

## Haley Mountstephen

---

**From:** David Girardin  
**Subject:** City of Red Deer Land Use Bylaw Review - March 2022 - Update #6 Residential Regulation Review  
**Attachments:** Summary of Changes v2.pdf; Regulations for External Referral.pdf

# City of Red Deer Land Use Bylaw Review

March 2022 – Update #6

Good Afternoon,

Thank you for participating in the City of Red Deer Land Use Bylaw Review Project. The focus of this, our sixth update, is to share proposed revisions to regulations in residential districts.

Attached you will find a review of residential regulations and proposed changes with a number of Items to consider that you may wish to comment on. Please note that comments that we have received as part of the Land Use Bylaw Review Project have not yet been incorporated. Once an initial review of all sections has been completed, all comments will be reviewed to inform potential changes and revisions moving forward.

If you have any comments that you would like to share please send them to [david.girardin@reddeer.ca](mailto:david.girardin@reddeer.ca). Further information and project updates can also be found on our [Land Use Bylaw Review webpage](#).

Thank you for your interest in the City of Red Deer's Land Use Bylaw Review Project.

If you no longer want to receive these emails, please contact [david.girardin@reddeer.ca](mailto:david.girardin@reddeer.ca) to be removed from our email list.

Regards,

**David Girardin RPP, MCIP**  
Major Projects Planner  
City Planning & Growth  
The City of Red Deer

403.406.8707  
[david.girardin@reddeer.ca](mailto:david.girardin@reddeer.ca)

Haley Mountstephen RPP MCIP  
Senior Planner  
The City of Red Deer  
[Haley.mountstephen@reddeer.ca](mailto:Haley.mountstephen@reddeer.ca)



## CITY PLANNING & GROWTH DEPARTMENT

### **Residential Regulations** *(does not include land use districts)*

#### Summary

The following package has been prepared under the greater Land Use Bylaw (LUB) Review Project goals and themes of reducing red-tape, simplifying the use of the LUB, improving customer service and respecting the community. This project aims to allow for more flexibility in the LUB while providing consistent standards and interpretation, simplifying the development process and timelines, and involving the public.

This package contains a review of the regulations contained within section 4.7 Residential District Regulations of the LUB, not the districts themselves. All the residential components – uses, development standards, and regulations fit together like a puzzle. In August 2021 the proposed residential district purposes and land uses were referred out. Later this year the development standards for the districts will be referred out. If after reviewing this package it seems like information is missing please note that when the development standards for each district are referred out they too will contain additional regulations that will hopefully place all of the puzzle pieces together.

The regulations in this package apply to all residential development and are not specific to a particular land use district. Under the existing LUB several of the regulations have been in place since the 1970s and are not reflective of the current development environment or City practises. Although regulations continue to be updated on an ongoing basis through LUB amendments a thorough review was needed to ensure they are still applicable and relevant for today's market.

While preparing this package, residential regulations from other municipalities were reviewed. Ensuring that regulations are competitive with other municipalities will help foster economic development within the City. Municipal review has provided insight to best practices and development trends.

In reviewing the residential regulations an emphasis was put on allowing for additional types of development that would be appropriate and compatible with surrounding development. Several changes have been proposed. Included in this package are the key changes, new proposed regulations, and a comparison of the existing regulations, if they exist.

The following is a list of residential regulations that have been included in this package.

- Accessory Residential Buildings
- Backyard Suites
- Below-Grade Development
- Corner Site Restrictions
- Day Care Facility
- General Regulations
- Home Occupations
- House Suites
- Landscaping Regulations
- Objects Prohibited or Restricted in Yards
- Projections over Yards
- Public Assembly
- Real Property Reports
- Show Homes
- Supportive Living Accommodation
- Temporary Care Facility
- Temporary Home Stay Accommodations
- Vehicular Access to Lots from Public Roadways

## Table of Contents

Accessory Residential Buildings .....	2
Backyard Suites .....	4
Below-Grade Development .....	14
Corner Site Restrictions (Site Lines) .....	16
Day Care Facility .....	18
General Regulations .....	20
Home Occupations.....	23
House Suites.....	47
Landscaping Regulations.....	61
Objects Prohibited or Restricted in Yards.....	63
Projections over Yards .....	69
Public Assembly .....	73
Real Property Reports.....	74
Show Homes .....	76
Supportive Living Accommodation .....	78
Temporary Care Facility .....	79
Temporary Home Stay Accommodations .....	80
Vehicular Access to Lots from Public Roadways.....	82

# Accessory Residential Buildings

## Proposed Definitions

**Accessory Building** means a secondary Building on a Site, the use of which is subordinate and normally or naturally incidental to that of the Principal Building on the same Site.

**Residential** means a use of land primarily related to or used for housing.

## Key Changes

1. Clarifies that Backyard Suites are not regulated in this section.

## Items to Consider

1. Have there been any development issues raised with Accessory Residential Buildings that need to be addressed in the regulations?

## Proposed Regulations

### Residential Accessory Buildings

1. This section does not apply to Backyard Suites.
2. In addition to the requirements of section x.x when allowed in a Residential District an Accessory Building shall not:
  - (a) exceed one storey or 4.5 metres in height, or
  - (b) occupy more than two thirds of the width of the Rear Yard of any Site, or
  - (c) be located in the Front Yard of a Residential District unless approved by the Development Authority, or
  - (d) be erected or placed in the Rear Yard of a Site within 0.9 metres of the Side Boundary or Rear Boundary of the Site, provided that in the case of an Accessory Building erected on and serving two Abutting Sites, such Building may be erected on the Side Boundary common to such Sites, or
  - (e) be used as a Dwelling Unit.

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
	1. This section does not apply to Backyard Suites.	New subsection – Clarity that Backyard Suites are not considered a Residential Accessory Building.
<p>3(a) In addition to the requirements of section 3.5 when allowed in a residential land use district an accessory building shall not:</p> <ul style="list-style-type: none"> <li>(i) exceed one storey or 4.5 metres in height, or</li> <li>(ii) occupy more than two thirds of the width of the rear yard of any site, or</li> <li>(iii) be located in the front yard of a residential district unless approved by the Development Authority, or</li> <li>(iv) be erected or placed in the rear yard of a site within 0.9 metres of the side or rear boundary of the site, provided that in the case of an accessory building erected on and serving two abutting sites, such building may be erected on the side boundary common to such sites, or</li> <li>(v) be used as a dwelling.</li> </ul>	<p>2. In addition to the requirements of section x.x when allowed in a Residential District an Accessory Building shall not:</p> <ul style="list-style-type: none"> <li>(a) exceed one storey or 4.5 metres in height, or</li> <li>(b) occupy more than two thirds of the width of the Rear Yard of any Site, or</li> <li>(c) be located in the Front Yard of a Residential District unless approved by the Development Authority, or</li> <li>(d) be erected or placed in the Rear Yard of a Site within 0.9 metres of the Side Boundary or Rear Boundary of the Site, provided that in the case of an Accessory Building erected on and serving two Abutting Sites, such Building may be erected on the Side Boundary common to such Sites, or</li> <li>(e) be used as a Dwelling Unit.</li> </ul>	No change.

# Backyard Suites

## Proposed Definitions

**Backyard Suite** means an Accessory Building containing a Dwelling Unit that is located separate from the principal Dwelling Unit that is a House or a Manufactured Home.

## Key Changes

1. Backyard Suites no longer must be developed in conjunction with a detached Garage, they can be stand-alone or attached to a detached Garage.
2. Increased flexibility in design.
3. New site requirements such as Minimum Site Frontage and Minimum Site Area to ensure compatibility with adjacent uses, specifically in the R-N District.
4. House Suites are currently limited to 15% of the total Houses within a neighbourhood. It is now proposed to increase the number of House Suites and Backyard Suites combined to 25% of the total Houses within a neighbourhood.
5. New parking requirements including provisions to relax parking requirements based on Site location.

## Items to Consider

1. Previously Carriage Homes were only allowed in the R1C District. Backyard Suites are now proposed in all residential districts as a permitted use except the R-SMU (Small-Scale Mixed Use) District where it is not listed as a use.
2. Are there any items related to Backyard Suites that have not been addressed?
3. Are there any items related to Backyard Suites that should be addressed differently?

## Proposed Regulations

### Backyard Suite Development Standards

1. Development requirements:
  - (a) A Backyard Suite may be incorporated into an accessory detached Garage or may be constructed as an accessory stand-alone suite.
  - (b) A Backyard Suite may be located at Grade or above Grade or a combination thereof.
  - (c) A Backyard Suite shall meet the following requirements:

Regulation	Requirement
Minimum Site Area	360.0m <sup>2</sup>
Minimum Site Frontage	12.0m
Maximum Building Height	Same as underlying District requirement
Maximum Floor Area	75% of the Gross Floor Area of the principal Dwelling Unit Main Floor
Minimum Side Yard Setback	Same as underlying District requirement
Minimum Rear Yard Setback	0.9m for any portion of Building used as a Garage 2.0m for any portion of Building used as a Dwelling Unit

Minimum Separation Distance between the Backyard Suite and the primary Dwelling Unit	4.0m
--	------

## 2. Functionality, Design, Character and Appearance Requirements

- (a) A Backyard Suite shall be constructed or placed on a permanent or temporary foundation.
- (b) Backyard Suites shall not be constructed on a chassis unless located in the R-MH District.
- (c) Windows contained within the Backyard Suite shall be placed and sized such that they minimize overlook into Yards and windows of Abutting Sites through one or more of the following:
  - (i) Off-setting window placement to limit direct views of Abutting Rear Yard or Side Yard spaces, or direct view into a Backyard Suite window on an Abutting Site;
  - (ii) Strategic placement of windows in conjunction with landscaping or the placement of other Accessory Buildings; and
  - (iii) Placing larger windows such as living room windows, to face a Lane, a flanking Street, or the larger of any Side Yard Abutting another Site.
- (d) Balconies shall only face a Lane, flanking Street, or the principal Dwelling Unit. Rooftop balconies shall not be developed.
- (e) An outdoor Amenity Space, Abutting an exterior wall of the Backyard Suite, with a minimum area of 7.5m<sup>2</sup> with no dimension less than 1.5m shall be provided for each Backyard Suite.

## 3. Density Requirements

- (a) The following shall not be relaxed or varied by the Development Authority:
  - (i) Only one Backyard Suite or House Suite may be developed in conjunction with a House on the same Site.
  - (ii) In the R-MH District, only one Backyard Suite may be developed in conjunction with a Manufactured Home on the same Site.
  - (iii) A Backyard Suite shall not be subject to separation from the principal Dwelling Unit through a condominium conversion or from the existing Site through subdivision.
- (b) The total sum of Backyard Suites and House Suites is limited to 25% of the total Houses in a neighbourhood. Neighbourhood boundaries shall be the boundaries shown in Figure x.x.

## 4. Siting Requirements

- (a) A Backyard Suite shall not co-exist on a Site with a Home Occupation – Major unless the Backyard Suite is an integral part of a Bed and Breakfast operation.
- (b) A Backyard Suite shall be located in Side Yards and Rear Yards only.
- (c) A Backyard Suite shall be located on a Corner Site or a Site with a Lane where the primary Dwelling Unit is not developed with a Zero Lot Line.

## 5. Parking Requirements

- (a) In addition to meeting the parking requirements for the principal Dwelling Unit as set out in section 3.1 and 3.2 of this Bylaw, a Site which contains a Backyard Suite shall also meet the following parking requirements:
  - (i) A Backyard Suite shall provide the following off-Street parking requirements:
    - a. A Backyard Suite with two or fewer bedrooms shall provide one off-Street parking space.
    - b. A Backyard Suite with three or more bedrooms shall provide two off-Street parking spaces.
  - (ii) The parking space for the Backyard Suite shall not be in tandem with the parking spaces required for the principal Dwelling Unit.
  - (iii) Parking space for the Backyard Suite shall be available for the exclusive and unrestricted use of the occupant(s) of the Backyard Suite.
  - (iv) All parking spaces shall be developed in accordance with section 3.2.4 of this Bylaw.
  - (v) The parking space for a Backyard Suite shall be located in one of the following locations:
    - a. in an attached or detached Garage or on its Driveway,
    - b. in the Rear Yard, or
    - c. in the Side Yard to the rear of the Front Yard.
  - (vi) On Sites where the parking space for a Backyard Suite cannot be provided in the location described in subsection (v), the Development Authority may allow the parking space to be located within the Front Yard provided that:
    - a. a minimum of 25% of the Front Yard remains landscaped,
    - b. the parking space for the Backyard Suite is not in tandem with the parking spaces for the principal Dwelling Unit; and
    - c. the parking space is developed to the satisfaction of the Development Authority.
  - (vii) Except in the R-N District, on Sites where the parking space for a Backyard Suite cannot be provided in the location described in subsections (v) or (vi), the Development Authority may allow a reduction of the required parking space to zero spaces provided that the Backyard Suite is located on a Site:
    - a. With a Street containing Residential Development on only one side of the Street and parking is allowed on the other side of the Street, or
    - b. Where the Front Boundary or Side Boundary is located on the same block (on either side of the Street the Site is located on) as a Site zoned PS or from a municipal reserve Site, either of which is not less than 10.0m wide and on-Street parking is allowed, or
    - c. Where the Side Boundary or Rear Boundary abuts or is within 10.0m of the Boundary of a Site in a Commercial or Industrial District, or
    - d. Where adjacent Residential Developments do not largely consist of front attached Garages, Driveways, or a combination thereof.
  - (viii) A hard surfaced Walkway shall be provided between the Backyard Suite parking space and the Backyard Suite.



Comparison Table – Existing Versus Proposed

Existing Regulations		Proposed Regulations	Notes																
4.1.1(3)(b) Use Provisions – Carriage Home Unit		1. Development requirements: (a) A Backyard Suite may be incorporated into an accessory detached Garage or may be constructed as an accessory stand-alone suite. (b) A Backyard Suite may be located at Grade or above Grade or a combination thereof. (c) A Backyard Suite shall meet the following requirements:	Backyard Suites are no longer required to be attached to a detached Garage. They may be stand-alone or attached to a detached Garage.  Proposed Minimum Site Area is the same as that for a House Suite.  Minimum frontage size has been introduced as Backyard Suites are now a listed use in the R-N district.  Building Height has been changed to that of the underlying district.  Maximum Floor Area has been changed to allow for more flexibility in Backyard Suite design.  Parking requirements have been expanded, see last row in this table.  Exterior details on Backyard Suite must now have consideration for the Principal Dwelling Unit, it is not required to mirror it.  The exterior finishes are no longer required to mirror the architectural details of the principal building. This will allow for creativity and flexibility in design.																
Carriage Home	Requirements																		
Floor Area Maximum	45% of the principle dwelling unit																		
Building Height Maximum	2 storeys including the garage, with a maximum height of 10.0m measured from the average of the lot grade																		
Minimum Separation to Principal Dwelling	4.0m																		
Side Yard Minimum	1.5m however, on corner lots the side yard abutting the street shall be minimum 3.0m																		
Rear Yard Minimum	2.0m																		
Parking Spaces	Subject to sections 3.1 & 3.2																		
Urban Form (These Urban Form requirements shall not be relaxed for varied by the Development Authority)	<ul style="list-style-type: none"><li>Carriage Homes shall mirror the same exterior architectural details as contained on the principal building.</li></ul>																		
		<table><tr><th>Regulation</th><th>Requirement</th></tr><tr><td>Minimum Site Area</td><td>360.0m<sup>2</sup></td></tr><tr><td>Minimum Site Frontage</td><td>12.0m</td></tr><tr><td>Maximum Building Height</td><td>Same as underlying District requirement</td></tr><tr><td>Maximum Floor Area</td><td>75% of the Gross Floor Area of the principal Dwelling Unit Main Floor</td></tr><tr><td>Minimum Side Yard Setback</td><td>Same as underlying District requirement</td></tr><tr><td>Minimum Rear Yard Setback</td><td>0.9m for any portion of Building used as a Garage  2.0m for any portion of Building used as a Dwelling Unit</td></tr><tr><td>Minimum Separation</td><td>4.0m</td></tr></table>	Regulation	Requirement	Minimum Site Area	360.0m <sup>2</sup>	Minimum Site Frontage	12.0m	Maximum Building Height	Same as underlying District requirement	Maximum Floor Area	75% of the Gross Floor Area of the principal Dwelling Unit Main Floor	Minimum Side Yard Setback	Same as underlying District requirement	Minimum Rear Yard Setback	0.9m for any portion of Building used as a Garage  2.0m for any portion of Building used as a Dwelling Unit	Minimum Separation	4.0m	
Regulation	Requirement																		
Minimum Site Area	360.0m <sup>2</sup>																		
Minimum Site Frontage	12.0m																		
Maximum Building Height	Same as underlying District requirement																		
Maximum Floor Area	75% of the Gross Floor Area of the principal Dwelling Unit Main Floor																		
Minimum Side Yard Setback	Same as underlying District requirement																		
Minimum Rear Yard Setback	0.9m for any portion of Building used as a Garage  2.0m for any portion of Building used as a Dwelling Unit																		
Minimum Separation	4.0m																		

Existing Regulations		Proposed Regulations		Notes
	<ul style="list-style-type: none"> <li>• Lot cannot be subdivided or condominiumized.</li> <li>• A Carriage Home and a Secondary Suite shall not both be allowed on the same lot.</li> <li>• Deleted</li> <li>• A Carriage Home and a Home Occupation which will generate additional traffic shall not both be allowed on the same lot.</li> <li>• The principal Dwelling Unit shall be dominant in scale and massing.</li> </ul>	<div>Distance between the Backyard Suite and the primary Dwelling Unit</div> <p>3(a) The following shall not be relaxed or varied by the Development Authority:</p> <ul style="list-style-type: none"> <li>(i) Only one Backyard Suite or House Suite may be developed in conjunction with a House on the same Site.</li> <li>(ii) In the R-MH District, only one Backyard Suite may be developed in conjunction with a Manufactured Home on the same Site.</li> <li>(iii) A Backyard Suite shall not be subject to separation from the principal Dwelling Unit through a condominium conversion or from the existing Site through subdivision.</li> </ul> <p>4(a) A Backyard Suite shall not co-exist on a Site with a Home Occupation – Major unless the Backyard Suite is an integral part of a Bed and Breakfast operation.</p>		The scale and massing of the principle Dwelling Unit is no longer required to be dominant in scale and massing. This will accommodate a Backyard Suite over a detached Garage and a bungalow on the same Site.
4.1.1(3)(c) The R1C District is subject to any applicable residential regulations listed within section 4.7		Delete.		This regulation will be stated in each district.
4.1.1(3)(d) Notwithstanding anything in this Bylaw, on bare land condominium R1C parcels, the development of more than one		Delete.		This regulation will be stated in each district.

Existing Regulations	Proposed Regulations	Notes
Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.		
<p>4.1.1(3)(e) The following regulations shall not be relaxed or varied by the Development Authority:</p> <ul style="list-style-type: none"> <li>i. Carriage Homes shall contain no more than 2 bedrooms.</li> <li>ii. Carriage Homes shall only be located on a residential lot that has access from a lane.</li> </ul>	<p>4(c) A Backyard Suite shall be located on a Corner Site or a Site with a Lane where the primary Dwelling Unit is not developed with a Zero Lot Line.</p>	<p>Backyard Suites are no longer limited to two bedrooms. Additional parking requirements are proposed for more than two bedrooms.</p> <p>Provision for Backyard Suites to be located on Corner Sites.</p> <p>Backyard Suites can not be developed in conjunction with a Zero Lot Line Development.</p>
	<p>2(a) A Backyard Suite shall be constructed or placed on a permanent or temporary foundation.</p> <p>2(b) Backyard Suites shall not be constructed on a chassis unless located in the R-MH District.</p> <p>2(c) Windows contained within the Backyard Suite shall be placed and sized such that they minimize overlook into Yards and windows of Abutting Sites through one or more of the following:</p> <ul style="list-style-type: none"> <li>(i) Off-setting window placement to limit direct views of Abutting Rear Yard or Side Yard spaces, or direct view into a Backyard Suite window on an Abutting Site;</li> </ul>	<p>Additional design requirements to ensure compatibility with adjacent properties.</p>

Existing Regulations	Proposed Regulations	Notes
	<p>(ii) Strategic placement of windows in conjunction with landscaping or the placement of other Accessory Buildings; and</p> <p>(iii) Placing larger windows such as living room windows, to face a Lane, a flanking Street, or the larger of any Side Yard Abutting another Site.</p> <p>2(d) Balconies shall only face a Lane, flanking Street, or the principal Dwelling Unit. Rooftop balconies shall not be developed.</p> <p>2(e) An outdoor Amenity Space, Abutting an exterior wall of the Backyard Suite, with a minimum area of 7.5m<sup>2</sup> with no dimension less than 1.5m shall be provided for each Backyard Suite.</p>	
	<p>3(b) The total sum of Backyard Suites and House Suites is limited to 25% of the total Houses in a neighbourhood. Neighbourhood boundaries shall be the boundaries shown in Figure x.x.</p>	<p>New density requirements.</p>
	<p>4(b) A Backyard Suite shall be located in Side Yards and Rear Yards only.</p>	<p>New siting requirement.</p>
	<p>5(a) In addition to meeting the parking requirements for the principal Dwelling Unit as set out in section 3.1 and 3.2 of this Bylaw, a Site which contains a Backyard Suite shall</p>	<p>New parking requirements, similar to proposed House Suite parking.</p>

Existing Regulations	Proposed Regulations	Notes
	<p>also meet the following parking requirements:</p> <ul style="list-style-type: none"> <li>(i) Backyard Suite shall provide the following off-Street parking requirements: <ul style="list-style-type: none"> <li>a. A Backyard Suite with two or fewer bedrooms shall provide one off-Street parking space.</li> <li>b. A Backyard Suite with three or more bedrooms shall provide two off-Street parking spaces.</li> </ul> </li> <li>(ii) The parking space for the Backyard Suite shall not be in tandem with the parking spaces required for the principal Dwelling Unit.</li> <li>(iii) Parking space for the Backyard Suite shall be available for the exclusive and unrestricted use of the occupant(s) of the Backyard Suite.</li> <li>(iv) All parking spaces shall be developed in accordance with section 3.2.4 of this Bylaw.</li> <li>(v) The parking space for a Backyard Suite shall be located in one of the following locations: <ul style="list-style-type: none"> <li>a. in an attached or detached Garage or on its Driveway,</li> <li>b. in the Rear Yard, or</li> <li>c. in the Side Yard to the rear of the Front Yard.</li> </ul> </li> <li>(vi) On Sites where the parking space for a Backyard Suite cannot be provided in the location described in</li> </ul>	

Existing Regulations	Proposed Regulations	Notes
	<p>subsection (v), the Development Authority may allow the parking space to be located within the Front Yard provided that:</p> <ul style="list-style-type: none"> <li>a. a minimum of 25% of the Front Yard remains landscaped,</li> <li>b. the parking space for the Backyard Suite is not in tandem with the parking spaces for the principal Dwelling Unit; and</li> <li>c. the parking space is developed to the satisfaction of the Development Authority.</li> </ul> <p>(vii) Except in the R-N District, on Sites where the parking space for a Backyard Suite cannot be provided in the location described in subsections (v) or (vi), the Development Authority may allow a reduction of the required parking space to zero spaces provided that the Backyard Suite is located on a Site:</p> <ul style="list-style-type: none"> <li>a. With a Street containing Residential Development on only one side of the Street and parking is allowed on the other side of the Street, or</li> <li>b. Where the Front Boundary or Side Boundary is located on the same block (on either side of the Street the Site is located on) as a Site zoned PS or from a municipal reserve Site, either of which is</li> </ul>	

Existing Regulations	Proposed Regulations	Notes
	<p>not less than 10.0m wide and on-Street parking is allowed, or</p> <p>c. Where the Side Boundary or Rear Boundary abuts or is within 10.0m of the Boundary of a Site in a Commercial or Industrial District, or</p> <p>d. Where adjacent Residential Developments do not largely consist of front attached Garages, Driveways, or a combination thereof.</p> <p>(viii) A hard surfaced Walkway shall be provided between the Backyard Suite parking space and the Backyard Suite.</p>	

# Below-Grade Development

## Proposed Definitions

**Grade** means the elevation established for the purpose of regulating the number of storeys and the height of a Building. The Building grade shall be the average level of finished grade adjacent to the walls of a Building. *(Definition still under review)*

**Development** means:

- (a) an excavation or stockpile and the creation of either of them, or
- (b) a Building or an addition to, or replacement or repair of a Building and the construction or placing in, on, over or under land of any of them, or
- (c) a change of use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change in the use of the land or Building, or
- (d) a change in the intensity of use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change in the intensity of use of the land or Building.

## Key Changes

None

## Items to Consider

- 1. Are there any items related to Below-Grade Development that have not been addressed?
- 2. Are there any items related to Below-Grade Development that should be addressed differently?

## Proposed Regulations

Below-Grade Development

- 1. No person may construct any below-Grade Development within 0.6 m of the property line of any Residential Site.



Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
4.7(5)5.1 Below-Grade Development No person may construct any below-grade development within 0.6 m of the property line of any residential lot.	1. No person may construct any below-Grade Development within 0.6 m of the property line of any Residential Site.	No change.

## Corner Site Restrictions (Site Lines)

### Proposed Definitions

**Corner Site** means and includes any lot which is Adjacent to:

- (a) The intersection of two Streets, or
- (b) The intersection of two lanes, or
- (c) The intersection of a lane and a Street.

### Key Changes

None

### Questions to Consider

1. Is there anything not working well with the existing regulations that need to be changed?

### Proposed Regulations

Corner Site Restrictions (Site Lines)

1. All Corner Sites are subject to section 3.11.
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 metres of the intersection of a Driveway or Lane and a road (for illustrative purposes see Part 3, Figure 2).

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
<p>4.7(6) Corner Sites Restrictions (Site Lines)</p> <p>(a) All corner sites are subject to section 3.11.</p> <p>(b) In the front yard of a site in a residential district, no fence or hedge more than 0.9 m in height shall be permitted within 6.0 metres of the intersection of a driveway or lane and a road (for illustrative purposes see Part 3, Figure 2).</p>	<p>Corner Site Restrictions (Site Lines)</p> <ol style="list-style-type: none"> <li>1. All Corner Sites are subject to section 3.11.</li> <li>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 metres of the intersection of a Driveway or Lane and a road (for illustrative purposes see Part 3, Figure 2).</li> </ol>	<p>No Change.</p>

# Day Care Facility

## Proposed Definition

**Day Care Facility** means a facility providing care, and/or supervision for children for less than 24 consecutive hours in a day. Day Care Facility may include uses such as day cares, kindergarten, out-of-school care and other programs where the primary purpose is the care of children.

## Key Changes

N/A

## Items to Consider

1. Day Care Facility is proposed as a discretionary use in all residential districts.
2. Are there any items related to Day Care Facility that have not been addressed?
3. Are there any items related to Day Care Facility that should be addressed differently?

## Proposed Regulations

### Day Care Facility

1. A Day Care Facility shall provide care and/or supervision for seven or more children, as defined by the Early Learning and Child Care Act, including the operator's own children, in a day.
2. The Building exterior of a Day Care Facility in any Residential District shall be compatible and complementary to the Residential character of the existing or future surrounding neighbourhood.
3. Where a Day Care Facility is developed in the **R-L, R-N, R-MH, or R-D District**, it shall be consistent with the scale and form of the Residential dwelling types that are listed as either Permitted Uses or Discretionary Uses in that District.
4. In the **R-L, R-N, R-MH, and R-D Districts**, a Day Care Facility shall be located on a Site:
  - a) That is a Corner Site,
  - b) With a Street containing Residential Development on only one side of the Street and parking is allowed on the other side of the Street, or
  - c) Where the Front Boundary or Side Boundary is located on the same block (on either side of the Street the Site is located on) as a Site zoned **PS** or from a municipal reserve Site, either of which is not less than 10.0m wide and on-Street parking is allowed, or
  - d) Where the Side Boundary or Rear Boundary abuts or is within 10.0m of the Boundary of a Site in a Commercial or Industrial District, or
  - e) Where adjacent Residential Developments do not largely consist of front attached Garages, Driveways, or a combination thereof.
5. In the review of Development permit applications where Day Care Facility is listed as a Discretionary Use, consideration shall be given to:
  - a) the proximity of the proposed Development to other similar Developments,
  - b) the location of the Development on the block and in the neighbourhood, and
  - c) the Street classification to ensure that there shall not be cumulative land use impacts on the neighbourhood in which the proposed Development is to be located.

6. Separation distances between a Day Care Facility and Cannabis Retail Sales or a Landfill shall be in accordance with sections x.x and x.y of this Bylaw.

## General Regulations

**\*The existing Residential General Regulations from 4.7(1) are proposed to be moved to another section within the LUB or deleted.**

Existing Regulations Table

Existing Regulations	Notes
(a) Notwithstanding the district regulations, where an approved subdivision plan or a proposed subdivision plan within these use districts, R1, R1A, and R2 comprises of at least 5 sites, the Development Officer shall establish the front yard setbacks required.	Delete. Development Officers have been using the minimum required setback listed in each district.
<p>(b) Notwithstanding regulations listed in Tables 4.1, 4.2, and 4.4, in lane less subdivisions, in districts R1, R1A, and R2, one of the side yards for a detached dwelling shall be:</p> <ul style="list-style-type: none"> <li>(i) metres where a garage or carport is attached to or is an integral part of the principal building, or</li> <li>(ii) 3.0 metres where a garage or carport is to be provided in the rear yard of the said land, or</li> <li>(iii) 5.0 metres where a garage or carport is to be attached to the principal building at a later date, or</li> <li>(iv) in the event that the front building line of the said lands is 21.0 metres in length or greater, the minimum side yard in one side of the site shall be 10% of such building line. The minimum side yard on the other side of the site in the case subsection (i) hereof applies, 10% of the said building line; in the case subsection (ii) or (iii) applies, 3.0 metres or 5.0 metres respectively as the case may be.</li> </ul>	This section will be moved to each applicable land use district. There will no longer be special provisions for development of a garage or carport at a later date; it will be required to have the same setback as if developed at the same time as the principal building.
(c) Notwithstanding regulations listed in all Residential District Tables, the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in the Residential District Tables, within any Residential district namely:	This section has been moved to the section dealing with Real Property Reports as this is what it was intended to be applicable to.

Existing Regulations	Notes
(i) Not less than 90% of the minimum or maximum regulations in the Residential District Table, which related to the placement of Buildings.	
(d) In calculating the minimum floor area for an odd and irregular shaped site within districts R1, R1A and R2: (ii) the frontage of the site shall be the greater of either the width of the site at the building line or the front boundary of the lot, and (iii) the width of the site at the building line shall be deemed to be the distance between the side boundary lines measured along the alignment of the front or rear wall of the building, whichever is the lesser.	Delete. No longer proposing a minimum floor area in residential districts.
(e) Within R2 and R3, notwithstanding district regulations stated in Tables 4.4, and 4.5, 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.	This section has been moved to the applicable land use districts.
(f) Within R2 and R3 Districts, residential amenity areas of a minimum of 4.5 m <sup>2</sup> per dwelling unit for Multiple Family Building and Multi-Attached Building and a minimum of 15.0 m <sup>2</sup> per unit for an Assisted Living Facility and Temporary Care Facility shall be provided For the purpose of this section the term “Amenity Area” includes an indoor and/or outdoor space provided for the active or passive recreation and enjoyment of the occupants of residential development for communal use. This term includes, but is not limited to, sitting areas, playgrounds, pools, patios and exercise rooms.	This section has been moved to the applicable land use districts.
(g) Notwithstanding the residential district regulations the owner of the land may apply to the Development Authority and the Development Authority may approve a reduction in the minimum front yard setbacks in R1, R1N, and R1A districts when all of the following criteria are met:	This section has been moved to the applicable land use districts.

Existing Regulations	Notes
<ul style="list-style-type: none"> <li>(i) the lots front on a residential collector roadway with separate sidewalk,</li> <li>(ii) the lots have rear lanes,</li> <li>(iii) the lots do not have front driveways, parking pads or garages located in the front of the site,</li> <li>(iv) a Restrictive Covenant is registered against the title of each lot prohibiting any front driveways, parking pads or garages satisfactory to the City Solicitor,</li> <li>(v) none of the affected lots have been sold prior to the approval of the front yard setback,</li> <li>(vi) the reduction applies to one or both sides of the entire length of the collector roadway within a subdivision and may terminate at the point of intersection with a collector roadway with the same setback reduction or</li> <li>(vii) at a point of intersection with a road of a higher classification, minimum front yard setbacks are reduced to no less than 4 metres.</li> </ul>	



# Home Occupations

## Proposed Definitions

**Home Occupation - Major** means a business within a Residential Site that does not change the external appearance of the Dwelling Units or Site and has customer visits to the Site. This use may include a Bed and Breakfast.

**Home Occupation - Minor** means a business within a Residential Site that does not change the external appearance of the Dwelling Units or Site and has limited customer visits to the Site.

## Key Changes

1. Home occupations are now split into two categories, major and minor. (See comparison table at end of this section)
2. Home Occupation – Minor now allows customer visits to the residence, however they may not overlap.
3. Home Occupation – Major does not specify the amount of traffic coming to the business, however it still must be in keeping with the residential aspect of the neighbourhood.
4. When a Home Occupation – Major is a Discretionary Use the amount of on-street parking is considered.
5. Bed and Breakfast are classified as a Home Occupation – Major.
6. Both Home Occupations – Major and Minor are allowed signage.
7. Backyard Suites and House Suites are not allowed on the same site as a Home Occupation – Major unless the home occupation is a Bed and Breakfast where a Backyard Suite or House Suite is an integral part of the Bed and Breakfast.

## Items to Consider

1. Are there any items related to Home Occupations that have not been addressed?
2. Are there any items related to Home Occupations that should be addressed differently?

## Proposed Regulations

### Home Occupation - Major

1. Application Requirements
  - (a) In addition to the information requirements of subsection x.x of this Bylaw, each application for a Development permit for a Home Occupation, Major shall include a description of the business to be undertaken at the premises, hours of operation, an indication of the number of business visits per day, provision for parking, and where any materials or equipment associated with the use are to be stored;
2. Siting Considerations
  - (a) A Home Occupation - Major shall not be allowed if, in the opinion of the Development Officer, such use would be more appropriately located in a Commercial or Industrial District having regard for the overall compatibility of the use with the Residential character of the area.

- (b) A Home Occupation - Major shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the District in which it is located;
- (c) Where a proposed Home Occupation - Major is a discretionary use, the Development Officer shall notify landowners within 50 metres of the Boundary of the Site which share a common Street or Lane of the application and request their comments.

### 3. Development Requirements

- (a) Only one Home Occupation – Major shall be allowed for each principal Dwelling Unit.
- (b) A Home Occupation – Major shall not have more than one Sign which is subject to the following requirements:
  - (i) Signs shall not exceed 0.27 square metres in area.
  - (ii) Signs shall not be Illuminated.
- (c) The number of non-resident employees or business partners working on-Site shall not exceed two at any one time;
- (d) There shall be no outdoor business activity, or outdoor storage of materials or equipment associated with the use allowed on the Site;
- (e) There shall be no storage or use of hazardous, noxious or dangerous goods in connection with any Home Occupation - Major
- (f) A Home Occupation - Major shall not change the principal character or external appearance of the Dwelling Units or Site;
- (g) Not more than one Commercial vehicle used in conjunction with the Home Occupation - Major may be parked on the Site or any Street Adjacent thereto
- (h) A Home Occupation - Major shall be confined to a maximum of 30.0m<sup>2</sup> or 20% of the Net Floor Area of the Dwelling Unit, whichever is less;
- (i) A Home Occupation - Major shall not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use;
- (j) Accessory Buildings shall not be constructed or used for the sole purpose of a Home Occupation - Major; however the home occupation may be accommodated in a private Garage, provided that it does not prevent the continued use of the Garage for the intended purpose of parking motor vehicles and that the parking requirements of this Bylaw continue to be met;

### 4. Bed and Breakfast Requirements

- (a) A Bed and Breakfast, operating as a Home Occupation - Major shall be subject to the following additional regulations. A Bed and Breakfast shall:
  - (i) Only be contained in a House or Duplex when listed as a Permitted Use or Discretionary Use in a District
  - (ii) Limit the length of stay for guests to a maximum of 14 nights in any 30 day period.
  - (iii) Contain a maximum of two guestrooms with associated washrooms.
  - (iv) Accommodate up to a maximum of eight guests
  - (v) Provide internal access to the guestroom(s); additional outside access is optional.
  - (vi) Not contain cooking facilities located within the guestroom(s).
  - (vii) Provide one on-Site parking space for each guestroom; this is in addition to any other parking requirements of this Bylaw. The interior parking stalls in a Tandem Parking layout will not be counted towards fulfilling the minimum parking requirements. The combined width of parking spaces provided in the Rear Yard may not exceed 85% of the Rear Yard width.

- (viii) Notwithstanding **subsection (15)**, not be allowed within the same Site as a Backyard Suite or House Suite, unless the Backyard Suite or House Suite is an integral part of the Bed and Breakfast.
- (ix) Serve meals to overnight guests only

#### 5. Parking Requirements

- (a) One on-Site parking stall shall be required for a Home Occupation - Major except for Bed and Breakfast operations which require one stall for each guestroom; this is in addition to the required parking requirements of the Dwelling Unit;
- (b) In review of Development permit applications where Home Occupation – Major is listed as a Discretionary Use, consideration shall be given to the availability of on-Street parking with respect to:
  - (i) Corner site locations,
  - (ii) Residential Development located on only one side of the Street and parking allowed on the other side of the Street,
  - (iii) Any portion of the Front Boundary or Side Boundary is located on the same block (on either side of the Street the Site is located on) as a Site zoned PS or from a municipal reserve Site, either of which is not less than 10.0m wide and on-Street parking is allowed,
  - (iv) A Side Boundary or Rear Boundary of the Site Abuts, or is within 10.0m of the Boundary of a Site zoned Commercial or Industrial, and
  - (v) Adjacent Residential Developments do not consist largely of front attached Garages, Driveways, or a combination thereof.

#### Home Occupation - Minor

##### 1. Application Requirements

- (1) In addition to the information requirements of subsection **x.x** of this Bylaw, each application for a Development permit for a Home Occupation - Minor shall include a description of the business to be undertaken in the Dwelling Unit, hours of operation, an indication of the anticipated number of business visits per day and details for the provision of parking.

##### 2. Siting Requirements

- (a) A Home Occupation - Minor shall not be allowed if, in the opinion of the Development Officer, such use would be more appropriately located in a Commercial or Industrial District having regard for the overall compatibility of the use with the Residential character of the area.
- (b) A Home Occupation - Minor shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the District in which it is located;
- (c) Where a proposed Home Occupation - Minor is a discretionary use, the Development Officer shall notify landowners within 50 metres of the Boundary of the Site which share a common Street or Lane of the application and request their comments.

##### 3. Development Requirements

- (a) A Home Occupation – Minor shall not have more than one Sign which is subject to the following requirements:

- (i) Signs shall not exceed 0.15 square metres in area.
  - (ii) Signs shall not be illuminated.
- (b) One on-Site parking stall shall be required for a Home Occupation - Minor with client visits; this is in addition to the required parking requirements of the Dwelling Unit;
- (c) Home Occupation - Minor shall not employ any person on-Site other than a resident of the Dwelling Unit;
- (d) There shall be no outdoor business activity, or outdoor storage of materials or equipment associated with the Home Occupation - Minor allowed on the Site;
- (e) There shall be no storage or use of hazardous, noxious or dangerous goods in connection with any Home Occupation - Minor
- (f) A Home Occupation - Minor shall not change the principal character or external appearance of the Dwelling Units or Site;
- (g) Accessory Buildings shall not be constructed or used for the sole purpose of a Home Occupation - Minor; however the home occupation may be accommodated in a private Garage, provided that it does not prevent the continued use of the Garage for the intended purpose of parking motor vehicles and that the parking requirements of this Bylaw continue to be met;
- (h) Client visits for a Home Occupation – Minor shall not overlap with other clients;
- (i) More than one Home Occupation – Minor may be allowed on the same Site however there shall be no overlapping client visits between the uses.
- (j) Not more than one Commercial vehicle used in conjunction with the Home Occupation - Minor may be parked on the Site or any Street Adjacent thereto
- (k) A Home Occupation - Minor shall be confined to a maximum of 30.0m<sup>2</sup> or 20% of the Net Floor Area of the Dwelling Unit, whichever is less;
- (l) A Home Occupation - Minor shall not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use;

Comparison Tables – Existing Versus Proposed

Table 1: Home Occupation - Major

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
	<p>1(a) In addition to the information requirements of subsection <b>x.x</b> of this Bylaw, each application for a Development permit for a Home Occupation, Major shall include a description of the business to be undertaken at the premises, hours of operation, an indication of the number of business visits per day, provision for parking, and where any materials or equipment associated with the use are to be stored;</p>	<p>New subsection – more information required to provide clarity on what the business entails.</p>
<p>8(a) Home Occupations are intended to permit the use of residential premises for purposes related to business, provided that such use does not cause excessive vehicular or pedestrian traffic or otherwise interfere with or detract from the peace and quiet of a residential neighbourhood. Accordingly it is intended that a home occupation may not involve any retail or industrial activity on the site.</p>	<p>2(a) A Home Occupation - Major shall not be allowed if, in the opinion of the Development Officer, such use would be more appropriately located in a Commercial or Industrial District having regard for the overall compatibility of the use with the Residential character of the area.</p> <p>2(b) A Home Occupation - Major shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the District in which it is located;</p> <p>3(i) A Home Occupation - Major shall not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use;</p>	<p>Clarity that intent of Home-Occupation – Major is to fit within the context of a residential neighbourhood.</p>

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
8(b) A home occupation, notwithstanding its inclusion in any land use district as a permitted or discretionary use, constitutes a conditional right to use property, provided that such use must be in accordance with the regulations contained in this section.	Delete	Similar regulation applied to all development within the City.
8(c) No person shall operate or permit or allow the operation of a home occupation without being the holder of a valid and subsisting home occupation license.	Delete	Similar regulation applied to all development within the City.
8(d) Application for a home occupation license may be made at the Inspections and Licensing Department at City Hall. In addition to providing such information as the Inspections and Licensing Department shall require, the applicant shall pay the fees prescribed in the Business License Bylaw.	Delete	Similar regulation applied to all development within the City.
8(e) Where a home occupation is a discretionary use, the Development Officer shall notify landowners within 50 metres of the Boundary of the Site on which the proposed Home Occupation is to be located and request their comments.	2(c)Where a proposed Home Occupation - Major is a discretionary use, the Development Officer shall notify landowners within 50 metres of the Boundary of the Site which share a common Street or Lane of the application and request their comments.	Revised to within 50m along the same Street or Lane.
8(f) Deleted	Delete	No change.
8(g) Where any of the provisions of this Bylaw dealing with home occupations are breached, the Development Officer may take such action as may be available to the Development Officer under the law, including revocation of a home occupation license or the issuance of a notice under the provisions	Delete	Similar regulation applied to all development within the City.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
of the Municipal Government Act requiring the person to cease the home occupation ('Stop Order').		
8(h) The issuance of a Stop Order is appealable to the Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act.	Delete	Similar regulation applied to all development within the City.
8(i) Pursuant to the Business License Bylaw, the revocation of a home occupation license by the License Inspector is appealable to the Red Deer Appeal & Review Board, in accordance with the relevant procedures as outlined in the Committees Bylaw.	Delete	Similar regulation applied to all development within the City.
8(j)(i) A home occupation shall not be staffed by any person other than a resident of the home.  8(j)(ii) Not more than two adult residents of the home are permitted to work in the home occupation.	3(c) The number of non-resident employees or business partners working on-Site shall not exceed two at any one time;	Added flexibility. Can be staffed by residents and/or up to 2 non-resident partners or employees.
8(j)(iii) No advertising may be posted at the site of a home occupation, nor shall there be any evidence of the home occupation which is noticeable from the exterior of the property, whether visual or otherwise.	3(b) A Home Occupation – Major shall not have more than one Sign which is subject to the following requirements: (i) Signs shall not exceed 0.27 square metres in area. (ii) Signs shall not be illuminated.	Added flexibility for signage. Signage is consistent with existing bed and breakfast signage regulations.
8(j)(iv) A home occupation may not result in a disturbance to the peace and quiet or other	3(e) There shall be no storage or use of hazardous, noxious or dangerous goods in	Simplified. Nuisances and hazardous materials are not allowed.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
amenities of the neighbourhood, nor may it cause the emission of dust, noise, odour, smoke, electronic interference, bright lights, or other nuisance.	connection with any Home Occupation – Major.	
8(j)(v) Outside storage of equipment material or goods in connection with a home occupation is prohibited.	3(d) There shall be no outdoor business activity, or outdoor storage of materials or equipment associated with the use allowed on the Site.	Everything related to the Home Occupation – Major must be contained indoors.
8(j)(vi) Not more than one commercial vehicle used in conjunction with the home occupation may be parked on the site or any street adjacent thereto.	3(g) Not more than one Commercial vehicle used in conjunction with the Home Occupation - Major may be parked on the Site or any Street Adjacent thereto.	No change.
8(j)(vii) There shall be no storage or use of hazardous, noxious or dangerous goods in connection with any home occupation.	3(e) There shall be no storage or use of hazardous, noxious or dangerous goods in connection with any Home Occupation – Major.	No change.
8(j)(viii) A home occupation shall be confined to a maximum of 30.0 m <sup>2</sup> (322.0 square feet) or 20% of the net floor area of the dwelling unit, whichever is less.	3(h) A Home Occupation - Major shall be confined to a maximum of 30.0m <sup>2</sup> or 20% of the Net Floor Area of the Dwelling Unit, whichever is less.	No change.
8(j)(ix) A home occupation may be accommodated in a private garage, provided however, that it does not prevent the continued use of the garage for the intended purpose of parking motor vehicles and that	3(j) Accessory Buildings shall not be constructed or used for the sole purpose of a Home Occupation - Major; however the home occupation may be accommodated in a private Garage, provided that it does not prevent the continued use of the Garage for	Reworded for clarity.



Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
<p>the parking requirements of any bylaw continue to be met.</p> <p>8(j)(x) An accessory building may not be constructed or used for the sole purpose of a home occupation.</p>	<p>the intended purpose of parking motor vehicles and that the parking requirements of this Bylaw continue to be met;</p>	
<p>8(j)(xi) A home occupation which is allowed as a permitted use shall not generate additional traffic subsequent to the date of approval.</p>	<p>Delete</p>	<p>Proposing to split use into major and minor home occupations. Home Occupation – Major is not listed as a permitted use in any district.</p>
<p>8(k) Notwithstanding section 4.7 (8)(a) or any other provision of this Bylaw, the holder of a home occupation license (the “Licensee”) may hold one retail sale or open house per year from the premises in which the home occupation is located, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(i) the Licensee shall notify the Development Officer two weeks prior to the date of the proposed sale,</li> <li>(ii) the sale may run for one day only,</li> <li>(iii) admission to the sale shall be by invitation only and the sale may not be generally advertised, and</li> <li>(iv) the retail sale of goods shall be restricted to products produced in the home, for which the licensee is a licensed</li> </ul>	<p>3(i) A Home Occupation - Major shall not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use.</p>	<p>Goods related to the services provided by the Home Occupation – Major are now allowed for retail.</p>

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
home occupation, and must not include the sale of Cannabis.		
	3(a) Only one Home Occupation – Major shall be allowed for each principal Dwelling Unit.	New subsection – restricts the number of Home Occupations – Major on the property to one.
	3(f) A Home Occupation - Major shall not change the principal character or external appearance of the Dwelling Units or Site.	New subsection - external appearance must be in keeping with residential neighbourhood.
<p>(11) Bed &amp; Breakfasts</p> <p>General Purpose</p> <p>The general purpose of this section is to provide discretionary opportunities for residents of any residential community in the city to operate bed and breakfasts from detached or semi-detached dwellings as an integral part of the neighbourhoods in which they may be located. The intention is that bed and breakfasts are to be operated in such a manner that they will not be experienced by other residents as an intrusive commercial land use or as a nuisance to the neighbourhood in any manner, bearing in mind what are generally acceptable activities for any residential community in the city. Specifically it is expected that a bed and breakfast will not cause noise, vehicle and pedestrian traffic, on-street or off-street parking or social activities exceeding that which are prevalent in the neighbourhood in which it is located.</p>	Delete	Covered within Home Occupation – Major regulations.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
11(a) A bed & breakfast may be allowed as an accessory use to a detached or a semi-detached dwelling, within those land use districts in Parts 4-8 of this Bylaw in which it is listed as a discretionary use.	4(a)(i) Only be contained in a House, Duplex, or Townhouse.	Added flexibility for consideration in Townhouses.
11(b) Application for a discretionary use development permit to establish and operate a bed & breakfast may be made at City Hall.	Delete	Similar regulation applied to all development within the City.
11(c) In addition to providing such information as the Inspections and Licensing Department may require, the applicant shall pay the fees prescribed by Bylaw.	Delete	Similar regulation applied to all development within the City.
11(d) Landowners, located within 100m of the site of an application for a bed and breakfast facility, the neighbourhood community association, if one exists, and the Heritage Preservation Committee, when a building or site that appears on The City's inventory list is the application site, shall be notified and provided opportunity to provide comments for the consideration of the Development Authority.	Delete	Replaced with regulation applicable for all Home Occupation – Major.
11(e) The Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by	Delete	Landowners within 50m will be notified.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
the Development Officer for five consecutive days prior to the application being considered by the Commission.		
11(f) When needed the Development Officer shall review the performance of all approved bed and breakfasts in the City based on any complaints received about any bed and breakfast during the previous year, and take a report to the Development Authority advising of the actions taken with respect to such complaints and proposing any recommendations on additional steps to be taken by The City with respect to relevant contraventions of this Bylaw.	Delete	This requirement is redundant as there are procedures in place for all development enforcement through Land Use Bylaw and Community Standards Bylaw.
11(g) Anyone may lodge complaints to the Development Authority about any nuisance that a bed and breakfast may be imposing on the neighbourhood or adjacent properties including but not limited to noise, vehicle or pedestrian traffic, parking or social activities.	Delete	This requirement is redundant as there are procedures in place for all development enforcement through Land Use Bylaw and Community Standards Bylaw.
11(h) The Development Authority may impose conditions of approval on a discretionary use development permit.	Delete	Similar regulation applied to all development within the City.
11(i)(i) The property owner or bed & breakfast host shall occupy the subject dwelling as his or her primary residence.	Delete	Requirements are found within Home Occupation – Major requirements.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
11(i)(ii) No full time employees outside of the occupant family will be allowed to staff the bed & breakfast or work on the premises. Casual labour may be hired for yard cleaning, repair work, housekeeping services, etc. in the usual manner.	Delete	Requirements are found within Home Occupation – Major requirements.
11(i)(iii) The maximum length of stay for a guest at a bed & breakfast shall be 14 nights in any 30 day period.	4(a)(ii) Limit the length of stay for guests to a maximum of 14 nights in any 30 day period.	No change.
11(i)(iv) The planning, operation and appearance of a bed & breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the curb appearance of a detached or a semi-detached dwelling, including landscaping of a minimum of 20% of the front yard.	Delete	Similar requirement are found within Home Occupation – Major requirements.
11(i)(v) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, a bed & breakfast may occupy not more than two guestrooms with associated washrooms. The rooms must be established within the principal building and provide direct interior access between the principal building and the guestrooms (additional outside access is optional).	4(a)(iii) Contain a maximum of two guestrooms with associated washrooms.  4(a)(v) Provide internal access to the guestroom(s); additional outside access is optional.	Split into two separate regulations for clarity.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
11(i)(vi) Notwithstanding subsection (v), at no time shall more than eight guests be accommodated.	4(a)(iv) Accommodate up to a maximum of eight guests.	Simplified wording.
11(i)(vii) Guestrooms shall not be self contained dwelling units, i.e. there shall not be any cooking facilities available in the guest rooms for the use of guests to prepare meals.	4(a)(vi) Not contain cooking facilities located within the guestroom(s).	Simplified wording.
11(i)(viii) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, parking spaces shall be provided on-site to the ratio of one parking space per guestroom, additional to any other parking requirements of this Bylaw. The interior parking stalls in a tandem parking stall set will not be counted towards fulfilling the minimum parking requirements (see definition of "Tandem Parking"). The combined width of parking spaces provided in the rear yard may not exceed 85% of the rear lot width.	4(a)(vii) Provide one on-Site parking space for each guestroom; this is in addition to any other parking requirements of this Bylaw. The interior parking stalls in a Tandem Parking layout will not be counted towards fulfilling the minimum parking requirements. The combined width of parking spaces provided in the Rear Yard may not exceed 85% of the Rear Yard width.	Simplified wording.
11(i)(ix) No meals may be served on the premises of a bed & breakfast, with the exception of breakfast to overnight guests only.	4(a)(ix) Serve meals to overnight guests only.	

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
11(i)(x) No other services or retail sales may be offered at or from the same premises than that of a bed & breakfast, and no home occupation is permitted on the premises of a bed & breakfast.	Delete	Bed and Breakfast is now considered as a Home Occupation – Major.
11(i)(xi) There shall be no secondary suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.	4(a)(viii) Notwithstanding <b>subsection (15)</b> , not be allowed within the same Site as a Backyard Suite or House Suite, unless the Backyard Suite or House Suite is an integral part of the Bed and Breakfast.	Increased flexibility to use Backyard Suite or House Suite for a Bed and Breakfast operation.
11(i)(xii) At the discretion of the Development Authority, a bed & breakfast may have one sign (approximately 0.27 m <sup>2</sup> in size) displaying the name of the bed & breakfast, the name of the operator and/or the street address, or any combination of these. The appearance and position of the sign shall be subject to the approval of the Development Officer. Generally, signs must be placed discretely, be unobtrusive and be styled in a manner that is compatible with the appearance of the principal building in terms of colour and material, or with such architectural controls as may be required by the developer of a subdivision. No self illuminated signs shall be allowed. If lighting of the sign is required, the source shall be spot lighting.	Delete	Requirements are found within Home Occupation – Major requirements.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Major</b>	Notes
	<p>5(a) One on-Site parking stall shall be required for a Home Occupation – Major except for Bed and Breakfast operations which require one stall for each guestroom; this is in addition to the required parking requirements of the Dwelling Unit;</p> <p>5(b) In review of Development permit applications where Home Occupation – Major is listed as a Discretionary Use, consideration shall be given to the availability of on-Street parking with respect to:</p> <ul style="list-style-type: none"> <li>(i) Corner site locations,</li> <li>(ii) Residential Development located on only one side of the Street and parking allowed on the other side of the Street,</li> <li>(iii) Any portion of the Front Boundary or Side Boundary is located on the same block (on either side of the Street the Site is located on) as a Site zoned PS or from a municipal reserve Site, either of which is not less than 10.0m wide and on-Street parking is allowed,</li> <li>(iv) A Side Boundary or Rear Boundary of the Site Abuts, or is within 10.0m of the Boundary of a Site zoned Commercial or Industrial, and</li> <li>(v) Adjacent Residential Developments do not consist largely of front. attached Garages, Driveways, or a combination thereof.</li> </ul>	<p>Consistency between parking regulations for additional residential uses such as Backyard Suites and House Suites.</p>



Table 2: Home Occupation - Minor

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Minor</b>	Notes
	<p>1(a) In addition to the information requirements of subsection x.x of this Bylaw, each application for a Development permit for a Home Occupation - Minor shall include a description of the business to be undertaken in the Dwelling Unit, hours of operation, an indication of the anticipated number of business visits per day and details for the provision of parking.</p>	<p>New subsection – more information required to provide clarity on what the business entails.</p>
<p>8(a) Home Occupations are intended to permit the use of residential premises for purposes related to business, provided that such use does not cause excessive vehicular or pedestrian traffic or otherwise interfere with or detract from the peace and quiet of a residential neighbourhood. Accordingly it is intended that a home occupation may not involve any retail or industrial activity on the site.</p>	<p>2(a) A Home Occupation - Minor shall not be allowed if, in the opinion of the Development Officer, such use would be more appropriately located in a Commercial or Industrial District having regard for the overall compatibility of the use with the Residential character of the area.</p> <p>2(b) A Home Occupation - Minor shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the District in which it is located;</p> <p>3(l) A Home Occupation - Minor shall not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use;</p>	<p>Clarity that intent of Home-Occupation – Minor is to fit within the context of a residential neighbourhood.</p>

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Minor</b>	Notes
8(b) A home occupation, notwithstanding its inclusion in any land use district as a permitted or discretionary use, constitutes a conditional right to use property, provided that such use must be in accordance with the regulations contained in this section.	Delete	Similar regulation applied to all development within the City.
8(c) No person shall operate or permit or allow the operation of a home occupation without being the holder of a valid and subsisting home occupation license.	Delete	Similar regulation applied to all development within the City.
8(d) Application for a home occupation license may be made at the Inspections and Licensing Department at City Hall. In addition to providing such information as the Inspections and Licensing Department shall require, the applicant shall pay the fees prescribed in the Business License Bylaw.	Delete	Similar regulation applied to all development within the City.
8(e) Where a home occupation is a discretionary use, the Development Officer shall notify landowners within 50 metres of the Boundary of the Site on which the proposed Home Occupation is to be located and request their comments.	2(c)Where a proposed Home Occupation - Minor is a discretionary use, the Development Officer shall notify landowners within 50 metres of the Boundary of the Site which share a common Street or Lane of the application and request their comments.	Revised to within 50m along the same Street or Lane.
8(f) Deleted	Delete	No change.
8(g) Where any of the provisions of this Bylaw dealing with home occupations are breached, the Development Officer may take such action as may be available to the Development Officer under the law, including revocation of a home occupation license or the issuance of a notice under the provisions	Delete	Similar regulation applied to all development within the City.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Minor</b>	Notes
of the Municipal Government Act requiring the person to cease the home occupation ('Stop Order').		
8(h) The issuance of a Stop Order is appealable to the Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act.	Delete	Similar regulation applied to all development within the City.
8(i) Pursuant to the Business License Bylaw, the revocation of a home occupation license by the License Inspector is appealable to the Red Deer Appeal & Review Board, in accordance with the relevant procedures as outlined in the Committees Bylaw.	Delete	Similar regulation applied to all development within the City.
8(j)(i) A home occupation shall not be staffed by any person other than a resident of the home.  8(j)(ii) Not more than two adult residents of the home are permitted to work in the home occupation.	3(c) Home Occupation - Minor shall not employ any person on-Site other than a resident of the Dwelling Unit.	Non-resident employees are not allowed.
8(j)(iii) No advertising may be posted at the site of a home occupation, nor shall there be any evidence of the home occupation which is noticeable from the exterior of the property, whether visual or otherwise.	3(a) A Home Occupation – Minor shall not have more than one Sign which is subject to the following requirements: (i) Signs shall not exceed 0.15 square metres in area. (ii) Signs shall not be Illuminated.	New provision for limited signage.
8(j)(iv) A home occupation may not result in a disturbance to the peace and quiet or other amenities of the neighbourhood, nor may it cause the emission of dust, noise, odour,	3(e) There shall be no storage or use of hazardous, noxious or dangerous goods in	Simplified. Nuisances and hazardous materials are not allowed.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Minor</b>	Notes
smoke, electronic interference, bright lights, or other nuisance.	connection with any Home Occupation – Minor.	
8(j)(v) Outside storage of equipment material or goods in connection with a home occupation is prohibited.	3(d) There shall be no outdoor business activity, or outdoor storage of materials or equipment associated with the Home Occupation - Minor allowed on the Site.	Everything related to the Home Occupation – Major must be contained indoors.
8(j)(vi) Not more than one commercial vehicle used in conjunction with the home occupation may be parked on the site or any street adjacent thereto.	3(j) Not more than one Commercial vehicle used in conjunction with the Home Occupation - Minor may be parked on the Site or any Street Adjacent thereto.	No change.
8(j)(vii) There shall be no storage or use of hazardous, noxious or dangerous goods in connection with any home occupation.	3(e) There shall be no storage or use of hazardous, noxious or dangerous goods in connection with any Home Occupation – Minor.	No change.
8(j)(viii) A home occupation shall be confined to a maximum of 30.0 m <sup>2</sup> (322.0 square feet) or 20% of the net floor area of the dwelling unit, whichever is less.	3(k) A Home Occupation - Minor shall be confined to a maximum of 30.0m <sup>2</sup> or 20% of the Net Floor Area of the Dwelling Unit, whichever is less.	No change.
8(j)(ix) A home occupation may be accommodated in a private garage, provided however, that it does not prevent the continued use of the garage for the intended purpose of parking motor vehicles and that the parking requirements of any bylaw continue to be met.	3(g) Accessory Buildings shall not be constructed or used for the sole purpose of a Home Occupation - Major; however the home occupation may be accommodated in a private Garage, provided that it does not prevent the continued use of the Garage for the intended purpose of parking motor	Reworded for clarity.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Minor</b>	Notes
8(j)(x) An accessory building may not be constructed or used for the sole purpose of a home occupation.	vehicles and that the parking requirements of this Bylaw continue to be met;	
8(j)(xi) A home occupation which is allowed as a permitted use shall not generate additional traffic subsequent to the date of approval.	3(h) Client visits for a Home Occupation – Minor shall not overlap with other clients.	Additional flexibility for customer visits to Home Occupation – Minor so long as visits do not overlap with other customers.
8(k) Notwithstanding section 4.7 (8)(a) or any other provision of this Bylaw, the holder of a home occupation license (the “Licensee”) may hold one retail sale or open house per year from the premises in which the home occupation is located, subject to the following conditions: (i) the Licensee shall notify the Development Officer two weeks prior to the date of the proposed sale, (ii) the sale may run for one day only, (iii) admission to the sale shall be by invitation only and the sale may not be generally advertised, and (iv) the retail sale of goods shall be restricted to products produced in the home, for which the licensee is a licensed home occupation, and must not include the sale of Cannabis.	3(k) A Home Occupation - Minor shall not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use.	Goods related to the services provided by the Home Occupation – Minor are now allowed for retail.

Existing Regulations <b>Home Occupation</b>	Proposed Regulations <b>Home Occupation - Minor</b>	Notes
	3(b) One on-Site parking stall shall be required for a Home Occupation - Minor with client visits; this is in addition to the required parking requirements of the Dwelling Unit.	New subsection – Home Occupation - Minor with client visits will require one on-site parking space.
	3(f) A Home Occupation - Minor shall not change the principal character or external appearance of the Dwelling Units or Site.	New subsection - external appearance must be in keeping with residential neighbourhood.
	3(i) More than one Home Occupation – Minor may be allowed on the same Site however there shall be no overlapping client visits between the uses.	New subsection – provisions for more than one Home Occupation – Minor.

# Home Occupation Comparison – Major versus Minor

Requirement	Home Occupation – Major	Home Occupation - Minor
Application Requirements	<ul style="list-style-type: none"> <li>• Description of business</li> <li>• Hours of operation</li> <li>• Number of business visits per day</li> <li>• Provisions for parking</li> <li>• Description of material/equipment storage</li> </ul>	<ul style="list-style-type: none"> <li>• Description of business</li> <li>• Hours of operation</li> <li>• Number of business visits per day</li> <li>• Provisions for parking</li> </ul>
Siting Considerations of Home Occupation	<ul style="list-style-type: none"> <li>• Business compatible with residential character of area</li> <li>• Traffic compatible with residential character of area</li> <li>• Application notification to landowners within 50m along the same Street or Lane</li> </ul>	<ul style="list-style-type: none"> <li>• Business compatible with residential character of area</li> <li>• Traffic compatible with residential character of area</li> <li>• Application notification to landowners within 50m along the same Street or Lane</li> </ul>
Number of Home Occupations Allowed	<ul style="list-style-type: none"> <li>• One Home Occupation – Major per Site</li> </ul>	<ul style="list-style-type: none"> <li>• More than one Home Occupation – Minor per Site may be approved with limitations on customer visits</li> </ul>
Signage	<ul style="list-style-type: none"> <li>• One non-illuminated sign equal or less than 0.27m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• One non-illuminated sign equal or less than 0.15m<sup>2</sup></li> </ul>
Number of Employees	<ul style="list-style-type: none"> <li>• 2 non-resident employees</li> </ul>	<ul style="list-style-type: none"> <li>• 0 non-resident employees</li> </ul>
Outdoor Storage or Activity	<ul style="list-style-type: none"> <li>• Not allowed</li> </ul>	<ul style="list-style-type: none"> <li>• Not allowed</li> </ul>
Dangerous Goods in Connection with Home Occupation	<ul style="list-style-type: none"> <li>• Not allowed</li> </ul>	<ul style="list-style-type: none"> <li>• Not allowed</li> </ul>
Appearance of Site	<ul style="list-style-type: none"> <li>• Residential in nature</li> </ul>	<ul style="list-style-type: none"> <li>• Residential in nature</li> </ul>
Commercial Vehicles	<ul style="list-style-type: none"> <li>• 1 on site or on adjacent street</li> </ul>	<ul style="list-style-type: none"> <li>• 1 on site or on adjacent street</li> </ul>
Max. Area Occupied in Dwelling Unit	<ul style="list-style-type: none"> <li>• 30.0m<sup>2</sup> or 20% of net floor area</li> </ul>	<ul style="list-style-type: none"> <li>• 30.0m<sup>2</sup> or 20% of net floor area</li> </ul>
Sales Related to Services	<ul style="list-style-type: none"> <li>• Allowed</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed</li> </ul>
Accessory Buildings	<ul style="list-style-type: none"> <li>• Not to be used for sole purpose of business</li> </ul>	<ul style="list-style-type: none"> <li>• Not to be used for sole purpose of business</li> </ul>

Client Visits	<ul style="list-style-type: none"> <li>• No limit, however number of visits shall be compatible with residential character of area</li> </ul>	<ul style="list-style-type: none"> <li>• Client visits shall not overlap</li> </ul>
Bed and Breakfasts	<ul style="list-style-type: none"> <li>• Must be located in a House or Duplex</li> <li>• Limit of 14 day stay</li> <li>• Max. of 2 bedrooms</li> <li>• Max. of 8 guests</li> <li>• Must have internal access to guestroom</li> <li>• Guestroom shall not have cooking facilities</li> <li>• Serve meals to guests only</li> <li>• Shall not be located on the same site as a Backyard Suite or House Suite unless it is an integral part of the Bed and Breakfast</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• 1 stall; Bed and Breakfasts require 1 stall/guestroom</li> <li>• Consideration of on-Street parking</li> </ul>	<ul style="list-style-type: none"> <li>• 1 stall/business with client visits</li> </ul>

 Differences noted between Home Occupation – Major and Home Occupation – Minor



# House Suites

## Proposed Definitions

**House Suite** means a Development consisting of a Dwelling Unit located within, and accessory to, a House.

## Key Changes

1. Increased flexibility in where a House Suite can be located within a House.
2. New site requirements such as Minimum Site Frontage and Minimum Site Area to ensure compatibility with adjacent uses, specifically in the R-N District.
3. House Suites are currently limited to 15% of the total Houses within a neighbourhood. It is now proposed to increase the number of House Suites and Backyard Suites combined to 25% of the total Houses within a neighbourhood.
4. New parking requirements including provisions to relax parking requirements based on Site location.

## Items to Consider

### All Departments

1. House Suites are proposed in all residential districts as a permitted use except the R-MH (Mobile Home) and R-SMU Districts (Small-Scale Mixed Use) where it is not listed as a use.
2. Are there any items related to House Suites that have not been addressed?
3. Are there any items related to House Suites that should be addressed differently?

## Proposed Regulations

### House Suite Development Standards

1. Development requirements:
  - (a) A House Suite may be located in a basement, on the main Storey or on an upper Storey or a combination thereof, of a House.
  - (b) A House Suite shall meet the following requirements:

Regulation	Requirement
Minimum Site Area	360.0m <sup>2</sup>
Minimum Site Frontage	12.0m
Maximum Floor Area	Shall not be equal to or exceed the total Floor Area used by the principal Dwelling Unit
Minimum Front Yard Setback	Same as underlying District requirement
Minimum Side Yard Setback	Same as underlying District requirement
Minimum Rear Yard Setback	Same as underlying District requirement

2. Functionality, Design, Character and Appearance Requirements
  - (a) A House containing a House Suite shall appear as a single Dwelling Unit.
  - (b) A House Suite shall have its own exterior entrance, which shall be located on a side or rear elevation of the House. Notwithstanding this, a shared entrance for the primary

Dwelling Unit and the House Suite with a common enclosed landing may be located on the front elevation.

3. Density Requirements

- (a) The following shall not be relaxed or varied by the Development Authority:
  - (i) Only one Backyard Suite or House Suite may be developed in conjunction with a House on the same Site.
  - (ii) A House Suite shall not be subject to separation from the principal Dwelling Unit through a condominium conversion or from the existing Site through subdivision.
- (b) The total sum of Backyard Suites and House Suites is limited to 25% of the total Houses in a neighbourhood. Neighbourhood boundaries shall be the boundaries shown in Figure x.x.

4. Siting Requirements

- (a) A House Suite shall be located on one of the following:
  - (i) A Site located on a Street that has more than one entrance or exit, or
  - (ii) A Site with a Lane, or
  - (iii) A Corner Site.
- (b) A House Suite shall not co-exist on a Site with a Home Occupation – Major unless the House Suite is an integral part of a Bed and Breakfast operation.

5. Parking Requirements

- (a) In addition to meeting the parking requirements for the principal Dwelling Unit as set out in section 3.1 and 3.2 of this Bylaw, a Site which contains a House Suite shall also meet the following parking requirements:
  - (vii) A House Suite shall provide the following off-Street parking requirements:
    - c. A House Suite with two or fewer bedrooms shall provide one off-Street parking space.
    - d. A House Suite with three or more bedrooms shall provide two off-Street parking spaces.
  - (i) The parking space for the House Suite shall not be in tandem with the parking spaces required for the principal Dwelling Unit.
  - (ii) Parking space for the House Suite shall be available for the exclusive and unrestricted use of the occupant(s) of the House Suite.
  - (iii) All parking spaces shall be developed in accordance with section 3.2.4 of this Bylaw.
  - (iv) The parking space for a House Suite shall be located in one of the following locations:
    - a. in an attached or detached Garage or on its Driveway,
    - b. in the Rear Yard, or
    - c. in the Side Yard to the rear of the Front Yard.
  - (v) On Sites where the parking space for a House Suite cannot be provided in the location described in subsection (v), the Development Authority may allow the parking space to be located within the Front Yard provided that:
    - a. a minimum of 25% of the Front Yard remains landscaped,

- b. the parking space for the House Suite is not in tandem with the parking spaces for the principal Dwelling Unit; and
  - c. the parking space is developed to the satisfaction of the Development Authority.
- (vii) Except in the R-N District, on Sites where the parking space for a House Suite cannot be provided in the location described in subsections (v) or (vi), the Development Authority may allow a reduction of the required parking space to zero spaces provided that the House Suite is located on a Site:
- a. With a Street containing Residential Development on only one side of the Street and parking is allowed on the other side of the Street, or
  - b. Where the Front Boundary or Side Boundary is located on the same block (on either side of the Street the Site is located on) as a Site zoned **PS** or from a municipal reserve Site, either of which is not less than 10.0m wide and on-Street parking is allowed, or
  - c. Where the Side Boundary or Rear Boundary abuts or is within 10.0m of the Boundary of a Site in a Commercial or Industrial District, or
  - d. Where adjacent Residential Developments do not largely consist of front attached Garages, Driveways, or a combination thereof.
- (viii) A hard surfaced Walkway shall be provided between the House Suite parking space and the House Suite exterior entrance.

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
(9.1.1) A Secondary Suite is only allowed in a Detached Dwelling Unit.	1(a)A House Suite may be located in a basement, on the main Storey or on an upper Storey or a combination thereof, of a House.	Increased flexibility of where House Suite can be located in a House.
<p>(9.2) Where a Secondary Suite is shown as a permitted use in a Detached Dwelling Unit in the R1, R1A, R1C and R2 Residential Districts, it is allowed only:</p> <ul style="list-style-type: none"> <li>(a) On a Site identified for a Secondary Suite in a Neighbourhood Area Structure Plan adopted before January 1, 2010; or</li> <li>(b) On a Site located within a Neighbourhood Area Structure Plan adopted after January 1, 2010, provided that the Site has a Lane, that the primary Dwelling Unit is not developed with a zero lot line and that the Site meets one of the following requirements: <ul style="list-style-type: none"> <li>(i) it is a Corner Site; or</li> <li>(ii) the Site is on a Street containing residential development on only one side of the Street; or</li> <li>(iii) any portion of the Front Boundary of the Site is located directly across the Street from a Site zoned (PS) Public Service District or from a Municipal Reserve Site, either of which is not less than 10.0 m wide; or</li> </ul> </li> </ul>		Remove. House Suites now considered as a permitted use in all districts. Where appropriate, existing regulations are imbedded into other regulations within this use, ie: Parking, Siting Requirements.

Existing Regulations	Proposed Regulations	Notes
<ul style="list-style-type: none"> <li>(iv) a Side Boundary of the Site abuts a Municipal Reserve parcel which is not less than 10.0 m wide; or</li> <li>(v) a Side Boundary or Rear Boundary of the Site abuts, or is within 10.0 m of the Boundary of a Site in a Commercial or</li> <li>(vi) Industrial District; or</li> <li>(vii) a Side Boundary of the Site abuts a Site zoned as R2 or R3.</li> </ul>		
(9.3) A Secondary Suite is a Discretionary Use in a Detached Dwelling Unit in any R1, R1A, R1C, R1WS, R2, R3 Residential and C1 Commercial District, except where it is a Permitted Use under section 9.2.		Remove. House Suites are a permitted use in all districts.
<p>(9.4) A Secondary Suite which exists as of December 14, 2009 in any residential district and which has not previously received development approval under this Bylaw or its predecessors, is considered a Discretionary Use provided that:</p> <ul style="list-style-type: none"> <li>(a) The Secondary Suite complies with the Safety Codes Act; and</li> <li>(b) The owner applies for a development permit in respect of the Secondary Suite prior to September 1, 2010.</li> </ul>		Remove. Anything prior to 2009 would now require a development permit.
(9.5) Whether it is listed as a Permitted Use or a Discretionary Use, a Secondary Suite may not be developed in any applicable Residential District if such development would increase the number of Secondary	3(b) The total sum of Backyard Suites and House Suites is limited to 25% of the total Houses in a neighbourhood. Neighbourhood boundaries shall be the boundaries shown in Figure x.x.	Increase in the number of suites per neighbourhood for more efficient use of existing infrastructure.

Existing Regulations	Proposed Regulations	Notes
Suites in a neighbourhood beyond 15% of the total number of Detached Dwelling Units in that neighbourhood. For the purpose of this section, the Secondary Suite Neighbourhood Zone Boundaries shall be the boundaries as illustrated on Figure 3A.		
<p>(9.6) Notwithstanding that a Secondary Suite may be listed as a Permitted Use or Discretionary Use in a district, such use is only allowed if the Secondary Suite meets the following requirements, which shall not be varied by the Development Authority:</p> <ul style="list-style-type: none"> <li>(a) Except as allowed by section 4.7(9)(9.4), a Secondary Suite may only be developed in a detached Dwelling Unit;</li> <li>(b) Not more than one Secondary Suite is allowed in a Dwelling Unit;</li> <li>(c) A Secondary Suite is not allowed in an Accessory Building; and</li> <li>(d) A Secondary Suite and a Discretionary Use Home Occupation are not allowed in the same detached Dwelling Unit.</li> </ul>	<p>1(a) A House Suite shall only be located in a basement, on the main Storey or on an upper Storey or a combination thereof, of a House.</p> <p>3(a) The following shall not be relaxed or varied by the Development Authority:</p> <ul style="list-style-type: none"> <li>(i) Only one Backyard Suite or House Suite may be developed in conjunction with a House on the same Site.</li> </ul> <p>4(b) A House Suite shall not co-exist on a Site with a Home Occupation – Major unless the House Suite is an integral part of a Bed and Breakfast operation.</p>	Removed (9.6)(c) in existing regulations as new definition of House Suite states it must be located in a House.
(9.7) Before the Development Authority considers an application for a Secondary Suite, all landowners located within 100m of the Boundary of the Site on which the proposed Secondary Suite is to be located must have been notified by the Development Officer of the application.		Remove. This is a repeat of regulations that are in Part 2 of the LUB. Permitted uses are not subject to landowner referrals. Potential to create a department policy to ensure permitted use applications are sent to landowners for notification not comments.
(9.8) In making its decision on Discretionary Use applications the Development Authority		Remove. House Suites now considered as a permitted use in all districts. Where

Existing Regulations	Proposed Regulations	Notes
<p>may consider any relevant planning criteria including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) The design and accessibility of the area surrounding the Site, in consideration of the following: <ul style="list-style-type: none"> <li>(i) the Site is located in an area that can provide additional on-Street parking options, such as a location within close proximity to a neighbourhood park or open space area, a neighbourhood commercial Site or a community trail/pathway system.</li> </ul> </li> <li>(b) The density of the area surrounding the Site, in consideration of the following: <ul style="list-style-type: none"> <li>(i) the developments in the area surrounding the Site consist largely of Detached Dwelling Units,</li> <li>(ii) the residential developments in the area surrounding the Site consist largely of a lot area minimum of 360.0 m<sup>2</sup>,</li> <li>(iii) the number and location of Secondary Suites: <ol style="list-style-type: none"> <li>1. within 100 metres of the Site;</li> <li>2. within the Block;</li> <li>3. within the Street; and</li> <li>4. within the Row of Residential Buildings, or</li> </ol> </li> </ul> </li> </ul>		<p>appropriate, existing regulations are imbedded into other regulations within this use, ie: Parking, Siting Requirements.</p>

Existing Regulations	Proposed Regulations	Notes
<ul style="list-style-type: none"> <li>(iv) the number and location of Semi detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.</li> <li>(v) the number and location of Semi -detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.</li> <li>(c) The availability of on-Street parking, in consideration of the following: <ul style="list-style-type: none"> <li>(i) Corner Site locations,</li> <li>(ii) residential development located on only one side of the Street and parking allowed on the other side of the Street, adjacent residential developments do not consist largely of front attached garages and driveways.</li> <li>(iii) a Side Boundary of the Site abuts a Municipal Reserve Site,</li> <li>(iv) along which on-Street parking is allowed, which is not less than 10.0 m wide,</li> <li>(v) any portion of the Front Boundary of the Site is located across the Street from a Site zoned (PS) Public Service District or from a Municipal</li> </ul> </li> </ul>		



Existing Regulations	Proposed Regulations	Notes		
Reserve Site either of which is not less than 10.0 m wide, or (vi) a Side Boundary or Rear Boundary of the Site abuts, or is within 10.0m of the Boundary of a Site zoned Commercial or Industrial.				
(9.9) In making its decision on a Secondary Suite, the Development Authority shall not consider the condition of the property or the behaviour of the occupants of the property, as these matters are enforced through the Community Standards Bylaw and other legislation.		Remove. Regulated in other bylaws/legislation.		
(9.10) The Development Officer may issue a decision on a Discretionary Use Secondary Suite application if: (a) No relevant planning objection has been received from the 100m landowner consultation process; and (b) The application meets all requirements of the Land Use Bylaw.		Remove as House Suites are a permitted use. Could retain City decides to keep House Suites in some areas as a discretionary use.		
(9.11) The following regulations apply to all Permitted Use and Discretionary Use Secondary Suites, unless varied by the Development Authority: (a) The Secondary Suite must have its own exterior entrance, which can be located on a side or rear elevation of the Building, but shall not be located on a front elevation of a Building facing a Street. Notwithstanding this, a shared entry door providing access	2(b) A House Suite shall have its own exterior entrance, which shall be located on a side or rear elevation of the House. Notwithstanding this, a shared entrance for the primary Dwelling Unit and the House Suite with a common enclosed landing may be located on the front elevation.  1(b) <table><tr><td>Regulation</td><td>Requirement</td></tr></table>	Regulation	Requirement	Provision for relaxation of parking requirements based on Site location.
Regulation	Requirement			

Existing Regulations	Proposed Regulations		Notes	
<p>to an enclosed shared landing area from which both the primary Dwelling Unit and Secondary Suite take access, may be located on a front elevation of a Building facing a Street.</p> <p>(b) The Floor Area of a Secondary Suite shall not exceed the total Floor Area used by the primary Dwelling Unit.</p> <p>(c) In addition to meeting the parking requirements for the primary Dwelling Unit as set out in section 3.1 and 3.2 of this Bylaw, a property which contains a Secondary Suite must also meet the following parking requirements:</p> <p>(i) a Secondary Suite with two or fewer bedrooms shall provide one off-street parking space;</p> <p>(ii) a Secondary Suite with three or more bedrooms shall provide two off-street parking spaces;</p> <p>(iii) the parking spaces for the Secondary Suite shall not be in tandem with the parking spaces required for the primary Dwelling Unit, however, if two parking spaces are required for the Secondary Suite, these can be arranged in tandem with each other.</p>	<table><tr><td>Maximum Floor Area</td><td>Shall not be equal to or exceed the total Floor Area used by the principal Dwelling Unit</td></tr></table>	Maximum Floor Area	Shall not be equal to or exceed the total Floor Area used by the principal Dwelling Unit	
Maximum Floor Area	Shall not be equal to or exceed the total Floor Area used by the principal Dwelling Unit			
	<p>5. Parking Requirements</p> <p>(a) In addition to meeting the parking requirements for the principal Dwelling Unit as set out in section 3.1 and 3.2 of this Bylaw, a Site which contains a House Suite shall also meet the following parking requirements:</p> <p>(i) A House Suite shall provide the following off-Street parking requirements:</p> <p>a. A House Suite with two or fewer bedrooms shall provide one off-Street parking space.</p> <p>b. A House Suite with three or more bedrooms shall provide two off-Street parking spaces.</p> <p>(ii) The parking space for the House Suite shall not be in tandem with the parking spaces required for the principal Dwelling Unit.</p> <p>(iii) Parking space for the House Suite shall be available for the exclusive and unrestricted use of the occupant(s) of the House Suite.</p>			

Existing Regulations	Proposed Regulations	Notes
<p>(iv) parking spaces for the Secondary Suite shall be available for the exclusive and unrestricted use of the occupant(s) of the Secondary Suite,</p> <p>(v) all parking spaces to be developed to a Minimum Gravel Parking Standard;</p> <p>(vi) parking spaces for a Secondary Suite must be located in one of the following locations:</p> <ol style="list-style-type: none"> <li>(1) in an attached or detached Garage or on its driveway,</li> <li>(2) in the Rear Yard, or</li> <li>(3) in the Side Yard to the rear of the Front Yard.</li> </ol> <p>(vii) on lots where the parking space for a Secondary Suite cannot be provided in the location described in subsection (vi), the Development Authority may allow the parking space(s) to be located within the Front Yard provided that</p> <ol style="list-style-type: none"> <li>(1) a minimum of 25% of the Front Yard remains landscaped,</li> <li>(2) the parking spaces for the Secondary Suite are not in tandem with the</li> </ol>	<p>(iv) All parking spaces shall be developed in accordance with section 3.2.4 of this Bylaw.</p> <p>(v) The parking space for a House Suite shall be located in one of the following locations:</p> <ol style="list-style-type: none"> <li>a. in an attached or detached Garage or on its Driveway,</li> <li>b. in the Rear Yard, or</li> <li>c. in the Side Yard to the rear of the Front Yard.</li> </ol> <p>(vi) On Sites where the parking space for a House Suite cannot be provided in the location described in subsection (v), the Development Authority may allow the parking space to be located within the Front Yard provided that:</p> <ol style="list-style-type: none"> <li>a. a minimum of 25% of the Front Yard remains landscaped,</li> <li>b. the parking space for the House Suite is not in tandem with the parking spaces for the principal Dwelling Unit; and</li> <li>c. the parking space is developed to the satisfaction of the Development Authority.</li> </ol> <p>(vii) Except in the R-N District, on Sites where the parking space for a House Suite cannot be</p>	

Existing Regulations	Proposed Regulations	Notes
<p>parking spaces for the Primary Dwelling Unit; and</p> <p>(3) the parking space is developed to the satisfaction of the Development Authority.</p> <p>(viii) a hard surfaced walkway shall be provided between any Secondary Suite parking space(s) and the primary Dwelling unit in which the Secondary Suite is located.</p> <p>(d) the Site must meet one of the following requirements:</p> <p>(i) the Site is located on a Street that has more than one entrance/exit,</p> <p>(ii) the Site has access from a Lane, or</p> <p>(iii) the Site is a Corner Site.</p>	<p>provided in the location described in subsections (v) or (vi), the Development Authority may allow a reduction of the required parking space to zero spaces provided that the House Suite is located on a Site:</p> <p>a. With a Street containing Residential Development on only one side of the Street and parking is allowed on the other side of the Street, or</p> <p>b. Where the Front Boundary or Side Boundary is located on the same block (on either side of the Street the Site is located on) as a Site zoned <b>PS</b> or from a municipal reserve Site, either of which is not less than 10.0m wide and on-Street parking is allowed, or</p> <p>c. Where the Side Boundary or Rear Boundary abuts or is within 10.0m of the Boundary of a Site in a</p>	

Existing Regulations	Proposed Regulations	Notes								
	<div>Commercial or Industrial District, or</div> <div>d. Where adjacent Residential Developments do not largely consist of front attached Garages, Driveways, or a combination thereof.</div> <div>(viii) A hard surfaced Walkway shall be provided between the House Suite parking space and the House Suite exterior entrance.</div> <div>4(a) A House Suite shall be located on one of the following:</div> <div>(i) A Site located on a Street that has more than one entrance or exit, or</div> <div>(ii) A Site with a Lane, or</div> <div>(iii) A Corner Site.</div>									
	<div>1(b)</div> <table><tr><th>Regulation</th><th>Requirement</th></tr><tr><td>Minimum Site Area</td><td>360.0m<sup>2</sup></td></tr><tr><td>Minimum Site Frontage</td><td>12.0m</td></tr><tr><td>Maximum Floor Area</td><td>Shall not be equal to or exceed the total Floor Area used by the principal Dwelling Unit</td></tr></table>	Regulation	Requirement	Minimum Site Area	360.0m <sup>2</sup>	Minimum Site Frontage	12.0m	Maximum Floor Area	Shall not be equal to or exceed the total Floor Area used by the principal Dwelling Unit	New development requirements.
Regulation	Requirement									
Minimum Site Area	360.0m <sup>2</sup>									
Minimum Site Frontage	12.0m									
Maximum Floor Area	Shall not be equal to or exceed the total Floor Area used by the principal Dwelling Unit									

Existing Regulations	Proposed Regulations		Notes
	Minimum Front Yard Setback	Same as underlying District requirement	
	Minimum Side Yard Setback	Same as underlying District requirement	
	Minimum Rear Yard Setback	Same as underlying District requirement	
	2(a) A House containing a House Suite shall appear as a single Dwelling Unit.		New design requirement.
	3(a)(ii) A House Suite shall not be subject to separation from the principal Dwelling Unit through a condominium conversion or from the existing Site through subdivision.		New density requirement.

# Landscaping Regulations

## Proposed Definitions

**Landscaped Area** means the portions of a Site planted with trees, shrubs or other vegetation including the soil or bedding material areas associated with plantings.

## Key Changes

None

## Items to Consider

1. Are there any changes that should be considered from the existing regulations?
2. This section is proposed to be moved and included within the larger landscaping regulations.

## Proposed Regulations

### Landscaping Regulations

1. An owner of a Residential Site shall ensure that the landscaping on the Landscaped Area of the Site is completed within two years of the date that the Building is occupied.
2. For the purpose of this section, completion of landscaping shall mean, at the minimum, that the Landscaped Area is covered by lawn.

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
4(15)(1) An owner of a residential site shall ensure that the landscaping on the landscaped area of the Site is completed within two years of the date that the building is occupied.	1. An owner of a Residential Site shall ensure that the landscaping on the Landscaped Area of the Site is completed within two years of the date that the Building is occupied.	No change.
4(15)(2) For the purpose of this section, completion of landscaping shall mean, at the minimum, that the landscaped area is covered by lawn.	2. For the purpose of this section, completion of landscaping shall mean, at the minimum, that the Landscaped Area is covered by lawn.	No change.



# Objects Prohibited or Restricted in Yards

## Proposed Definitions

**Yard** means the part of a Site unoccupied by any portion of a Building or Structure.

**Recreational Vehicle** means a vehicle or portable Structure designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, which provides temporary living accommodation for travel and/or recreational purposes. Typical examples include campers, tent trailers, and motor homes. Recreational Vehicle does not include Trailer.

**Trailer** means an unpowered vehicle towed by another motor vehicle used to transport property, household goods, tools, equipment, supplies, motor vehicles, off road vehicles, or watercraft. Typical examples include flat bed trailers, cargo trailers, car haulers, and utility trailers. A Trailer does not include Recreational Vehicles.

## Key Changes

None

## Items to Consider

All Departments

1. Proposed differentiation between Trailers and Recreational Vehicles.
2. Are there any items that have not been addressed?
3. Are there any items that should be addressed differently?

## Proposed Regulations

### Objects Prohibited or Restricted in Yards

1. Except for one Commercial vehicle of gross vehicle weight rating not exceeding 4,500 kg which may be parked in the Rear Yard, no motor vehicle other than a passenger vehicle shall be parked on a Site in any Residential Districts for longer than is necessary to load or unload.
2. No person shall allow:
  - (a) a Commercial motor vehicle, Recreational Vehicle or Trailer to remain or be parked in a Front Yard of the Site in a Residential District, except in one of the following circumstances:
    - (i) a Recreational Vehicle which may be parked on a constructed Parking Pad in the Front Yard between the first day of April and the thirty-first day of October of any year; or
    - (ii) a non-commercial Trailer used to transport off-road vehicles (excluding snowmobiles) or watercraft which may be parked on a constructed Parking Pad in the Front Yard between the first day of April and the thirty-first day of October in any year; or
    - (iii) a non-commercial Trailer used to transport snowmobiles, which may be parked on a constructed Parking Pad in the Front Yard between the first day of November and the thirtieth day of April in any year.
  - (b) a motor vehicle used for stock car races, or which has all or part of its superstructure removed, or which is in a dilapidated or unsightly condition to remain or be parked in any Yard of a Site in a Residential District.

- (c) a passenger vehicle to be parked in a Front Yard except on a Driveway.
- 3. In any Residential District, not more than one Commercial motor vehicle, Trailer or Recreational Vehicle shall be parked on any Site.
- 4. No person in lawful possession or control of a Site shall allow or permit a Recreational Vehicle parked on such Site except as follows:
  - (a) A Recreational Vehicle parked in an approved Campground.
  - (b) A Recreational Vehicle parked in the Westerner Exposition site (Lot 5, Block 1, Plan 822 2274 and Plan 615LZ) if their on-Site Campground is full or if exhibitors require close proximity to onsite facilities.
  - (c) A Recreational Vehicle parked in the parking lot of a church, school, recreation venue site, community centre or major Hotel/Motel 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 Recreational Vehicle 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.

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
4(4)(a) Except for one commercial vehicle of gross vehicle weight rating not exceeding 4,500 kg which may be parked in the rear yard, no motor vehicle other than a passenger vehicle shall be parked on a site in any residential districts for longer than is necessary to load or unload.	1. Except for one Commercial vehicle of gross vehicle weight rating not exceeding 4,500 kg which may be parked in the Rear Yard, no motor vehicle other than a passenger vehicle shall be parked on a Site in any Residential Districts for longer than is necessary to load or unload.	No change.
<p>4(4)(b) No person shall allow:</p> <ul style="list-style-type: none"> <li>(i) a commercial motor vehicle or trailer to remain or be parked in a front yard of the site in a residential district, except for: <ul style="list-style-type: none"> <li>(1) one trailer used as a dwelling or sleeping place which may be parked on a constructed parking pad in the front yard between the first day of April and the thirty-first day of October of any year;</li> <li>(2) one non-commercial trailer used to transport off-road vehicles (excluding snowmobiles) or watercraft which may be parked on a constructed parking pad in the front yard between the first day of April and the thirty-first day of October in any year; or</li> <li>(3) one non-commercial trailer used to transport snowmobiles, which may be parked on a constructed parking pad in the front yard between the first day of</li> </ul> </li> </ul>	<p>2. No person shall allow:</p> <ul style="list-style-type: none"> <li>(a) a Commercial motor vehicle, Recreational Vehicle or Trailer to remain or be parked in a Front Yard of the Site in a Residential District, except in one of the following circumstances: <ul style="list-style-type: none"> <li>(i) a Recreational Vehicle which may be parked on a constructed Parking Pad in the Front Yard between the first day of April and the thirty-first day of October of any year; or</li> <li>(ii) a non-commercial Trailer used to transport off-road vehicles (excluding snowmobiles) or watercraft which may be parked on a constructed Parking Pad in the Front Yard between the first day of April and the thirty-first day of October in any year; or</li> </ul> </li> </ul>	Differentiation between Trailer and Recreational Vehicle.

Existing Regulations	Proposed Regulations	Notes
<p>November and the thirtieth day of April in any year.</p> <p>(ii) a motor vehicle used for stock car races, or which has all or part of its superstructure removed, or which is in a dilapidated or unsightly condition to remain or be parked in any yard of a site in a residential district.</p> <p>(iii) a passenger vehicle to be parked in a front yard except on a driveway.</p>	<p>(iii) a non-commercial Trailer used to transport snowmobiles, which may be parked on a constructed Parking Pad in the Front Yard between the first day of November and the thirtieth day of April in any year.</p> <p>(b) a motor vehicle used for stock car races, or which has all or part of its superstructure removed, or which is in a dilapidated or unsightly condition to remain or be parked in any Yard of a Site in a Residential District.</p> <p>(c) a passenger vehicle to be parked in a Front Yard except on a Driveway.</p>	
<p>(c) In any residential district, not more than one trailer shall be parked on any site.</p>	<p>3. In any Residential District, not more than one Commercial motor vehicle, Trailer or Recreational Vehicle shall be parked on any Site.</p>	<p>Differentiation between uses.</p>
<p>(d) 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:</p> <p>(i) A trailer parked in an approved campground.</p> <p>(ii) A trailer parked in the Westerner Exposition site if their on-site campground is full or if exhibitors</p>	<p>4. No person in lawful possession or control of a Site shall allow or permit a Recreational Vehicle parked on such Site except as follows:</p> <p>(a) A Recreational Vehicle parked in an approved Campground.</p> <p>(b) A Recreational Vehicle parked in the Westerner Exposition site (Lot 5, Block 1, Plan 822 2274 and Plan 615LZ) if their on-Site Campground is full or if exhibitors require close proximity to onsite facilities.</p>	<p>Differentiation between uses.</p> <p>Subsection (d) has been changed to allow for provisions of parking a RV on a property for more than 48 hours. The existing regulation is "less than 48 hours".</p>

Existing Regulations	Proposed Regulations	Notes
<p>require close proximity to onsite facilities.</p> <p>(iii) A self-container trailer parked in the parking lot of a church, school, recreation venue site, community centre or major hotel with conference/convention facilities providing:</p> <ol style="list-style-type: none"> <li>(1) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;</li> <li>(2) the owner of the site has obtained approval from the Development Authority;</li> <li>(3) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;</li> <li>(4) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;</li> <li>(5) no fees shall be charged for overnight parking;</li> <li>(6) the owner of the site will be responsible to ensure that all City of Red Deer Bylaws, including the Public Order Bylaw, are complied with.</li> </ol>	<p>(c) A Recreational Vehicle parked in the parking lot of a church, school, recreation venue site, community centre or major Hotel/Motel with conference/convention facilities providing:</p> <ol style="list-style-type: none"> <li>(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;</li> <li>(ii) the owner of the Site has obtained approval from the Development Authority;</li> <li>(iii) overnight parking on the Site does not exceed two consecutive nights unless approved by the Development Authority;</li> <li>(iv) overnight parking on the Site shall not exceed two occasions per calendar month unless approved by the Development Authority;</li> <li>(v) no fees shall be charged for overnight parking;</li> <li>(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.</li> </ol> <p>(d) A Recreation Vehicle parked on a Site in a Residential District for 48 hours</p>	

Existing Regulations	Proposed Regulations	Notes
<p>(iv) A trailer parked on a site in a residential district for 48 hours or less between the first day of April and the thirty –first day of October each year providing:</p> <p>(1) the owner of the site obtains approval from the Development Authority;</p> <p>(2) no rent or fees are paid for the use of the site or facilities;</p> <p>(3) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.</p>	<p>or more between the first day of April and the thirty-first day of October each year providing:</p> <p>(i) the owner of the Site obtains approval from the Development Authority;</p> <p>(ii) no rent or fees are paid for the use of the Site or facilities;</p> <p>(iii) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.</p>	

## Projections over Yards

**Proposed Definitions** *(several of these are still under review)*

**Yard** means the part of a Site unoccupied by any portion of a Building or Structure.

**Front Yard** 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.

**Rear Yard** 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.

**Side Yard** means that part of a Site which extends from a Front Yard to the Rear Boundary between the Side Boundary of a Site and the nearest wall or supporting member of a Principal Building.

**Front Boundary** means the shortest Boundary of a Site Adjacent to a Street. In the case of a Site that adjoins more than one Street where the Boundaries adjoining Streets are of equal length, the Boundary with primary access shall be deemed the Front Boundary.

### Key Changes

1. Eaves are proposed to be able to project into the Front Yard by 1.5m in all Residential Districts. This means that in districts where the proposed Front Yard setback is 3.0m the eaves will be able to project up to an additional 1.5m.

### Items to Consider

1. Are there any items related to projections that have not been addressed?
2. Are there any items related to projections that should be addressed differently?

### Proposed Regulations

#### Projections 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. The portions of, and attachments to, a principal Building, which may project over or on a minimum Yard are:
  - (a) On a Site in a Residential District:
    - (i) Front Yard:
      - (1) An unenclosed veranda, porch, balcony, barrier free ramp, bay window, bow window, or chimney, which projects not more than 1.5 m over or on a minimum Front Yard.
        - a. Notwithstanding (1), the above listed Front Yard projections shall maintain a minimum 3.0m distance from the Front Boundary.
      - (2) Eaves which project not more than 1.5m over a minimum Front Yard.
    - (ii) Rear Yard: a canopy, eaves, chimney, or steps which projects not more than 1.5 m over or on a minimum Rear Yard, and an unenclosed veranda, balcony or

barrier free ramp, which projects not more than 3.0 m over or on a minimum Rear Yard.

(iii) Side Yard:

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



Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
(5) 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.	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.	No change.
<p>(5) The portions of, and attachments to, a principal building, which may project over or on a minimum yard are:</p> <p>(a) On a site in a residential district:</p> <p>(i) Front Yard: An unenclosed veranda, porch, balcony, barrier free ramp, bay window, bow window, or chimney, which projects not more than 1.5 m over or on a minimum front yard,</p> <p>(ii) Rear Yard: a canopy, eaves, chimney, or steps which projects not more than 1.5 m over or on a minimum rear yard, and an unenclosed veranda, balcony or barrier free ramp, which projects not more than 3.0 m over or on a minimum rear yard.</p> <p>(iii) Side Yard:</p> <p>(1) a canopy, eaves, or chimney, which projects not more than one half of the minimum side yard required for the site,</p> <p>(2) unenclosed steps, including a landing, not more than</p>	<p>2. The portions of, and attachments to, a principal Building, which may project over or on a minimum Yard are:</p> <p>(a) On a Site in a Residential District:</p> <p>(i) Front Yard:</p> <p>(1) An unenclosed veranda, porch, balcony, barrier free ramp, bay window, bow window, or chimney, which projects not more than 1.5 m over or on a minimum Front Yard.</p> <p>a. Notwithstanding (1), the above listed Front Yard projections shall maintain a minimum 3.0m distance from the Front Boundary.</p> <p>(2) Eaves which project not more than 1.5m over a minimum Front Yard.</p> <p>(ii) Rear Yard: a canopy, eaves, chimney, or steps which projects not more than 1.5 m</p>	Front Yard projections, except for eaves, must maintain a minimum 3.0m distance from the Front Boundary.

Existing Regulations	Proposed Regulations	Notes
<p>0.6 m above grade, which projects not more than 0.9 m into the minimum side yard; except, that no steps, landings, or balconies may project into a 3.0 metre side yard required in a laneless subdivision, unless provisions are made for a garage or carport, or vehicular access to the rear of the property.</p>	<p>over or on a minimum Rear Yard, and an unenclosed veranda, balcony or barrier free ramp, which projects not more than 3.0 m over or on a minimum Rear Yard.</p> <p>(iii) Side Yard:</p> <p>(1) a canopy, eaves, or chimney, which projects not more than one half of the minimum Side Yard required for the Site,</p> <p>(2) unenclosed steps, including a landing, not more than 0.6 m above Grade, which projects not more than 0.9 m into the minimum Side Yard; except, that no steps, landings, or balconies may project into a 3.0 metre Side Yard required in a laneless subdivision, unless provisions are made for a Garage or carport, or vehicular access to the rear of the property.</p>	

# Public Assembly

## Proposed Definition

**Public Assembly** means a Building used for public gatherings and assemblies. This use includes assembly areas used for religious, charitable, educational, or social activities. Typical examples include places of worship, community centres, auditoriums, and convention centres.

## Key Changes

N/A

## Items to Consider

All Departments

1. Public Assembly is listed as a Discretionary Use in all Residential Districts.
2. Are there any items related to Public Assembly that have not been addressed?
3. Are there any items related to Public Assembly that should be addressed differently?

## Proposed Regulations

Public Assembly

1. Public Assembly in a Residential District shall only be located on a Site greater or equal to 800.0m<sup>2</sup>.
2. Where a Development Permit application for a Public Assembly is intended to incorporate Accessory Uses such as temporary outdoor events, the applicant shall provide the Development Authority with a plan for off-site parking and traffic management as part of the application for a Development Permit, ensuring that the traffic associated with the Public Assembly and all Accessory Uses will not negatively impact the surrounding neighbourhood.
3. The design, location, and site layout of a Public Assembly shall:
  - (a) Provide for a building form and scale that is compatible with, or enhances, the character of surrounding uses;
  - (b) Mitigate negative impacts on Adjacent uses, having regard for the neighbourhood character, and other impacts such as noise, light, traffic and parking.

## Real Property Reports

### **Proposed Definitions**

None

### **Key Changes**

None

### **Items to Consider**

1. Are there any changes that should be considered from the existing regulations?

### **Proposed Regulations**

#### Real Property Reports

1. Notwithstanding the Residential District regulations, the Development Officer may deem that an existing Building or Site within the following tolerance of the requirements complies with the regulations:
  - (a) Not less than 90% of the minimum or maximum regulations which relate to the placement of Buildings.

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
<p>4.7(1)(c) Notwithstanding regulations listed in all Residential District Tables, the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in the Residential District Tables, within any Residential district namely:</p> <p>(i) Not less than 90% of the minimum or maximum regulations in the Residential District Table, which related to the placement of Buildings.</p>	<p>1. Notwithstanding the Residential District regulations, the Development Officer may deem that an existing Building or Site within the following tolerance of the requirements complies with the regulations:</p> <p>(a) Not less than 90% of the minimum or maximum regulations which relate to the placement of Buildings.</p>	<p>Removed reference to Residential District Tables.</p>

# Show Homes

## Proposed Definitions

**Show Home** means a Dwelling Unit that is used temporarily to exhibit Dwelling Units for sale, rent, or a prize in a raffle or lottery, and may be used as a sales office.

## Key Changes

1. Show Homes and Raffle Homes are now both included in the definition of Show Home.
2. Timeframe for a Show Home has been extended from 12 months to 24 months.

## Items to Consider

1. Are there any items related to Show Homes that have not been addressed?
2. Are there any items related to Show Homes that should be addressed differently?

## Proposed Regulations

### Show Home

1. Where a Dwelling Unit is used as a Show Home an additional Development permit shall be obtained allowing the use of the Dwelling Unit as a Show Home.
2. Once the use of a Show Home ceases, any area of the Development used as a Show Home shall revert to Residential use.
3. The Show Home shall provide sufficient on-Site and off-Site parking, in the opinion of the Development Authority, to ensure that Adjacent Sites would not be adversely affected.
4. A Show Home shall not operate for a period of more than 24 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a Development permit.

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
4.7(16)(a) Where a Dwelling Unit is used a Show Home or Raffle Home, an additional development permit shall be obtained allowing the use of the Dwelling Unit as a Show Home or Raffle Home.	1. Where a Dwelling Unit is used as a Show Home an additional Development permit shall be obtained allowing the use of the Dwelling Unit as a Show Home.	Removal of Raffle Home as it is now included in Show Home definition.
4.7(16)(b) Once the use of a Show Home or Raffle Home ceases, any area of the Development used as a Show Home or Raffle Home shall revert to residential use.	2. Once the use of a Show Home ceases, any area of the Development used as a Show Home shall revert to Residential use.	Removal of Raffle Home as it is now included in Show Home definition.
4.7(16)(c) The Show Home or Raffle Home shall provide sufficient on-Site and off- Site parking, in the opinion of the Development Authority, to ensure that adjacent Sites would not be adversely affected.	3. The Show Home shall provide sufficient on-Site and off-Site parking, in the opinion of the Development Authority, to ensure that Adjacent Sites would not be adversely affected.	Removal of Raffle Home as it is now included in Show Home definition.
4.7(16)(d) A Show Home shall not operate for a period of more than 12 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a development permit.	4. A Show Home shall not operate for a period of more than 24 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a Development permit.	Removal of Raffle Home as it is now included in Show Home definition.  For flexibility and reduction in red tape the timeframe for Show Homes has been expanded to 24 months.
4.7(16)(e) A Raffle Home shall not operate for a period of more than 9 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a development permit.		Removal of Raffle Home as it is now included in Show Home definition. Time limit is now proposed to be 24 months for lottery or raffle homes.
(f) A Raffle Home may only be used for the purpose of: (i) public viewing; and (ii) sale of tickets in connection with a lottery where a Raffle Home is a prize.		Removal of Raffle Home as it is now included in Show Home definition.

# Supportive Living Accommodation

## Proposed Definition

**Supportive Living Accommodation** means Buildings or units in Buildings that are intended for the permanent Residential living where an operator also provides or arranges for on-Site services to assist residents to live as independently as possible or to assist residents requiring full-time care.

## Key Changes

1. Supportive Living Accommodation includes hospices which currently falls within Temporary Care Facility.

## Items to Consider

1. Supportive Living Facility is proposed as a discretionary use in all residential districts except R-H where it is a permitted use.
2. Are there any items related to Supportive Living Facility that have not been addressed?
3. Are there any items related to Supportive Living Facility that should be addressed differently?

## Proposed Regulations

### Supportive Living Accommodations

1. Supportive Living Accommodations shall have a minimum of 6 residents per Site.
2. In the **R-L, R-N, R-MH, and R-D Districts**, Supportive Living Accommodations shall be restricted to a maximum of 10 residents per Site.
3. The Building exterior of a Supportive Living Accommodation in any Residential District shall be compatible and complementary to the Residential character of the existing or future surrounding neighbourhood.
4. Where a Supportive Living Accommodation is developed in the **R-L, R-N, R-MH, or R-D District**, it shall be consistent with the scale and form of the Residential dwelling types that are listed as either Permitted Uses or Discretionary Uses in that District.
5. In the review of Development permit applications where Supportive Living Accommodation is listed as a Discretionary Use, consideration shall be given to:
  - d) the proximity of the proposed Development to other similar Developments,
  - e) the location of the Development on the block and in the neighbourhood, and
  - f) the Street classification to ensure that there shall not be cumulative land use impacts on the neighbourhood in which the proposed Development is to be located.



# Temporary Care Facility

## Proposed Definition

**Temporary Care Facility** means a facility providing temporary living accommodations in addition to services for professional care, supervision, and health treatment. Typical examples include short-term medical rehabilitation centres and detoxification centres.

## Key Changes

1. Temporary Care Facility no longer includes overnight shelters or hospices. Overnight shelters are contained within the Emergency Shelter definition and hospice will fall under the Supportive Living Accommodation definition.

## Items to Consider

1. Temporary Care Facility is proposed as a discretionary use in all residential districts.
2. Are there any items related to Temporary Care Facility that have not been addressed?
3. Are there any items related to Temporary Care Facility that should be addressed differently?

## Proposed Regulations

### Temporary Care Facility

1. A Temporary Care Facility shall have a minimum of 6 beds per Site.
2. In the **R-L, R-N, R-MH, and R-D Districts**, Temporary Care Facility shall be restricted to a maximum of 10 beds per Site.
3. The Building exterior of a Temporary Care Facility in any Residential District shall be compatible and complementary to the Residential character of the existing or future surrounding neighbourhood.
4. Where a Temporary Care Facility is developed in the **R-L, R-N, R-MH, or R-D District**, it shall be consistent with the scale and form of the Residential dwelling types that are listed as either Permitted Uses or Discretionary Uses in that District.
5. In the review of Development permit applications where Temporary Care Facility is listed as a Discretionary Use, consideration shall be given to:
  - g) the proximity of the proposed Development to other similar Developments,
  - h) the location of the Development on the block and in the neighbourhood, and
  - i) the Street classification to ensure that there shall not be cumulative land use impacts on the neighbourhood in which the proposed Development is to be located.

## Temporary Home Stay Accommodations

### **Proposed Definition**

N/A

### **Key Changes**

1. It is proposed that this section is removed from the bylaw. The existing regulations were created for times of special events that affected the city as a whole, ie: Canada Winter Games, but are no longer relevant as they are essentially describing Airbnb accommodations which the City has chosen not to regulate.

### **Items to Consider**

1. Is there a need to regulate Airbnb type of accommodations?

### **Proposed Regulations**

N/A

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
<p>4.7 (12) Temporary Home Stay Accommodations</p> <p><b>(a)</b> Temporary Home Stay Accommodations are permitted in any residential district but only during such period of time as may be specified in a declaration issued by the Mayor. The Mayor may issue such a declaration but only where the following has occurred:</p> <p><b>(i)</b> The Red Deer Visitor and Convention Bureau has advised the Mayor that a survey of the hotels, motels and commercial bed &amp; breakfast operations in the Red Deer Area has satisfied the Red Deer Visitor and Convention Bureau that hotels, motels and commercial bed &amp; breakfast operations in the Red Deer area are substantially booked,</p> <p><b>(ii)</b> An event is being held in the Red Deer area, for which additional overnight accommodation is required and therefore the Visitor and Convention Bureau has requested that the Mayor make the necessary declaration to allow the operation of a temporary home stay accommodation.</p>		Delete. This practise is outdated.
<p><b>(b)</b> For the purposes of this section, the term 'Red Deer area' means the city of Red Deer, County of Red Deer, County of Lacombe and the town and villages therein.</p>		Delete. No longer applicable with (a) deleted.

# Vehicular Access to Lots from Public Roadways

## Proposed Definitions

N/A

## Key Changes

None

## Items to Consider

1. Are there any items related to vehicular access from a public street that have not been addressed?
2. Are there any items related to vehicular access from a public street that should be addressed differently?

## Proposed Regulations

### Vehicular Access to Lots from Public Roadways

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

Comparison Table – Existing Versus Proposed

Existing Regulations	Proposed Regulations	Notes
4.7(7)(a) The location and number of proposed entrances to, and exits from, a development must conform to the provisions of the applicable Engineering Standards in force from time to time as determined by Engineering Services.	1. The location and number of proposed entrances to, and exits from, a Development must conform to the provisions of the applicable Engineering Design Guidelines in force from time to time as determined by Engineering Services.	Changed Engineering Standards to Engineering Design Guidelines.
4.7(7)(b) Where a development permit for an R2 or R3 development authorizes access from the parking area of the development to a lane which is adjacent to a residential district, the owner of the property being developed shall be required, as a condition of the granting of the development permit, to enter into a development agreement: (i) agree to the passage of a Local Improvement Bylaw and to pay for a proportionate share of the cost of constructing a paved lane servicing the development and the adjacent area, which share shall be calculated pursuant to the City Policy in effect from time to time for local improvements of that nature.	2. Where a development permit for an R-M or R-H development authorizes access from the parking area of the Development to a Lane which is adjacent to a Residential District, the owner of the property being developed shall be required, as a condition of the granting of the Development permit, to enter into a Development agreement: (a) agree to the passage of a Local Improvement Bylaw and to pay for a proportionate share of the cost of constructing a paved Lane servicing the Development and the Adjacent area, which share shall be calculated pursuant to the City Policy in effect from time to time for local improvements of that nature.	No change.