 2010.

(o) On those sites or portions thereof listed, the following uses may be allowed as permitted uses:

(i) Notwithstanding section 6.3(1) of this Land Use Bylaw, warehouse and storage in a building in existence as of July 15, 2003 may be allowed as a permitted use on Lot 22 and 29, Block 17, Plan 7604S (5904-54 Avenue).

(p) Notwithstanding section 6.3(1), structural alterations, exterior renovations, expansions or additions are permitted uses for existing buildings located on the sites listed in section 6.3(1)(a)(xi), provided that they comply with the general purpose of the I1A/BSR District set out in section 6.3 and subject to Municipal Planning Commission approval of the site development.

(q) Signs, as listed within the C3 Commercial (Neighbourhood Convenience) District and which comply with the provisions of section 3.3 of this Bylaw, may be allowed as a discretionary use on Lot 1, Block 23, Plan 892 1574.

(r) ¹DELETED

(s) ²DELETED

(t) ³Notwithstanding Section 5.6 of this Land Use Bylaw, on Lot 5, Block 1, Plan 972-4056 a combined commercial restaurant and maximum 230 unit assisted living facility shall be a permitted use. This mixed use development requires approval by the Development Authority and is subject to the following development regulations/standards:

- (i) Floor areas minimum within the assisted living facility for a one bedroom unit shall be 46.5 square metres, and for a unit of more than one bedroom 65.0 square metres;
- (ii) Landscaping area minimum: 30% of site;
- (iii) Building height maximum: 4 storeys;
- (iv) Front Yard Minimum: 15.0 m;
- (v) Side Yard Minimum: 4.5 m;
- (vi) Rear Yard Minimum: 3.0 m;
- (vii) Parking: Subject to Section 3.1 and 3.2;
- (viii) Loading Spaces: One opposite each loading door with a minimum of one;
- (ix) Site Area Minimum: Existing parcel

¹ 3357/Z-2007, 3357/I-2013

² 3357/Z-2007, 3357/I-2013

³ 3357/G-2008

- (x) Site Frontage Minimum: 30.0 m
 - (xi) Any development standard not specifically referred to above including building elevations, shall be subject to approval by the Municipal Planning Commission;
 - (xii) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Municipal Planning Commission.
- (u) ¹To allow for compatible redevelopment on sites listed below multi-family and multi-attached residential buildings shall be added to the list of discretionary uses in the applicable land use district to allow redevelopment of the property to less than or equivalent gross floor area as the existing structure and to a maximum height of 2 storeys or 10 metres measured from the average of the lot grade. The Riverside Meadows Overlay District, section 7.11, shall continue to apply:

Lot	Block	Plan	Street Address
29	1	7621574	5963 60A Street
1-2	15	7604S	5514 60 Street
15-17	1	297BH	5904 60 Avenue
18	D	1846TR	5841 60 Avenue
19	D	1846TR	5837 60 Avenue
20	D	1846TR	5833 60 Avenue
22	D	1846TR	5829 60 Avenue
1A	2	1030NY	5713 60 Avenue
28-30	A	4359AH	5922 59 Avenue
9	4	4963TR	6042 58A Street
8	4	4963TR	6038 58A Street
7	4	4963TR	6034 58A Street
6	4	4963TR	6030 58A Street
5	4	4963TR	6026 58A Street
4	4	4963TR	6022 58A Street
3	4	4963TR	6018 58A Street
2	4	4963TR	6014 58A Street
1	4	4963TR	6010 58A Street
1-3	3	934AJ	5804 58 Avenue
9-10	5	7604S	5921 58 Avenue
14	C	5534HW	5920 58 Avenue
21	3	9720243	5816 58 Avenue
26	4	8022765	5811 58 Avenue
19A	2	7621867	5804 58 Avenue
19B	2	7621867	5802 58 Avenue
Z	5	7604S	5918 57 Avenue
13-14	5	7604S	5910 57 Avenue

¹ 3357/U-2009

15-16	5	7604S	5906 57 Avenue
9	9	5692KS	5819 57 Avenue
7-8	9	7604S	5815 57 Avenue
25	4	8020600	5812 57 Avenue
27	3	7923071	5714 57 Avenue
25-26	3	7604S	5704 57 Avenue
1-3	1	3331AJ	5639 56 Street
9-11	1	3331AJ	5621 56 Street
25-26	7	7604S	6010 56 Avenue
3-4	15	7604S	6005 56 Avenue
1-2	15	7604S	6001 56 Avenue
18-19	9	7604S	5816 56 Avenue
20-21	9	7604S	5812 56 Avenue
1-2	13	2800AJ	5805 56 Avenue
10-11	12	5296HW	5721 56 Avenue
8A	12	7921790	5715 56 Avenue
25-30	1	3331AJ	5608 55 Street
Z	23	7604S	5914 52 Avenue

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

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

- ²(w) In order to accommodate diverse forms of advertising within the C1 and C4 Districts for sites that have no less than 100 metre frontage on Gaetz Avenue and offer conference and convention space, *Dynamic Signs* which comply with section 3.4(14) of this bylaw may be allowed as a discretionary use on the following sites:

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

¹ 3357/U-2009 .

² 3357/F-2013, 3357/R-2010

- ¹(x) On the site listed below, the relocation of a Dynamic Sign, lawfully in existence on September 30, 2010 to another location on the same site, is a discretionary use provided that the dynamic portion of the sign is not altered and provided that the sign complies with the applicable provisions of sections 3.3 and 3.4.

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

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

¹ 3357/Y-2010, Clerical Correction re: numbering

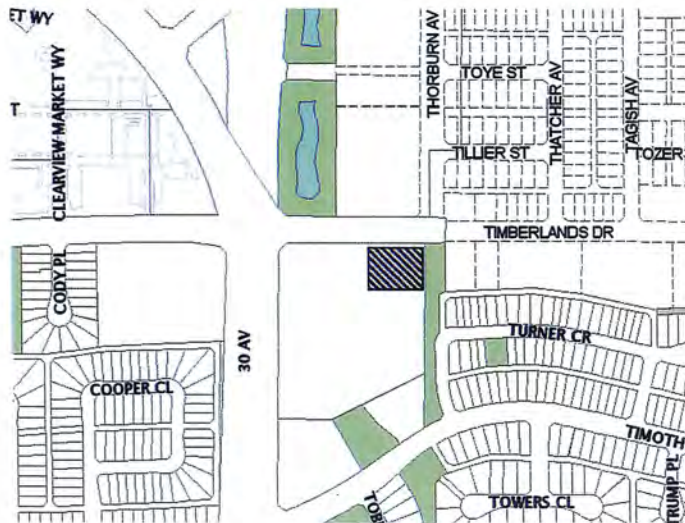
² 3357/H-2013

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

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

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

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



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

¹ 3357/L-2014

² 3357/D-2015

³ 3357/F-2015

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

2. Areas Specifically Exempted from a Particular Use

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

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

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

- (i) a gaming or drinking establishment:

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

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

- (d) ³On Lot 1, Block 7, Plan 952 0967 (2827-30 Avenue) the following uses shall not be allowed as either permitted or discretionary uses:

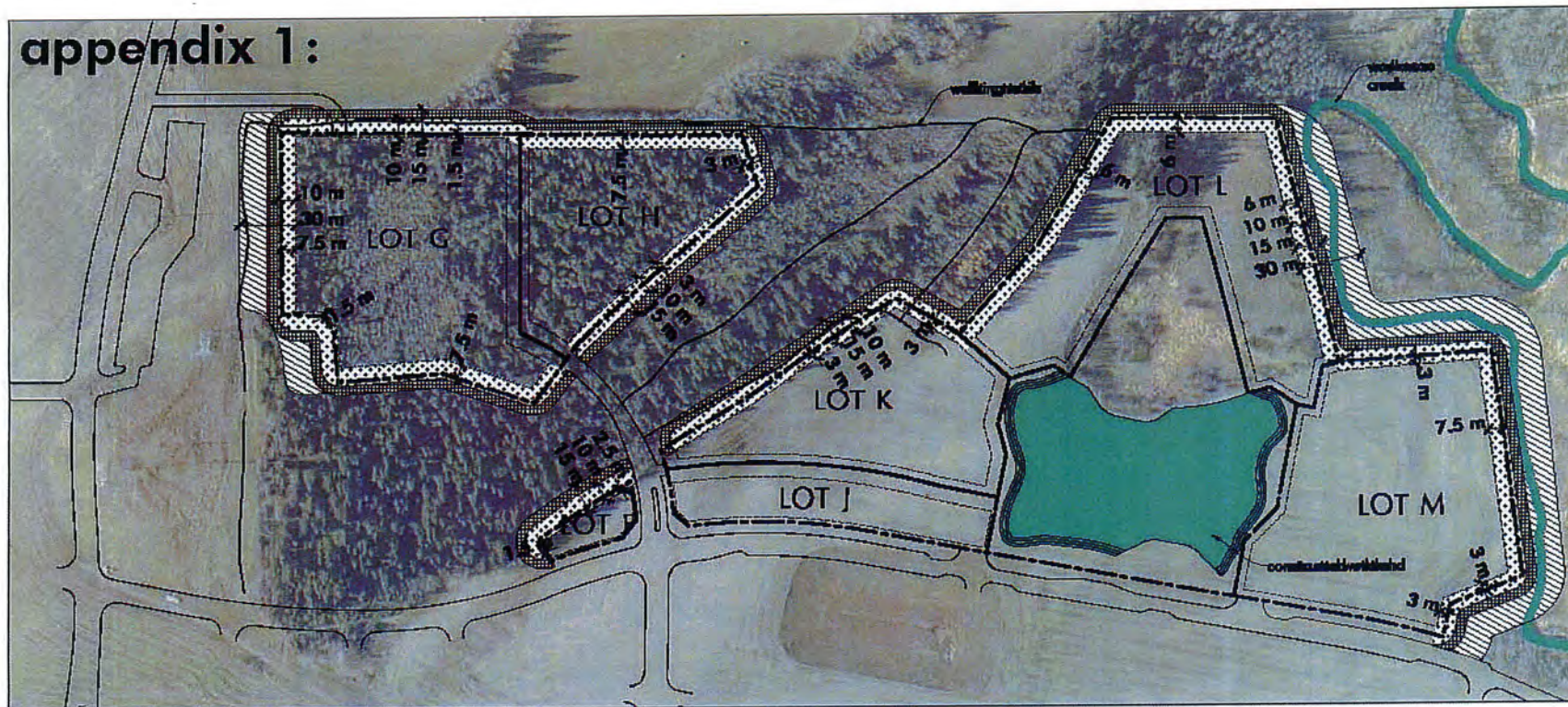
- (i) Liquor Store
- (ii) Sale of Fuel

¹ 3357/U-2015

² 3357/V-2014

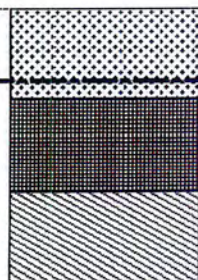
³ 3357/T-2016

appendix 1:



maximum extent of building pockets as per DC zoning

residential parcel property lines



zone 1:

Flammable vegetation surrounding buildings is eliminated or converted to less flammable species. Distance between building footprint and untreated trees is 10 m.

agreement zone:¹

City of Red Deer has agreed to expand zone 1 by up to 5 m if required by any future revision to firesmart guidelines

¹ See Land Purchase Agreements, dated October 23, 2009

zone 2:

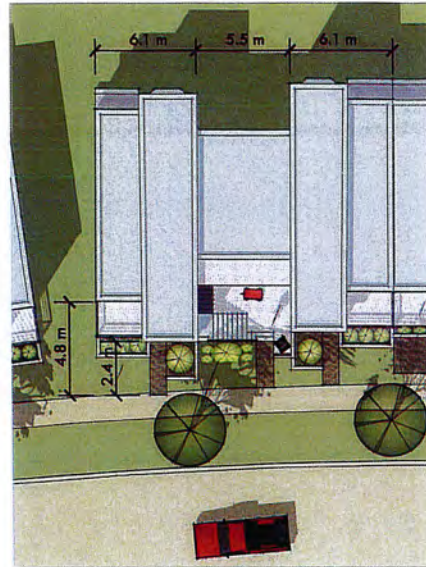
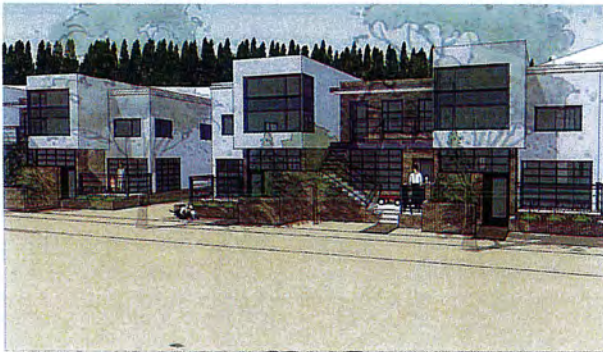
Area of reduced flammable vegetation, with variety of thinning and pruning actions.

firesmart interpretation
of maximum vegetation setbacks based
on maximum building footprints

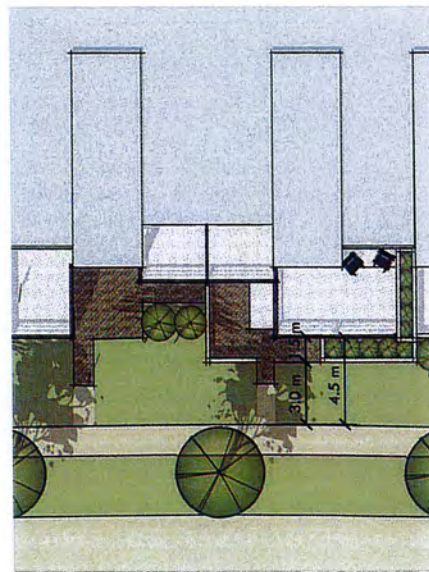
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Appendix 2: Front Yard Concepts

Multi-attached



Multiple Family/ Multiple Family Live Work



¹8.20.6 Direct Control District No. 26 DC (26) (See Map K16)**DC (26)****General Purpose**

The general purpose of this District is to permit redevelopment of the Valley Park Manor Site located at Lot B, Block 9, Plan 1919RS which satisfies the objectives of the *Riverside Meadows Area Redevelopment Plan*. Redevelopment of the site would be for compatible uses that are designed in accordance with the Riverside Meadows Overlay District to ensure quality and careful integration with the existing residential context of the neighbourhood and adjacent school site.

1. DC (26) Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Nursing Home
(ii)	Accessory building subject to sections 3.5 and 4.7(3)
(b) Discretionary Uses	
(i)	Detached dwelling unit
(ii)	Semi-detached dwelling unit
(iii)	Townhouses
(iv)	Seniors Lodge
(v)	Children Day Care Facility
(vi)	School
(vii)	Physical rehabilitation centre
(viii)	Designated seniors supportive living
(ix)	² Show Home or Raffle Home.

2. DC (26) Regulations

- (a) Development should generally be consistent with the R2 Medium Density Residential land use district requirements. The maximum height is 2 storeys or 10 metres.
- (b) All development must comply with the design regulations provided in the Riverside Meadows Overlay District, Section 7.11

3. Approving Authority

- (a) The Development Authority is the approving authority for all uses, and development in this district.

¹ 3357/U-2009² 3357/T-2015

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

DC (27)

²General Purpose

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

1. Permitted and Discretionary Uses Table

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

¹ 3357/Q-2010

² Correction #29

(b) Discretionary Uses

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

2. ³ Approving Authority

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

(a) ⁴the Development Authority, in the case of:

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

(b) ⁵City Council in the case of:

- (i) an application for a Permitted Use over 50,000 square feet (4,645 m²);
- (ii) an application for a Permitted Use which does not comply with the provisions of this district; and
- (iii) applications for Discretionary Use except as noted in subsection (a) (ii).

¹ 3357/B-2013

² 3357/T-2015

³ Correction #29

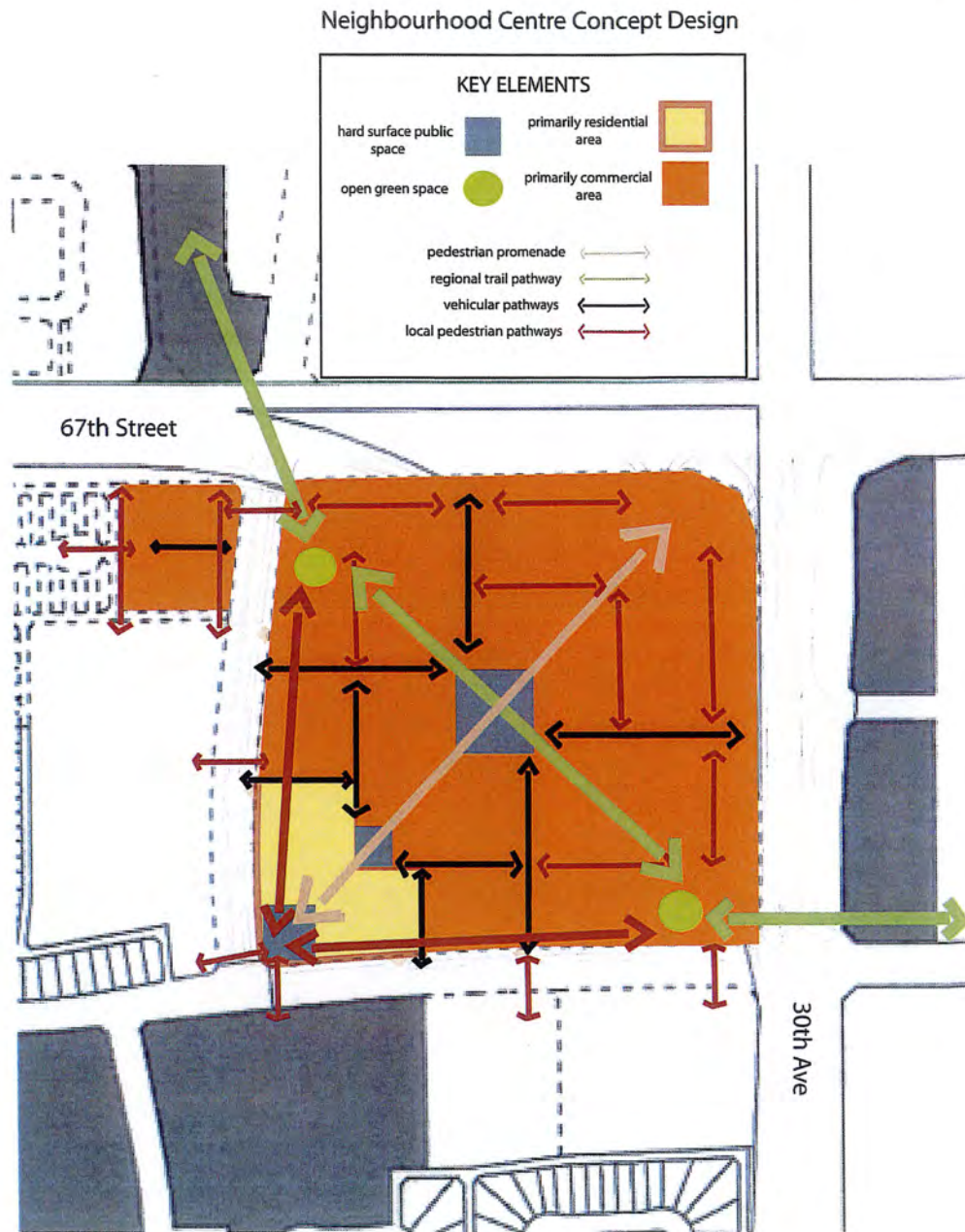
⁴ 3357/A-2012, 3357/I-2013

⁵ 3357/I-2013

- (c) The Development Authority may permit deviation from the Site Plan and Design Package as described in this bylaw, where the proposed changes are deemed by the Development Authority to be minor in scale or are changes that will result in an equal or greater standard of development than that outlined in the Site Plan and Design Package;
- (d) Where the Development Authority deems that the proposed deviation from the Site Plan and Design Package is major in scale or will result in a lower standard of development than that outlined in the Site Plan and Design Package as described in this bylaw, these changes must be approved by City Council.”

3. Concept Design

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



4. General Design Guidelines

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

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

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

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

(c) Key Elements

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

(i) Hard Surface Public Spaces: Priority 1

Purpose and Location:

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

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

Components and Programming:

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

Design and Relationship with Adjacent Buildings:

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

Linkages:

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

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

(ii) Pedestrian Promenade: Priority 2

Purpose and Location:

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

Design and Relationship with Adjacent Buildings:

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

Components and Programming:

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

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

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

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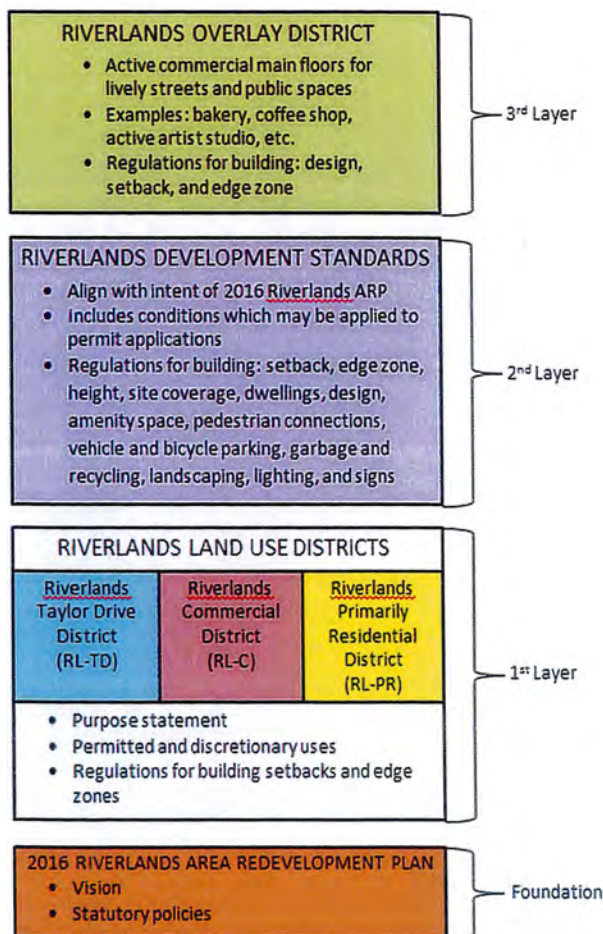
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Part Ten: Riverlands Districts and Development Standards

10.1 Interpretation

Part Ten: Riverlands Districts and Development Standards are specific to the Riverlands area Boundary, identified within figures of Part Ten, of Greater Downtown and are not applicable to Developments outside of Riverlands. This Part contains uses and development standards key to facilitate the development of Riverlands into a community with vibrant Streets, safe and activated Public Spaces, and great Building design. The Riverlands Districts and Development Standards form part of an overall development plan for the Riverlands Area. Figure 1 describes the various layers of development in the Riverlands Area and how they relate.

Figure 1 LAYERS TO CREATE GREAT DEVELOPMENT



Development is guided by many layers of regulations. In Riverlands, there are three Land Use Districts which form the foundation for development. There are also Development Standards which provide an additional level of direction. In some areas of Riverlands, an Overlay District is applied. These regulations apply to specific areas in Riverlands. They have been strategically located to create lively streets and public spaces. Together, these regulations help to create a great neighbourhood.

To achieve this vibrant urban community envisioned for Riverlands, where the uses and development standards contained in Parts One – Nine in the Land Use Bylaw contradict or will not serve to achieve the uses or development standards contained in Part Ten: Riverlands Districts and Development Standards, the uses and development standards in Part Ten shall prevail.

Activation of the **Movement Corridors**, **Streets**, and **Public Spaces** has been designed in this Part by carefully identifying **Edge Zones** (Section 10.6.3), and strategic locations for **Movement Corridors** or **Street oriented active Commercial** uses crucial for lively **Movement Corridors**, **Streets**, and **Public Spaces** identified in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the uses and development standards contained in the Riverlands Taylor Drive District, the Riverlands Commercial District and the Riverlands Primarily Residential District contradict or will not serve to achieve the uses or development standards contained in Section 10.5 Active Commercial Main Floors Overlay District, the uses and development standards in Section 10.5 Active Commercial Main Floors Overlay District shall prevail.

Sections 10.1.2 General Definitions and 10.1.3 Use Definitions are specific to this Part and do not apply to the rest of the Land Use Bylaw. It is important to note that definitions in this Part, which are capitalized for ease of reference, may be defined in Section 1.3 Definitions or Section 3.3 Sign Regulations of the Land Use Bylaw. The definitions with the first letter bolded are contained within Part 10, the remainder of definitions are in Section 1.3 and 3.3. Where the definitions in Sections 1.3 or 3.3 contradict those contained in Sections 10.1.2 and 10.1.3 of this Part, the definitions in Sections 10.1.2 and 10.1.3 shall prevail.

This Part 10 does not alter or prohibit, nor should it be read as an intention to alter or prohibit, the uses allowed in other Districts as set out within this Bylaw. For example, while “**Coffee Shop**” is defined and listed as a use within the **Riverlands Districts**, this does not prohibit the use in other districts of the Bylaw that do not have “**Coffee Shop**” specifically listed as a use.

10.1.2 General Definitions

General definitions not found in this Part may be found in Section 1.3 Definitions or Section 3.3 Sign Regulations of the Land Use Bylaw

Active Commercial Main Floor means **Main Floor Commercial** uses which generate pedestrian engagement at the **Movement Corridor** and/or **Street** level (for example, a **Coffee Shop**, an **Active Artist Studio**, or **Merchandise Sales**). Attributes which contribute to an **Active Commercial Main Floor** include **Patios**, transparent store fronts, window displays, and outdoor seating.

Amenity Space means an indoor or outdoor space in Assisted Living Facilities or Buildings with Dwelling Units designed for active and passive recreational use (for example, sitting areas, playgrounds, pools, patios, balconies, decks, and exercise rooms).

Bicycle Storage means an easily accessible structure that provides a cyclist with the ability to securely lock the frame of a bicycle to a secure structure, rack, railing, locker, or other structurally sound device specifically designed to securely park or store one or more bicycles in an orderly fashion. **Bicycle Storage** may be provided indoor or outdoor.

Building Lighting means lighting that has been integrated into the exterior design of the Building to highlight key aspects or functions of the Building (for example, accent lighting).

Commercial means a use of land primarily related to or used for the buying and selling of goods and services to the public (for example, a bank, a retail outlet, a restaurant, or a **Hotel**).

Edge Zone means the setback between a Building and the abutting **Street**, **Movement Corridor**, or **Public Space**. **Edge Zones** are intended to reflect **Movement Corridors** as identified in the Riverlands Area Redevelopment Plan 2016. **Commercial Edge Zones** enable **Commercial** activities to spill-out into the public realm and add life to the **Street**, **Movement Corridor**, or **Public Space** (for example, outdoor serving or product display). **Residential Edge Zones** provide a privacy threshold as well as an outdoor space for **Residential** activities (for example, play areas or porches).

Entrance Lighting means exterior lighting that is located above or adjacent to the primary and secondary entrances of a Building.

Hardscaping means landscaping using hard-surfaced materials such as decorative stonework, retaining walls, **Walkways**, or other similar landscape-architectural elements. **Hardscaping** excludes **Softscaping**.

Interior Site means a site that is interior to the block. An **Interior Site** cannot be a **Corner Site**.

Main Floor means the floor of the Building that is closest to the ground level.

Movement Corridor means corridors that facilitate movement throughout the **Riverlands Districts** and that balance the needs of all users: pedestrians, private vehicles, service vehicles, public transit and bicycles.

Parapet Wall means a low wall or barrier which is an extension of the wall at the edge of a roof, terrace, balcony, **Walkway**, or other Structure, or an architectural feature to screen mechanical equipment.

Public Space means a space that is available to the public on public land (for example, a public park, square, or plaza) and may incorporate amenities catering to everyday life. It is a space that is available for social interaction and public enjoyment.

Residential means a use of land primarily related to or used for private residence housing (for example, a Multi-attached Building, Multiple Family Building).

Riverlands Districts mean the Riverlands Taylor Drive District (RL-TD), the Riverlands Commercial District (RL-C), the Riverlands Primarily Residential District (RL-PR) and the Riverlands Active Commercial Main Floors Overlay District.

Roof Terrace means a raised flat surface on which people can gather, that is located on top of a roof or partially recessed within the roof Structure of a Building, does not project beyond any façade of the storey below, is surrounded by guardrails, Parapet Walls or a similar feature, and is intended for use as an Amenity Space.

Screened means landscaping or similar materials which serve to enhance the visual appearance of a Site while mitigating the exposure of unsightly facilities.

Sidewalk means a hard surfaced public infrastructure path for pedestrians within the road right-of-way and part of public lands.

Softscaping means landscaping using plant material such as grass turf, trees, shrubs, and flowers. With the exception of manufactured materials used for containers such as planters or tree pits. Softscaping excludes Hardscaping.

Trail Lighting means a system of light fixtures or poles providing lighting for Walkways and gathering areas.

Vertical Greening means all plant material such as climbing vines or cascading ground cover that grow up, down or from the façade of a Building, privacy screen or other free standing Structure. Plant material can be rooted at the base of the Structure, in intermediate planters or on rooftops. The plant material can also be rooted into the wall itself.

Walkway means a passage or path for pedestrians located on private land.

10.1.3 Use Definitions

Use definitions not found in this Part may be found in Section 1.3 Definitions or Section 3.3 Sign Regulations of the Land Use Bylaw

Active Artist Studio means a use where the general public may participate in, or spectate, art related activities and where an instructor may perform or teach the art for the general public (for example, public painting, public glass blowing, or public pottery).

Artist Gallery means a use where art is made available for public display. Artist Gallery may include the sale of art pieces.

Artist Studio means a use where the primary function is the creation or production of art by an artist or group of artists. **Artist Studios** may include the sale of art pieces produced by that use.

Bakery means a use where the primary function is the preparation and sale of items such as breads, pastries, and cakes. A **Bakery** may include the sale of non-alcoholic beverages and food prepared within this use for public consumption within the premises or off the Site as an Accessory Use. If the seating area exceeds the size of the preparation portion of the use, it will be considered a Restaurant. If there is no seating area or sale of products for public consumption on or off the Site, it will be considered a processing facility.

Business Incubator means a use accommodating leasable **Commercial** space with communal washrooms and a shared reception area. The intent of a **Business Incubator** is to facilitate the need for a short term space in-between a Home Occupation and a larger independent **Commercial** space.

Butcher means a use where the primary function is the preparation of and sale meats. A **Butcher** may include the sale of non-alcoholic beverages and food prepared within this use for public consumption within the premises or off the Site as an Accessory Use. If the seating area exceeds the size of the preparation portion of the use, it shall be considered a Restaurant. If there is no seating area or sale of products for public consumption on or off the Site, it shall be considered a processing facility.

Coffee Shop means a use where the primary function is the preparation and sale of non-alcoholic beverages to the public for consumption within the premises or off the Site. A **Coffee Shop** may include the sale of food prepared within this use for public consumption as an Accessory Use. If there is a **Commercial** kitchen used for food preparation, it will be considered a Restaurant.

Community Entrance Feature means a sign or structure identifying the name of a neighbourhood.

Convenience Food Store means a use where a limited range of daily household goods and fresh and packaged food is sold (for example, a corner store). A **Convenience Food Store** serves the adjoining neighbourhood and may have extended operating hours. A **Convenience Food Store** may include the sale of non-alcoholic beverages and food prepared within this use for public consumption as an Accessory Use.

Courtyard means an enclosed, or partially enclosed, semi-private outdoor space located on private land. A **Courtyard** facilitates access to greenspace that is sheltered from wind and noise and may provide a closed off area for children to play.

Existing Building means a Building that existed at the time of passing of Bylaw 3357/Q-2016 on December 5, 2016 and amendments thereto.

Grocery Store means a use where a wide variety of fresh and packaged food, and household goods, is sold. A **Grocery Store** serves residents and businesses of the district in which the use is located.

Hotel means a use providing temporary sleeping accommodation using rooms or suites, other than Dwelling Units, and where the rooms have access from a common interior corridor. A **Hotel** may include Accessory Uses such as, but not limited to, a Restaurant, a Drinking Establishment (adult entertainment prohibited), meeting rooms, banquet rooms, and a gift shop. A **Hotel** does not include a motel.

Information Service Provider means a use where services, expertise or access to information is provided to the general public without appointment (for example, a tourism information centre). An **Information Service Provider** may include counter services or line ups, but does not have storage facilities, or produce or sell goods directly to the public.

Liquor, Beer, and/or Wine Sales means a use where prepackaged alcoholic beverages are sold for consumption off the premises and that has been licensed by the Alberta Gaming and Liquor Commission (for example, a specialty wine store, liquor store or off-sale outlet).

Market means a use where individual vendors provide goods for sale directly to the public, where the goods may be sold both inside and outside of a Building, and where the vendors may change on a frequent or seasonal basis (for example, a farmers **Market** or an artisan **Market** that sells finished consumer goods, food products, produce, flowers, handcrafted articles, antiques, or second hand goods).

Merchandise Sales means the sale of goods to the public for use or consumption rather than for resale. Display of such goods is done in a way which will promote interest and entice the customer to make a purchase. **Merchandise Sales** may include stocked merchandise on the premise in quantities sufficient only to supply the premises.

Mixed Use Commercial/Office with Dwelling Units means a use where there is a mix of Commercial/Office uses integrated with Residential Dwelling Units in the same Building. The arrangement of uses may be vertically or horizontally integrated. Residential Dwelling Units do not have to be located above the **Main Floor**.

Open Space means a use where picnic areas, **Open Space** facilities, playgrounds or tot lots, outdoor rinks, amphitheaters, and other passive recreational activities for use by the general public may occur.

Parking Structure means a use where motor vehicles are parked for a short duration, in a multi-tiered Structure and may be independent of any other use.

Print Centre means a use where printing, duplicating, binding or photographic processing of graphic and printed materials are completed on a custom order basis for individuals or businesses. A **Print Centre** may include self-service photocopiers and the incidental sale of products relating to the services provided by the use.

Radio, Television, and Recording Studio means a use where radio, television, motion pictures, or audio performances are produced, recorded, or broadcasted.

Seasonal Sales Area means a temporary use with a defined start and end time frame, where seasonal goods are displayed and offered for sale and those goods are not fully contained within an enclosed Building (for example, a Christmas tree sales centre, a temporary greenhouse sales centre, or a temporary ice cream shop). A **Seasonal Sales Area** may or may not accompany another use.

Social Organization means a use where recreation, social, or cultural activities or events for the members of a group (private clubs, groups, organizations, or associations) are held. A **Social**

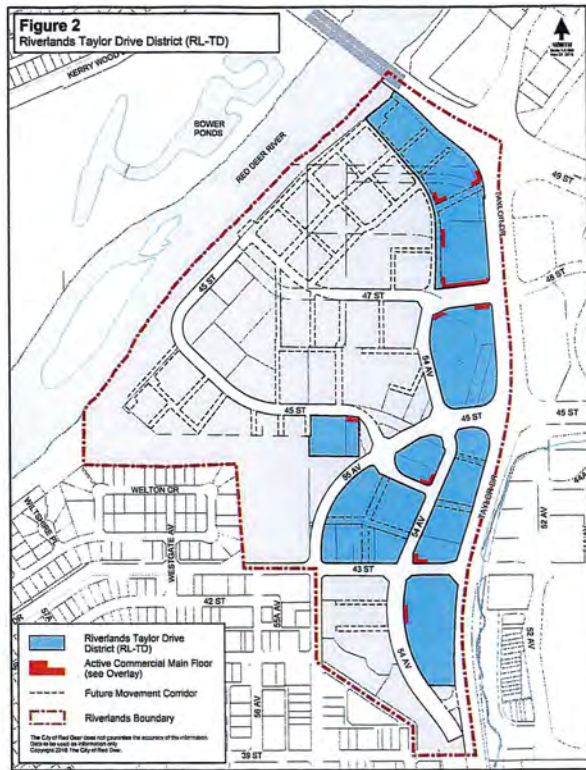
Organization may include the preparation of food and non-alcoholic beverages for public consumption within the premises or off the Site as an Accessory Use and/or Office use as an Accessory Use.

Specialty Food Store means a use where food and non-alcoholic beverages are made and where the food products associated with the use may be sold within the premises (for example, a specialty chocolate, cheese, or soda shop). A **Specialty Food Store** may include the sale of non-alcoholic beverages and food prepared within this use for public consumption within the premises or off the Site as an Accessory Use. A **Specialty Food Store** may include the packaging, bottling, or shipping of the products made as part of the use, but does not include a Microbrewery.

Riverlands Taylor Drive District (RL-TD)

General Purpose

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



10.2.1 Permitted Uses

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

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

10.2.2 Discretionary Uses

- (a) Drive thrus are not allowed in the Riverlands Taylor Drive District.
- (b) With the exception of the portions of Sites identified in Figure 2 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Taylor Drive District:
 - (i) Accessory Use
 - (ii) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) Assisted Living Facility
 - (iv) Commercial Entertainment Facility
 - (v) Commercial Recreational Facility
 - (vi) Commercial Service Facility
 - (vii) **Community Entrance Feature**
 - (viii) Drinking Establishment (adult entertainment prohibited)
 - (ix) Gaming or Gambling Establishment
 - (x) Home music instructor/instruction (six students)
 - (xi) Home Occupation which will generate additional parking
 - (xii) Institutional Service Facility (excluding detention and correction centres)
 - (xiii) **Liquor, Beer, and/or Wine Sales**

- (xiv) Microbrewery
- (xv) Parking Structure
- (xvi) Public and Quasi Public Buildings
- (xvii) Outdoor display of goods and sales
- (xviii) Seasonal Sales Area
- (xix) Social Organization
- (xx) Temporary surface parking lot

10.2.3 Riverlands Taylor Drive District Development Standards

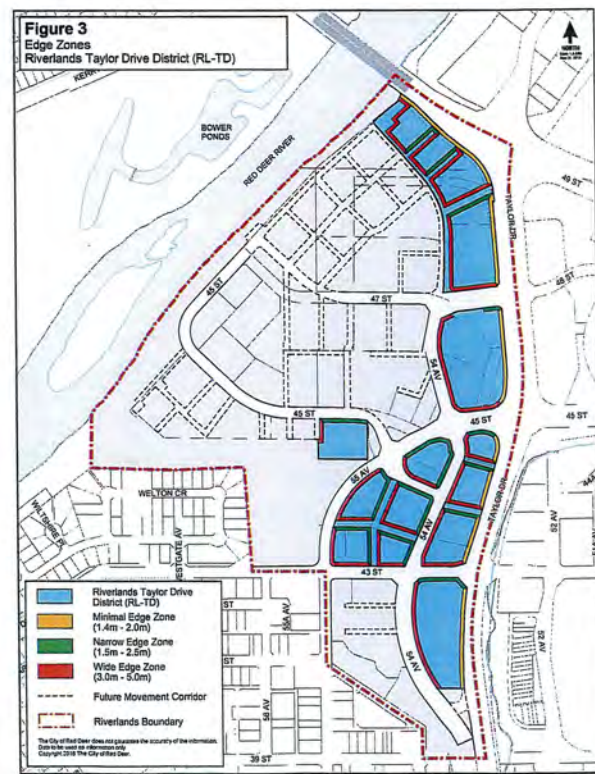
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.2 Riverlands Taylor Drive District contradict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

10.2.3.1 Building setbacks

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

10.2.3.2 Edge Zones

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

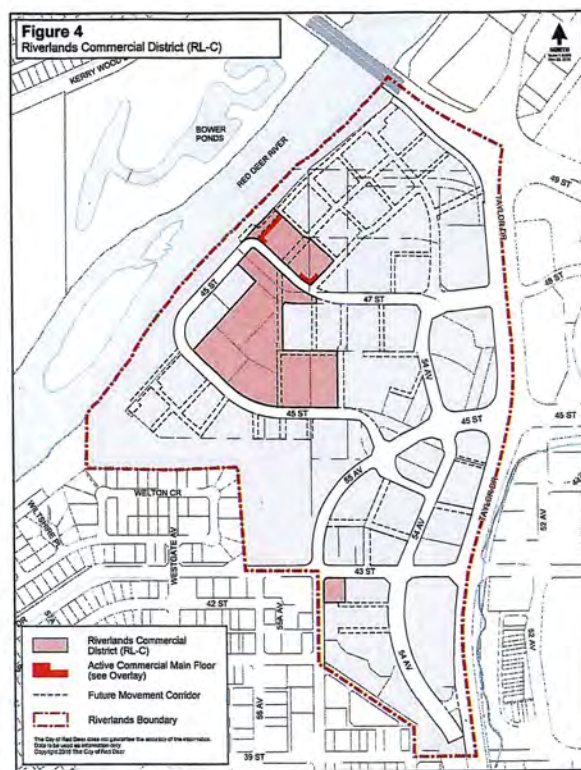


See Figure 10 Commercial Edge Zone Illustration in Section 10.6.3.1 and Figure 11 Residential Edge Zone Illustration in Section 10.6.3.2

10.3 Riverlands Commercial District (RL-C)

General Purpose

To facilitate the redevelopment of the Riverlands area of Downtown Red Deer consistent with Riverlands Area Redevelopment Plan 2016, specific to the lands generally located on the centre-west portion of Riverlands between 45th Street and 47th Street, including lands located in the existing Cronquist Business Park (Figure 4). The Riverlands Commercial District functions primarily as a Commercial/Office area with no Residential to reflect existing Commercial/Office uses occurring in Cronquist Business Park.



10.3.1 Permitted Uses

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

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

10.3.2 Discretionary Uses

- (a) Drive thrus are not allowed in the Riverlands Commercial District.
- (b) With the exception of the portions of Sites identified in Figure 4 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Commercial District:
 - (i) **Accessory Use**
 - (ii) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) **Community Entrance Feature**
 - (iv) **Drinking Establishment (adult entertainment prohibited)**
 - (v) **Gaming or Gambling Establishment**
 - (vi) **Institutional Service Facility (excluding detention and correction centres)**
 - (vii) **Liquor, Beer and/or Wine Sales**
 - (viii) **Microbrewery**
 - (ix) **Outdoor display of goods and sales**
 - (x) **Parking Structure**
 - (xi) **Public and Quasi Public Buildings**
 - (xii) **Seasonal Sales Area**
 - (xiii) **Social Organization**
 - (xiv) **Temporary surface parking lot**

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

10.3.3 Riverlands Commercial District Development Standards

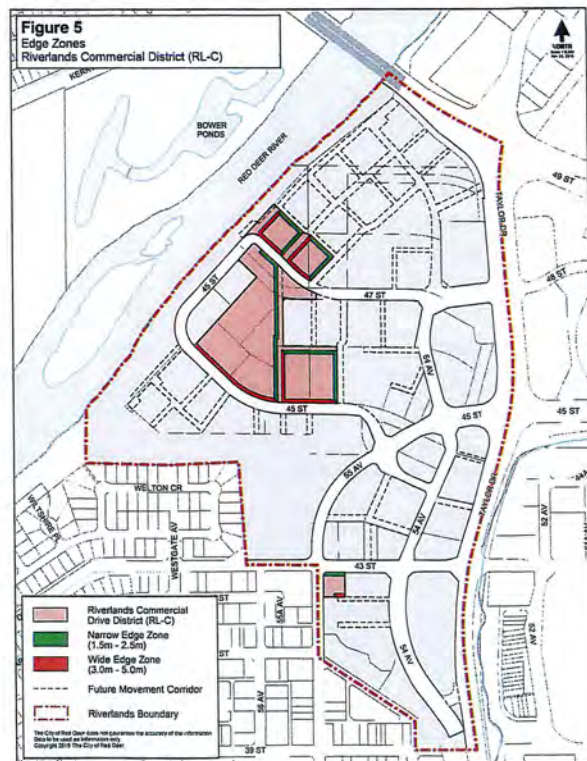
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.3 Riverlands Commercial District contradict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

10.3.3.1 Building setbacks

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

10.3.3.2 Edge Zones

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



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

10.4.2 Discretionary Uses

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

10.4.3 Riverlands Primarily Residential District Development Standards

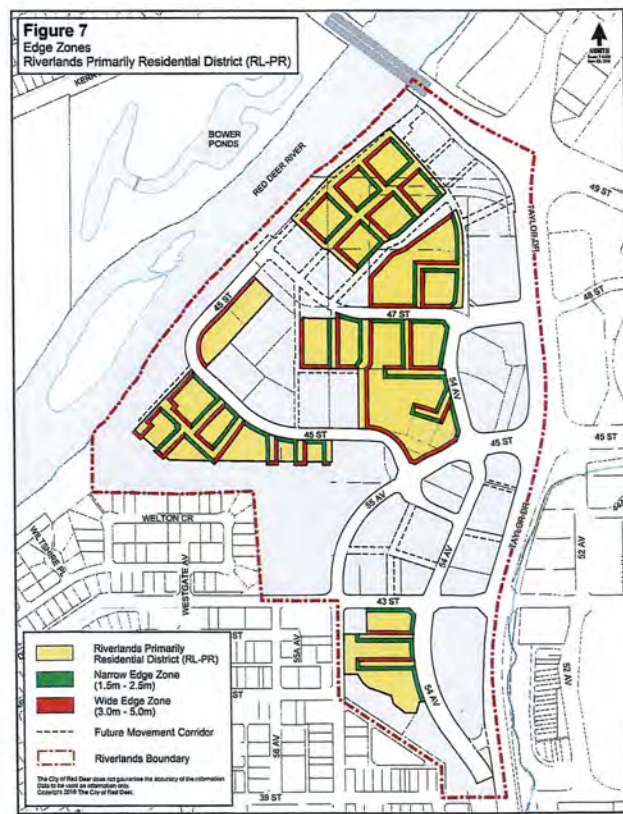
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.4 Riverlands Primarily Residential District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

10.4.3.1 Building setbacks

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

10.4.3.2 Edge Zones

- (a) The following **Edge Zone** minimums and maximums shall be applied to new Buildings in the Riverlands Primarily Residential District, in accordance the Riverlands Primarily Residential District **Edge Zone** (Figure 7):
 - (i) **Narrow Edge Zone**, minimum 1.5 m, maximum 2.5 m; and
 - (ii) **Wide Edge Zone**, minimum 3.0 m, maximum 5.0 m.
- (b) **Edge Zone** development standards are split into two (2) categories; **Commercial Edge Zones** and **Residential Edge Zones**. Section 10.6.3.1 **Commercial Edge Zones** shall be applied where the abutting **Main Floor** contains (or will contain) **Commercial** uses. Section 10.6.3.2 **Residential Edge Zones** shall be applied where the abutting **Main Floor** contains (or will contain) **Residential** uses.



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

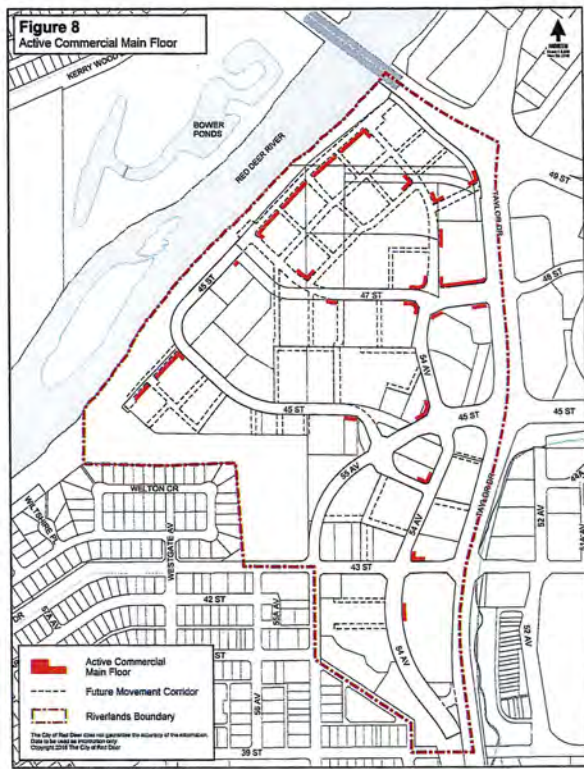
10.4.3.3 *Live Work Unit Development Standards*

- (a) The following shall not be varied by the Development Authority:
 - (i) The “work” portion shall be operated at the **Main Floor** level and the “live” portion shall be located above the **Main Floor**.
 - (ii) The “work” portion shall be operated by a resident of the “live” portion.
 - (iii) Each Live Work Unit shall have individual Street level access.
 - (iv) A Live Work Unit shall not have a front attached garage.
 - (v) The following uses may be considered as the “work” portion of a Live Work Unit:
 - i. **Artist Gallery**;
 - ii. **Artist Studio**;
 - iii. Beauty shop, hair salon, barber shop, massage business, tanning salon, and fitness centre;
 - iv. Counseling service;
 - v. Office;
 - vi. Repair or sales or apparel, crafts, and jewelry that are made on the premise;
 - vii. **Merchandise Sales**; and
 - viii. Other similar **Commercial** uses approved by the Development Authority
 - (vi) A Live Work Unit shall not be individually separated through any subdivision or condominium plan.

10.5 Riverlands Active Commercial Main Floors Overlay District

General Purpose

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



10.5.1 Permitted Uses

- (a) Drive thrus are not allowed in the Riverlands Active Commercial Main Floors Overlay District.
- (b) The following uses are Permitted Uses in the Riverlands Active Commercial Main Floors Overlay District:
 - (i) Accessory Use
 - (ii) Active Artist Studio
 - (iii) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iv) Artist Gallery
 - (v) Bakery
 - (vi) Butcher
 - (vii) Coffee Shop
 - (viii) Convenience Food Store
 - (ix) Drinking Establishments (adult entertainment prohibited)
 - (x) Grocery Store
 - (xi) Liquor, Beer, and/or Wine Sales
 - (xii) Merchandise Sales (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
 - (xiii) Open Space as identified in the 2016 Riverlands Area Redevelopment Plan as public squares

- (xiv) Restaurant
- (xv) Signs
 - i. A-board Sign;
 - ii. Awning Sign;
 - iii. Canopy Sign;
 - iv. Fascia Sign;
 - v. Freestanding Sign;
 - vi. Painted Wall Sign;
 - vii. Projecting Sign;
 - viii. Property Management Sign;
 - ix. Under-Canopy Sign;
 - x. Wall Sign; and
 - xi. Window Sign
- (xvi) Specialty Food Store

10.5.2 Discretionary Uses

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

10.5.3 Riverlands Active Commercial Main Floors Overlay District Development Standards

10.5.3.1 Application

- (a) The uses and development standards of this Overlay District apply to the **Main Floors** of Sites located in whole or in part within the areas identified as **Active Commercial Main Floors** in Figure 8.
- (b) Where the uses and development standards in the **Riverlands Districts** or Section 10.6 Development Standards for Riverlands Land Use Districts contradict or will not serve to achieve the uses or development standards contained in this Overlay District, the uses and development standards in this Overlay District shall prevail.
- (c) For the purposes of this Part, Corner Sites have two (2) front boundaries.
- (d) On Corner Sites abutting two (2) Streets or a Street and a Lane, the uses and development standards in this Overlay District shall apply to a minimum of 10 m measured from the Site corner along the boundaries of both Site Frontages.
- (e) On Interior Sites, except for those fronting along 45th Street between 47th Street and Taylor Drive, the uses and development standards in this Overlay District shall apply to a minimum of 10 m of Frontage measured along the Front Site Boundary.

- (f) On Sites fronting 45th Street between 47th Street and 54th Avenue, the uses and development standards in this Overlay District shall apply to all **Main Floors**.
- (g) On Sites on the north side and fronting 47th Street between 54th Avenue and Taylor Drive, the uses and development standards in this Overlay District shall apply to all **Main Floors**.
- (h) On Lot 2 Block 1 Plan 762 1616, the uses and development standards in this Overlay District shall apply to the majority of **Main Floors** fronting the Red Deer River.

10.5.3.2 *Building Design*

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

10.5.3.3 *Building setbacks*

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

10.5.3.4 *Edge Zones*

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

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

10.6 Development Standards for Riverlands Districts

10.6.1 Development Authority for Riverlands Districts

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

10.6.2 Building Setbacks for Riverlands Districts

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

10.6.3 Edge Zone Development Standards for Riverlands Districts

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

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

Figure 9 Edge Zones

This map illustrates the Edge Zones for various residential areas in Red Deer, Alberta. The zones are categorized into three types: Minimal Edge Zone (1.4m - 2.0m), Narrow Edge Zone (1.5m - 2.5m), and Wide Edge Zone (3.0m - 5.0m). The map also shows the Riverlands Boundary and Public Squares.

Legend:

- Minimal Edge Zone (1.4m - 2.0m)
- Narrow Edge Zone (1.5m - 2.5m)
- Wide Edge Zone (3.0m - 5.0m)
- Public Square
- Riverlands Boundary

Map Labels:

- KERRY WOOD
- BOWER PONDS
- RED DEER RIVER
- 45 ST
- 47 ST
- 54 AV
- 45 ST
- 43 ST
- 54 AV
- 55 AV
- 56 AV
- 39 ST
- WELTON CR
- WESTGATE AV
- WILTSHIRE PL
- TAYLOR DR
- 49 ST
- 48 ST
- 45 ST
- 44A
- 52 AV
- 51A AV

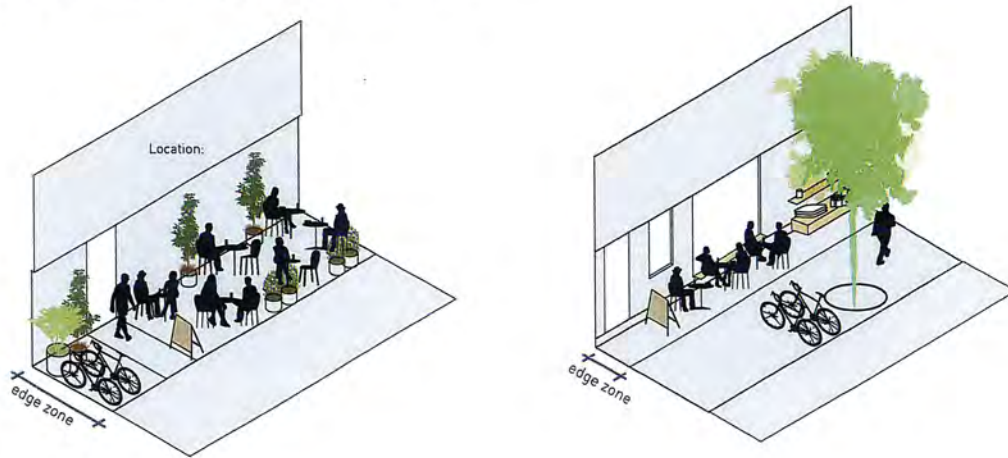
Scale: 1:10,000
North Arrow: NORTH
Date: Nov 28, 2016

The City of Red Deer does not guarantee the accuracy of the information. Data to be used as information only. Copyright 2016 The City of Red Deer.

10.6.3.1 Commercial Edge Zones for Riverlands Districts

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

Figure 10: Commercial Edge Zone Illustrations

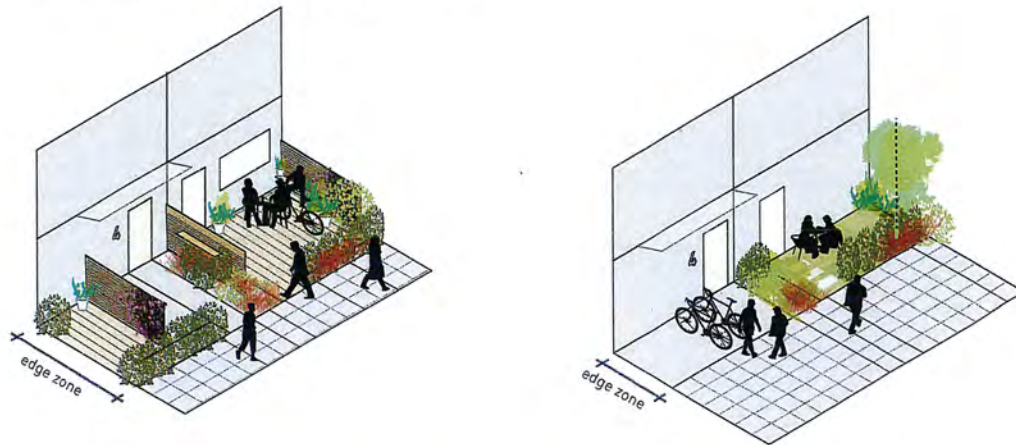


10.6.3.2 Residential Edge Zones for Riverlands Districts

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

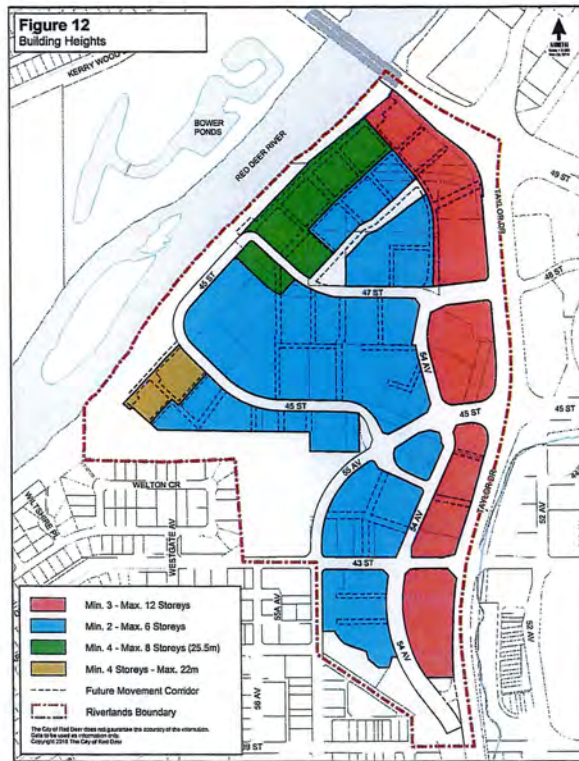
- (viii) Other feature(s) that provide a privacy threshold and outdoor space for Residential activities to occur, at the discretion of the Development Authority.

Figure 11: Residential Edge Zone Illustrations



10.6.4 Building Heights for Riverlands Districts

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



10.6.5 Site Coverage for Riverlands Districts

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

10.6.6 Dwelling Units for Riverlands Districts

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

10.6.7 Building Design for Riverlands Districts

- (a) Buildings shall define the Street and/or Movement Corridor, shall horizontally and vertically abut the Edge Zones and shall create visual spatial components to create a comfortable Street and/or Movement Corridor environment which contributes to walkability.
- (b) Buildings located on Corner Sites shall have equal architectural corner features and high quality elevation treatments along each Movement Corridor, Street, or Public Space.
- (c) Building entrances shall be designed and architecturally treated to emphasize the Building entrances.
- (d) Residential and Commercial entrances are encouraged to be architecturally differentiated to avoid confusion.
- (e) Commercial uses on the Main Floor shall have convenient entrances and transparent fronts with un-tinted glass windows.
- (f) Dwelling Units with any portion of the unit located at the Main Floor shall have individual, separate, and direct access to the Edge Zone.
- (g) More than one type of high quality Building material, including but not limited to, brick, stone, concrete, hardy board, and cement stucco shall be used in a variety of combinations for ornamentation and articulation.
- (h) Building elevations abutting an Edge Zone shall be visually articulated at a minimum of every 6 m to a maximum of every 8 m intervals containing varied design elements such as entrances,

windows, vertical accents, variation of colour and Building materials, canopies and signage, projections and roof lines.

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

10.6.8 **Amenity Space for Riverlands Districts**

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

- iv. Shall have a minimum contiguous area of 50.0 m² with no dimension less than 6.0 m; and
- v. Should be located at or above Grade.

10.6.9 Pedestrian Connections for Riverlands Districts

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

10.6.10 Parking Requirements for Riverlands Districts

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

10.6.11 Parking Standards for Riverlands Districts

- (a) Temporary surface parking lots will be considered for a maximum of two (2) years and may be extended for a maximum of one (1) additional year following a review by the Development Authority, with the exception of the remnant portion of Lot 1 Block 3 Plan 802 0453 and Lot 8A Block 7 Plan 3824 TR that will be located south of the 47th Street (Alexander Way) Street

realignment where a temporary surface parking lot may be considered for a minimum of ten (10) years from the passing of Bylaw 3357/Q-2016 on December 5, 2016.

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

10.6.11.1 *Parking Structure for Riverlands Districts*

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

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

10.6.12 Bicycle Facilities for Riverlands Districts

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

10.6.13 Garbage and Recycling Facilities for Riverlands Districts

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

10.6.14 Landscaping for Riverlands Districts

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

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

10.6.15 Lighting for Riverlands Districts

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

10.6.16 Signs for Riverlands Districts

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

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

10.6.17 Movement Corridors

