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

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

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

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

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

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

³**Garden Suite Deleted**

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

⁴**Green Building Materials** means building materials that are salvaged, refurbished, or recycled (pre and post-consumer products).

⁵**Green Roof** means a roof on a building which has been designed to facilitate the growth of vegetation in a growing medium. The green roof may be partially or completely covered in plants.

⁶**Gross Floor Area** means the sum all areas of all plans of a building measured to the glass line, or where there is no glass line to the outside surface of the exterior walls, or where the buildings are separated by firewalls to the center line of the common firewall, and includes all floors totally or partially including basements, mezzanines and upper floors and all mechanical equipment areas.

⁷**Gross Leasable Floor Area** is the amount of Floor Area available to be rented in a commercial property. Specifically, Gross Leasable Floor Area is the total Floor Area designed for tenant occupancy and exclusive use.

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

⁸**Health and Medical Services** means a development used for services related to the physical or mental health of individuals on

¹ 3357/Q-2016

² 3357/L-2009

³ 3357/S-2019

⁴ 3357/H-2014

⁵ 3357/H-2014

⁶ 3357/A-2006

⁷ 3357/N-2018

⁸ 3357/E-2011

an out-patient basis. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative in nature or may consist of treatment or counselling. Uses may include but are not limited to medical clinics, dental clinics, optometrists, chiropractic and psychiatric or medical counselling services.

¹Home Music Instructor/Instruction
Deleted

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

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

²Household means an individual, or two or more persons related by blood, marriage or adoption, or a group of up to five unrelated persons, all living together as a single housekeeping unit and using common cooking facilities. The development shall be primarily residential in character but may include non-resident staff providing professional care or supervision, which may be in the nature of ongoing medical care, nursing or homemaking services. A household shall not include an Assisted Living Facility or a Temporary Care Facility.

³Immediate Street Context refers to existing Buildings and Signs along the same street Frontage (both sides of the Street) as

¹ 3357/S-2019

² 3357/C-2007

³ 3357/A-2016, 3357/GG-2017

the proposed Development or Sign and within the same block.

⁴Industrial District means a land use District primarily related to or used for industrial uses.

⁵Industrial Support Service means a Development whose principal use is to provide support services to industrial clients. Typical uses include, but are not limited to, duplicating, photocopying and blueprinting services, building security, cleaning or maintenance services, engineering (with dangerous goods), industrial drafting, land surveyors, laboratories, oilfield services, project design and management services, construction trade, information technology support services, financial and insurance service outlets and construction contractors, and exclude Offices. Any retail sales, display or Office areas shall be accessory to the principal Industrial Support Service use. Does not include Cannabis Retail Sales.

⁶Industrial Trade School means a facility which provides education or training to adults in trades used in an industrial context, including electrical, plumbing, carpentry, welding, mechanics, sheet metal work, vehicle driving, surveying and similar skills.

⁷Institutional Service Facility means a facility:

- (a) a facility providing cultural, educational or community services to the public such as libraries, museums, archives,

⁴ 3357/B-2018

⁵ 3357/C-2016, 3357/L-2018

⁶ 3357/L-2011

⁷ 3357/C-2007, 3357/T-2015, 3357/A-2017

auditoriums, concert halls, colleges, schools, places of worship or assembly;

(b) a Secured Facility; and

(c) a facility providing government services or services provided on behalf of government services including hospitals, fire stations, police stations, court houses and detention and correction centres.

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

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

²**Landfill/Wastewater Treatment Plan Setback** means the area in proximity of a landfill or wastewater treatment plant as established by the Subdivision and Development Regulation within which subdivision for and/or development of certain uses cannot be approved by the Subdivision or Development Authority without the written consent of the Deputy Minister of Environment and Parks to vary the setback distance as per the Subdivision and Development Regulation, as amended. These areas are shown for illustrative purposes only on the Land Use Constraints Maps in Schedule A. The Subdivision or Development Authority may require the applicant to verify the setback distance as part of the subdivision approval application or development permit application.

³**Landscaped Area** means the portions of a lot or development which are modified and

enhanced through the use of lawns, garden plots, naturescaping materials, “green roofs”, shrubs, trees, flowers or other ornamentals.

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

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

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

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

¹ 3357/G-2018

² 3357/G-2018

³ 3357/T-2009, 3357/F-2011

⁴ 3357/H-2014

⁵ 3357/B-2018

¹**Licensing Agreement** means an agreement between The City and a person to permit the erection or display of a sign overhanging or on public property.

²**Live Work Unit** means a dwelling unit where a business other than a permitted home occupation is operated by the resident and up to two employees.

³**Low Impact Commercial Use** means the conducting of merchandise sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling form in a residential district. **Low Impact Commercial Use** does not include **Cannabis Retail Sales**.

⁴**Machinery Sales** means the retail sale, service, and rental of new or used commercial and industrial vehicles, including farm vehicles and equipment related to the agriculture community. This includes, but is not limited to, heavy duty vehicles, vacuum and welding trucks, tractors, harvesting or threshing machinery, spraying machinery for agricultural use, grain trucks, and mechanical equipment typically used in Building, roadway, pipeline, oilfield and mining construction.

Manufactured Home means a transportable factory built residential building containing one dwelling unit suitable for long term occupancy, designed to be movable, transported on its own wheels and chassis or other means and arriving at a site ready for occupancy except for incidental operations

such as placement on foundation supports and connection to utilities.

⁵**Medical Marihuana Facility (MMF)**
DELETED

⁶**Microbrewery** includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place utilizing no more than 70% of the Gross Floor Area, and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room, Drinking Establishment, or Restaurant but does not include Cannabis Retail Sales.

⁷**Minimum Gravel Parking Standard** means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth.

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

⁸**Multi-attached Building** means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or each unit is on its own individual lot, and each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, triplexes and fourplexes.

¹ 3357/B-2018

² 3357/BB-2009

³ 3357/L-2018, 3357/S-2019

⁴ 3357/N-2018

⁵ 3357/E-2014, 3357/EE-2018

⁶ 3357/AA-2014, 3357/T-2015, 3357/V-2017, 3357/L-2018, 3357/S-2019

⁷ 3357/I-2013, 3357/S-2019

⁸ 3357/I-2013

¹**Multiple Family Building** means a residential building containing three or more dwelling units having shared entrance facilities, in which the dwelling units are arranged in any horizontal or vertical configuration

²**Naturescaping** means the modification and enhancement of a lot or development to promote water efficiency and reduce the dependence on fertilizers and pesticides. For the purpose of this section, the use of native central Alberta non-invasive vegetation is preferred in combination with other landscaping materials.

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

1:100 Year Flood Elevation means the water level reached during a 1:100 year flood as determined in accordance with technical criteria established for the Canada-Alberta Flood Damage Reduction Program.

³**Outdoor Display or Sale of Goods** means the display of goods intended for sale or the sale of goods on any portion of a site, but does not include the sale or display of goods by licensed hawkers. Does not include Cannabis Retail Sales.

¹ 3357/I-2013

² 3357/T-2009

³ 3357/E-2006, 3357/L-2018

⁴**Outdoor Storage** means the storage of goods outside the principal building or buildings on a site but does not include the outdoor display or sale of goods nor accessory buildings and garbage enclosures.

⁵**Parking Pad** means that portion of a lot intended to accommodate part or all of the required off-street parking space(s) for a residential land use where a garage, parking lot or other parking facilities may or may not be otherwise provided and which has been graded, constructed and maintained with dustless materials, including but not limited to concrete, asphalt or paving stone. A Parking Pad does not include a Driveway.

⁶**Patio** means an uncovered horizontal structure with a surface height no greater than 0.6 metres above grade at any point and which is adjacent to a residential dwelling, and intended for use as a private outdoor amenity space;

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

⁷**Pet Crematorium** means a facility to conduct cremations of pets or companion animals weighing less than 136 kg.

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

Principal Building means a building which:

⁴ 3357/E-2006

⁵ 3357/G-2018

⁶ 3357/S-2016

⁷ 3357/M-2008

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

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

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

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

²**Raffle Home** means a Dwelling Unit that constitutes a prize in a raffle or lottery open to the public, and may be used as a venue for selling raffle tickets.

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

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

¹ 3357/E-2006

² 3357/T-2015

³ 3357/GG-2017

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

⁴**Secondary Suite** means a self-contained Dwelling Unit that is located within a primary Dwelling Unit, where both Dwelling Units are registered under the same land title.

⁵**Secured Facility** means a facility providing residential accommodation in addition to continuous on-site professional care and supervision to persons whose cognitive or behavioural health needs require increased levels of service and a structure with enhanced safety and security controls such as entrances and exits under the exclusive control of the staff and secured rooms / buildings, fences, and secured windows and doors.

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

Service Station means any premises at which flammable or combustible liquids are

⁴ 3357/Z-2009

⁵ 3357/A-2017

put into the fuel tanks of vehicles and includes self-service outlets.

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

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

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

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

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

¹ 3557/U-2015

² 3357/J-2013

³ 3357/T-2015

⁴ 3357/B-2018

⁵**Site, Corner** – DELETED

⁶**Site Coverage** means the area of a Site covered by a Structure with a roof. For example, Principal Building(s) and all Buildings on foundations movable sheds, and covered decks.

⁷**Site Plan** means a plan development for a site including but not limited to, the relationship between buildings, structures and open spaces; the provision and architecture of landscaped open space; parking layout; the layout; dimensions and construction standards of interior roads, sidewalks and street lighting; the location of utility rights of way; provision for emergency services, including access by emergency vehicles and fire suppression; the location, dimension and screening of waste containers. In addition, in the case of a residential bare land condominium development, the term “site plan” also means the configuration, size and dimensions of individual bare land condominium units and the setbacks of building locations from the boundaries of such units.

⁸**Stacked Town or Row Housing** means a Multi-attached Building which is constructed such that at least 1 dwelling unit is located totally or partially above another multi-attached dwelling unit.

Storey, first means the floor of a building closest to grade at the front elevation and

⁵ 3357/Q-2016

⁶ 3357/Q-2016

⁷ 3357/H-2008

⁸ 3357/I-2013

having its ceiling more than 1.7 m above grade.

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

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

¹**Supervised Consumption Services** means a location where, pursuant to an exemption granted for medical purposes by the federal government, a person may consume a controlled substance that was obtained in a manner not authorized under the Controlled Drugs and Substances Act in a supervised and controlled environment.

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

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

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

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

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

⁴**Temporary Home Stay Accommodations** means the sale of overnight accommodation in a Dwelling Unit in a Residential District, with or without a breakfast meal.

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

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

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

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

¹ 3357/II-2017

² 3357/N-2018

³ 3357/C-2007

⁴ 3357/S-2019

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

¹**Warehouse** means a building for the indoor storage of goods or merchandise but does not include a building the principle use of which is the sale of goods. This definition does not include Cannabis Retail Sales.

²**Wastewater Treatment Plant** means a Wastewater Treatment Plant as defined in the Subdivision and Development Regulation, as amended.

³**Yard** means the open space on the same Site as a Building and unoccupied by Buildings or Structures.

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

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

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

⁴**Xeriscaping** means a method of landscaping that uses plants that can survive

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

¹ 3357/L-2018

² 3357/G-2018

³ 3357/S-2019

⁴ 3357/H-2014

Part Three: General Regulations Applicable to All Districts

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13.0 General Regulations Applicable to All Districts:

- (1) Cannabis Retail Sales is a use only where listed as Cannabis Retail Sales in the District Use Table as Permitted or Discretionary Use.
- (2) ²In determining Yard measurements the minimum horizontal distance from the respective boundary shall be used.

3.1 Parking Spaces and Areas

- (1) ³Except in the C1 (City Centre District) an owner or occupant of land must provide for not less than the number of on-site parking spaces for the applicable land use(s) as specified Table 3.1 below, notwithstanding the provisions of Parts 4-8. In calculating the parking space requirement, a fractional number will be taken to the next higher number.”

⁴Table 3.1 Parking Requirements

USES	PARKING SPACES
Places of Worship	1.0 per 6.0 persons, based on maximum occupancy of the primary congregation/sanctuary area
Auditorium, Arena	1.0 per 10.0 seats
Health Care (excluding Hospitals)	2.5 per 93.0 m ²
⁵ Hospitals, Temporary Care Facility	1.0 per 93.0 m ²
⁶ Regional Shopping Centres	5.1 per 93m ² (Gross Leasable Floor Area)
⁷ District Shopping Centres	5.1 per 93m ² (Gross Leasable Floor Area)
⁸COMMERCIAL & INDUSTRIAL	
USES	PARKING SPACES
Adult Mini-Theater	1.0 per 3.0 seats with a minimum of 1.0 space for each individual viewing area containing 3.0 seating spaces or less
Call Centre	8.0 stalls per 93.0 m ² (gross floor area)
Commercial Recreation Facility: Racquet Sports Facility	4.0 per court
⁹ Gaming or Gambling Establishment	1.0 space per 2.3 seats

¹ 3357/L-2018

² 3357/S-2019

³ 3357/H2009

⁴ 3357/A-2006

⁵ 3357/C-2007

⁶ 3357/N-2018

⁷ 3357/N-2018

⁸ Correction 29

⁹ 3357/J-2007

Bowling Alleys	5.0 per alley plus, 5.0 for staff
All other uses	1.0 per 2.0 participants (at maximum capacity) plus 1.0 per 20.0 m ² (gross floor area)
Commercial Entertainment Facility	1.0 per 5.0 seats
¹Table 3.1 Parking Requirements – continued	
COMMERCIAL & INDUSTRIAL - Continued	
USES	PARKING SPACES
Commercial Service Facility, excluding Funeral Homes	2.5 per 93.0 m ²
Drinking Establishment	1.0 per 4.0 seats
Funeral Homes	1.0 per 5.0 seats
Hotels, Motels and Hostels	1.0 per guest room
² Live Work Unit	1 additional parking space per unit
Local Convenience Shopping Centres	5.1 per 93.0 m ² (gross floor area)
³ Manufacturing and Industrial Plants, Wholesale, Servicing and Repair Establishments, Research, Laboratories and Transportation, Communication or Utility Facility	3.0 per 93.0 m ² , but not less than 4.0 spaces per tenant or establishment (The Development Authority may vary this regulation to accommodate more labour intensive uses)
Warehousing, Storage Buildings and Yards	1.0 per 93.0 m ² , but not less than 4.0 spaces per tenant or establishment
Merchandise Sales and/or Rentals:	
Sales/Rental Areas	5.1 per 93.0 m ²
Office Areas	2.0 per 93.0 m ²
Warehouse	1.0 per 93 m ²
Warehouse Sales	5.1 per 93 m ²
Offices	2.0 per 93.0 m ²
Regional Shopping Centres	4.4 per 93 m ² (gross floor area)
District Shopping Centres	5.1 per 93 m ² (gross floor area)
Repair Services	2.0 per 93.0 m ²
Restaurants	1.0 per 4.0 seats
Vehicle and Equipment Sales	2.0 per 93.0 m ²
Schools	
Public or Private Elementary and Junior High Schools	1.0 space for each classroom
Public or Private Senior High Schools	1.0 per 3.3 students, based on maximum occupancy
Colleges, Business or Commercial or Technical Schools	1.0 per 10.0 seats, plus auditorium requirements where applicable

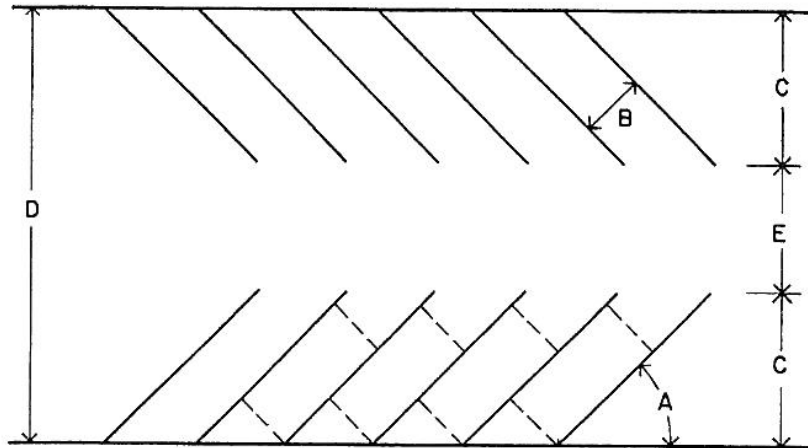
¹ 3357/A-2006

² 3357/BB-2009

³ Correction 29

(10) The minimum parking stall width and parking aisle depth, minimum overall depth and minimum driving aisle width in parking lot design shall meet the requirements of Table 3.2 below, calculated on the parking angle as shown:

Table 3.2 Minimum Parking Lot Design Standards



A	B	C	D	E
Parking Angle	Stall Width	Parking Aisle Depth	Overall Depth	Driving Aisle
0°	2.9 m	2.9 m	9.3 m	3.5 m
30°	2.7 m	5.0 m	13.5 m	3.5 m
45°	2.7 m	5.7 m	15.4 m	4.0 m
60°	2.7 m	6.0 m	17.5 m	5.5 m
90°	2.7 m	5.5 m	18.0 m	7.0 m ¹

(11) ¹Where adverse soil conditions are present, the Development Authority may require a layer of packed gravel, rock, crushed concrete or rock which is greater than 4 inches in depth to meet the **Minimum Gravel Parking Standard**.

²3.2.1 Parking Layout for Commercial Developments

(1) The parking layout of all commercial developments shall be constructed to meet the following standards to the satisfaction of the Development Authority.

(a) Parking aisles shall not be greater than 105.0 m in length.

¹ 3357/S-2019

² 3357/A-2006

- (b) All parking aisles shall be provided with curbed islands at each end, measuring no less than 1.0 m in width.
- (c) All parking lots containing more than 200 parking spaces shall be configured into smaller cells by use of interior landscaping, drive lands, and pedestrian walkways.
- (d) Pedestrian walkways for parking lots containing more than 200 parking spaces shall be a minimum of 1.2 m in width and shall be oriented, to ensure safe and efficient pedestrian traffic flow. Such walkways shall be incorporated into any adjoining neighbourhood trail system.
- (e) All commercial developments shall provide for adequate stacking and queuing lanes for vehicles to ensure that traffic will not unduly cause hazard or impede traffic on public roads.
- (f) ¹With the exception of the Riverlands Districts, the parking intended for each use shall be located near the entrance of the Building containing that use.
- (g) All parking stalls within new developments shall be at least 2.7 m in width. Parking stalls within developments approved prior to September 11, 2006 shall be at least 2.6 m in width.

²3.2.2 Accessible Parking Design

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

¹ 3357/Q-2016

² 3357/A-2008

mobility challenges.

- (4) Ramps shall be constructed on walkways along the front, rear or side of commercial, public service and multiple family residential structures, wherever required so as to ensure that such walkways are accessible to persons with mobility challenges.
- (5) Walkways shall be provided:
- (a) from commercial and public service developments to any adjacent transit stops and public sidewalks;
 - (b) from a multiple family development to the nearest public sidewalk;
and
 - (c) between all principal buildings within multiple building developments.
- (6) An application for a development permit for a development in a commercial, public service or multiple family residential district that is to provide for accessibility is subject to the approval of the Development Authority, which may, in its discretion, impose additional specific obligations similar to the foregoing in order to ensure that walkways are accessible.
- (7) The Development Authority may, in its discretion, waive any of the requirements of Section 3.2.2:
- (a) in the case of a minor redevelopment of an existing commercial, public service or multiple family building, (such as an architectural modification, modified signage, a change in elevations, the installation of a shed or seasonal garden centre, or the construction of a new front entrance);
 - (b) where the redevelopment does not include an expansion of, or an amendment to, an approved site plan; or
 - (c) in the case of parking space curb stops, these may be not required if an adjoining sidewalk is of sufficient width to accommodate both vehicle overhang and accessibility by persons with mobility challenges.

¹3.2.3 Parking and Landscaping Separation

- (1) Parking areas shall be physically separated from any landscaped areas either by the use of curb stops or any other means satisfactory to the Development Authority.

¹ 3357/I-2013

¹3.3 DELETED

²3.4 DELETED

3.5 Accessory Building Regulations

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

¹ 3357/AA-2007, 3357/B-2018

² 3357/B-2018

³ 3357/Q-2016

- (b) where the vehicle entrance to the garage or carport face the side boundary of the site which is not a common boundary with a street, the building shall be not less than 6.0 m from the side boundary which the entrance faces. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,
 - (c) where the vehicle entrance to the garage or carport face the side boundary of the site which is a common boundary with the street, the building shall be not less than 6.0 m from the nearest edge of the sidewalk abutting such side boundary and where there is no sidewalk, not less than 2.4 m from such side boundary of the site. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,
 - (d) notwithstanding section 3.5(4)(a),(b), and (c), a garage which is within the following tolerances of the requirements therein stated shall be deemed to comply with those subsections namely: The distance: not less than 90% or more than 10% of the required distance, provided the garage does not encroach on an easement.
- (5) ¹Accessory Buildings in all Residential Districts and Riverlands Districts shall be similar to, and complement, the Principal Building in exterior material, colour, and appearance.

¹ 3357/A-2016, 3357/Q-2016

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4.1 R1 Residential (Low Density) District



General Purpose

The general purpose of this District is to provide land which will be used for low density residential development.

1. R1 Permitted and Discretionary Uses Table

(a) Permitted Uses

- (i) Accessory building subject to sections 3.5 and 4.7(3).
- (ii) Detached dwelling unit.
- (iii) ¹Deleted
- (iv) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
- (v) ²Deleted
- (vi) ³Secondary Suite, subject to section 4.7(9).
- (vii) ⁴at 22 Gunn Street no more than 6 lots with a single dwelling unit per lot.

(b) ⁵Discretionary Uses

- (i) Amateur radio tower.
- (ii) ⁶Assisted Living Facility in a Detached Dwelling Unit.
- (iii) ⁷Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.
- (iv) Bed & Breakfast in a Detached Dwelling Unit or Semi-detached Dwelling Unit, subject to subject to section 4.7 (11).
- (v) ⁸Building Sign, for uses described in Section 11.10(1); and
- (vi) “Existing Special Residential” (approved prior to December 7, 1998): churches, kindergartens, schools, day care facilities. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall be also deemed to be a Discretionary Use for that site.
- (vii) ⁹Freestanding Sign, for uses described in Section 11.13(1).
- (viii) ¹⁰Deleted
- (ix) Home occupations which will generate additional traffic subject to section

¹ 3357/S-2019
² 3357/B-2018
³ 3357/Z-2009
⁴ 3357/J-2019
⁵ 3357/A-2012
⁶ 3357/C-2007
⁷ 3357/C-2007
⁸ 3357/B-2018
⁹ 3357/B-2018
¹⁰ 3357/S-2019

4.7(8).

- (x) ¹Deleted
- (xi) Municipal Services limited to Police, Emergency Services and/or Utilities.
- (xii) ²Show Home or Raffle Home.
- (xiii) ³Secondary Suite, subject to section 4.7(9).
- (xiv) ⁴Deleted
- (xv) ⁵at 22 Gunn Street tree removal

2. R1 Residential (Low Density) District Regulations

(a) Table 4.1 R1 Regulations

Regulations	Requirements
Floor Area Minimum	Frontage in m x 6.0 m but not less than 72.0 m ²
⁶ Site Coverage Maximum	40% (includes garage and accessory buildings)
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade
⁷ Front Yard Set Back	6.0 m except for the R1 zoned lands located within the Timberlands North Neighbourhood Area Structure Plan area (south of 67 Street and east of 30 Avenue) where the front yard setback is: <ul style="list-style-type: none"> • Minimum 3.0 m and a maximum of 4.5m for the live portion of a dwelling unit, and • Minimum 6.0 m for any front attached garage portion of a dwelling unit.
Side Yard Minimum	Detached dwelling: minimum 1.5 m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m
Landscaped Area	35% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	Detached dwelling 360.0 m ²
Frontage Minimum	Detached dwelling 12.0 m

¹ 3357/S-2019

² 3357/T-2015

³ 3357/Z-2009

⁴ 3357/B-2018

⁵ 3357/J-2019

⁶ 3357/I-2013

⁷ 3357/L-2013, 3357/D-2015

- (b) R1 district is subject to any applicable residential regulations listed within section 4.7.
- (c) ¹Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R-1, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.

¹ 3357/H-2008

¹4.1.1 R1C Residential (Carriage Home) District



General Purpose

The general purpose of this District is to provide the unique opportunity for one additional self-contained Dwelling Unit on a residential lot in the form of a Carriage Home located above a detached garage with lane access thereby increasing housing choices.

(1) ²DELETED

(2) R1C Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory Building subject to sections 3.5 and 4.7(3)
(ii)	Detached Dwelling Unit
(iii)	Carriage Home, subject to section 4.1.1.(3)(b)
(iv)	³ Deleted
(v)	Home Occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(vi)	⁴ Deleted
(vii)	Secondary Suite, subject to sections 4.1.1(3)(b) and 4.7(9)
(b) Discretionary Uses	
(i)	Assisted Living Facility in the principal dwelling unit
(ii)	Bed & Breakfast in the principal dwelling unit
(iii)	⁵ Deleted
(iv)	Home Occupations which will generate additional traffic and located on a lot that does not contain a Carriage Home, subject to section 4.7(8)
(v)	⁶ Deleted
⁷ (vi)	Show Home or Raffle Home.
(vii)	Secondary Suite, subject to sections 4.1.1(3) and 4.7(9)
(viii)	⁸ Deleted

¹ 3357/L-2013
² 3357/CC-2018
³ 3357/S-2019
⁴ 3357/B-2018
⁵ 3357/S-2019
⁶ 3357/S-2019
⁷ 3357/T-2015
⁸ 3357/B-2018

3. R1C Residential (Carriage Home) Regulations

(a) Table 4.1.1 R1C Regulations – Principal Dwelling Unit

Regulations	Requirements
Floor Area Minimum	Lot frontage in m x 6.0 m, but not less than 72 m ²
Site Coverage Maximum	60% (includes any garage & accessory buildings)
Building Height Maximum	2½ storeys with a maximum of 12.0 m measured from the average of the lot grade
¹ Front Yard Minimum	<ul style="list-style-type: none"> • Minimum 3.0 m and maximum 4.5 for the live portion of a dwelling unit, except when a parcel fronts onto a P1 Parks and Recreation District, then the minimum is 2 m and the maximum is 3 m, and • Minimum 6.0 m for any front attached garage portion of a dwelling unit.
Side Yard Minimum	1.5 m however, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2B
Rear Yard Minimum	7.5 m
Lot Depth Minimum	32.0 m
Landscaped Area Minimum	30% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	384 m ²
Lot Frontage Minimum	12.0 m

(b) Table 4.1.1 Use Provisions - Carriage Home Unit

¹ 3357/D-2015

¹ Carriage Home	Requirements
Floor Area Maximum	² 45% of the principle dwelling unit
Building Height Maximum	2 storeys including the garage, with a maximum height of 10.0 m measured from the average of the lot grade
Minimum Separation to Principal Dwelling	4.0 m
Side Yard Minimum	1.5 m however, on corner lots the side yard abutting the street shall be minimum 3.0 m
Rear Yard Minimum	2.0 m
Parking Spaces	Subject to sections 3.1 & 3.2
Urban Form (These Urban Form requirements shall not be relaxed or varied by the Development Authority)	<ul style="list-style-type: none"> • ³Carriage Homes shall mirror the same exterior architectural details as contained on the principal building. • Lot cannot be subdivided or condominiumized. • A Carriage Home and a Secondary Suite shall not both be allowed on the same lot. • ⁴Deleted • A Carriage Home and a Home Occupation which will generate additional traffic shall not both be allowed on the same lot. • The principal Dwelling Unit shall be dominant in scale and massing.

- (c) The R1C District is subject to any applicable residential regulations listed within section 4.7
- (d) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R1C, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.
- (e) ⁵The following regulations shall not be relaxed or varied by the Development Authority:
- i. Carriage Homes shall contain no more than 2 bedrooms.
 - ii. Carriage Homes shall only be located on a residential lot that has access from a lane.

¹ 3357/D-2016
² 3357/CC-2018
³ 3357/CC-2018
⁴ 3357/S-2019
⁵ 3357/D-2016

¹4.1.2 R1WS Residential (Wide/Shallow Lot) District



²General Purpose

The general purpose of this District is to provide residential lots that have a wide frontage and a shallow depth intended to reduce the dominance of front attached garages from the street. Development will consist of detached dwelling units with articulated front elevations through the use of dormers, bays, porches and gable ends. Front attached garages cannot be closer to the street than the live portion of the house. Front porches are strongly encouraged and are allowed to encroach into the minimum front yard.

1. R1WS Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory Building subject to sections 3.5 and 4.7(3)
(ii)	³ Detached Dwelling Unit with mandatory front attached garage subject to section 4.1.2(2)(b)
(iii)	Home Music Instructor/Instruction (2 students), subject to section 4.7(10)
(iv)	Home Occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(v)	⁴ DELETED
(b) Discretionary Uses	
(i)	Assisted Living Facility in a Detached Dwelling Unit
(ii)	Bed & Breakfast in a Detached Dwelling Unit
(iii)	⁵ Deleted
(iv)	Home Occupations which will generate additional traffic, subject to section 4.7(8)
(v)	Home Music Instructor/Instruction (six students), subject to section 4.7(10)
⁶ (vi)	Show Home or Raffle Home.
(vii)	Secondary Suite, subject to sections 4.1.2(2)(b) and 4.7(9)
(viii)	⁷ DELETED

2. R1WS Residential (Wide/Shallow Lot) Regulations

(a) ¹Table 4.1.2 R1WS Regulations

¹ 3357/L-2013
² 3357/D-2015
³ 3357/D-2015
⁴ 3357/B-2018
⁵ 3357/S-2019
⁶ 3357/T-2015
⁷ 3357/B-2018

Regulations	Requirements
Floor Area	Lot frontage in m x 6.0 m, but not less than 72 m ²
Site Coverage Maximum	45% (includes garage & accessory buildings)
Building Height Maximum	2 ½ storeys with a maximum height of 12.0 m measured from the average of the lot grade
² Front Yard Minimum	<ul style="list-style-type: none"> ▪ 3.8 m for the live portion of a dwelling unit, and ▪ 6.0 m for the front attached garage of the dwelling unit
³ Front Yard Maximum	The live portion of a Detached Dwelling Unit cannot be further from the Street than the front attached Garage
Front Porch encroachment Maximum into Front Yard	1.8 m
Side Yard Minimum	⁴ 1.25 m however, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2B
Rear Yard Minimum	7.5 m
Lot Depth	<p>Maximum: 27.0 m Minimum: 24.0 m</p> <p>⁵A lot depth maximum variation may be considered in the following situations:</p> <ul style="list-style-type: none"> • When lot configuration is impacted by natural features; • When lot configuration is impacted by road design; and • When a lot transitions into another land use district.
Landscaped Area Minimum	30% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	⁶ 324 m ²
Lot Frontage Minimum	⁷ 12.0m
⁸ Garage	<ul style="list-style-type: none"> • The width of the front attached garage cannot be

¹ 3357/D-2016

² 3357/D-2015

³ 3357/O-2018

⁴ 3357/R-2018

⁵ 3357/D-2015

⁶ 3357/V-2017

⁷ 3357/R-2018

⁸ 3357/R-2018

	<p>greater than 60% of the entire front face exposure of the dwelling unit (live and garage portion combined).</p> <ul style="list-style-type: none">• Notwithstanding the proportion noted above, the width of the front attached garage may be expanded up to 67% of the entire front face exposure of the dwelling unit (live and garage portion combined) provided the dwelling includes developed floor space over a minimum 40% of the front attached garage floor area• Garage doors shall face the street and contain window panels• The width of the front driveway shall not exceed the front face width of the garage portion of the dwelling unit
--	---

(b) ¹DELETED

(c) The R1WS District is subject to any applicable residential regulations listed within section 4.7

(d) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R1WS, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority

4.2 R1A Residential (Semi-Detached Dwelling) District



General Purpose

The general purpose of this District is to provide land which will be used for low density residential development including semi-detached dwelling units.

1. R1A Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory building subject to sections 3.5 and 4.7(3).
(ii)	Detached dwelling unit.
(iii)	¹ Deleted
(iv)	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
(v)	² Deleted
(vi)	³ Semi-detached dwelling unit, except in the West Park Overlay district where such use shall be discretionary, subject to sub-section (3).
(vii)	⁴ Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
(b) Discretionary Uses	
(i)	Amateur radio tower.
(ii)	Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
(iii)	⁵ Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.
(iv)	⁶ Building Sign, for uses described in Section 11.10(1); and
(v)	⁷ “Existing Special Residential” (approved prior to December 7, 1998): churches, kindergartens, schools, day care facilities. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall be also deemed to be a Discretionary Use for that site.
(vi)	⁸ Freestanding Sign, for uses described in Section 11.13(1).
(vii)	⁹ Deleted
(viii)	Home occupations which will generate additional traffic subject to section 4.7(8).

¹ 3357/S-2019

² 3357/B-2018

³ 3357/FF-2008

⁴ 3357/Z-2009

⁵ 3357/C-2007

⁶ 3357/B-2018

⁷ 3357/C-2007

⁸ 3357/B-2018

⁹ 3357/S-2019

- (ix) Municipal services limited to Police, Emergency Services and/or Utilities.
- (x) ¹Show Home or Raffle Home.
- (xi) ²Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
- (xii) ³Secondary Suite in existence in a semi-detached Dwelling Unit on January 1, 2009, subject to section 4.7(9).

2. R1A Residential (Semi-Detached Dwelling) Regulations

- (a) Where each half of a semi-detached dwelling unit is to be contained in a separate parcel or title no side yard shall be required on the side of the dwelling unit which abuts the adjacent dwelling unit.
- (b) Notwithstanding subsection (c), the front yard requirement for one dwelling unit of a semi-detached building may be increased up to 3.5 metres by the Development Authority provided that the front yard of the adjoining dwelling unit meets the minimum requirements of this section.
- (c) Table 4.2 R1A Regulations

Regulations	Requirements
Floor Area Minimum	Detached dwelling: Frontage in m x 6 m but not less than 72.0 m ² Semi-detached dwelling: 72.0 m ² for each unit
⁴ Site Coverage Maximum	40% (includes garage and accessory buildings)
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade
Front Yard Minimum	6.0 m
Side Yard Minimum	Detached dwelling: 1.5 m Semi-detached dwelling unit (without side entry): 1.5 m Semi-detached dwelling unit (with side entry): 2.4 m Special residential: 3.0 m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m

¹ 3357/T-2015

² 3357/Z-2009

³ 3357/Z-2009

⁴ 3357/I-2013

Regulations	Requirements
Landscaped Area	35% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	Detached dwelling 360.0 m ² Semi-detached dwelling unit: 232.0 m ² per dwelling unit
Frontage Minimum	Detached dwelling 12.0 m Semi-detached dwelling unit 7.6 m per unit

(d) R1A District is subject to any applicable residential regulations listed within section 4.7.

3. ¹R1A Residential (Semi-Detached Dwelling) West Park Overlay District

(a) The West Park Overlay district shall be the area identified on Figure 19.

(b) In the West Park Overlay District, the discretionary use of a semi-detached dwelling unit may be approved by the Municipal Planning Commission.

(c) An application for a semi-detached dwelling unit shall be referred to all landowners on sites within a 100 metre radius of the site of the proposed development, for comments on the proposal prior to its presentation to the Municipal Planning Commission.

¹ 3357/FF-2008

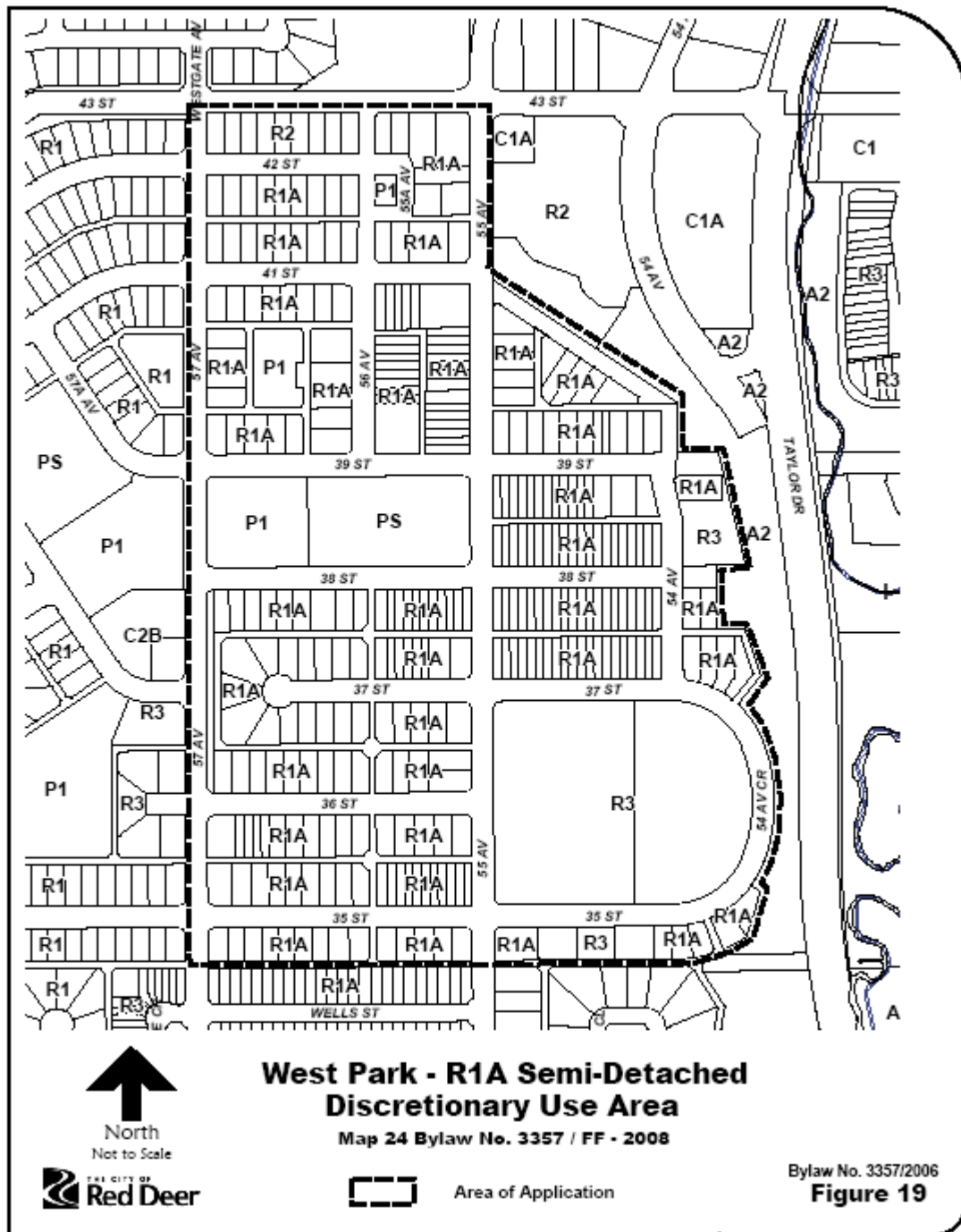


Figure 19 – West Park Overlay District

4.3 R1N Residential (Narrow Lot) District



General Purpose

The general purpose of this District is to provide land which will be used for narrow lot single family residential development in new neighbourhoods.

1. R1N Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory building subject to sections 3.5 and 4.7(3).
(ii)	Detached dwelling unit.
(iii)	¹ Deleted
(iv)	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
(v)	² Deleted
(b) Discretionary Uses	
(i)	Amateur radio tower.
(ii)	Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
(iii)	³ Building Sign, for uses described in Section 11.10(1); and
(iv)	⁴ Freestanding Sign, for uses described in Section 11.13(1).
(v)	⁵ Deleted
(vi)	Municipal services limited to Police, Emergency Services and/or Utilities.
(vii)	⁶ Show Home or Raffle Home.
(viii)	⁷ Secondary Suite in existence on January 1, 2009, subject to section 4.7(9).
(ix)	⁸ Home occupations which will generate additional traffic subject to sections 4.3(2)(o) & (p) and 4.7(8).

2. R1N Residential (Narrow Lot) Regulations

- (a) In order to ensure that there is not an excessive amount of on street parking, a two vehicle parking pad, shall be constructed in the back of the lot to at least a gravel standard. All locations shall be approved by the Development Authority.

¹ 3357/S-2019
² 3357/B-2018
³ 3357/B-2018
⁴ 3357/B-2018
⁵ 3357/S-2019
⁶ 3357/T-2015
⁷ 3357/Z-2009
⁸ 3357/F-2014 (Revised Alternative)

- (b) In order to ensure a pleasing neighbourhood appearance, there shall be a common architectural theme, with the house oriented to the street and including such features as front porches and decks for any narrow lot development. The proposed theme shall be approved by the Development Authority.
- (c) The Development Authority, having regard for the siting and appearance of adjoining residences and other residences within the block face, may increase the Front Yard requirement to improve sunlight exposure, views, privacy and to add general interest to the streetscape.
- (d) Identical houses with similar front elevations must be separated by a minimum of one lot unless finishing treatments (colour/front elevations) are substantially different to the satisfaction of the Development Authority.
- (e) ¹The Development Authority shall require a graduated transition between different house styles which shall be accommodated by varied roof lines, architectural projections, and/or the interjection of bi-level or split level designs between bungalow and two-storey designs.
- (f) ²Side windows of above grade storeys of Detached Dwelling Units shall be arranged to minimize the incidence of windows facing each other. Obscured glass shall be used in any bathroom which faces a window in an adjoining residence.
- (g) In order to ensure that the front landscape is not dominated by either garages or driveways, there shall be no front driveways or front yard garages allowed in this district.
- (h) In order to ensure that there is access to the rear yard, all lots in this District shall have rear lane access.
- (i) The front yard shall have a tree or shrub plantings.
- (j) ³**DELETED**
- (k) For the purpose of this section, “total development area” means the total area of land which is designated residential in the Neighbourhood Area Structure Plan.
- (l) Table 4.3 R1N Regulations

Regulations	Requirements
-------------	--------------

¹ 3357/F-2014 (Revised Alternative)

² 3357/A-2012

³ 3357/F-2014 (Revised Alternative)

Regulations	Requirements
Floor Area Minimum	Frontage in m x 6.0 m
Site Coverage	Maximum - 45% (includes garage and accessory buildings) Minimum – 6 m x frontage
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade
Front Yard Minimum	¹ 4.0 m
Side Yard Minimum	Detached dwelling: 1.25 m, except where the building flanks a public roadway (excluding a lane or walkway) where the side yard on the flankage side shall be 2.4 m
Rear Yard Minimum	7.5 m
Lot Depth Minimum	36.6 m
Landscaped Area	35% of site area
Parking Spaces	2 stalls in the back of lot
Lot Area Minimum	Detached dwelling ² 385.0 m ²
Frontage Minimum	Detached dwelling 10.5 m
³ Minimum Lot Width at Rear of Lot	9.2 m

(m) R1N District is subject to any applicable residential regulations listed within section 4.7.

⁴(n) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R1N whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.

⁵(o) Any Home occupation use which generates additional traffic shall be required to provide one additional on-site parking stall at the rear of the property.

⁶(p) A hard surfaced walkway connection, that can be shovelled, shall be provided between all on-site rear parking spaces and the primary dwelling unit.

¹ 3357/F-2014 (Revised Alternative)

² 3357/F-2014 (Revised Alternative)

³ 3357/D-2016

⁴ 3357/H-2008

⁵ 3357/F-2014 (Revised Alternative)

⁶ 3357/F-2014 (Revised Alternative)

4.3.1 ¹R1G Residential (Small Lot) District



General Purpose

The general purpose of this District is to provide land which will be used for small lot detached housing with mandatory front attached garages to create increased opportunity for more efficient utilization of land in small and comprehensively planned residential development clusters.

1. R1G Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory Building subject to sections 3.5 and 4.7(3).
(ii)	Detached Dwelling Unit.
(iii)	² Deleted
(iv)	Home Occupations which, in the opinion of the Development Officer, will not generate traffic, subject to section 4.7 (8).
(v)	³ Deleted
(b) Discretionary Uses	
(i)	Amateur radio tower.
(ii)	Bed & Breakfast, subject to section 4.7(11).
(iii)	⁴ Deleted
(iv)	Municipal services limited to Police, Emergency Services and/or Utilities.
⁵ (v)	Show Home or Raffle Home.
⁶ (vi)	Home occupations which will generate additional traffic subject to section 4.7(8)

2. R1G Residential (Small Lot) Regulations

- (a) All Detached Dwelling Units shall include a front double attached garage.
- (b) Where a Detached Dwelling Units is located on a corner site, the side which abuts a street shall have an architectural treatment similar to the front elevation.
- (c) ⁷Side windows of above grade storeys of Detached Dwelling Units shall be arranged to minimize the incidence of windows facing each other. Obscured

¹ 3357/J-2011

² 3357/S-2019

³ 3357/B-2018

⁴ 3357/S-2019

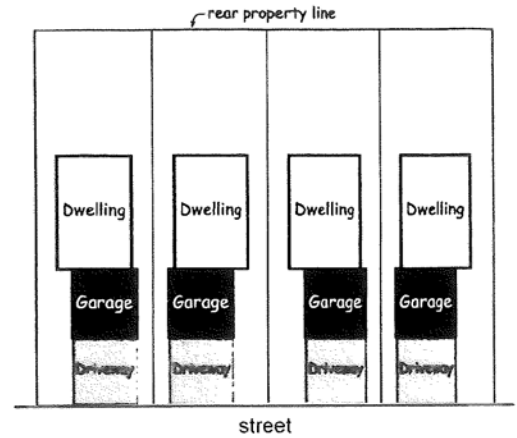
⁵ 3357/T-2015

⁶ 3357/F-2014 (Revised Alternative)

⁷ 3357/A-2012

glass shall be used in any bathroom which faces a window in an adjoining residence.

- (d) No storage of any combustible materials is allowed in any side yard.
- (e) Front drive attached garage and driveway locations shall be grouped together in pairs in the manner shown in sketch to the right.
- (f) Driveways shall not exceed 6.1 m in width at the front property line.



Grouping of Garages & Driveways

(g) Table 4.3(1) R1G Regulations:

Regulations	Requirements
Floor Area Minimum	Frontage in m x 6.0 m but not less than 63 m ² (excludes garage)
Site Coverage Maximum	45% (includes dwelling unit, garage and accessory buildings)
Building Height Maximum	2 storeys with a maximum height of 10.0 m measured from the average of the lot grade
Front Yard Minimum Setback	Detached dwelling: 6.0 m
Side Yard Minimum Setback	Detached dwelling: 1.25 m, except where building abuts public roadway (excluding lane or walkway) where the side yard on the side abutting the roadway shall be 2.4 m
Rear Yard Minimum Setback	Detached dwelling: 7.5 m
Lot Depth Minimum	¹ 32.0 m
Lot Area Minimum	² 336 m ²
Lot Frontage/width Minimum	10.5 m (on all pie shaped lots the minimum lot width shall be measured 9.0 m into the site alongside lot lines from the front property line)
Parking Spaces	Subject to sections 3.1 & 3.2
Landscaped Area	Minimum 35% of lot area
Landscaped Front Yard	Minimum 25% of front yard

¹ 3357/F-2014 (Revised Alternative)

² 3357/F-2014 (Revised Alternative)

3. R1G Design & Development Criteria

- (a) R1G Dwelling Units with identical floor plans or similar front elevations shall be separated by a minimum of one lot unless the Development Authority deems that the building design, character, finishing material and architectural treatments (windows, entrances, building projections, roof lines) are substantially different.
- (b) All bi-level and 2 storey style R1G Dwelling Units shall contain developed floor space over a minimum of 40% of the front attached garage floor area.
- (c) For all bungalow style R1G Dwelling Units, the setback distance of the front face of the living portion of the home from the front face of the attached garage shall not exceed 5m.
- (d) Where R1G units are located on a cul-du-sac:

 - (i) the maximum cul-du-sac length shall be 45 m (measured to centre of bulb from entrance); or
 - (ii) if cul-du-sac is longer than 45 m, only the end 45 m of the cul-du-sac (measured back from the centre of bulb) shall be developed for R1G housing units.

¹4.3.2 RLW Residential (Live-Work) District



General Purpose

The general purpose of this District is to provide opportunity for live-work units whereby street level commercial space is operated by the resident who occupies a residential dwelling unit above the ground floor commercial space. The form of development is similar to that of a multi-attached building but with ground floor commercial and each live-work unit having individual access to the street.

1. RLW Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory building subject to sections 3.5 and 4.7(3)
(ii)	Live-Work unit subject to section 4.3.2(2)(b)
(iii)	Ground floor commercial uses subject to section 4.3.2(2)(b)
(iv)	² Deleted
(v)	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(vi)	³ DELETED
(b) Discretionary Uses	
(i)	⁴ Building Sign, for uses described in Section 11.10(1)
(ii)	Day Care Facility
(iii)	Home Occupations which will generate additional traffic, subject to section 4.7(8)
(iv)	⁵ Deleted
⁶ (v)	Show Home or Raffle Home
(vi)	⁷ Deleted

¹ 3357/L-2013
² 3357/S-2019
³ 3357/B-2018
⁴ 3357/B-2018
⁵ 3357/S-2019
⁶ 3357/E-2016
⁷ 3357/B-2018

2. RLW Residential (Live-Work) Regulations

(a) Table 4.3.2 RLW Regulations

Regulations	Requirements
Floor Area Minimum	Dwelling unit: 37 m ² Work unit: 37 m ²
Building Height	Maximum: 3 storeys Minimum: 2 storeys
Front Yard Minimum	Nil
Side Yard Minimum	Nil, except; ▪ 1.8 m if next to a non-Live/Work dwelling unit
Rear Yard Minimum	1.5 m
Lot Depth Minimum	30.0 m
Parking Spaces	2.0 per Live-Work unit subject to section 3.2
Lot Area Minimum	185.0 m ²
Lot Frontage Minimum	6.1 m

(b)RLW Live-Work Unit Use Provisions

Notwithstanding that a Live-work unit is listed as a permitted use in this district, such use is a conditional use which is only allowed if the Live-work unit meets the following requirements, which shall not be relaxed or varied by the Development Authority:

- (i) The work portion of a Live-Work unit shall be operated at ground level while the live portion must be located above the ground floor commercial unit. quality exterior building materials that utilize the use of stone work and/or other natural like finishes common to heritage era buildings, containing some stucco and limited use of metal finishes,
- (ii) The work portion of a Live-Work unit must be operated by the resident of the live portion of the Live-Work unit.
- (iii) Each Live-Work unit requires individual street level access.
- (iv) A Live-Work Unit shall not contain a front attached garage.
- (v) The following uses may be considered as the work portion of a Live-Work unit:
 - (a) artist’s studio, gallery;
 - (b) beauty shop, hair salon, barber shop, massage business, tanning salon and fitness centre;
 - (c) counseling service;

- (d) office;
 - (e) repair or sales of apparel, crafts, and jewelry that are made on the premises;
 - (f) ¹merchandise sales (excluding Cannabis Retail Sales) and/or rental excluding all motor vehicles, machinery and fuel, and
 - (g) other similar business uses approved by the Development Authority.
- (vi) A Live-Work unit shall 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, odor, smoke, electronic interference, bright lights or other nuisance.
- (vii) A Live-Work unit shall not be individually separated through any subdivision or condominium plan.
- (viii) Outside storage or display of any kind shall not be permitted.

¹ 3357/L-2018

4.4 R2 Residential (Medium Density) District



General Purpose

The general purpose of this District is to provide a medium density residential area with a mixture of housing types and residential accommodation and at the same time control, regulate and encourage the development or redevelopment of residential uses that are compatible with the neighbourhood, the immediate site and the growth policies of the Municipal Development Plan.

1. R2 Permitted and Discretionary Uses Table ¹

(a) Permitted Uses	
(i)	Accessory building subject to sections 3.5 and 4.7(3)
(ii)	Detached dwelling unit
(iii)	² Deleted
(iv)	Home Occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(v)	³ Deleted
(vi)	Secondary suite legally in existence before April 5, 2004
(i)	⁴ Secondary suite in a detached Dwelling Unit, subject to subsections 4.7(9)

(b) Discretionary Uses	
(i)	Accessory residential structure subject to section 4.7(3)
(ii)	Amateur radio tower.
(iii)	⁵ Assisted living facility, Day Care Facility, Day Care Adult Facility, Temporary Care Facility or Place of Worship or Assembly on sites within an Area Structure Plan or Area Redevelopment Plan which designates where such uses will be situated: only on site which are designated for the use within the applicable plan.
(iv)	⁶ Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites with no approved Area Structure Plan or Area Redevelopment Plan or on sites with no designated location in an Area Structure Plan or Area Redevelopment Plan.
(v)	Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
(vi)	⁷ Building Sign, for uses described in Section 11.10(1); and

¹ 3357/C-2007

² 3357/S-2019

³ 3357/B-2018

⁴ 3357/Z-2009

⁵ 3357/X-2014

⁶ 3357/X-2014

⁷ 3357/B-2018

- (vii) “Existing Special Residential” (approved prior to December 7, 1998): churches, kindergartens, schools, day care facilities. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall be also deemed to be a Discretionary Use for that site.
- (viii) ¹Freestanding Sign, for uses described in Section 11.13(1)
- (ix) ²Deleted
- (x) ³Deleted
- (xi) Home occupations which will generate additional traffic subject to section 4.7(8).
- (xii) Multi-attached dwelling unit building.
- (xiii) ⁴Multiple family building up to three storeys
- (xiv) Municipal services limited to police, emergency services and/or utilities.
- (xv) Public and quasi-public buildings.
- (xvi) Semi-detached dwelling unit.
- (xvii) ⁵Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
- (xviii) ⁶Show Home or Raffle Home.

2. R2 Residential (Medium Density) Regulations

- (b) Where each half of a semi-detached dwelling unit is to be contained in a separate site no side yard shall be required on the site of the dwelling unit which abuts the adjacent dwelling unit.
- (c) Where the dwelling units of a row house building are to be contained in separate sites, no side yards shall be required on either side in the case of an internal dwelling unit and no side yard shall be required on one side of the end dwelling unit.
- (d) Notwithstanding the 6.0 metre front yard setback, except for multi-family which shall have a minimum setback of 7.5 metres, the front yard requirement for one dwelling unit of a semi-detached building may be increased up to 3.5 metres by the Development Authority provided that the front yard of the adjoining dwelling unit meets the minimum requirement of this section.

(e) Table 4.4 R2 Regulations

Regulations	Requirements
Floor Area Minimum	Detached dwelling: Frontage in m x 6.0 m Semi-detached dwelling: 65.0 m ² for each

¹ 3357/B-2018

² 3357/S-2019

³ 3357/S-2019

⁴ 3357/I-2013

⁵ 3357/Z-2009

⁶ 3357/T-2015

Regulations	Requirements
	unit Multi-attached: 60.0 m ² for each unit
¹ Site Coverage Maximum	40% (includes garage and accessory buildings)
Building Height Maximum	² 2 storeys with a maximum total height of 10.0 m measured from the average of the lot grade except: <ul style="list-style-type: none"> ▪ Multiple family building as per subsection 4.4 (1)(b)(xi) ▪ 3 storeys for an Assisted Living Facility
Front Yard Minimum	6.0 m except multi-family which shall have a 7.5 m minimum

Regulations	Requirements
³ Side Yard Minimum	<p>Detached dwelling: 1.5 m</p> <p>Semi-detached dwelling unit (without side entry): 1.5 m Semi-detached dwelling unit (with side entry): 2.4 m</p> <p>Special residential: 3.0 m</p> <p>Multi-attached (without side entry): 1.8 m Multi-attached (with side entry): 2.4 m</p> <p>Multiple Family Building, Assisted Living Facility, or Temporary Care Facility: <ul style="list-style-type: none"> • Buildings up to 2 storeys: 3.0m • Buildings of 3 storeys: 4.5m </p> <p>Notwithstanding the setbacks noted above, where the Multiple Family Building, Assisted Living Facility, or Temporary Care Facility flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.</p> <p>In all cases the minimum side yard requirement is subject to sections 3.19 and 5.7(2).</p>
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m
Landscaped Area	35% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	⁴ Detached dwelling 360.0 m ²

¹ 3357/I-2013

² 3357/I-2013

³ 3357/D-2016

⁴ 3357/I-2013

	<p>Semi-detached: 232.0 m² per dwelling unit</p> <p>Multi-attached: 185.0 m² per dwelling unit</p> <p>Multi-family:</p> <ul style="list-style-type: none"> ▪ no separate bedroom: 74.0 m² per dwelling unit ▪ one bedroom: 111.0 m² per dwelling unit ▪ more than one bedroom: 139.0 m² per dwelling unit
<p>Frontage Minimum</p>	<p>¹Detached dwelling unit: 12.0 m</p> <p>Semi-detached: 7.6 m per dwelling unit</p> <p>Multi-attached building: 15.0 m except, if all units are side by side town or row housing units: 6.1 m per dwelling unit</p> <p>Multiple family building: 18.0 m</p>

- (e) R2 District is subject to any applicable residential regulations listed within section 4.7.

3. R2 Residential (Medium Density) Site Location

- (a) Notwithstanding section 4.4(2) (d), a site shall not be located or developed so as to leave small isolated parcels of land that cannot accommodate future development.
- (b) The location of the site to be developed within the land use district, and the relationship of the site to the surrounding environs shall be subject to approval by the Commission.

¹ 3357/I-2013

¹4.4.1 R2T Residential (Town House) District



General Purpose

The general purpose of this District is to provide for town or row house development in traditional side by side lots, clustered, stacked or condominium format. No front driveways permitted to or from an arterial roadway.

1. R2T Permitted and Discretionary Uses Table

a) Permitted Uses	
(i)	Accessory building subject to sections 3.5 and 4.7(3)
(ii)	Town or row house or Stacked Town or row house dwelling
(iii)	² Deleted
(iv)	Home Occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(v)	³ Deleted
b) Discretionary Uses	
(i)	Home Occupations which will generate additional traffic, subject to section 4.7(8)
(ii)	⁴ Deleted
(iii)	⁵ Show Home or Raffle Home.

2. R2T Residential (Town House) District Regulations

(d) Table 4.4.1 R2T Regulations

Regulations	Requirements
Floor Area Minimum	60.0 m ² per dwelling unit
Site Coverage Maximum	40% (includes any garage & accessory buildings)
Building Height	Maximum: 2½ storeys with a maximum height of 12.0 m measured from the average of the lot grade Minimum: 2 storeys
¹ Front Yard Minimum	<ul style="list-style-type: none"> ▪ Minimum 3.0 m and maximum 4.5 m for the live portion of a dwelling unit, and

¹ 3357/L-2013

² 3357/S-2019

³ 3357/B-2018

⁴ 3357/S-2019

⁵ 3357/T-2015

	<ul style="list-style-type: none"> ▪ Minimum 6.0 m for any front attached garage portion of a dwelling unit.
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Regulations	Requirements
Side Yard Minimum	1.5 m except: <ul style="list-style-type: none"> ▪ where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2B ▪ nil for internal dwelling units ▪ nil on the internal side of an end dwelling unit
Rear Yard Minimum	7.5 m except if dwelling unit has a rear attached garage, the garage portion of the dwelling unit only requires a minimum 6.0 m setback from the back edge of a lane or private driveway
Lot Depth Minimum	30.0 m
Landscaped Area Minimum	30% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	185 m ²
Lot Frontage Minimum	6.1 m per dwelling unit

- (b) The R2T District is subject to any applicable residential regulations listed within section 4.7.
- (c) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R2T, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.”

4.5 R3 Residential (Multiple Family) District



General Purpose

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

1. R3 Permitted and Discretionary Uses Table¹

(a) Permitted Uses

- (i) ²Building Sign, for uses described in Section 11.10(1).
- (ii) ³Deleted
- (iii) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
- (iv) Multi-attached building up to a maximum density of 35 dwelling units per hectare (D35).
- (v) Multiple family building up to a maximum density of 35 dwelling units per hectare (D35).
- (vi) ⁴Deleted

(b) Discretionary Uses

- (i) Accessory residential structure subject to section 4.7(3).
- (ii) ⁵Assisted living facility, Day Care Facility, Day Care Adult, Temporary Care Facility or Place of Worship or Assembly on sites within an Area Structure Plan or Area Redevelopment Plan which designates where such uses will be situated; only on site which are designated for use within the applicable plan.
- (iii) ⁶Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility or Place of Worship or Assembly on sites with no approved Area Structure Plan or Area Redevelopment Plan or on sites with no designated location in an Area Structure Plan or Area Redevelopment Plan.
- (iv) Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
- (v) Detached or semi-detached dwelling unit in existence before January 12, 2004.
- (vi) ⁷Existing Special Residential: place of worship, kindergarten, school, and Day Care Facility. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall also be deemed to be a

¹ 3357/C-2007

² 3357/B-2018

³ 3357/S-2019

⁴ 3357/B-2018

⁵ 3357/X-2014

⁶ 3357/X-2014

⁷ 3357/A-2012

Discretionary Use for that site

Discretionary Uses Table - *Continued*

- (vii) ¹Freestanding Sign, for uses described in Section 11.13(1).
- (viii) ²Deleted
- (ix) Home occupations which will generate additional traffic subject to section 4.7(8).
- (x) Multi-attached building more than 35 dwelling units per hectare.
- (xi) Multiple family building more than 35 dwelling units per hectare.
- (xii) ³Municipal Services limited to Police, Emergency Services and/or Utilities
- (xiii) Secondary suite legally in existence before April 5, 2004.
- (xiv) ⁴Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
- (xv) ⁵Show Home or Raffle Home.
- (xvi) Temporary care facility.

2. R3 Residential (Multiple Family) Regulations

(a) Table 4.5 R3 Regulations⁶

Regulations	Requirements
Floor Area Minimum	Detached dwelling: Frontage in m x 6.0 m Semi-detached dwelling: 65.0 m ² for each unit Multi-attached: 60.0 m ² for each unit Dwelling unit in a multiple family building: 37.0 m ² Unit in assisted living facility: 23.0 m ²
Site Coverage Maximum	40% (includes garage and accessory buildings) except within multi-family, assisted living facility or temporary care facility on sites located within the boundaries of the Greater Downtown Action Plan, where it is 60% (including accessory buildings)
⁷ Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade except: <ul style="list-style-type: none"> ▪ 4 storeys for Assisted Living Facility, Temporary Care Facility or Multiple family building unless site is located within the downtown commercial

¹ 3357/B-2018

² 3357/S-2019

³ 3357/I-2013

⁴ 3357/Z-2009

⁵ 3357/T-2015

⁶ 3357/C-2007

⁷ 3357/I-2013

Regulations	Requirements
	care facility: <ul style="list-style-type: none"> ▪ in all cases subject to section 4.5(3) (a). ▪ no separate bedroom: 55 m² per dwelling unit ▪ one bedroom: 82.0 m² per unit ▪ more than one bedroom: 102.0m² per dwelling unit

Regulations	Requirements
¹ Frontage Minimum	Detached dwelling: 12.0 m Semi-detached: 7.6 m per dwelling unit Multi-attached building: 15.0 m except, if all units are side by side town or row housing units: 6.1 m per each dwelling unit Multiple family building: 19.5 m

(b) R3 District is subject to any applicable residential regulations listed within section 4.7.

3. R3 Residential (Multiple Family) Site Development

(a) ²Notwithstanding the minimum site area requirements of Table 4.5, when an area has a density designation in accordance with section 7.10(1), the minimum site area is subject to approval of the Commission.

(b) Notwithstanding the building height maximum, any existing building located outside of the boundaries of the Greater Downtown Action Plan which is greater than four storeys may be structurally altered or replaced by another building provided the number of storeys does not increase.

¹ 3357/I-2013

² 3357/I-2013

4.6 R4 Residential (Manufactured Home) District



General Purpose

The general purpose of this District is to provide land for manufactured homes and manufactured home communities.

1. R4 Permitted and Discretionary Uses Table

<p>(a) Permitted Uses</p> <ul style="list-style-type: none"> (i) ¹Deleted (ii) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8). (iii) Manufactured home. (iv) Manufactured home park. <p>(b) Discretionary Uses</p> <ul style="list-style-type: none"> (i) ²Building Sign, for uses described in Section 11.10(1); and (ii) ³Freestanding Sign, for uses described in Section 11.13(1) (iii) ⁴Deleted (iv) ⁵Deleted (v) Home occupations which will generate additional traffic subject to section 4.7(8). (vi) ⁶Deleted (vii) ⁷Accessory building (viii) ⁸Municipal Services limited to Police, Emergency Services and/or Utilities (ix) ⁹Show Home or Raffle Home.

2. R4 Residential (Manufactured Home) Regulations

(a) Notwithstanding subsection (b), the site plan of a Manufactured Home Park shall be subject to approval by the Commission.

(b) Table 4.6 R4 Regulations

Regulations	Requirements
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¹ 3357/S-2019
² 3357/B-2018
³ 3357/B-2018
⁴ 3357/S-2019
⁵ 3357/S-2019
⁶ 3357/B-2018
⁷ 3357/L-2006
⁸ 3357/I-20013
⁹ 3357/T-2015

Regulations	Requirements
Floor Area Minimum	55.0 m ²
Building Height Maximum	1 storey
Front Yard Minimum	6.0 m Manufactured Home Units (Subdivision or Condominium Sites) – 6.0 m per setback list
Side Yard Minimum	1.5 m on right side facing lot from street; 2.35 m on left side
Rear Yard Minimum	6.0 m
Landscaped Area	35% of site area
Parking	Manufactured home park as required by the Development Authority Manufactured home units (subdivision or condominium sites): 2 stalls on site
Site Area	Manufactured home park: as required by the Development Authority Manufactured home units (subdivision or condominium sites): <ul style="list-style-type: none"> ▪ Single wide: minimum 350.0 m² ▪ Double wide: minimum 418.0 m²
¹ Site Coverage Maximum	45%
Frontage Minimum	Manufactured home park: 11.0 m Manufactured home units (subdivision or condominium sites): <ul style="list-style-type: none"> ▪ Single wide: minimum 11.0 m ▪ Double wide: minimum 14.0 m

(c) R4 District is subject to any applicable residential regulations listed within section 4.7.

¹ 3357/L-2006

¹4.6.1 R1E Residential Estate District



General Purpose

²The general purpose of this District is to permit existing acreage developments that have been annexed into the city to be in conformance with the Land Use Bylaw. This district is not intended for the creation of new acreages.

1. R1E Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory residential structures subject 4.7(3) less than 100.0 m ²
(ii)	Detached dwelling unit.
(iii)	³ Deleted
(iv)	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
(v)	⁴ Deleted
(b) Discretionary Uses	
(i)	Accessory residential structure subject to section 4.7(3) greater than 100.0 m ² .
(ii)	⁵ Deleted
(iii)	Home occupations which, in the opinion of the Development Officer, may generate traffic subject to section 4.7(8).
(iv)	Assisted living residence within a detached dwelling
(v)	⁶ Deleted
(vi)	Bed & Breakfast subject to section 4.7 (11).
(vii)	⁷ Show Home or Raffle Home.

2. R1E Estate Residential Regulations

(e) Table 4.6.1 R1E Regulations

Regulations	Requirements
Floor Area Minimum	Detached dwelling: 162.5 m ²
Site Coverage Maximum	40% (includes accessory buildings)
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade except accessory buildings which shall be one storey maximum

¹ 3357/GG-2008
² 3357/PP-2018
³ 3357/S-2019
⁴ 3357/B-2018
⁵ 3357/S-2019
⁶ 3357/S-2019
⁷ 3357/T-2015

Regulations	Requirements
Front Yard Minimum	10.0 m
Side Yard Minimum	3.0 m
Rear Yard Minimum	7.5 m
Lot Depth Minimum	40.0 m
Landscaped Area	35% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area	Existing lot size as of November 1, 2008.
Frontage Minimum	Existing lot frontage as of November 1, 2008.

3. Redevelopment within existing subdivision

- (a) Notwithstanding other sections within this bylaw, in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission shall have the authority to require increased development standards for any redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or along the applicable street.
- (b) Development Applications within existing developed areas will include the following:
 - (i) Existing and proposed grades
 - (ii) Existing and proposed landscaping and buildings
 - (iii) Proposed building demolition (if any)
 - (iv) Location of proposed fences
 - (v) Location of existing side yard windows
- (c) Where the proposed development is a discretionary use or does not comply with the development regulations of this district the applicant shall:
 - (i) Contact the local community association to inform it of the proposed development.
 - (ii) Describe to community association in detail the manner in which the proposed development does not comply with the development regulations of this District and solicit their comments on the proposed development.
 - (iii) Document the comment of the affected parties with respect to the proposed development.

- (iv) Describe any modifications to the proposed development made by the applicant to address the concerns of the affected parties if any and;
- (v) Submit as part of the development application documents showing foregoing regulations have been complied with.
- (d) Where a proposed development is to be forwarded to the Municipal Planning Commission for decision, the Development Authority shall notify the local community association with the time and date at which the application will be considered.

4. Regulations for Vegetation and Landscaping

- (a) No trees exceeding a height of 2.0 m shall be removed prior to development approval, unless to remove trees for safety or servicing reasons.
- (b) Where mature vegetation needs to be removed to facilitate new development, new landscaping materials shall be added, developer shall consult with adjacent landowners to ensure screening and site lines are satisfactory, and shall when being replaced consist of not less than the following standards:
 - (i) Deciduous trees - minimum caliper 65 mm (measured 450 mm from ground level)
 - (ii) Coniferous trees – minimum 2.5 m height
 - (iii) Deciduous shrubs - minimum 0.6 m height
 - (iv) Coniferous shrubs - minimum 0.4 m height or spread.
- (c) Landscaping in front yards shall be a minimum of 3 trees and 3 shrubs.

4.7 Residential District Regulations

1. General Regulations

- (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.
- (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:
- (i) 1.5 metres where a garage or carport is attached to or is an integral part of the principal building, or
 - (ii) 3.0 metres where a garage or carport is to be provided in the rear yard of the said land, or
 - (iii) 5.0 metres where a garage or carport is to be attached to the principal building at a later date, or
 - (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.
- (c) ¹Notwithstanding regulations listed in Tables 4.1, 4.2, 4.3, 4.4 and 4.6.1, the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in Tables 4.1, 4.2, 4.3, 4.4, and 4.6.1, within the districts R1, R1N, R1A, R2 and R1E namely:
- (i) not less than 90% of the minimum: Front Yard, Side Yard (except within R1N, minimum 1.2 m), Rear Yard, Site Area or Frontage,
 - (ii) not less than 95% of the minimum floor area, and
 - (iii) not less than 98% of the minimum landscaping area.
- (d) In calculating the minimum floor area for an odd and irregular shaped site within districts R1, R1A and R2:
- (i) 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

¹ 3357/GG-2008

- (ii) 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.
- (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.
- (f) ¹Within R2 and R3 Districts, residential amenity areas of a minimum of 4.5 m² per dwelling unit for Multiple Family Building and Multi-Attached Building and a minimum of 15.0 m² 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.

- ²(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:
 - (i) the lots front on a residential collector roadway with separate sidewalk,
 - (ii) the lots have rear lanes,
 - (iii) the lots do not have front driveways, parking pads or garages located in the front of the site,
 - (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,
 - (v) none of the affected lots have been sold prior to the approval of the front yard setback,
 - (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 at a point of intersection with a road of a higher classification,
 - (vii) minimum front yard setbacks are reduced to no less than 4 metres.

¹ 3357/C-2007, 3357/T-2015

² 3357/I-2006

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

General Residential Regulations - ¹DELETED

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

Multi-Family Dwelling Regulations - ¹DELETED

Multi-Attached Dwelling Regulations – ¹DELETED

Semi-Detached Dwelling Regulations – ¹DELETED

¹ 3357/N-2018

2. ¹DELETED

3. Accessory Residential Structures

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

4. Objects Prohibited or Restricted in Yards

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

¹ 3357/C-2018

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

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

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

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

¹ Correction 19

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

5. Projections over Yards

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

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

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

¹ 3357/I-2013

² 3357/I-2013

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

5.1 Below-Grade Development

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

6. Corner Sites Restrictions (¹Site Lines)

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

7. Vehicular Access to Lots from Public Roadways

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

¹ 3357/I-2013

8. Home Occupations

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

¹ 3357/E-2014

² 3357/X-2009

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

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

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

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

9. ²Secondary Suite Use Provisions and Development Regulations

General Purpose

(9.1)(A)

³Definitions

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

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

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

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

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

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

¹ 3357/L-2018

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

³ 3357/S-2017

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

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

Use Provisions

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

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

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

¹ 3357/S-2017

² 3357/L-2013

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

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

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

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

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

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

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

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

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

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

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

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

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

¹ 3357/L-2013

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

Discretion of Development Authority

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

(a) ¹The design and accessibility of the area surrounding the Site, in consideration of the following:

(i) the Site is located in an area that can provide additional on-Street parking options, such as a location within close proximity to a neighbourhood park or open space area, a neighbourhood commercial Site or a community trail/pathway system.

(b) ²The density of the area surrounding the Site, in consideration of the following:

(i) the developments in the area surrounding the Site consist largely of Detached Dwelling Units,

(ii) the residential developments in the area surrounding the Site consist largely of a lot area minimum of 360.0 m²,

(iii) the number and location of Secondary Suites:

- 1.within 100 metres of the Site;
- 2.within the Block;
- 3.within the Street; and
- 4.within the Row of Residential Buildings, or

(iv) the number and location of Semi-detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.

(v) the number and location of Semi-detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.

(c) ³The availability of on-Street parking, in consideration of the

¹ 3357/S-2017

² 3357/S-2017

³ 3357/S-2017

following:

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

Discretion of Development Officer

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

Development Regulations

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

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

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

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

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

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

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

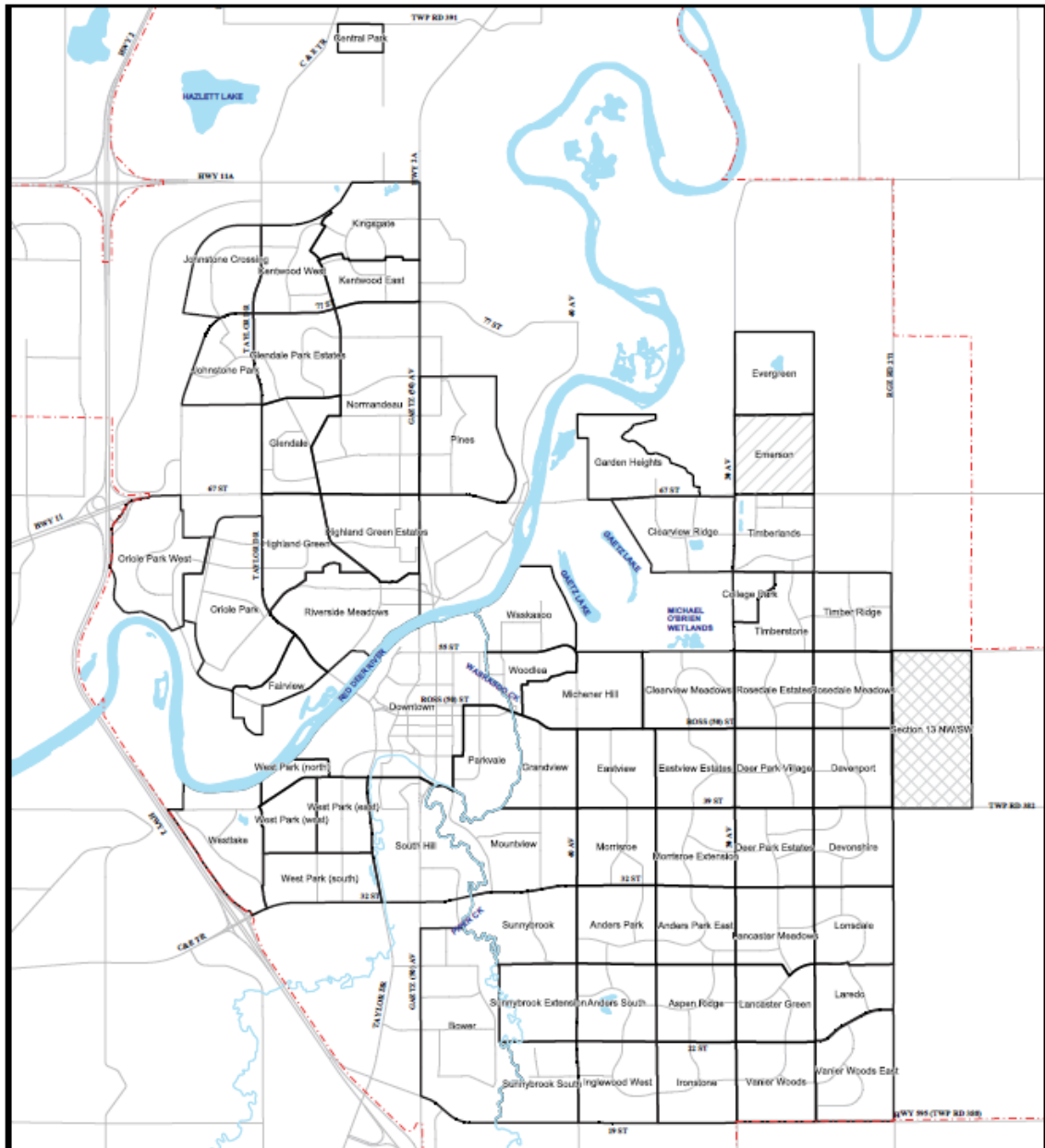
- (i) the Site is located on a Street that has more than one entrance/exit,
- (ii) the Site has access from a Lane, or
- (iii) the Site is a Corner Site.

¹ 3357/E-2014



² 3357/S-2017

Schedule "A"

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



Add Secondary Suite Neighbourhood Boundary:

-  Emerson
-  Section 13 NW/SW

Proposed Amendment

Map: 17 / 2018

Bylaw: 3357 / N-2018

Date: Mar. 13, 2018

10. ¹Deleted

11. Bed & Breakfasts

General Purpose

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

- (a) A bed & breakfast may be allowed as an accessory use to a detached or a semi-detached dwelling, within those land use districts in Parts 4-8 of this Bylaw in which it is listed as a discretionary use.
- (b) ²Application for a discretionary use development permit to establish and operate a bed & breakfast may be made at City Hall..
- (c) In addition to providing such information as the Inspections and Licensing Department may require, the applicant shall pay the fees prescribed by Bylaw.
- (d) ³ Landowners, located within 100m of the site of an application for a bed and breakfast facility, the neighbourhood community association, if one exists, and the Heritage Preservation Committee, when a building or site that appears on The City's inventory list is the application site, shall be notified and provided opportunity to provide comments for the consideration of the Development Authority.
- (e) The Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to the application being considered by the Commission.

¹ 3357/S-2019

² 3357/W-2015

³ 3357/E-2014

- (f) When needed the Development Officer shall review the performance of all approved bed and breakfasts in the City based on any complaints received about any bed and breakfast during the previous year, and take a report to the Development Authority advising of the actions taken with respect to such complaints and proposing any recommendations on additional steps to be taken by The City with respect to relevant contraventions of this Bylaw.
- (g) Anyone may lodge complaints to the Development Authority about any nuisance that a bed and breakfast may be imposing on the neighbourhood or adjacent properties including but not limited to noise, vehicle or pedestrian traffic, parking or social activities.
- (h) The Development Authority may impose conditions of approval on a discretionary use development permit.
- (i) The following additional regulations shall apply to all bed & breakfasts:

 - (i) The property owner or bed & breakfast host shall occupy the subject dwelling as his or her primary residence.
 - (ii) No full time employees outside of the occupant family will be allowed to staff the bed & breakfast or work on the premises. Casual labour may be hired for yard cleaning, repair work, housekeeping services, etc. in the usual manner.
 - (iii) The maximum length of stay for a guest at a bed & breakfast shall be 14 nights in any 30 day period.
 - (iv) The planning, operation and appearance of a bed & breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the curb appearance of a detached or a semi-detached dwelling, including landscaping of a minimum of 20% of the front yard.
 - (v) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, a bed & breakfast may occupy not more than two guestrooms with associated washrooms. The rooms must be established within the principal building and provide direct interior access between the

principal building and the guestrooms (additional outside access is optional).

- (vi) Notwithstanding subsection (v), at no time shall more than eight guests be accommodated.
- (vii) Guestrooms shall not be self-contained dwelling units, i.e. there shall not be any cooking facilities available in the guest rooms for the use of guests to prepare meals.
- (viii) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, parking spaces shall be provided on-site to the ratio of one parking space per guestroom, additional to any other parking requirements of this Bylaw. The interior parking stalls in a tandem parking stall set will not be counted towards fulfilling the minimum parking requirements (see definition of “Tandem Parking”). The combined width of parking spaces provided in the rear yard may not exceed 85% of the rear lot width.
- (ix) No meals may be served on the premises of a bed & breakfast, with the exception of breakfast to overnight guests only.
- (x) No other services or retail sales may be offered at or from the same premises than that of a bed & breakfast, and no home occupation is permitted on the premises of a bed & breakfast.
- (xi) ¹There shall be no secondary suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.
- (xii) At the discretion of the Development Authority, a bed & breakfast may have one sign (approximately 0.27 m² in size) displaying the name of the bed & breakfast, the name of the operator and/or the street address, or any combination of these. The appearance and position of the sign shall be subject to the approval of the Development Officer. Generally, signs must be placed discretely, be unobtrusive and be styled in a manner that is compatible with the appearance of the principal building in terms of colour and material, or with such architectural controls as may be required by the developer of a subdivision. No self-illuminated signs shall be allowed. If lighting of the sign is required, the source shall be spot lighting.

¹ 3357/S-2019

12. Temporary Home Stay Accommodations

- (a) Temporary Home Stay Accommodations are permitted in any residential district but only during such period of time as may be specified in a declaration issued by the Mayor. The Mayor may issue such a declaration but only where the following has occurred:
- (i) The Red Deer Visitor and Convention Bureau has advised the Mayor that a survey of the hotels, motels and commercial bed & breakfast operations in the Red Deer Area has satisfied the Red Deer Visitor and Convention Bureau that hotels, motels and commercial bed & breakfast operations in the Red Deer area are substantially booked,
 - (ii) An event is being held in the Red Deer area, for which additional overnight accommodation is required and therefore the Visitor and Convention Bureau has requested that the Mayor make the necessary declaration to allow the operation of a temporary home stay accommodation.
- (b) For the purposes of this section, the term ‘Red Deer area’ means the city of Red Deer, County of Red Deer, County of Lacombe and the town and villages therein.

13. ¹Deleted

14. ² Deleted

15. Landscaping Regulations

- (1) ³An owner of a residential site shall ensure that the landscaping on the landscaped area of the Site is completed within two years of the date that the building is occupied.
- (2) For the purpose of this section, completion of landscaping shall mean, at the minimum, that the landscaped area is covered by lawn.

¹ 3357/S-2019

² 3357/X-2014

³ 3357/W-2015

16. ¹Show Home or Dwelling Home

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

¹ 3357/T-2015

(b) Discretionary Uses *continued*

- (xi) Hotel, motel or hostel.
- (xii) ¹Merchandise sales and/or rental (no minimum floor area for a building or a unit within the building).
- (xiii) ²Outdoor display or sale of goods.
- (xiv) ³Deleted
- (xv) Transportation, communication or utility facility.
- (xvi) Warehouse.
- (xvii) ⁴Outdoor storage.
- (xviii) ⁵Gaming or Gambling Establishment subject to section 5.7 (1) (g)
- (xix) ⁶Cannabis Retail Sales

2. C4 Commercial (Major Arterial) District Regulations

(a) Table 5.6 C4 Regulations

Regulations	Requirements
⁷ Floor Area Maximum	One third of site area
Building Height Maximum	Three storeys
Front Yard Minimum	15.0 m
Side Yard Minimum	Nil, when there is a constructed lane 3.8 m on one side when there is no constructed lane 3.0 m when it abuts a street
Rear Yard Minimum	3.0 m
Landscaped Area Minimum	40% of minimum front yard, however, if it is determined by the Development Authority that landscaping is required elsewhere on the site, then 15 % of the site area may be required to be provided
Parking	Subject to section 3.1 and 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one per building, subject to section 5.7(3)
Site Area	Minimum 1393 m ² Maximum 4.0 ha
Frontage	Minimum 30.0 m

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

¹ 3357/L-2018, 3357/S-2019

² 3357/E-2006

³ 3357/G-2016, 3357/B-2018

⁴ 3357/E-2006

⁵ 3357/J-2007

⁶ 3357/P-2018

⁷ 3357/G-2018

¹5.6.1 C5 Commercial (Mixed Use) District



General Purpose

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

1. C5 Permitted and Discretionary Uses Table

(a) ²Permitted Uses
(i) ³ Building Sign
(ii) Day care facility
(iii) Dwelling units above the ground floor
(iv) ⁴ Freestanding Sign
(v) Health and medical services
(vi) ⁵ Deleted
(vii) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(viii) Live work unit subject to section 4.3.2(2)(b)
(ix) ⁶ Merchandise sales and/or rental (excluding industrial goods, motor vehicles, machinery, Cannabis Retail Sales, fuel and all uses where primary focus is adult orientated merchandise and/or entertainment)
(x) Multiple family building with a minimum density of 35 dwelling units/hectare
(xi) Multi-attached buildings with a minimum density of 35 dwelling units/hectare
(xii) ⁷ Restaurant without drive-through
⁸ (xiii) Show Home or Raffle Home.
(xiv) ⁹ Deleted

¹ 3357/L-2013

² 3357/D-2015

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/S-2019

⁶ 3357/L-2018

⁷ 3357/G-2018

⁸ 3357/T-2015

⁹ 3357/B-2018

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6. ¹Deleted

7. Late Night Club

- (a) In considering an application for a new late night club or for renovations to an existing late night club, whether as a principal use or ancillary use, the Development Authority shall obtain and consider a report from the RCMP and where an application is granted, the Development Authority shall require the developer to:
- (i) demonstrate provision of adequate parking within 150.0 m of the site,
 - (ii) provide adequate outside lighting in the area, and
 - (iii) if the proposed development abuts a residential area, provide an impact statement as part of the application indicating the measures to be taken to ensure that noise and visual impacts from the late night club will not negatively affect the adjoining neighbourhood.
- (b) A late night club shall meet the following regulations:
- (i) gross floor area not to exceed a maximum of 557.0 m²,
 - (ii) building occupancy not to exceed a maximum of 300 persons, and
 - (iii) ²A Late Night Club with a gross floor area greater than 186.0m² shall not be located within 150.0m of the Boundary of the Site of another Late Night Club or a Drinking Establishment with a gross floor area greater than 186.0 m².

8. Drinking Establishments

- (a) ³When considering an application for approval of a Drinking Establishment (adult entertainment prohibited) as either an Accessory Use or a principal use, the Development Authority shall:
- (i) refer the application to the RCMP for comment,
 - (ii) notify the Downtown Business Association if the application is located within the boundary of the Business Revitalization Zone,
 - (iii) require the developer to:
 - (1) demonstrate provision of adequate parking within 150.0 m of the site,

¹ 3357/S-2019

² 3357/T-2015

³ 3357/T-2015

- (2) provide adequate outside lighting in the area, and
 - (3) if the proposed development abuts a residential area, as part of the application provide an impact statement being an assessment of measures to be taken to ensure that noise or visual impacts from the drinking establishment will not negatively affect the adjoining neighbourhood,
- (iv) require the following regulations to be met:
- (1) gross floor area not to exceed a maximum of 557.0 m²,
 - (2) building occupancy not to exceed a maximum of 300 persons, and
 - (3) a Drinking Establishment (adult entertainment prohibited) with a gross floor area greater than 186.0m² shall not be located within 150.0 m of the Boundary of the Site of another Drinking Establishment or Late Night Club with a gross floor area greater than 186.0 m².
 - (4) ¹not be allowed as an accessory use in any I1 or I2 Industrial District.

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

- (i) refer the application to the RCMP for comment,
- (ii) notify the Downtown Business Association if the application is located within the boundary of the Business Revitalization Zone,
- (iii) require the developer to:
 - (1) demonstrate provision of adequate parking within 150.0 m of the site, and
 - (2) provide adequate outside lighting in the area.
- (iv) require the following regulations to be met:
 - (1) gross floor area not to exceed a maximum of 557.0 m²,
 - (2) building occupancy not to exceed a maximum of 300 persons,

¹ 3357/I-2013

² 3357/T-2015

(3) a Drinking Establishment (adult entertainment permitted) with a gross floor area greater than 186.0m² shall not be located within 150.0m of the Boundary of the Site of another Drinking Establishment or a Late Night Club with a gross floor area greater than 186.0m², and

(4) ¹a Drinking Establishment (adult entertainment permitted) shall not be located on a Site within 150.0 m of:

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

(5) ²Not be allowed as an accessory use in any I1 or I2 Industrial District.

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

9. ³Outdoor Storage in Commercial Districts

(a) The Development Authority may approve an application for outdoor storage in any Commercial district in which outdoor storage is a discretionary use, or in any Direct Control district in which commercial activity is conducted, subject to the imposition of such conditions as it deems necessary in order to comply with the intent of this Bylaw.

(b) All outdoor storage must meet the following requirements:

- (i) Outdoor storage is permitted for a period of one year.
- (ii) Outdoor storage shall be concealed from sight from adjacent roads.
- (iii) Outdoor storage areas shall be screened so that no stored goods are visible above the screening. Screening shall not exceed 2.5 metres in height.

¹ 3357/T-2015

² 3357/I-2013

³ 3357/E-2006

- (iv) Outdoor storage areas shall not exceed 2.5% of the gross floor area of the principal building on the site, or where there is more than one building on the site, shall not exceed 2.5% of the gross floor area of the building to which the Outdoor Storage area relates.
- (v) An outdoor storage area may not reduce the parking spaces available for use on the site below the number of spaces required under the Land Use Bylaw or approved by the Development Authority.
- (vi) A portable storage container may be used for outdoor storage provided that it is painted to match the principal building on the site and does not exceed dimensions of 12 metres in length by 2.4 metres in width by 2.6 metres in height. A portable storage container does not need to be screened.

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

- (a) The Development Authority may approve an application for the outdoor display or sale of goods in any Commercial district in which the use is listed, or in any Direct Control district in which commercial activity is conducted, subject to the imposition of such conditions as it deems necessary in order to ensure compliance with the intent of this Bylaw.
- (b) Such approval may be granted on a permanent basis, for a specific period of time or for limited times during the year.
- (c) All areas used for the outdoor display or sale of goods shall comply with the following requirements:
 - (i) Display areas shall be fenced or screened as approved by the Development Authority.
 - (ii) Goods in a display area may be visible from outside the display area provided they are not visible from any street and further provided that the visible goods are displayed in an orderly manner.
 - (iii) Fencing or screening shall not exceed 2.5 metres in height.
 - (iv) No goods may be stored so as to be visible above the screening.
 - (v) Outdoor display or sales areas shall not exceed 25% of the gross floor area of the establishment to which that outdoor display or sales area relates.

¹ 3357/E-2006

(vi) An outdoor display or sales area may not reduce the parking spaces available for use on the site below the number of spaces required under the Land Use Bylaw or approved by the Development Authority.

(vii) Where sheds form part of the outdoor display or sale of goods, a maximum of six sheds will be allowed immediately adjacent to the retail establishment or at such other specific location as may be approved by the Development Authority. The exterior of any sheds on display must be finished and are not required to be screened.

(d) ¹Unless otherwise directed by the Development Authority, a person who has received approval for an annual temporary outdoor display or sale of goods may erect the outdoor display or sales area every year provided that it is constructed in the manner and for the duration approved by the Development Authority.

(e) Notwithstanding the provisions of 5.7 (10), no development approval is required for the outdoor display or sale of goods which does not extend further than 4.5 metres from the front of a building on private property in a C1, C1A, C2A, C2B or C4 Commercial district, or on an approved DC site, provided the goods are not displayed on any area intended for the passage of vehicles, and are displayed in an orderly fashion and in a manner that does not impede pedestrian or vehicular traffic.

(f) The size of an outdoor display or storage area associated with a lumber yard in a Commercial District shall be at the discretion of the Development Authority, notwithstanding the provisions of section 5.7 (10).

11. ²Funeral Homes

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

12. Cannabis Retail Sales Development Standards

(a) Cannabis Retail Sales shall not be co-located with the retail sale of tobacco and/or pharmaceuticals, a Drinking Establishment (adult entertainment prohibited), a Drinking Establishment (adult entertainment permitted), Microbrewery or Liquor, Beer, and/or Wine Sales use;

¹ 3357/W-2015

² 3357/M-2008

- (b) Cannabis Retail Sales shall not be located adjacent to or connected to a Drinking Establishment, Microbrewery or Liquor, Beer, and/or Wine Sales use;
- (c) No person may smoke, vape or otherwise use Cannabis in the Cannabis Retail Sales premises;
- (d) All functions of the use shall be fully enclosed within the Building;
- (e) No Outdoor Storage shall be allowed on the Site;
- (f) All garbage containers, waste material and loading facilities shall be fully enclosed within the Building;
- (g) The use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
- (h) The use shall not emit nuisances including, but not limited to, odour, noise and light, that may have a negative impact to adjacent Sites or the surrounding area;
- (i) Products in the store must not be visible from outside the premise;
- (j) Drive-through windows are prohibited;
- (k) The primary sales of a Cannabis Retail Sales use must be Cannabis not Cannabis Accessories;
- (l) A Cannabis Retail Sales use must be protected by a professionally installed and supervised alarm system;
- (m) A Cannabis Retail Sales use must have a digital camera security system;
- (n) A Cannabis Retail Sales use must secure perimeter entry points against unauthorized access;
- (o) The business name is to be prominently displayed in signage at all public access points of the Cannabis Retail Sales use;
- (p) Hours of operation for Cannabis Retail Sales shall be limited to between 10:00 a.m. and 10:00 p.m. only;
- (q) ¹Except where a different separation distance is set out in subsection (r) below, A Cannabis Retail Sales use shall not be located within 100 metres of a “school” as defined by the *School Act*, other than early childhood

¹ 3357/UU-2018

services programs or homeschool sites. This distance shall not be varied by the Development Authority; and

- (r) ¹The following separation distances, which shall not be varied by the Development Authority, measured in a straight line from the closest points, to/from the following specified uses are to be met, regardless of which use is approved first:
- (i) 300 metres from the property boundary of all schools operated by the Red Deer Public School District, Red Deer Regional Catholic Schools, and Conseil Scolaire Centre-Nord, to the occupied floor area of a Cannabis Retail Sales;
 - (ii) 300 metres from the occupied floor area of one Cannabis Retail Sales use to the occupied floor area of another Cannabis Retail Sales use.
 - (iii) 300 metres from the occupied floor area of a Day Care Facility to the occupied floor area of a Cannabis Retail Sales use;
 - (iv) 300 metres from the property boundary of an indoor City – operated recreation facility, to the occupied floor area of a Cannabis Retail Sales; and
 - (v) 300 metres from the property boundary of an “approved hospital” as defined by the *Hospitals Act*, namely the Red Deer Regional Hospital Centre and the Central Alberta Cancer Centre, to the occupied floor area of a Cannabis Retail Sales.

¹ 3357/UU-2018

6.2 I2 Industrial (Heavy Industrial) District



General Purpose

¹The general purpose of this District is to provide for a wide range of manufacturing, assembling, fabrication and processing of goods within the performance standards, of section 6.5 (2)(b) in which nuisance factors have a high probability of occurring.

1. I2 Permitted and Discretionary Uses Table

(a) Permitted Uses
(i) All uses listed as permitted in the I1 Industrial (Business Service) District with the exception of industrial support services.
(b) Discretionary Uses
(i) Auction Mart, including livestock.
(ii) All uses listed as discretionary in the I1 Industrial (Business Service) District.
(iii) ² Cannabis Production Facility (CPF)

2. I2 Industrial (Heavy Industrial) District Regulations

(a) Table 6.2 I2 Regulations

Regulations	Requirements
Floor Area Minimum	n/a
Building Height Maximum	n/a
Front Yard Minimum	15.0 m, except Edgar Industrial Drive which is 9 m
Side Yard Minimum	3.8 m one one side
Rear Yard Minimum	3.0 m
Landscaped Area	20 % of minimum front yard
Parking Spaces	Subject to section 3.1 and 3.2
Loading Space	Subject to section 3.7
Site Area Minimum	1.2 hectares unless otherwise approved by the Commission
Frontage Minimum	n/a

(b) ¹I1 District is subject to any applicable industrial regulations listed within

¹ 3357/N-2019

² 3357/N-2014, 3357/S-2019

Property Number	Historical Site Designation Building	Street Address	Legal Description
HS – 48	⁴⁸ DELETED		
HS – 49	Prairie Business	5032 Gaetz Ave	Lots 19-21, Block 11, P1an 795 HW South 20' of 21
HS – 50	Old Provincial Building	4935 - 51st Street	Lots 38 & 39, Block 17, Plan H
HS – 51	Raymond Gaetz Residence	4763 - 56th Street	Lot 30, Block A, Plan 647 K.S.
HS – 52	Red Deer Bottling Co.	4601 Gaetz Ave	Lot 27, Block 21, Plan 962 3342
HS – 53	Red Deer College Arts Centre	5700 - 32nd Street	Lot 3, Plan 812 2461
HS – 54	A.H. Russell Residence	⁴⁹ 5838 – 45 Avenue	Lot 1 & 2, Block 3, Plan 1292 A.0
HS – 55	Scott Block/Old Horsley's Hardware	4816 - 4818 Gaetz Avenue	Lot D, Block 9, Plan 1323 KS
HS – 56	Simpson Residence	5820 - 45th Ave	Lot 2, Block 5, Plan 961 H.W
HS – 57	St. Mary's Roman Catholic Church and Parish Hall	6 McMillan Ave	Lot 1A, Plan 2473 N.Y.
HS – 58	Telning Residence	4520 - 46th Street	Lot 12 & 13, Block J, Plan 4900 R
HS – 59	Thatcher Residence	5401 - 48th Avenue	Lot 1, Block 33, Plan 656 NY
HS – 60	Trump Residence	5035 - 45th Ave	Lot 2, Block 1, Plan 4735 K.S.
HS – 61	Tucker Residence	3534 - 45th Ave	Lot 5A, Block 5, Plan 78 RS
HS – 62	Wallace Residence	4755 - 56th Street	Lots 25-26, Block A Plan K1
HS – 63	Wartime Homes	36-38 Street block Between 41-42 Ave Mountview	Lots 5-8 and 10-27, Block 9, Plan 1514 HW
HS – 64	Water Tower (Horton Spheroid)	3536 - 46th Ave	Lot 9, Block 22, Plan 1919 KS
⁵⁰ HS – 65	Wing Block Apartment	5101 Gaetz Ave	Lots 1 & 2, Block 16, Plan H
HS – 66	49A Avenue Houses	5511 - 49A Ave	Lots 7-9, Block 3, Plan 7075 AE
		5514 - 49A Ave	Lots 7-9, Block 2, Plan 7075 AE

⁴⁸ 3357/DD-2017

⁴⁹ 3357/S-2019

⁵⁰ 3357/I-2013

3. ³⁴Historical Preservation Buildings and Sites

Property Number	Building or Site	Municipal Address	Legal Description	Designation
HP - 1	1. Old Court House	4836 Ross Street	Lots 1-4, Block 28, Plan K	Provincial
HP - 2	2. C.P.R. Station	5000 - 51 Avenue	Lot 19, Plan 952 4241	Provincial/ Municipal
HP - 3	3. St. Luke's Anglican Church	4929 - 54 Street	Lots 9-11, Block 14, Plan K	Municipal/ Registered
HP - 4	4. Allen Bungalow	6316 - 45 Avenue	NE 1/4 21-38-27-4 which lies east of Road Plan 1264 ET	Registered / Municipal
HP - 5	5. North Cottage School	5704 - 60 Street	Lot S, Plan 4596 NY	Municipal/ Registered
HP - 6	6. Parsons House	4801 - 49 Street	Lots 42 & 43, Block 26, Plan 982-1122	Registered / Municipal
HP - 7	7. C. P. R. Rail Bridge	Red Deer River	SE of Plan 952 3190	Registered / Municipal
HP - 8	8. Cronquist House	Great Chief Park	Lot 1MR, Block 1, Plan 832 2386	Municipal
HP - 9	9. Red Deer Armoury (Fire Hall No. 1)	4905 - 49 Street	Lot 1, Block 27, Plan 1339 RS	Municipal
³⁵ HP - 10	10. Presbyterian Ladies College	3909 - 55 Street	Lot 3, Block 10, Plan 0624309	Municipal
HP - 11	11. J.J. Gaetz House	3504 - 55 Street	Lot 3, Block 1, Plan 792 1758	Municipal
HP - 12	12. Clarke Residence	4757 - 56 Street	Lot 27, Block A, Plan K1	Municipal
HP - 13	13. McIntosh House	4631 - 50 Street	Lots 38-40 Block A, Plan K8	Municipal
HP -14	14. Gaetz Library, Presbyterian Church Steeple, and Stevenson Hall Block	Heritage Square	Lot 1, Block C, Plan 842 2027	Municipal
HP - 15	15. Scott House	4743 - 56 Street	Lot 20, Block A, Plan K1	Municipal
³⁶ HP - 16	16. Red Deer Cenotaph	4908 - 50 Street	Lot 1, Block 1, 1221959	Provincial/ Municipal
³⁷ HP-17	17. Willson House	5011 43 Avenue	Lot 8, Block 6, Plan 5470HW	Municipal
³⁸ HP-18	18. Routledge Family Residence	4736 56 Street	Lot 15, Block C, Plan 5947 AM	Municipal
³⁹ HP-19	19. Intermediate School	5205 48 Avenue	⁴⁰ Lot 7MR, Block 36, Plan 1820009	Municipal

³⁴ 3357/M-2009

³⁵ 3357/H-2009

³⁶ 3357/A-2010, 3357/I-2013

³⁷ 3357/M-2015

³⁸ 3357/W-2010

³⁹ 3357/W-2017, 3357/S-2019

⁴¹ HP-20	20. Government of Canada Building	4909-50 Street	Lots 20-29, Block 18, Plan H	Provincial
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Note: Provincial and Registered Designations are designations assigned by the Province of Alberta to provincially significant historic resources.

⁴⁰ 3357/S-2019
⁴¹ 3357/DD-2017

¹7.17 Low Impact Commercial Overlay District

1. General Purpose

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

2. Permitted and Discretionary Uses Table

(a) Permitted Uses
(i) Those uses listed as permitted in the existing underlying land use district
(b) Discretionary Uses
(i) Those uses listed as discretionary in the underlying land use district, and; (ii) Low Impact Commercial Uses (iii) Law office on Lots 45-46 Block B, Plan K8 (4641 49 Street) in the existing structure only

3. Application

- a) The regulations in this District apply to all Low Impact Commercial applications located in the Low Impact Commercial Overlay District as shown on Land Use Map M15.
- b) The regulations in this District are in addition to any other applicable regulations under this Bylaw. Where the regulations in the underlying District contradict or will not serve to achieve the general purpose of this District, the regulations of this District shall prevail. Where the underlying District is a Direct Control District, the regulations of that underlying Direct Control District shall prevail.

4. Low Impact Commercial Regulations

- a) Low Impact Commercial Uses shall not have operating hours anytime on Sunday, or earlier than 8:00 a.m. or later than 6:00 p.m. from

¹ 3357/S-2019

Monday to Saturday. This includes shipping goods and receiving clients or customers.

- b) Low Impact Commercial Uses shall not, in the opinion of the Development Officer, cause nuisances including, but not limited to, emissions, odours, or noise.
- c) Low Impact Commercial Uses should not, in the opinion of the Development Officer, adversely affect the amenities of the residential neighbourhood or the privacy or the enjoyment of adjacent properties.
- d) The lot frontage of a Low Impact Commercial Use shall not exceed 30.5m
- e) Exterior lighting of the premises shall not, in the opinion of the Development Authority, adversely impact the privacy or enjoyment of adjacent properties or the area in general.
- f) Waste containers shall be in the rear yard only and be screened to the satisfaction of the Development Authority.
- g) Outside Storage or display shall not be permitted.
- h) Upon receipt of an application for a Low Impact Commercial Use, the Development Authority shall refer the application for comments to adjacent landowners and the relevant Community Association.

5. Parking

(a) Parking spaces for Low Impact Commercial Uses shall be provided on-site at the rates indicated below:

LOW IMPACT USE	PARKING REQUIREMENT
Office	2.0 per staff persons on duty
Health and Medical Services	2.0 per personal consultation cubicle
Commercial Service or Personal Service	2.5 per 93 m ² Floor Area or part thereof
Merchandise Sales	5.0 per 93.0 m ² Floor Area or part thereof
Residential	2.0 per Dwelling Unit

Provided that:

- (i) a use requiring more than ten on-site parking spaces, including any parking spaces required for residential use, shall not be allowed to establish as a low impact commercial use,
- (ii) parking spaces shall not be allowed in the front yard or the side yards of a principal building,
- (iii) parking spaces shall be screened from the street view,
- (iv) access to parking spaces should be off the rear lane only, if a rear lane is available.
- (v) for the purpose of the calculation of the number of parking spaces required for commercial services, personal services and merchandise sales, the term “floor area” is defined as those entire floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.

1. Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	¹ Building Sign
(ii)	Commercial Entertainment Facility.
(iii)	Commercial Recreation Facility.
(iv)	Commercial Service Facility
(v)	Day Care Facility.
(vi)	² Freestanding Sign.
(vii)	³ Deleted
(viii)	Home Occupations which, in the opinion of the Development Officer, will not generate additional traffic.
(ix)	⁴ Merchandise sales and/or rental (excluding industrial goods, motor vehicles, machinery, Cannabis Retail Sales and fuel and all uses where the primary focus is adult oriented merchandise and/or entertainment).
(x)	Multi-Attached residential Building without commercial or with commercial at or above the ground floor and with residential above, with a minimum density of 35 dwelling units/hectare.
(xi)	Multiple Family Building without commercial or with commercial at or above the ground floor and with residential above, with a minimum density of 35 dwelling units/hectare.
(xii)	park.
(xiii)	⁵ Restaurant without drive-through.
(xiv)	⁶ Deleted
(b) Discretionary Uses	
(i)	Accessory Building or Use.
(ii)	Assisted Living Facility without commercial or with commercial at or above the ground floor and with residential above, with a minimum density of 35 dwelling units/hectare.
(iii)	⁷ Car wash facility on westerly $\pm 33.02\text{m}$ (0.310 ha) of Lot 81, Block 7, Plan 102 5689 (62 Carleton Avenue)
(iv)	Drinking Establishment (adult entertainment prohibited).
(v)	⁸ Dynamic Fascia Sign
(vi)	⁹ Dynamic Freestanding Sign.
(vii)	Institutional Service Facility.

¹ 3357/B-2018

² 3357/B-2018

³ 3357/S-2019

⁴ 3357/L-2018

⁵ 3357/G-2018

⁶ 3357/B-2018

⁷ 3357/B-2013

⁸ 3357/B-2018

⁹ 3357/B-2018

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

(i) a gaming or drinking establishment:

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

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

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

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

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

- (i) Dwelling units above the ground floor
- (ii) ⁴Deleted
- (iii) Home occupations which, in the opinion of the Development Office, will not generate traffic
- (iv) Live work unit
- (v) Multiple family building with a minimum density of 35 dwelling units/hectare
- (vi) Multi-attached building with a minimum density of 35 dwelling units/hectare
- (vii) Show Home or Raffle Home
- (viii) Accessory building or use
- (ix) Assisted living facility
- (x) Commercial entertainment facility
- (xi) Drinking establishment (adult entertainment prohibited)
- (xii) Parking lot / parking structure
- (xiii) Place of worship or assembly
- (xiv) Public and quasi-public buildings
- (xv) Outdoor display or sale of goods
- (xvi) ¹Restaurant with drive-through

¹ 3357/V-2014

² 3357/T-2016

³ 3357/HH-2016, 3357/L-2018

⁴ 3357/S-2019

**Part Eight: Direct Control Districts, Regulations and
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¹ 3357/Y-2014

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¹ 3357/N-2019

8.15 Direct Control District No. 15 DC (15) (See Map M16)



General Purpose

The general purpose of this District is to provide a low density residential area in the form of detached housing and at the same time control, regulate and encourage the development or redevelopment of detached housing in a manner that compliments and/or preserves the historic character and architecture of the existing built environment (buildings and street) and is compatible with the policies of the Greater Downtown Action Plan. Properties fronting 55th Street provide a transition between commercial uses along 55th Street and residential uses along 49 A Avenue.

1. DC (15) Permitted and Discretionary Uses Table

(a) Permitted Uses	
<ul style="list-style-type: none"> (i) Accessory building subject to section 3.5. (ii) Detached dwelling. (iii) Home occupations which, in the opinion of the Development Officer, will not generate additional traffic subject to section 4.7(8). (iv) ¹Deleted (v) ²Deleted (vi) Secondary suite subject to section 4.7(9). 	
(b) Discretionary Uses	
<ul style="list-style-type: none"> (i) Accessory use. (ii) Amateur radio tower. (iii) Bed & breakfast, subject to section 4.7(11). (iv) ³Deleted (v) ⁴Home Occupations which will generate additional traffic subject to section 4.7(8). (vi) ⁵Health and Medical Services, secondary to residential use, occupying no more than 50 percent of the habitable floor area of the detached dwelling on Lots 5-6, Block 2, Plan 7075AE (4922 – 55 Street) subject to the following restrictions <ul style="list-style-type: none"> 1. Hours of operation of the Health and Medical Services use restricted to 9:00 a.m. to 7:00 p.m.; 2. In addition to the two residential off-street parking stalls, there shall be a minimum of two more off-street parking stalls provided for the exclusive and unrestricted use of the Health 	

¹ 3357/S-2019

² 3357/B-2018

³ 3357/S-2019

⁴ 3357/S-2019

⁵ 3357/A-2014

	and Medical Services use during its hours of operation.
(vii)	¹ Show Home or Raffle Home.
(viii)	² The following uses on Lot 1A, Block 2, Plan 862-1950 (4926-55 Street)
	1. ³ Building Sign
	2. Commercial recreation facility that does not cause nuisances that interfere with, detract from or disturb the character of the residential neighbourhood, excluding: amusement arcades, billiard or pool halls, and bowling alleys
	3. Commercial service facility
	4. Dwelling units above the ground floor
	5. ⁴ Freestanding Sign.
	6. ⁵ Restaurant without drive-through
	7. ⁶ Merchandise sales and/or rental excluding agricultural and industrial motor vehicles or machinery and Cannabis Retail Sales
	8. Office
	9. Service and repair of goods traded on 4926-55 Street
	10. ⁷ Deleted

2. Direct Control District No. 15 Regulations

(a) ⁸Table 8.6 DC(15) Regulations

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

¹ 3357/T-2015

² 3357/N-2017

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/G-2018

⁶ 3357/L-2018

⁷ 3357/B-2018

⁸ 3357/N-2017

Regulations	Standard Requirements	Requirements for Lot 1A, Block 2, Plan 862-1950 (4926-55 Street)
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average lot grade	Commercial – 3 storeys Residential- 2 storeys with a maximum of 10.0 m measured from the average lot grade except: <ul style="list-style-type: none"> ▪ 3 storeys for dwelling units above the ground floor
Front Yard Minimum	6.0m	Commercial- Under discretion of the Development Authority based on building's impact on surrounding properties and the streetscape. Residential 6.0m
Side Yard Minimum	1.5m notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall not be less than 2.4 m	1.5m notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall not be less than 2.4 m
Rear Yard Minimum	7.5m	Residential- 7.5m Commercial- 1.5 m, subject to sections 5.7 (2) and 3.19
Lot Depth Minimum	30.0m	30.0m
Landscaped Area Minimum	35% of site area	Residential - 35% of site area Commercial – 15% unless otherwise required by the Development Authority
Parking Spaces	Subject to sections 3.1 & 3.2	Subject to sections 3.1 & 3.2
Lot Area Minimum	360.0m ²	360.0m ²
Lot Frontage Minimum	12.0 m	12.0 m

(b) Notwithstanding section 8.15(2) the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with section 8.15(2), namely:

- (i) not less than 90.0% of the minimum front yard, side yard, rear yard, site area, or frontage,

- (ii) not less than 95.0% of the minimum floor area,
- (iii) not less than 98.0% of the minimum landscaping area.

(c) In calculating the minimum floor area for an odd and irregular shaped site:

- (i) 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,
- (ii) 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.

8.16 Direct Control District No. 16 DC (16) (See Map L20)



General Purpose

This Direct Control District applies to the residential development proposed by the Handicapped Housing Society of Alberta, or its successors in title, on the north vacant portion of the New Life Fellowship Church property.

This District provides for infill development of specifically multiple family and multi-attached housing to be built on universal design principles and in accordance with special development regulations which reflect community input.

Universal design in housing is generally defined by the building industry as housing that allows for the housing for the lifespan of all people. It includes features such as entrances without steps, wider doorways, lever door handles instead of knobs, light switches located at a height that is more reachable by everyone, adjustable height closet rods, knee space under the kitchen sink, the cooktop and the bathroom countertop, lever type water controls, grab bars in the shower, adjustable height shower head, etceteras.

1. DC (16) Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory building subject to section 3.5.
(ii)	Home occupations which, in the opinion of the Development Officer, will not generate additional traffic subject to section 4.7(8).
(iii)	¹ Deleted
(iv)	² Deleted
(b) Discretionary Uses	
(i)	Amateur radio tower.
(ii)	³ Building Sign
(iii)	Bed & breakfast, subject to section 4.7(11).
(iv)	⁴ Deleted
(v)	Home occupations which will generate additional traffic subject to section 4.7(8).
(vi)	Multi-attached building.

¹ 3357/S-2019

² 3357/B-2018

³ 3357/B-2018

⁴ 3357/S-2019

- | |
|--|
| <ul style="list-style-type: none">(vii) Multiple family building.(viii) ¹Show Home or Raffle Home. |
|--|

2. Direct Control District No. 16 Regulations

- (a) The applicable regulations listed in section 4.7(1) and table 4.4 under the R2 Residential (Medium Density) District.
- (b) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Commission.

3. Special Regulations

- (a) All dwelling units and buildings shall be designed on the basis of “universal design principles” as generally defined by the building industry refer to section 8.16 general purpose.
- (b) At the completion of construction of Phase 1, i.e. the apartment building or the first stage thereof, some of the existing mature spruce trees along the north portion of the property and on the north property line shall be relocated to and maintained in permanent landscaping within the rear yard setback along Kentwood Drive. To the extent possible, any remaining mature spruce trees along the north portion of the property and on the north property line shall be maintained in this position until the construction of Phase 2, i.e. the townhouses, in this location.
- (c) No vehicular access (except emergency vehicles) shall be allowed from or onto Kentwood Drive to or from the proposed development, and appropriate arrangements shall be made with and to the satisfaction of the Emergency Services Department in this regard.
- (d) The density of the proposed development on this site shall be restricted to 60 dwelling units per hectare.
- (e) The provision of parking spaces on the site shall be restricted to the applicable minimum requirement in terms of sections 3.1 and 3.2, and shall further be subject to the applicable requirements of the Alberta Building Code with regard to parking spaces for handicapped persons.
- (f) As a condition of any development permit contemplated in this District, the Development Authority shall ensure that an agreement exists between

¹ 3357/T-2015

The City and the owners of the remainder of Lot 1 Block 2 Plan 782 1439 that requires these owners to provide additional parking spaces on the said property in compliance with sections 3.1 and 3.2 of this Land Use Bylaw.

4. Redevelopment of Existing Neighbourhoods

Notwithstanding subsection 8.16(2)(a), in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission shall have the authority to require increased development standards for any infill or redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or along the applicable street.

8.17 ¹Direct Control District No. 17 DC (17) – DELETED

¹ 3357/U-2009

RESIDENTIAL PARCELS

General Purpose

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

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

(a) Permitted Uses	
(i)	¹ Building Sign.
(ii)	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8) of the Land Use Bylaw.
(iii)	Multi-attached dwelling unit building up to a maximum density of 52 units per hectare on Lot G .
(iv)	Multi-attached dwelling unit building up to a maximum density of 58 units per hectare on Lot J .
(v)	Multiple family building up to a maximum density of (a) 52 units per hectare Lot G (b) 100 units per hectare Lot H (c) 58 units per hectare Lot J (d) 107 units per hectare Lot K (e) 111 units per hectare Lot L (f) 102 units per hectare Lot M
(vi)	² DELETED
(vii)	Accessory residential structure subject to section 4.7(3) of the Land Use Bylaw.
(b) Discretionary Uses	
(i)	Bed & Breakfast subject to section 4.7(11) of the Land Use Bylaw.
(ii)	Assisted Living Facility, Day Care Facility, Day Care Adult, or Place of Worship or Assembly.
(iii)	³ Deleted
(iv)	⁴ Deleted
(v)	Home occupations which will generate additional traffic subject to section 4.7(8).
(vi)	Multi-attached building up to a maximum density of 52 units per hectare – Lots H, K, L .
(vii)	Live work units subject to DC (25)Residential Section (3)– Lots G, H, J, K, L, M
(viii)	Semi-detached dwelling unit - Lots G and J .

¹ 3357/B-2018

² 3357/B-2018

³ 3357/S-2019

⁴ 3357/S-2019

(ix) ¹Show Home or Raffle Home.

2. Regulations

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

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

¹ 3357/T-2015

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

(b) Where each half of a semi-detached dwelling unit is to be contained in a separate site no side yard shall be required on the side of the dwelling unit which abuts the adjacent dwelling unit.

(c) Where the dwelling units of a multi-attached building are to be contained in separate sites, no side yards shall be required on either side in the case of an internal dwelling unit and no side yard shall be required on one side of the end dwelling unit.

3. Live-Work Unit Regulations

(a) Where a Live-Work Unit is approved, it is subject to the following regulation, which may not be modified by the Development Authority:

- i. A Live-Work Unit may not result in a disturbance to the peace and quiet or other amenities of the neighbourhood, nor may it cause the emission of dust, noise, odour, smoke, electronic interference, bright lights or other nuisance.
- ii. Outside storage or display of any kind shall not be permitted.

(b) Where a Live-Work Unit is approved, it is subject to the following regulations, except as varied by the Development Authority:

- iii. the work portion of a Live-Work Unit may not exceed 50% of the gross floor area of the unit;
- iv. when listed as a use, the following uses may be incorporated into a Live-Work Unit:
 - (a) artist’s studio;
 - (b) beauty and body service;

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

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

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

4. Site Development

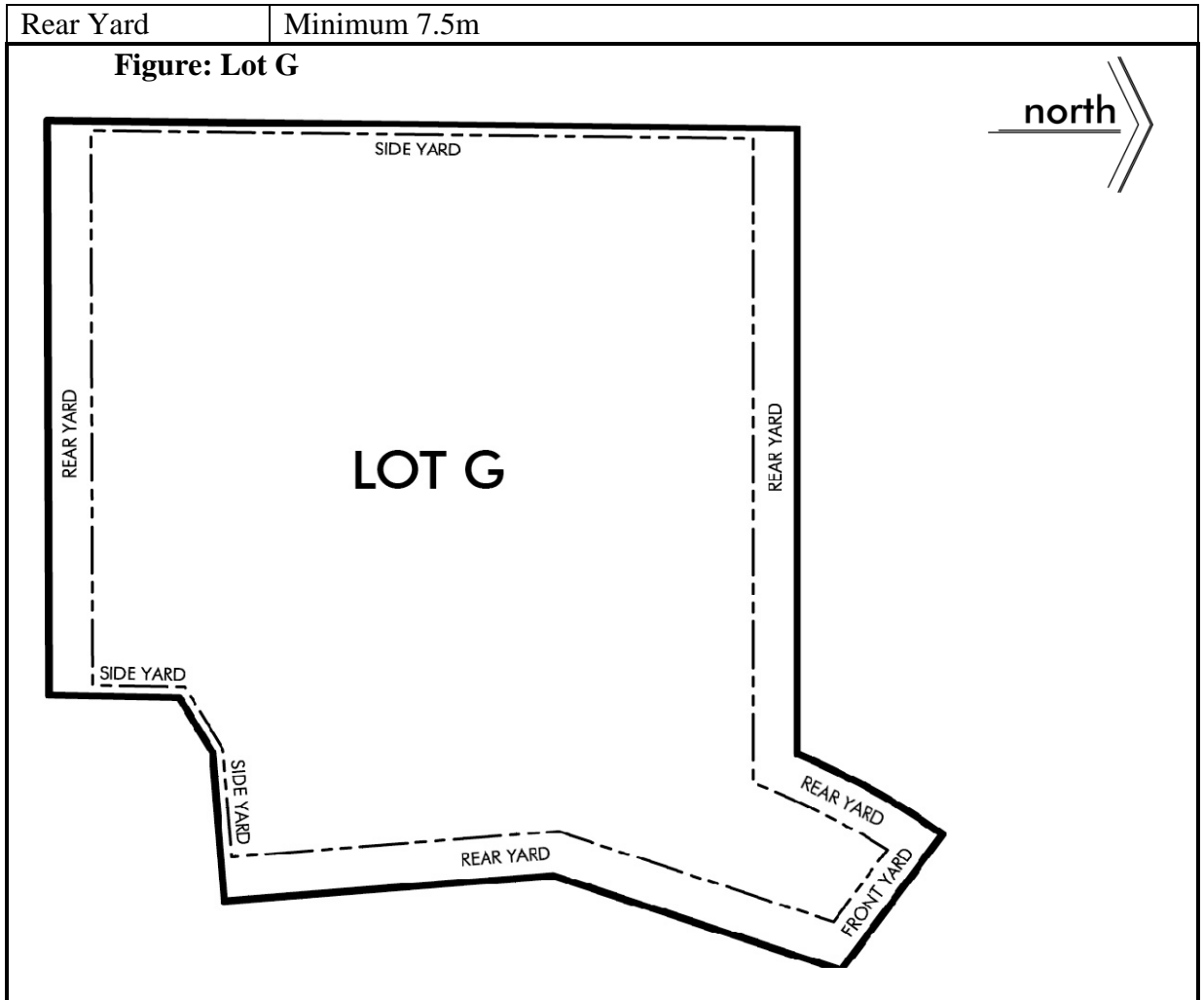
(a) The site plan and the relationship between buildings, structures, and open space the architectural treatment of buildings, the provision and architecture of landscaped open space and the parking layout shall be subject to approval by the Development Authority.

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

5. Setbacks

(a) Table 1 Lot G Setbacks

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



(b) Table 2 Lot H Setbacks

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

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

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

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

6. DC 32 Discretionary Uses

(a) Discretionary Uses

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

- (i) Detached Dwelling Unit (which is connected to all City utility services) located at least 10.0 m from the RDA;
- (ii) ¹Deleted;
- (iii) Home Occupation which will generate additional traffic subject to section 4.7(8);

¹ 3357/S-2019

- (iv) Accessory Building located at least 10.0m from the RDA;
- (v) all signs, including warning signs respecting escarpment risks or safety;
- (vi) Temporary Building, and;

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

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

7. Development Regulations

Respecting this District and lands therein:

- (a) the provisions of this District shall govern in the event of a conflict or inconsistency between this District and any other provisions of this Land Use Bylaw;
- (b) the Subdivision or Development Authority shall not be bound by the regulations set out in Parts 2 and 3 of the Land Use Bylaw;
- (c) ¹Part 4 of the Land Use Bylaw does not apply to this District, except for provisions 4.7(8) (Home Occupations), and 4.7(4) (Objects Prohibited);
- (d) any site grading shall be designed to drain surface water away from the escarpment;
- (e) any Water Retaining Structures, water lines, underground sprinklers or irrigation systems shall be installed with an acceptable leak detection system and monitored and maintained by the landowner to ensure proper operation and no unauthorized leakage, and shall be directed away from the escarpment, slope, or adjacent park or reserve areas;
- (f) all discharge from roof leaders and weeping tile systems shall be directed away from the escarpment or to professionally engineering drainage pathways (e.g. asphalt or half culvert drop structures);
- (g) new vegetation should be selected from native types with deep root systems that can grow with a minimum of watering;
- (h) upon connection to City utility services, private services (e.g. septic system, groundwater well, associated water lines) shall be removed, abandoned, closed-in and reclaimed, as applicable, pursuant to the City's Utility Bylaw;
- (i) where existing residence are relocated, former basements located within the Restricted Development Area shall be filled pursuant to the design and supervision of a Professional Engineer;
- (j) Lot depth minimum of 40.0m;
- (k) Frontage minimum of 22.0m; and
- (l) in considering a Subdivision or Development Permit application, the Subdivision or Development Authority shall have discretion (subject to the land use constraints set out in Sections 3, 5 and 6 of this District), to determine the Site Plan, parking requirements, architectural treatment of buildings, and the relationship between buildings, structures and open space. Without limiting the foregoing, the following regulations shall apply to the location of Buildings unless varied by the Subdivision or Development Authority:

¹ 3357/S-2019

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

Front Yard setback minimum of 6.0m;

Side Yard setback minimum of 1.5m; and

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

8. Approving Authority

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

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

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

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

9. Development Permits

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

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

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

(viii) ²Deleted

(ix) ³A Commercial Service Facility, Health and Medical Services, or Office along with a Building Sign or a Freestanding Sign in accordance with the maximum Sign Height and Sign Area prescribed in Section 11.13 for Residential Districts in Table 1, on Lot 1, Block 3, Plan 6759ET (3702 50 Avenue), but not including the following:

- (1) fitness centre;
- (2) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet;
- (3) care of small animals such as a small animal veterinary;
- (4) Commercial School; and
- (5) Day Care Facility

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

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

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

(i) ⁴Restaurant at 4501-48 Avenue (Lot 18, Block 42, Plan 182 2251). The Development Authority, at its discretion, may apply the C1 district's development standards to the restaurant use.

(ii) ⁵A photography studio, Commercial Service Facility along with a Building Sign or a Freestanding Sign in accordance with the maximum Sign Height and Sign Area prescribed in Section 11.13 for Residential Districts in Table 1, on Lot 7, Block E Plan K0 (4419 55 Street) but not including the following:

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

¹ 3357/I-2013

² 3357/A-2007, 3357/S-2019.

³ 3357/N-2013, 3357/B-2018

⁴ 3357/L-2019

⁵ 3357/T-2010, 3357/B-2018

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

- (3) prohibit uses that would result in associated noises, and/or odours extending beyond the interior of the building;
- (4) prohibit outdoor storage or display of materials associated with the business;
- (5) prohibit uses that operate outside the hours of 7:00 a.m. to 10:00 p.m.
- (6) avoid the need for customers to park on 45th Avenue

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

(iii) ¹Canadian Cancer Society and Fanta Homes on Lot 8 Block1 Plan 6784KS.

(iv) ²A Cannabis Production Facility (CPF) on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following development standards:

- (1) no other use shall be allowed on the Site;
- (2) the licensed processes and functions of the use shall be fully enclosed within the Building;
- (3) no Outdoor Storage shall be allowed on the Site;
- (4) all loading facilities shall be fully enclosed within the Building;
- (5) all garbage containers and waste material shall be fully enclosed within the Building;
- (6) the Site shall be fully enclosed by a fence;
- (7) the use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
- (8) the use shall not emit nuisances including, but not limited to, odour, noise and light, that may have a negative impact to adjacent Sites or the surrounding area; and
- (9) the Site Plan, the Site access, the relationship between Buildings and open space, the architectural treatment of

1 3357/U-2010

2 3357/L-2016, 3357/S-2019

Buildings, landscaping, the minimum required loading spaces and parking spaces and the parking layout and surfacing shall be at the discretion of the Development Authority.

- (h)** ¹Deleted
- (i)** ²Deleted
- (j)** ³Deleted
- (k)** ⁴Deleted
- (l)** Notwithstanding anything in this Bylaw, on the sites listed below, a semi-detached dwelling unit shall be added to the list of permitted uses set out in the applicable land use district, but such semi-detached dwelling units must comply with the regulations applicable to the R1A district.
 - (i)** Lot 47 (4635 – 48 Street) and Lot 48 (4631 – 48 Street) Block C Plan 992 6203.
 - (ii)** Lot 22 and Lot 23 Block C Plan K8 (4602B and 4602A – 47 Street).
 - (iii)** Lot 33 and Lot 34 Block D Plan K10 (4621A and 4621B – 47 Street).
 - (iv)** Lot 19A Block F Plan 3591 P (4612 – 44 Street).
 - (v)** Lots 11A and 12A, Block F, Plan 022 0547 (4623A and 4623B – 45 Street).
 - (vi)** Lot 19A (4309 – 46 Avenue) and Lot 20A (4310 – 45A Avenue) Block A Plan 2354 AE.
 - (vii)** Lot 1 (4505 – 46 Avenue) and Lot 2 (4503 – 46 Avenue) Block K Plan 4900 R.
 - (viii)** The most southerly sixty two and one half (62 ½) feet of Lots 1, 2, 3 and 4 and all of Lot 5, Block J Plan 4900 R (4601 – 46 Avenue).
 - (ix)** Lots 45 and 46 Block J Plan 922 1244 (4519A and 4519B – 47 Street).
 - (x)** Lot 1A, Block I, Plan 4900 R (4536 – 47 Street).
 - (xi)** Lots 4 and 5, Block I, Plan 4900 R (4532A and 4532B – 47 Street).
 - (xii)** Lots 10 and 11, Block I, Plan 4900 R (4520 – 47 Street).
 - (xiii)** Lots 49 and 50, Block B, Plan 042 1756 (4644 – 48 Street and 4801 – 47 Avenue).
 - (xiv)** Proposed Lots 5A and 6A Block F Plan 042 6407 (4642 – 44 Street).
- (m)** Notwithstanding anything in this Bylaw, on the sites listed below, the uses shown below shall be added to the list of permitted uses set out in the

¹ 3357/U-2009

² 3357/U-2009

³ 3357/U-2009

⁴ 3357/S-2019

applicable land use district, but the developments must comply with the regulations applicable to the R2 district and to the density and height restrictions specified below.

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

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

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

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

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

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

- (q) ¹Signs, as listed within the C3 Commercial (Neighbourhood Convenience) District, may be allowed as a discretionary use on Lot 1, Block 23, Plan 892 1574 (4820 45 Street).
- (r) ²Deleted
- (s) ³Deleted
- (t) ⁴Notwithstanding Section 5.6 of this Land Use Bylaw, on Lot 5, Block 1, Plan 972-4056 a combined commercial restaurant and maximum 230 unit assisted living facility shall be a permitted use. This mixed use development requires approval by the Development Authority and is subject to the following development regulations/standards:
- (i) Floor areas minimum within the assisted living facility for a one bedroom unit shall be 46.5 square metres, and for a unit of more than one bedroom 65.0 square metres;
 - (ii) Landscaping area minimum: 30% of site;
 - (iii) Building height maximum: 4 storeys;
 - (iv) Front Yard Minimum: 15.0 m;
 - (v) Side Yard Minimum: 4.5 m;
 - (vi) Rear Yard Minimum: 3.0 m;
 - (vii) Parking: Subject to Section 3.1 and 3.2;
 - (viii) Loading Spaces: One opposite each loading door with a minimum of one:
 - (ix) Site Area Minimum: Existing parcel
 - (x) Site Frontage Minimum: 30.0 m
 - (xi) Any development standard not specifically referred to above including building elevations, shall be subject to approval by the Municipal Planning Commission;
 - (xii) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Municipal Planning Commission.
- (u) ⁵To allow for compatible redevelopment on sites listed below multi-family and multi-attached residential buildings shall be added to the list of discretionary uses in the applicable land use district to allow redevelopment of the property to less than or equivalent gross floor area as the existing structure and to a maximum height of 2 storeys or 10 metres measured from the average of the lot grade. The Riverside Meadows Overlay District, section 7.11, shall continue to apply:

¹ 3357/B-2018

² 3357/Z-2007, 3357/I-2013

³ 3357/Z-2007 , 3357/I-2013

⁴ 3357/G-2008

⁵ 3357/U-2009

Lot	Block	Plan	Street Address
29	1	7621574	5963 60A Street
1-2	15	7604S	5514 60 Street
15-17	1	297BH	5904 60 Avenue
18	D	1846TR	5841 60 Avenue
19	D	1846TR	5837 60 Avenue
20	D	1846TR	5833 60 Avenue
22	D	1846TR	5829 60 Avenue
1A	2	1030NY	5713 60 Avenue
28-30	A	4359AH	5922 59 Avenue
9	4	4963TR	6042 58A Street
8	4	4963TR	6038 58A Street
7	4	4963TR	6034 58A Street
6	4	4963TR	6030 58A Street
5	4	4963TR	6026 58A Street
4	4	4963TR	6022 58A Street
3	4	4963TR	6018 58A Street
2	4	4963TR	6014 58A Street
1	4	4963TR	6010 58A Street
1-3	3	934AJ	5804 58 Avenue
9-10	5	7604S	5921 58 Avenue
14	C	5534HW	5920 58 Avenue
21	3	9720243	5816 58 Avenue
26	4	8022765	5811 58 Avenue
19A	2	7621867	5804 58 Avenue
19B	2	7621867	5802 58 Avenue
Z	5	7604S	5918 57 Avenue
13-14	5	7604S	5910 57 Avenue
15-16	5	7604S	5906 57 Avenue
9	9	5692KS	5819 57 Avenue
7-8	9	7604S	5815 57 Avenue
25	4	8020600	5812 57 Avenue
27	3	7923071	5714 57 Avenue
25-26	3	7604S	5704 57 Avenue
1-3	1	3331AJ	5639 56 Street
9-11	1	3331AJ	5621 56 Street
25-26	7	7604S	6010 56 Avenue
3-4	15	7604S	6005 56 Avenue
1-2	15	7604S	6001 56 Avenue
18-19	9	7604S	5816 56 Avenue
20-21	9	7604S	5812 56 Avenue
1-2	13	2800AJ	5805 56 Avenue
10-11	12	5296HW	5721 56 Avenue
8A	12	7921790	5715 56 Avenue
25-30	1	3331AJ	5608 55 Street
Z	23	7604S	5914 52 Avenue

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

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

²(w)In order to diverse forms of advertising within the C1 and C4 Districts for Sites that have no less than 100.0m Frontage on Gaetz Avenue and offer conference and convention space, Dynamic Signs which comply with Part Eleven: Sign Development Standards may be allowed as a Discretionary Use on the following Sites:

- (i) Lot E, Plan 5009KS (3310 50 Avenue)
- (ii) Lot 5, Block 15, Plan 4436TR (2929 50 Avenue);
- (iii) Lot 1A, Block 44, Plan 812 1177 (4311 49 Avenue).

³(x)On the site listed below, the relocation of a Dynamic Fascia Sign, lawfully in existence on September 30, 2010 to another location on the same Site, is a Discretionary Use provided that the Dynamic portion of the Sign is not altered and provided that the Sign complies with the applicable provisions in Part Eleven: Sign Development Standards.

- (i) Lot 1-3, Block 5, Plan H (4802-51 Avenue)

⁴(y) To allow for the compatible redevelopment on sites listed below, multi-family and multi-attached residential buildings shall be added to the list of discretionary uses in the applicable land use district to allow redevelopment of the property to less than or equivalent gross floor area as the existing structure and to a maximum height of 2 storeys or 10 metres or to the maximum height of the existing building Section 7.11 shall continue to apply.

¹ 3357/U-2009

² 3357/F-2013, 3357/R-2010, 3357/B-2018

³ 3357/Y-2010, Clerical Correction re: numbering, 3357/B-2018

⁴ 3357/H-2013

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

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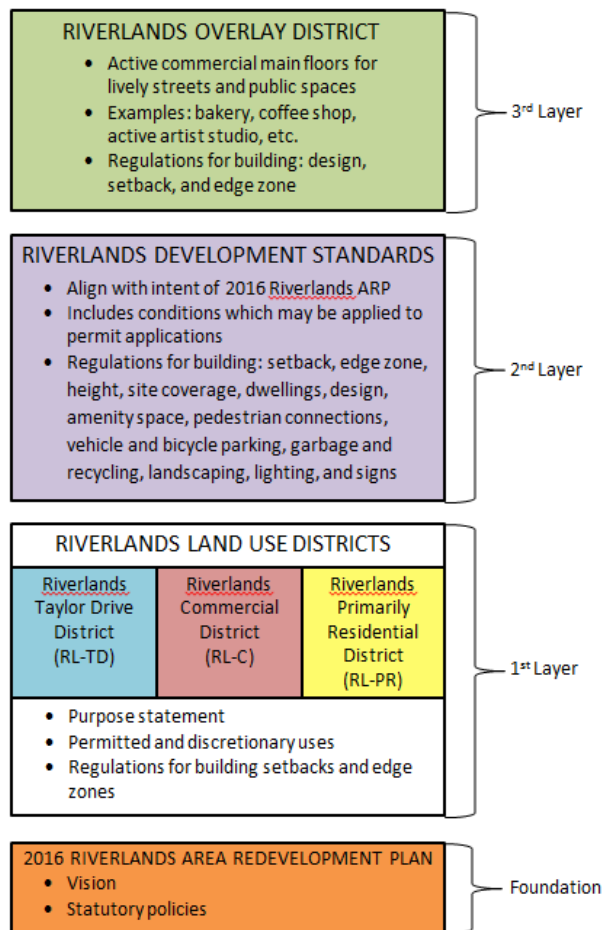
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Part Ten: Riverlands Districts and Development Standards

10.1 Interpretation

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

Figure 1 LAYERS TO CREATE GREAT DEVELOPMENT



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

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

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

¹Sections 10.1.2 General Definitions and 10.1.3 Use Definitions are specific to this Part and do not apply to the rest of the Land Use Bylaw. It is important to note that definitions in this Part, which are capitalized for ease of reference, may be defined in Section 1.3 Definitions or Section 11.5 Sign Definitions of the Land Use Bylaw. The definitions with the first letter bolded are contained within Part 10, the remainder of definitions are in Section 1.3 and 11.5. Where the definitions in Sections 1.3 or 11.5 contradict those contained in Sections 10.1.2 and 10.1.3 of this Part, the definitions in Sections 10.1.2 and 10.1.3 shall prevail.

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

¹ 3357/B-2018

10.1.2 General Definitions

²*General definitions not found in this Part may be found in Section 1.3 Definitions or Section 11.5 Sign Definitions of the Land Use Bylaw.*

³**Active Commercial Main Floor** means **Main Floor Commercial** uses which generate pedestrian engagement at the **Movement Corridor** and/or **Street** level (for example, a Coffee Shop, an Active Artist Studio, or Merchandise Sales excluding Cannabis Retail Sales). Attributes which contribute to an Active Commercial Main Floor include Patios, transparent store fronts, window displays, and outdoor seating.

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

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

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

⁴**Commercial** means a use of land primarily related to or used for the buying and selling of goods and services to the public (for example, a bank, a retail outlet excluding Cannabis Retail, a restaurant, or a Hotel).

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

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

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

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

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

² 3357/B-2018

³ 3357/L-2018

⁴ 3357/L-2018

⁵**Merchandise Sales** means the sale of goods to the public for use or consumption rather than for resale. Display of such goods is done in a way which will promote interest and entice the customer to make a purchase. Merchandise Sales may include stocked merchandise on the premise in quantities sufficient only to supply the premises. Merchandise sales do not include Cannabis Retail Sales.

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

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

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

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

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

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

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

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

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

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

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

⁵ 3357/L-2018

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

10.1.3 Use Definitions

⁶*Use definitions not found in this Part may be found in Section 1.3 Definitions or Section 11.5 Sign Definitions of the Land Use Bylaw.*

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

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

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

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

⁷**Business Incubator** means a use accommodating leasable **Commercial** space with communal washrooms and a shared reception area. The intent of a **Business Incubator** is to facilitate the need for a short term space in-between a Home Occupation and a larger independent **Commercial** space. This does not include Cannabis Retail Sales.

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

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

⁸**DELETED**

⁶ 3357/B-2018

⁷ 3357/L-2018

⁸ 3357/B-2018

⁹**Convenience Food Store** means a use where a limited range of daily household goods and fresh and packaged food is sold (for example, a corner store). A **Convenience Food Store** serves the adjoining neighbourhood and may have extended operating hours. A **Convenience Food Store** may include the sale of non-alcoholic beverages and food prepared within this use for public consumption as an Accessory Use. This use does not include Cannabis Retail Sales.

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

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

¹⁰**Grocery Store** means a use where a wide variety of fresh and packaged food, and household goods, is sold. A **Grocery Store** serves residents and businesses of the district in which the use is located. This use does not include Cannabis Retail Sales.

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

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

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

¹¹**Market** means a use where individual vendors provide goods for sale directly to the public, where the goods may be sold both inside and outside of a Building, and where the vendors may change on a frequent or seasonal basis (for example, a farmers **Market** or an artisan **Market** that sells finished consumer goods, food products, produce, flowers, handcrafted articles, antiques, or second hand goods). This use does not include Cannabis Retail Sales.

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

⁹ 3357/L-2018

¹⁰ 3357/L-2018

¹¹ 3357/L-2018

¹²**Mixed Use Commercial/Office with Dwelling Units** means a use where there is a mix of Commercial/Office uses integrated with Residential Dwelling Units in the same Building. The arrangement of uses may be vertically or horizontally integrated. Residential Dwelling Units do not have to be located above the **Main Floor**. This use does not include Cannabis Retail Sales.

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

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

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

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

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

Social Organization means a use where recreation, social, or cultural activities or events for the members of a group (private clubs, groups, organizations, or associations) are held. A **Social Organization** may include the preparation of food and non-alcoholic beverages for public consumption within the premises or off the Site as an Accessory Use and/or Office use as an Accessory Use.

¹³**Specialty Food Store** means a use where food and non-alcoholic beverages are made and where the food products associated with the use may be sold within the premises (for example, a specialty chocolate, cheese, or soda shop). A **Specialty Food Store** may include the sale of non-alcoholic beverages and food prepared within this use for public consumption within the premises or off the Site as an Accessory Use. A **Specialty Food Store** may include the packaging, bottling, or shipping of the products made as part of the use, but does not include a Microbrewery or Cannabis Retail Sales.

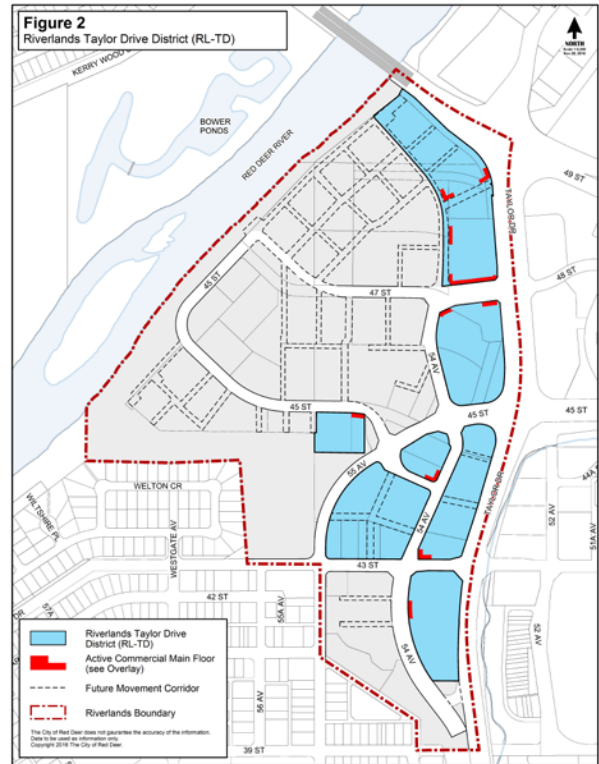
¹² 3357/L-2018

¹³ 3357/L-2018

10.2 Riverlands Taylor Drive District (RL-TD)

General Purpose

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



10.2.1 Permitted Uses

- (a) ¹⁴Drive-throughs are not allowed in the Riverlands Taylor Drive District.
- (b) With the exception of the portions of Sites identified in Figure 2 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Permitted Uses in the Riverlands Taylor Drive District:
 - (i) Accessory Building
 - (ii) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) **Artist Gallery**
 - (iv) **Artist Studio**
 - (v) ¹⁵Building Sign
 - (vi) Commercial Services Facility (excluding Day Care Facility, Commercial School)
 - (vii) **Convenience Food Store**
 - (viii) Dwelling Units above the Main Floor
 - (ix) ¹⁶Freestanding Sign.
 - (x) **Grocery Store**

¹⁴ 3357/G-2018

¹⁵ 3357/B-2018

¹⁶ 3357/B-2018

- (xi) Health and Medical Service
- (xii) ¹⁷Deleted
- (xiii) Home Occupation which, in the opinion of the Development Officer, will not generate additional parking
- (xiv) **Hotel**
- (xv) **Information Service Provider**
- (xvi) **Market**
- (xvii) ¹⁸**Merchandise Sales** (excluding Cannabis Retail Sales, industrial goods and agricultural and industrial motor vehicles or machinery)
- (xviii) **Mixed Use Commercial/Office with Dwelling Units**
- (xix) **Office**
- (xx) **Open Space**
- (xxi) **Print Centre**
- (xxii) **Radio, Television, and Recording Studio**
- (xxiii) **Restaurant**
- (xxiv) **Show Home or Raffle Home**
- (xxv) **Specialty Food Store**
- (xxvi) ¹⁹Deleted
- (xxvii) **Utilities**

10.2.2 Discretionary Uses

- (a) ²⁰Drive-throughs are not allowed in the Riverlands Taylor Drive District.
- (b) With the exception of the portions of Sites identified in Figure 2 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Taylor Drive District:
 - (i) **Accessory Use**
 - (ii) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) **Assisted Living Facility**
 - (iv) **Commercial Entertainment Facility**
 - (v) **Commercial Recreational Facility**
 - (vi) **Commercial Service Facility**
 - (vii) ²¹Deleted
 - (viii) **Drinking Establishment (adult entertainment prohibited)**
 - (ix) ²²Dynamic Fascia Sign, on Sites described in Section 11.8.1(4)
 - (x) ²³Dynamic Freestanding Sign, on Sites described in Section 11.8.1(4)
 - (xi) **Gaming or Gambling Establishment**
 - (xii) ²⁴Deleted

¹⁷ 3357/S-2019

¹⁸ 3357/L-2018

¹⁹ 3357/B-2018

²⁰ 3357/G-2018

²¹ 3357/B-2018

²² 3357/B-2018

²³ 3357/B-2018

²⁴ 3357/S-2019

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

10.2.3 Riverlands Taylor Drive District Development Standards

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

10.2.3.1 *Building setbacks*

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

- (xi) **Grocery Store**
- (xii) Health and Medical Service
- (xiii) **Hotel**
- (xiv) **Information Service Provider**
- (xv) **Market**
- (xvi) ²⁹**Merchandise Sales** (excluding Cannabis Retail Sales industrial goods and agricultural and industrial motor vehicles or machinery)
- (xvii) Microbrewery
- (xviii) **Open Space**
- (xix) Office
- (xx) **Print Centre**
- (xxi) Radio, Television and Recording Studio
- (xxii) ³⁰Restaurant without drive-through
- (xxiii) **Specialty Food Store**
- (xxiv) ³¹DELETED
- (xxv) Utilities

10.3.2 Discretionary Uses

- (a) ³²Drive-throughs are not allowed in the Riverlands Commercial District.
- (b) With the exception of the portions of Sites identified in Figure 4 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Commercial District:
 - (i) Accessory Use
 - (ii) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) ³³DELETED
 - (iv) Drinking Establishment (adult entertainment prohibited)
 - (v) ³⁴Dwelling units above the ground floor.
 - (vi) Gaming or Gambling Establishment
 - (vii) Institutional Service Facility (excluding detention and correction centres)
 - (viii) Liquor, Beer and/or Wine Sales
 - (ix) Microbrewery
 - (x) Outdoor display of goods and sales
 - (xi) **Parking Structure**
 - (xii) Public and Quasi Public Buildings
 - (xiii) **Seasonal Sales Area**
 - (xiv) **Social Organization**
 - (xv) Temporary surface parking lot

²⁸ 3357/B-2018

²⁹ 3357/L-2018

³⁰ 3357/G-2018

³¹ 3357/B-2018

³² 3357/G-2018

³³ 3357/B-2018

³⁴ 3357/MM-2016

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

10.3.3 Riverlands Commercial District Development Standards

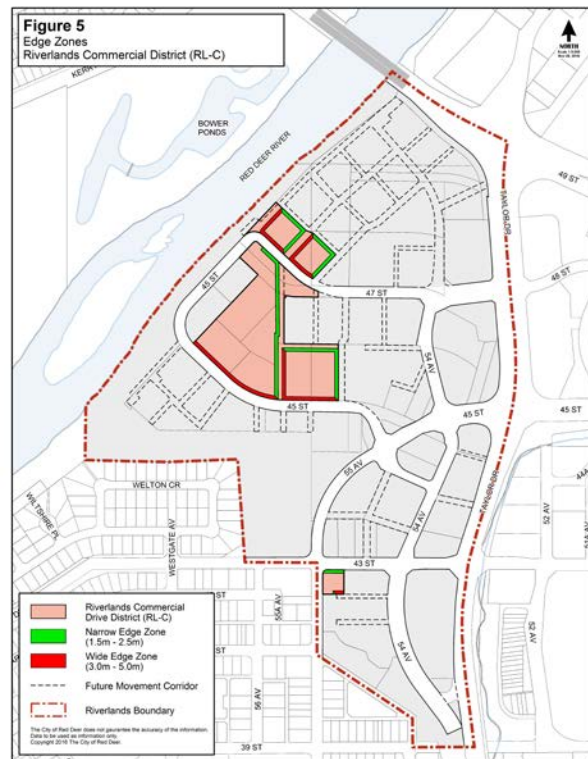
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.3 Riverlands Commercial District contradict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

10.3.3.1 Building setbacks

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

10.3.3.2 Edge Zones

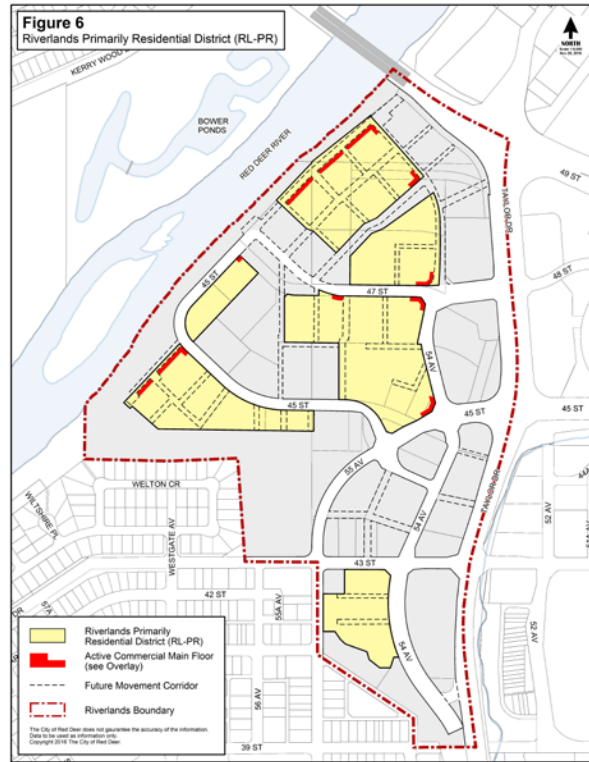
- (a) The following **Edge Zone** minimums and maximums shall be applied to new Buildings in the Riverlands Commercial District, in accordance with the Riverlands Commercial District Edge Zone (Figure 5):
 - (i) **Narrow Edge Zone**, minimum 1.5 m, maximum 2.5 m; and
 - (ii) **Wide Edge Zone**, minimum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



10.4 Riverlands Primarily Residential District (RL-PR)

General Purpose

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



10.4.1 Permitted Uses

- (a) ³⁵Drive-throughs are not allowed in the Riverlands Primarily Residential District.
- (b) With the exception of the portions of Sites identified in Figure 6 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Permitted Uses in the Riverlands Primarily Residential District:
 - (i) Accessory Building
 - (ii) **Artist Gallery**
 - (iii) **Artist Studio**
 - (iv) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (v) **Business Incubator**
 - (vi) Commercial Service Facility (excluding financial or insurance services outlet, animal veterinary clinic or dog grooming salon, Commercial School or Day Care Facility)
 - (vii) **Convenience Food Store**
 - (viii) ³⁶Deleted

³⁵ 3357/G-2018

³⁶ 3357/S-2019

- (ix) Home Occupation which, in the opinion of the Development Officer, will not generate additional parking
- (x) Information Service Provider
- (xi) Live Work Unit
- (xii) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xiii) **Mixed Use Commercial/Office with Dwelling Units**
- (xiv) Multi-Attached Building (excluding 2 storey townhouses and row houses, triplexes, and fourplexes)
- (xv) Multiple Family Building
- (xvi) **Open Space**
- (xvii) Show Home or Raffle Home
- (xviii) ³⁷DELETED
- (xix) **Specialty Food Store**
- (xx) Utilities

10.4.2 Discretionary Uses

- (a) ³⁸Drive-throughs are not allowed in the Riverlands Primarily Residential District.
- (b) With the exception of the portions of Sites identified in Figure 6 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Primarily Residential District:
 - (i) Accessory Use
 - (ii) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iii) Assisted Living Facility
 - (iv) ³⁹Building Sign
 - (v) Commercial Service Facility (excluding financial or insurance services outlet)
 - (vi) ⁴⁰Freestanding Sign
 - (vii) ⁴¹Deleted
 - (viii) ⁴²Deleted
 - (ix) Home Occupation which will generate additional parking
 - (x) Multi-Attached Building
 - (xi) Outdoor display of goods and sales
 - (xii) Restaurant
 - (xiii) **Seasonal Sales Area**
 - (xiv) **Social Organization**
 - (xv) Temporary surface parking lot
 - (xvi) ⁴³Commercial Entertainment Facility on 5589-47 Street (Condominium Plan 152 2369)

³⁷ 3357/B-2018

³⁸ 3357/G-2018

³⁹ 3357/B-2018

⁴⁰ 3357/B-2018

⁴¹ 3357/B-2018

⁴² 3357/S-2019

- (xvii) ⁴⁴Commercial Recreational Facility on 5589-47 Street (Condominium Plan 152 2369)
- (xviii) ⁴⁵Office on 5589-47 Street (Condominium Plan 152 2369)

10.4.3 Riverlands Primarily Residential District Development Standards

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

10.4.3.1 *Building setbacks*

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

⁴³ 3357/KK-2016

⁴⁴ 3357/KK-2016

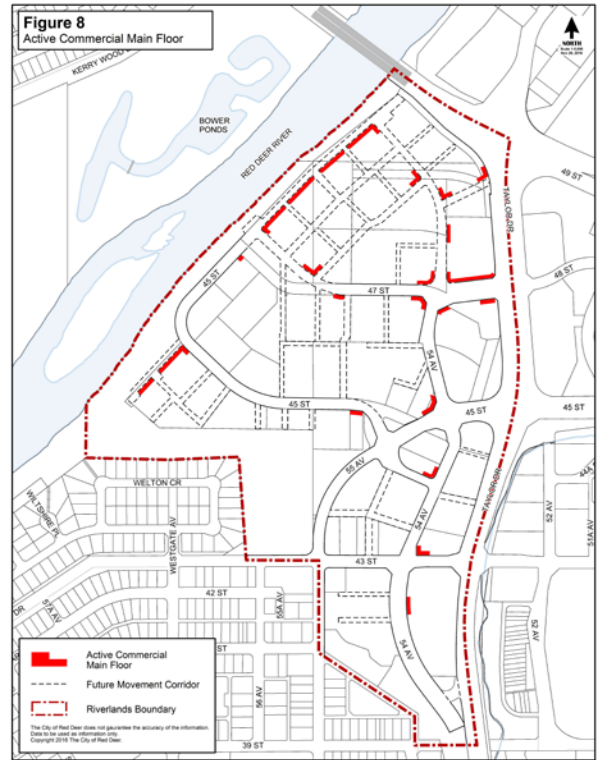
⁴⁵ 3357/KK-2016

- viii. Other similar **Commercial** uses approved by the Development Authority
- (vi) A Live Work Unit shall not be individually separated through any subdivision or condominium plan.

10.5 Riverlands Active Commercial Main Floors Overlay District

General Purpose

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



10.5.1 Permitted Uses

- (a) ⁴⁶Drive-throughs are not allowed in the Riverlands Active Commercial Main Floors Overlay District.
- (b) The following uses are Permitted Uses in the Riverlands Active Commercial Main Floors Overlay District:
 - (i) Accessory Use
 - (ii) **Active Artist Studio**
 - (iii) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (iv) **Artist Gallery**
 - (v) **Bakery**
 - (vi) ⁴⁷Building Sign
 - (vii) **Butcher**
 - (viii) **Coffee Shop**
 - (ix) **Convenience Food Store**
 - (x) Drinking Establishments (adult entertainment prohibited)
 - (xi) ⁴⁸Freestanding Sign

⁴⁶ 3357/G-2018

⁴⁷ 3357/B-2018

- (xii) **Grocery Store**
- (xiii) **Liquor, Beer, and/or Wine Sales**
- (xiv) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xv) **Open Space** as identified in the 2016 Riverlands Area Redevelopment Plan as public squares
- (xvi) **Restaurant**
- (xvii) ⁴⁹DELETED
- (xviii) **Specialty Food Store**

10.5.2 Discretionary Uses

- (a) ⁵⁰Drive-throughs are not allowed in the Riverlands Primarily Residential District.
- (b) The following uses are Discretionary Uses in the Riverlands Active Commercial Main Floors Overlay District:
 - (i) Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
 - (ii) Microbrewery

10.5.3 Riverlands Active Commercial Main Floors Overlay District Development Standards

10.5.3.1 Application

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

⁴⁸ 3357/B-2018

⁴⁹ 3357/B-2018

⁵⁰ 3357/G-2018

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

10.5.3.2 *Building Design*

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

10.5.3.3 *Building setbacks*

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

10.5.3.4 *Edge Zones*

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

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

10.6 Development Standards for Riverlands Districts

10.6.1 Development Authority for Riverlands Districts

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

10.6.2 Building Setbacks for Riverlands Districts

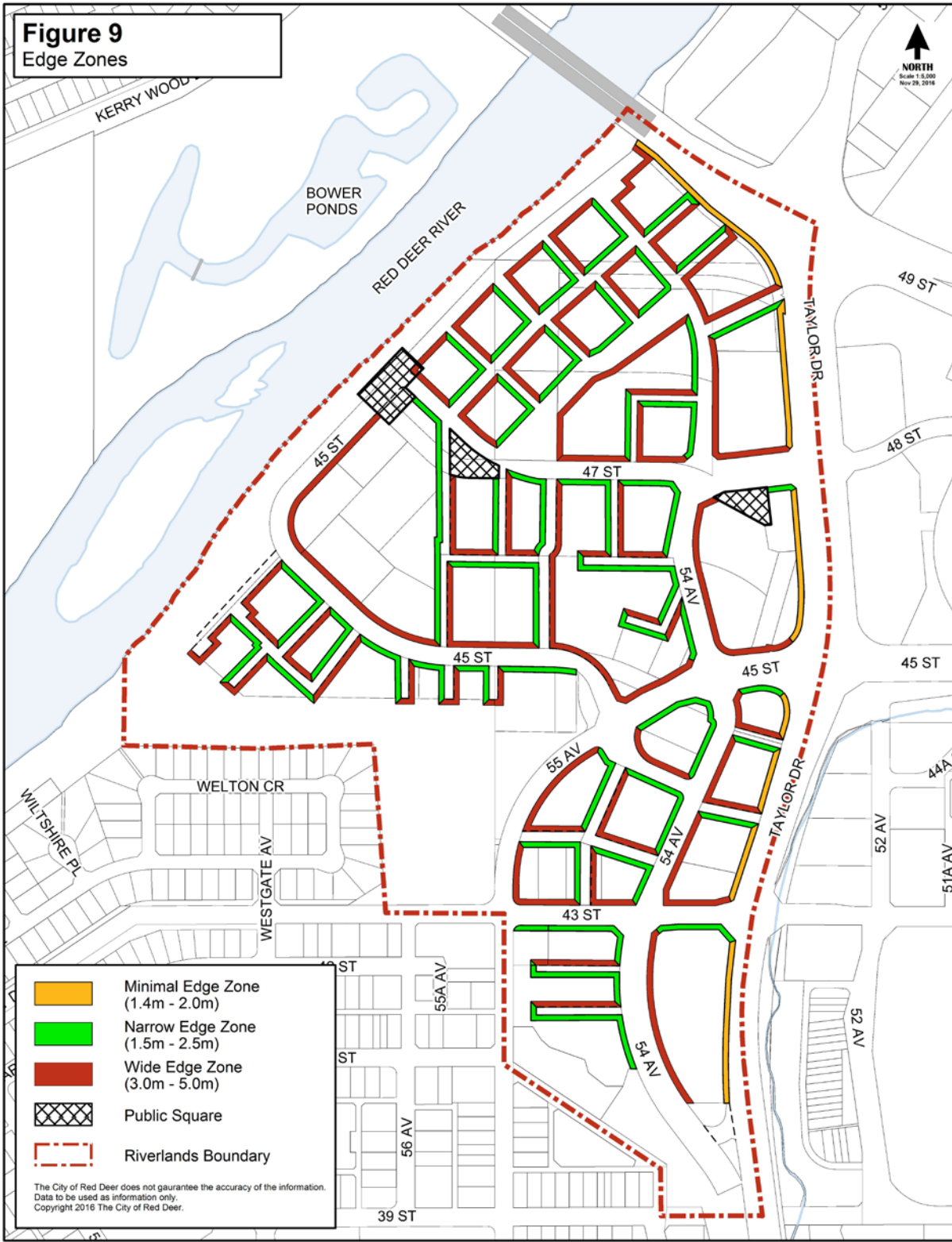
- (a) A Front Yard Building setback is determined by the Edge Zone and Section 10.6.3. Front Yard Building setbacks abutting a Street, Movement Corridor, or Public Space that is not subject to an Edge Zone shall be determined by the Development Authority.
- (b) Where Edge Zones are applied the Building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

10.6.3 Edge Zone Development Standards for Riverlands Districts

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

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

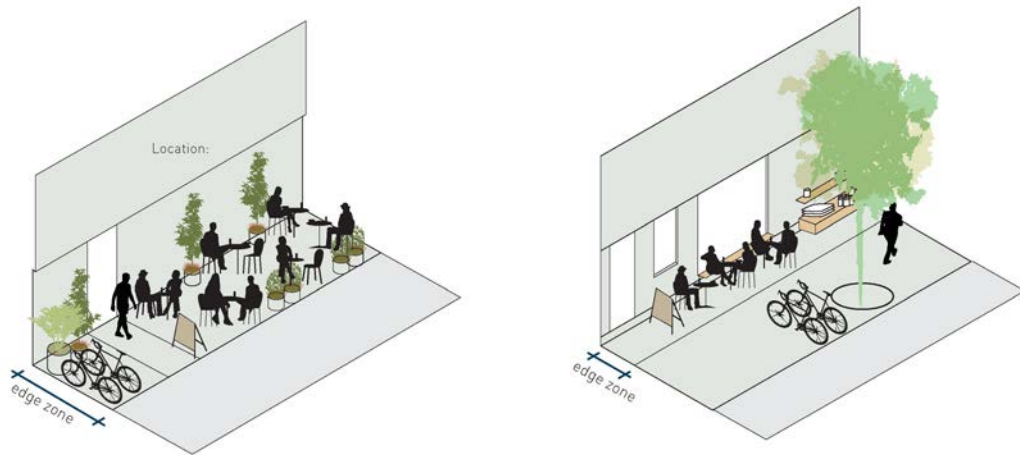
Figure 9
Edge Zones



10.6.3.1 *Commercial Edge Zones for Riverlands Districts*

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

Figure 10: **Commercial Edge Zone** Illustrations

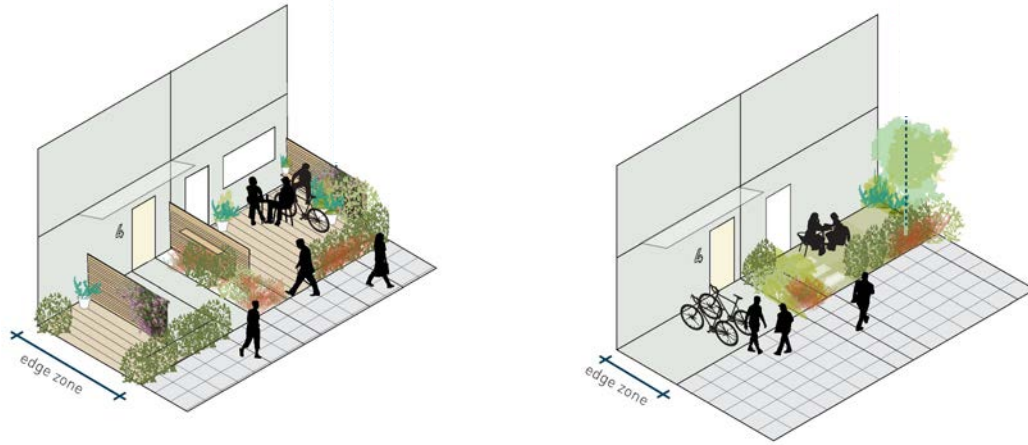


10.6.3.2 *Residential Edge Zones for Riverlands Districts*

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

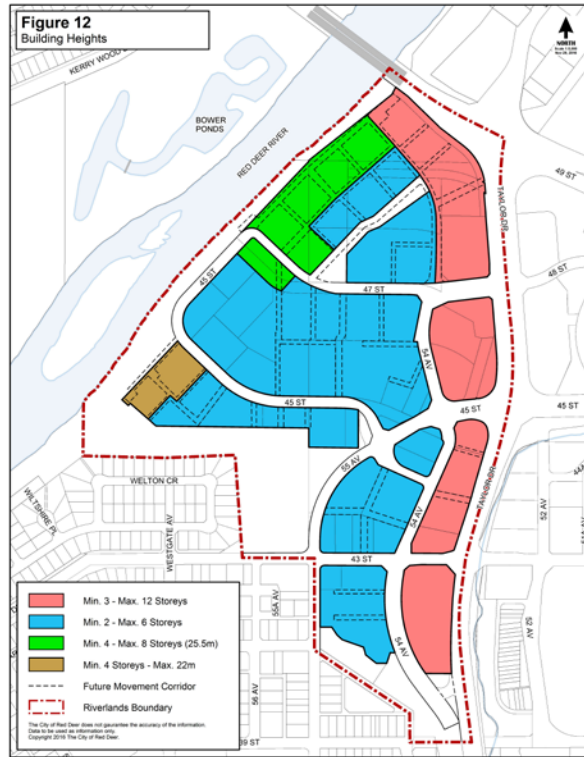
- (viii) Other feature(s) that provide a privacy threshold and outdoor space for Residential activities to occur, at the discretion of the Development Authority.

Figure 11: Residential Edge Zone Illustrations



10.6.4 Building Heights for Riverlands Districts

- (a) Building Heights may not be varied by the Development Authority.
- (b) ⁵¹Building Heights for all Developments in this Part, excluding Accessory Buildings, shall comply with Figure 12 Building Heights.
- (c) ⁵²Accessory Buildings for Riverlands Districts shall comply with sections 3.5 and 4.7.3 of this bylaw.



⁵¹ 3357/N-2018

⁵² 3357/N-2018

10.6.5 Site Coverage for Riverlands Districts

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

10.6.6 Dwelling Units for Riverlands Districts

- (a) A minimum of three (3) Dwelling Units shall be provided in each Principal Building within the Riverlands Primarily Residential (RL-PR) District.
 - (i) The minimum Dwelling Units required for Principal Buildings in the Riverlands Primarily Residential (RL-PR) District may not be varied by the Development Authority.
- (b) Dwelling Units may be provided in Principal Buildings within the Riverlands Taylor Drive (RL-TD) District.
- (c) ⁵³DELETED

10.6.7 Building Design for Riverlands Districts

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

⁵³ 3357/MM-2016

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

10.6.8 **Amenity Space for Riverlands Districts**

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

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

10.6.9 Pedestrian Connections for Riverlands Districts

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

10.6.10 Parking Requirements for Riverlands Districts

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

10.6.11 Parking Standards for Riverlands Districts

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

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

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

10.6.11.1 *Parking Structure for Riverlands Districts*

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

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

10.6.12 Bicycle Facilities for Riverlands Districts

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

10.6.13 Garbage and Recycling Facilities for Riverlands Districts

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

10.6.14 Landscaping for Riverlands Districts

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

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

10.6.15 Lighting for Riverlands Districts

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

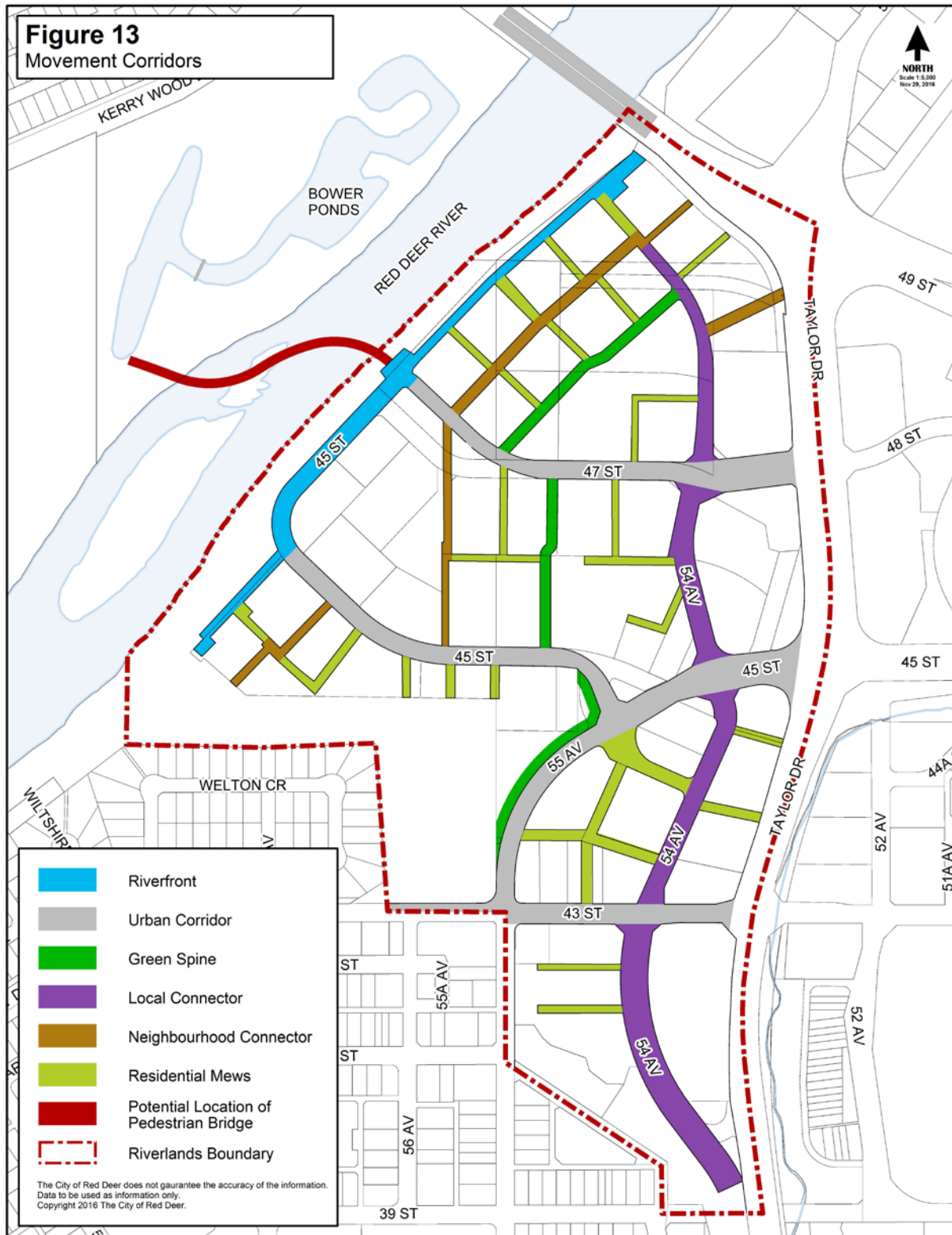
10.6.16 Signs for Riverlands Districts

- (a) ⁵⁴In addition to Part Eleven: Sign Development Standards, the following locational criteria apply to Signs in the Riverlands Districts.
- (b) ⁵⁵DELETED

⁵⁴ 3357/B-2018

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

10.6.17 Movement Corridors



11.9 ⁹Billboard Signs

- (1) General Regulations for Billboard Signs:
- (a) The design and size of a Billboard Sign should be compatible with or enhance the design, construction, and general character of the Building on the Site which it is located on and should respect the Immediate Street Context it is located in.
 - (b) A Development Permit for a Billboard Sign that will replace a Billboard Sign approved prior to December 11, 2017, may only be approved if the proposed Billboard Sign will be no larger than the previously approved Billboard Sign, and the proposed Billboard Sign will result in a visual improvement to the Immediate Street Context.
 - (c) Billboard Signs shall not be internally illuminated, or illuminated by light projecting from behind the surface of the Sign face.
 - (d) Billboard Signs that are illuminated shall:
 - (i) be equipped with a shield directing light towards the Sign; and
 - (ii) be positioned in a manner that directs the light directly onto the Billboard Sign and minimizes the glare.
 - (e) Billboard Signs that are illuminated shall not:
 - (i) shine or reflect light directly onto adjacent properties or in the direction of oncoming traffic;
 - (ii) create hazards for pedestrian or vehicle traffic; or
 - (iii) be of an intensity or brightness that would interfere with the space, comfort, convenience, and general welfare of residents or occupants of adjacent Sites or with vehicular traffic.
 - (f) Billboard Signs shall not include dynamic or electronic messaging.
 - (g) Where the back of a Billboard Sign is visible to pedestrian or vehicle traffic, the Development Authority may:
 - (i) require a second face; or
 - (ii) require the back to be enclosed.
 - (h) A Development Permit for a Billboard Sign may only be issued for a period not exceeding 3 years.

(2) Location Criteria

⁹ Correction 2

- (a)** Billboard Signs shall only be located along a Boundary adjacent to an Arterial Road, except for those Sites described in subsection (ii) below.
- (b)** Billboard Signs are prohibited:
 - (i)** within the Major Entry Areas Overlay District; and
 - (ii)** within 100.0m radius of a Residential District.

(3) Siting Criteria

- (a)** Not more than 1 Billboard Sign may be located on a Site
- (b)** Billboard Signs shall not be placed in or on a required parking space or loading space and shall not be placed so as to reduce the number of required parking stalls or loading spaces, pursuant to this Bylaw of an approved Development Permit.
- (c)** Billboard Signs shall be located a minimum of:
 - (i)** 500.0 m radius from another Billboard Sign. If a 500.0 m radius is drawn around Billboard Signs, none of the 500.0 m radius' shall overlap; and
 - (ii)** 10.0 m from another Ground Sign.
- (d)** A Billboard Sign shall be located such that no portion is closer than 3.0 m from any Site Boundary.
- (e)** If deemed necessary for safety reasons, the Development Authority may require greater distance separations between Signs.

(4) Billboard Sign Sizes

- (a)** The maximum height of a Billboard Sign is 6.1 m;
- (b)** The Maximum width of a Billboard Sign is 6.1 m; and
- (c)** The maximum Sign Area of a Billboard Sign shall not exceed 19.0m², and only 1 face of a double sided Billboard Sign may be used to calculate the Sign Area.

(5) No Variances

- (a)** ¹⁰The Location Criteria listed in 11.9(2) and the Siting Criteria listed in 11.9(3) shall not be varied by the Development Authority.

¹⁰ 3357/S-2019

11.10 Building Sign Development Standards

- (1) Building Signs in Residential Districts may be considered on Sites with the following Principal uses:
 - (a) Assisted Living Facility;
 - (b) Bed & Breakfasts;
 - (c) Day Care Facility;
 - (d) Day Care Adult;
 - (e) Multiple Family Building;
 - (f) municipal services (limited to police, emergency services, and/or utilities);
 - (g) places of worship or assembly;
 - (h) Public and Quasi-Public Building;
 - (i) Temporary Care Facility; and
 - (j) ¹¹Low Impact Commercial Use

- (2) The following development standards apply to all Building Signs, unless otherwise stated :
 - (a) Sign Height shall not exceed the height of the Principal Building on the Site, or the average overall height of the Principal Building where the height of the Principal Building is not uniform; and
 - (b) The maximum Sign Area shall not exceed 15% of the area of the Building Facade on which it is located.

11.10.1 Awning/Canopy Sign Development Standards

- (1) General development standards for Awning/Canopy Signs
 - (a) Awning/Canopy Signs may be attached to the sides and front of an awning or canopy, and may extend the entire length and width of the awning or canopy;
 - (b) Copy shall be located on the valance portion of the Awning/Canopy Sign;
 - (c) Signs under an awning or canopy may be hung provided such Signs shall:
 - (i) not extend beyond the sides or front of the awning/canopy;
 - (ii) not exceed a vertical dimension of 1.5 m;
 - (iii) Awning/Canopy Signs and any Sign under an awning/canopy shall not project more than 3.0 m from the Building or Structure which it is attached to.
 - (d) The maximum Sign Area of an Awning/Canopy Sign shall not exceed 50% of the awning/canopy.



11.10.2 Fascia Sign Development Standards

- (1) General development standards for Fascia Signs



¹¹ 3357/S-2019

- (a) Fascia Signs shall be used to identify the name of the use, business or occupant of a Building or commercial unit on which the Sign is located.
- (b) Fascia Signs may consist of individual letters, symbols, or logos that are attached directly to the Building; and
- (c) Building Signs shall not project more than 0.3 m from the Building Façade they are attached to.

11.10.3 Painted Wall Sign Development Standards

- (1) General development standards for Painted Wall Signs
 - (a) Painted Wall Signs are limited to 1 per Building.
 - (b) A Painted Wall Sign may:
 - (i) cover up to 30% of the front of the Building; and
 - (ii) cover up to 60% of a secondary Building Façade.
 - (c) Not more than 10% of a Painted Wall Sign can be text that advertises the name of the business or a logo associated with the business.



11.10.4 Permanent Window Sign Development Standards

- (1) General development standards for Permanent Window Signs:
 - (a) Permanent Window Signs may only be placed on the first and second storey windows of a Building.
- (2) Permanent Window Sign Sizes
 - (a) Maximum Sign Area shall not exceed 50% of the Window Area of the Building Façade on which it is located.



11.10.5 Projecting Sign Development Standards

- (1) Projecting Sign Sizes
 - (a) Maximum Sign Height is 1.5 m;
 - (b) Maximum Sign Width is 1.0 m;
 - (c) Maximum Sign Area shall not exceed 4.5 m²; and
 - (d) The maximum projection is 3.0 m from the face of the Building or Structure to which it is attached.



11.13 Freestanding Sign Development Standards

- (1) Freestanding Signs in Residential Districts may be considered on Sites with the following Principal uses:
- Assisted Living Facility;
 - Day Care Facility;
 - Day Care Adult;
 - Multiple Family Building;
 - municipal services (limited to police, emergency services, and/or utilities);
 - places of worship or assembly;
 - Public and Quasi-Public Building;
 - Temporary Care Facility; and
 - ¹⁴Low Impact Commercial Use



- (2) Siting Criteria
- Freestanding Signs shall be located a minimum of 100.0 m from any other Freestanding Sign.
 - The above distance requirement may be varied if it results in no Freestanding Signs being allowed on a Site. In such cases, the Development Authority may vary the separation distance to allow not more than 1 Freestanding Site on the Site.
- (3) The bottom of Freestanding Signs shall be:
- at least 2.8 m above grade in the C3 Commercial (Neighbourhood Convenience) District;
 - at least 3.6 m above grade in all other Districts.
- (4) Freestanding Sign Sizes
- The maximum Sign Width for Freestanding Signs is:
 - In DC(9), DC(10), DC(16), DC(18), and DC(26) and in other Residential Districts in conjunction with a principal use listed in 11.13(1):
 - The maximum width is 2.5 m.
 - In all other Districts:
 - The maximum width is 4.0 m.
 - The maximum Sign Heights and Sign Areas are prescribed in Table 1 below:

Table 1

Districts	Maximum Sign Height	Maximum Sign Area
Residential Districts		
Residential Districts, subject to Section 11.13(1)	3.0 m	3.0 m ²
Commercial Districts		
C1	9.0 m	12.0 m ²
C1A	9.0 m	12.0 m ²
C2A	<ul style="list-style-type: none"> 9.0 m where the Site is adjacent to an Arterial Road. 	<ul style="list-style-type: none"> First Sign: 36.0 m², Additional Signs: 25.0 m²

¹⁴ 3357/S-2019

Table 1

Districts	Maximum Sign Height	Maximum Sign Area
	<ul style="list-style-type: none"> 25.0 m where the Site is adjacent to a service road. 	
C2B	9.0 m	12.0 m ²
C3	4.5 m	5.0 m ²
C4	<ul style="list-style-type: none"> 9.0 m where the Site is adjacent to an Arterial Road 25.0 m where the Site is adjacent to a service road 	<ul style="list-style-type: none"> 18.5m² where the Site is adjacent to an Arterial Road 25.0 m² where the Site is adjacent to a service road
C5	9.0 m	12.0m ²
Riverlands Districts		
Riverlands Districts	9.0 m	12.0 m ²
PS Public Service (Institutional or Government) Districts		
Sites 8.0 hectares in size or under	4.5 m	5.0 m ²
Sites 8.1 hectares – 17.1 hectares	9.0 m	9.0 m ²
Sites 17.1 hectares in size or over	9.0 m	18.5 m ²
Direct Control Districts		
DC(1)	9.0 m	12.0 m ²
DC(2)	<ul style="list-style-type: none"> 12.0 m where the Site is adjacent to an Arterial Road 25.0 m where the Site is adjacent to a service road 	<ul style="list-style-type: none"> 18.5m² where the Site is adjacent to an Arterial Road 25.0 m² where the Site is adjacent to a service road
DC(3)	9.0 m	12.0 m ²
DC(8)	<ul style="list-style-type: none"> 12.0 m where the Site is adjacent to an Arterial Road 25.0 m where the Site is adjacent to a service road 	<ul style="list-style-type: none"> 18.5m² where the Site is adjacent to an Arterial Road 25.0 m² where the Site is adjacent to a service road
DC(9)	3.0 m	3.0 m ²
DC(10)	3.0 m	3.0 m ²
DC(11)	9.0 m	12.0 m ²
DC(12)	9.0 m	12.0 m ²
DC(15)	9.0 m	12.0 m ²
DC(16)	3.0 m	3.0 m ²
DC(18)	3.0 m	3.0 m ²
DC(19)	9.0 m	12.0 m ²
DC(20)	9.0 m	12.0 m ²
DC(22)	4.5 m	5.0 m ²
¹⁵ DC(24) Deleted	Deleted	Deleted
DC(25)	<ul style="list-style-type: none"> 9.0 m where the Site is adjacent to an Arterial Road, 25.0 m where the Site is 	<ul style="list-style-type: none"> First Sign: 36.0 m², Additional Signs: 25.0 m²

¹⁵ 3357/N-2019

Table 1

Districts	Maximum Sign Height	Maximum Sign Area
	adjacent to a service road	
DC(26)	3.0 m	3.0 m ²
DC(27)	<ul style="list-style-type: none"> • 12.0 m where the Site is adjacent to an Arterial Road, • 25.0 m where the Site is adjacent to a service road 	<ul style="list-style-type: none"> • 18.5m² where the Site is adjacent to an Arterial Road • 25.0 m² where the Site is adjacent to a service road
DC(28)	9.0 m	12.0 m ²
DC(31)	4.5 m	5.0 m ²
Industrial Districts		
I1	9.0 m	12.0 m ²
I2	9.0 m	12.0 m ²
I1A/BSR	4.5 m	5.0 m ²
¹⁶ I1B/AD	9.0m	12.0m ²
Other Districts		
A1	4.5 m	2.0 m ²
P1	4.5 m	5.0 m ²

¹⁶ 3357/N-2019