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### 1.3 Definitions

In this Bylaw,

**Accessory Building** means a secondary building on a site, the use of which is subordinate and incidental to that of the principal building and includes a garage, carport, greenhouse, playhouse, treehouse, tool shed, garden shed or workshop but does not include a temporary building.

**Accessory Use** means a use which is subordinate and incidental to that of the principal use.

**Act** means the Municipal Government Act.

**Adult Entertainment** means a live or recorded performance for an audience that shows or displays nudity or partial nudity involving exposure of human breasts, the genitals and/or the buttocks in a sexually explicit or suggestive manner and includes strip bars or shows, exotic dancing, topless or bottomless waiters or waitresses and nude mud wrestling but does not include an adult mini-theatre or lap dancing.

**Adult Mini-Theatre** means any premises or part thereof wherein live performances, motion pictures, video tapes, video disks, slides, electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory or similar use to some other business activity which is conducted on the premises, and wherein each separate viewing area has a capacity of less than 20 seats

<sup>1</sup>**AltaLink Consultation/Potential**

**Constraints Area** means the area that is 100 m from the high voltage transmission lines where any development applications shall be sent, at the discretion of the Development Officer, to AltaLink Management Limited to determine if there are any concerns from the Alberta Electrical Utility Code perspective.

<sup>2</sup>**Alternate/Renewable Energy Facility**

means a facility or development, either stand alone or adjoining another development, that either generates energy using natural or renewable resources, such as, sunlight, wind, geothermal, bio-fuels, or biomass, or generates energy using an energy generation process that reduces the amount of harmful emissions to the environment, when compared to conventional systems, such as, district heating or cogeneration.

**Amusement Arcade** means any facility where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee.

<sup>3</sup>**Animal Services** means the treatment, boarding, training, or grooming of animals and includes retail sales, not including Cannabis Retail Sales, of associated products. This may include such uses as veterinary clinics, pet grooming salons, boarding and breeding kennels, impounding and quarantining facilities, and animal shelters, but does not include the sale of animals as a principal use.

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<sup>1</sup> 3357/J-2013

<sup>2</sup> 3357/H-2014

<sup>3</sup> 3357/L-2018

**Appeal Board** means the Subdivision and Development Appeal Board.

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

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

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

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

**Boundary** means the registered property line of a site.

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

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

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

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

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

<sup>2</sup>**DELETED.**

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

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

**Call Centre** means a minimum 15,000.0 ft<sup>2</sup> facility with more than 50 employees who provide information on sales, goods and services, takes orders for sales, goods and services, and/or provide technical after sales support to customers by telephone, e-mail or, other telecommunication technologies but does not include other office uses.

**Campground** means a place intended to accommodate temporary camping, including the erection of tents or the parking of trailers, holiday trailers, or recreational vehicles.

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<sup>1</sup> 3357/C-2007, 3357/A-2017

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<sup>2</sup> 3357/W-2015

<sup>3</sup> 3357/H-2014

<sup>4</sup> 3357/L-2013, 3357/D-2016

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

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

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

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

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

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

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

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

<sup>6</sup>**Commercial Entertainment Facility** means an enclosed facility in which:

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

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

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

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<sup>1</sup> 3357/L-2018

<sup>2</sup> 3357/L-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/A-2016

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<sup>5</sup> 3357/B-2018

<sup>6</sup> 3357/L-2018

<sup>7</sup> 3357/J-21007

<sup>8</sup> 3357/L-2011

and includes dance school, athletic training facility, martial arts school, business school or college, secretarial school and hair dressing school but does not include an Industrial Trade School.

<sup>1</sup>**Commercial Service Facility** means a facility in which services are provided commercially to individuals, and without limiting the generality of the foregoing, may include:

- (a) services related to the care and appearance of the body such as a massage business, beauty shop, barber shop, tanning salon or fitness centre,
- (b) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet,
- (c) care of small animals such as a small animal veterinary clinic or dog grooming salon, or
- (d) financial or insurance services outlet, real estate agency, travel agency, commercial school or day care but does not include Office, Funeral Home, or Crematorium.”
- (e) Does not include Cannabis Retail Sales.

**Commission** or "M.P.C." means the Municipal Planning Commission.

<sup>2</sup>**Community Garden** means a garden plot, or multiple garden plots, gardened collectively by a group of community participants

**Container Class** means the container standard as it relates to pot sizes referenced in the Canadian Nursery and Landscape Association’s publication entitled “Canadian

<sup>1</sup> 3357/M-2008, 3357/L-2018  
<sup>2</sup> 3357/F-2011

Standards for Nursery Stock, 7<sup>th</sup> Edition” as may be amended from time to time.

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

- (a) the intersection of two streets, or
- (b) the intersection of two lanes, or
- (c) the intersection of a lane and a street.

<sup>3</sup>**Cremation** means the reduction of the deceased to ashes by heat.

<sup>4</sup>**Crematorium** means a facility where human bodies are cremated.

**Dangerous Goods Occupancy**, unless otherwise determined by the Fire Chief, includes, but is not limited to, any occupancy where dangerous goods, as defined in the Transportation of Dangerous Goods Control Act, are unloaded, loaded, stored, processed, or otherwise handled in quantities in excess of the amounts set forth in Schedule “B”.

**Day Care Adult** means a facility providing care and/or supervision for seven or more adults for more than three but less than 24 consecutive hours in a day.

**Day Care Facility** means a facility providing care, and/or supervision for seven or more children under the age of 12 (including the operator’s own children) for more than three but less than 24 consecutive hours in a day.

<sup>5</sup>**Deck** mean an uncovered horizontal structure with a surface height greater than

<sup>3</sup> 3357/M-2008  
<sup>4</sup> 3357/M-2008  
<sup>5</sup> 3357/S-2016



0.6 metres above grade at any point, and intended for use as a private outdoor amenity space;

**Detached Dwelling Unit** means a free standing residential building constructed on site and containing one dwelling unit.

**Development** means:

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

**Development Authority** includes:

- (a) a person appointed as a Development Officer under this Bylaw, and/or
- (b) the Commission.

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

**District** means a land use district established under this Bylaw.

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

**Drinking Establishment (adult entertainment permitted)** means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, adult entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises as accessory uses. This drinking establishment includes any premises in respect of which a “Class A” Liquor License has been issued and where minors are prohibited by the terms of the license and where adult entertainment is permitted but does not include an adult mini-theatre or a facility in which lap dancing is performed, or a late night Club.

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<sup>1</sup> 3357/E-2014

<sup>1</sup>**Driveway** means that portion of a lot used to provide access from a street or lane to a parking space or spaces and which has been graded, constructed and maintained with dustless materials, including but not limited to concrete, asphalt or paving stone. A Driveway does not include a Parking Pad.

<sup>2</sup>**Dwelling Unit** means a self-contained building or a portion of a building, whether occupied or not, usually containing cooking, eating, living, sleeping and sanitary facilities and used or designed to be used as a permanent residence by a household.

<sup>3</sup>**Eco-Industrial Development** means a type of industrial park in which businesses cooperate with one another and the local community in an attempt to reduce waste, efficiently share resources (such as information, materials, water, energy, infrastructure and natural resources), and produce sustainable development, with the intention of increasing economic gains and improving environmental quality.

<sup>4</sup>**Escarpment Area** means a Site, any part of which lies within the areas identified on the Land Use Constraint Maps in Schedule A and includes any site which contains or is adjacent to an escarpment or slope which in the reasonable opinion of the Development Officer could be affected by soil instability.

**Financial Services** means the provision of services related to financial matters, including the deposit or lending of money,

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<sup>1</sup> 3357/G-2018

<sup>2</sup> 3357/C-200, 3357/Z-2009, 3357/N-2010

<sup>3</sup> 3357/H2014

<sup>4</sup> 3357/M-2008

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

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

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

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

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

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

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

<sup>5</sup>**Frontage** means the linear length of the Front Boundary measured at the Front Yard setback. If there is no approved Building on

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<sup>5</sup> 3357/Q-2016

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

**<sup>1</sup>Funeral Home** means an establishment which provides for the arrangement of funerals, the holding of funeral services, and the preparation of the dead for burial or cremation, but which does not include a Crematorium or cremation chamber.”

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

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

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

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

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

**<sup>3</sup>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.

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<sup>1</sup> 3357/L-2009

<sup>2</sup> 3357/H-2014

<sup>3</sup> 3357/H-2014

**<sup>4</sup>Gross Floor Area** means the sum all areas of all plans of a building measured to the glass line, or where there is no glass line to the outside surface of the exterior walls, or where the buildings are separated by firewalls to the center line of the common firewall, and includes all floors totally or partially including basements, mezzanines and upper floors and all mechanical equipment areas.

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

**<sup>5</sup>Health and Medical Services** means a development used for services related to the physical or mental health of individuals on an out-patient basis. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative in nature or may consist of treatment or counselling. Uses may include but are not limited to medical clinics, dental clinics, optometrists, chiropractic and psychiatric or medical counselling services.

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

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

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<sup>4</sup> 3357/A-2006

<sup>5</sup> 3357/E-2011

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

<sup>1</sup>**Household** means an individual, or two or more persons related by blood, marriage or adoption, or a group of up to five unrelated persons, all living together as a single housekeeping unit and using common cooking facilities. The development shall be primarily residential in character but may include non-resident staff providing professional care or supervision, which may be in the nature of ongoing medical care, nursing or homemaking services. A household shall not include an Assisted Living Facility or a Temporary Care Facility.

<sup>2</sup>**Immediate Street Context** refers to existing Buildings and Signs along the same street Frontage (both sides of the Street) as the proposed Development or Sign and within the same block.

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

<sup>4</sup>**Industrial Support Service** means a Development whose principal use is to provide support services to industrial clients. Typical uses include, but are not limited to, duplicating, photocopying and blueprinting services, building security, cleaning or maintenance services, engineering (with dangerous goods), industrial drafting, land surveyors, laboratories, oilfield services,

project design and management services, construction trade, information technology support services, financial and insurance service outlets and construction contractors, and exclude Offices. Any retail sales, display or Office areas shall be accessory to the principal Industrial Support Service use. Does not include Cannabis Retail Sales.

<sup>5</sup>**Industrial Trade School** means a facility which provides education or training to adults in trades used in an industrial context, including electrical, plumbing, carpentry, welding, mechanics, sheet metal work, vehicle driving, surveying and similar skills.

<sup>6</sup>**Institutional Service Facility** means a facility:

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

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

<sup>7</sup>**Landfill** means a Landfill as defined in the Subdivision and Development Regulation, as amended.

<sup>1</sup> 3357/C-2007

<sup>2</sup> 3357/A-2016, 3357/GG-2017

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/C-2016, 3357/L-2018

<sup>5</sup> 3357/L-2011

<sup>6</sup> 3357/C-2007, 3357/T-2015, 3357/A-2017

<sup>7</sup> 3357/G-2018

<sup>1</sup>**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.

<sup>23</sup>**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.

<sup>4</sup>**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.

<sup>5</sup>**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.

<sup>6</sup>**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.

<sup>7</sup>**Low Impact Commercial Use** means the conducting of merchandise sales, not including Cannabis Retail Sales, the operation of an office and/or the provision of personal services and/or commercial

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<sup>1</sup> 3357/G-2018

<sup>2</sup> 3357/T-2009, 3357/F-2011

<sup>3</sup> 3357/H-2014

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<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/B-2018

<sup>6</sup> 3357/BB-2009

<sup>7</sup> 3357/L-2018

services from a detached dwelling in a residential district in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses.

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

<sup>1</sup>**Medical Marihuana Facility (MMF)** means any building in which an activity authorized by the Medical Marihuana Production Regulations, SOR/2013-119, or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, producing, labelling and packaging, storing, and transporting of marihuana.

<sup>2</sup>**Microbrewery** includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room where guests may sample alcoholic beverages without charge, Drinking Establishment or Restaurant; The floor area devoted to the production and packaging shall be no more than 70% of the gross floor area. Does not include Cannabis Retail Sales.

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<sup>1</sup> 3357/E-2014

<sup>2</sup> 3357/AA-2014, 3357/T-2015, 3357/V-2017, 3357/L-2018

<sup>3</sup>**Minimum Gravel Parking Standard** means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth, or greater if determined by the Development Authority based on adverse soil conditions.

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

<sup>4</sup>**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.

<sup>5</sup>**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

<sup>6</sup>**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.

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<sup>3</sup> 3357/I-2013

<sup>4</sup> 3357/I-2013

<sup>5</sup> 3357/I-2013

<sup>6</sup> 3357/T-2009

**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.

**<sup>1</sup>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.

**<sup>2</sup>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.

**<sup>3</sup>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.

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<sup>1</sup> 3357/E-2006, 3357/L-2018

<sup>2</sup> 3357/E-2006

<sup>3</sup> 3357/G-2018

**<sup>4</sup>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’.

**<sup>5</sup>Pet Crematorium** means a facility to conduct cremations of pets or companion animals weighing less than 136 kg.

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

**Principal Building** means a building which:

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

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

**Public and Quasi-Public** means any governmental or similar body and includes an agency, commission, board, authority,

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<sup>4</sup> 3357/S-2016

<sup>5</sup> 3357/M-2008

public corporation or department establishment by such a body.

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

<sup>2</sup>**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.

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

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

<sup>4</sup>**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.

<sup>5</sup>**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 put into the fuel tanks of vehicles and includes self-service outlets.

<sup>6</sup> **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.

<sup>7</sup>**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.

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<sup>1</sup> 3357/E-2006

<sup>2</sup> 3357/T-2015

<sup>3</sup> 3357/GG-2017

<sup>4</sup> 3357/Z-2009

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<sup>5</sup> 3357/A-2017

<sup>6</sup> 3357/U-2015

<sup>7</sup> 3357/J-2013



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

<sup>1</sup>**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.

<sup>2</sup>**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.

<sup>3</sup>**Site, Corner** – DELETED

<sup>4</sup>**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.

<sup>5</sup>**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.

<sup>6</sup>**Stacked Town or Row Housing** means a Multi-attached Building which is constructed such that at least 1 dwelling unit is located totally or partially above another multi-attached dwelling unit.

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

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

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

<sup>7</sup>**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

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<sup>1</sup> 3357/T-2015

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/Q-2016

<sup>4</sup> 3357/Q-2016

<sup>5</sup> 3357/H-2008

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<sup>6</sup> 3357/I-2013

<sup>7</sup> 3357/II-2017

manner not authorized under the Controlled Drugs and Substances Act in a supervised and controlled environment.

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

**Temporary Building** means a building without any foundation below grade and includes a soft-sided or other structure designed to serve as a temporary garage, storage shelter or greenhouse, but does not include an “Accessory Building”.

<sup>1</sup>**Temporary Care Facility** means a facility providing temporary living accommodation and includes such facilities as overnight shelters, halfway houses, short term medical rehabilitation centres, detoxification centres, hospices and other similar uses.

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

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

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

- (a) a dwelling or sleeping place for one or more persons and includes a holiday

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<sup>1</sup> 3357/C-2007

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.

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

<sup>2</sup>**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.

<sup>3</sup>**Wastewater Treatment Plant** means a Wastewater Treatment Plant as defined in the Subdivision and Development Regulation, as amended.

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

**Yard, Front** means that part of a site which extends across the full width of a site between the front boundary and the nearest

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<sup>2</sup> 3357/L-2018

<sup>3</sup> 3357/G-2018

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.

<sup>1</sup>**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.

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<sup>1</sup> 3357/H-2014

## 1.4 Establishment of Districts

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

<b>A1</b>	Future Urban Development District
<b>A2</b>	Environmental Preservation District
<b>C1</b>	Commercial (City Centre) District
<b>C1A</b>	Commercial (City Centre West) District
<b>C2A</b>	Commercial Regional (Shopping Centre) District
<b>C2B</b>	Commercial District (Shopping Centre) District
<b>C3</b>	Commercial (Neighbourhood Convenience) District
<b>C4</b>	Commercial (Major Arterial) District
<b>C5</b>	Commercial (Mixed Use) District
<b>DC</b>	Direct Control District (which may be subdivided into sub-districts designated by number)
<b>I1</b>	Industrial (Business Service) District
<b>I1A/BSR</b>	(Light Industrial and Business Service–Residential) District
<b>I2</b>	Industrial (Heavy Industrial) District
<b>P1</b>	Parks and Recreation District
<b>PS</b>	Public Service (Institutional or Governmental) District
<b>R1</b>	Residential (Low Density) District
<b>R1A</b>	Residential (Semi-Detached Dwelling) District
<b>R1C</b>	Residential (Carriage Home) District
<sup>87</sup> <b>R1G</b>	Residential (Small Lot) District
<b>R1N</b>	Residential (Narrow Lot) District
<b>R1WS</b>	Residential (Wide/Shallow Lot) District
<sup>88</sup> <b>RL-C</b>	Riverlands Commercial District
<sup>89</sup> <b>RL-PR</b>	Riverlands Primarily Residential District
<sup>90</sup> <b>RL-TD</b>	Riverlands Taylor Drive District
<b>R2</b>	Residential (Medium Density) District
<b>R2T</b>	Residential (Town House) District
<b>R3</b>	Residential (Multiple Family) District
<b>R4</b>	Residential (Manufactured Home) District
<b>RLW</b>	Residential (Live-Work) District

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

<sup>87</sup> Correction #29

<sup>88</sup> 3357/Q-2016

<sup>89</sup> 3357/Q-2016

<sup>90</sup> 3357/Q-2016

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

### **(3) District Delineation Rules**

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

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

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

## **1.5 <sup>91</sup>DELETED**

## **1.6 Effective Date**

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

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<sup>91</sup> 3357/W-2015

## **Part Three: General Regulations Applicable to All Districts**

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**<sup>1</sup>3.0 General Regulations Applicable to All Districts:**

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

**3.1 Parking Spaces and Areas**

- (1) <sup>2</sup>Except 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.”

**<sup>3</sup>Table 3.1 Parking Requirements**

<b>USES</b>	<b>PARKING SPACES</b>
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 <sup>2</sup>
<sup>4</sup> Hospitals, Temporary Care Facility	1.0 per 93.0 m <sup>2</sup>
<b><sup>5</sup>COMMERCIAL &amp; INDUSTRIAL</b>	
<b>USES</b>	<b>PARKING SPACES</b>
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 <sup>2</sup> (gross floor area)
Commercial Recreation Facility: Racquet Sports Facility <sup>6</sup> Gaming or Gambling Establishment Bowling Alleys All other uses	4.0 per court 1.0 space per 2.3 seats 5.0 per alley plus, 5.0 for staff 1.0 per 2.0 participants (at maximum capacity) plus 1.0 per 20.0 m <sup>2</sup> (gross floor area)
Commercial Entertainment Facility	1.0 per 5.0 seats
Commercial Service Facility, excluding Funeral Homes	2.5 per 93.0 m <sup>2</sup>
Drinking Establishment	1.0 per 4.0 seats
Funeral Homes	1.0 per 5.0 seats

<sup>1</sup> 3357/L-2018

<sup>2</sup> 3357/H2009

<sup>3</sup> 3357/A-2006

<sup>4</sup> 3357/C-2007

<sup>5</sup> Correction 29

<sup>6</sup> 3357/J-2007

Hotels, Motels and Hostels	1.0 per guest room
<sup>1</sup> Live Work Unit	1 additional parking space per unit
Local Convenience Shopping Centres	5.1 per 93.0 m <sup>2</sup> (gross floor area)

<sup>2</sup>Table 3.1 Parking Requirements - continued

<b>COMMERCIAL &amp; INDUSTRIAL - Continued</b>	
<b>USES</b>	<b>PARKING SPACES</b>
<sup>3</sup> Manufacturing and Industrial Plants, Wholesale, Servicing and Repair Establishments, Research, Laboratories and Transportation, Communication or Utility Facility	3.0 per 93.0 m <sup>2</sup> , 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 <sup>2</sup> , 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 <sup>2</sup>
Office Areas	2.0 per 93.0 m <sup>2</sup>
Warehouse	1.0 per 93 m <sup>2</sup>
Warehouse Sales	5.1 per 93 m <sup>2</sup>
Offices	2.0 per 93.0 m <sup>2</sup>
Regional Shopping Centres	4.4 per 93 m <sup>2</sup> (gross floor area)
District Shopping Centres	5.1 per 93 m <sup>2</sup> (gross floor area)
Repair Services	2.0 per 93.0 m <sup>2</sup>
Restaurants	1.0 per 4.0 seats
Vehicle and Equipment Sales	2.0 per 93.0 m <sup>2</sup>
<b>Schools</b>	
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

<sup>1</sup> 3357/BB-2009

<sup>2</sup> 3357/A-2006

<sup>3</sup> Correction 29

- (d) office;
  - (e) repair or sales of apparel, crafts, and jewelry that are made on the premises;
  - (f) <sup>1</sup>merchandise 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.

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<sup>1</sup> 3357/L-2018

(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) <sup>1</sup>the retail sale of goods shall be restricted to products produced in the home, for which the licensee is a licensed home occupation, and must not include the sale of Cannabis.

## 9. <sup>2</sup>Secondary Suite Use Provisions and Development Regulations

### General Purpose

(9.1)(A)

#### <sup>3</sup>Definitions

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

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

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

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

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

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

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<sup>1</sup> 3357/L-2018

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

<sup>3</sup> 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) <sup>2</sup>Where a Secondary Suite is shown as a permitted use in a Detached Dwelling Unit in the R1, R1A, R1C and R2 Residential Districts, it is allowed only:

- (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

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<sup>1</sup> 3357/S-2017

<sup>2</sup> 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) <sup>1</sup>A Secondary Suite is a Discretionary Use in a Detached Dwelling Unit in any R1, R1A, R1C, R1WS, R2, R3 Residential and C1 Commercial District, except where it is a Permitted Use under section 9.2.

(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

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<sup>1</sup> 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) <sup>1</sup>The 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) <sup>2</sup>The 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 m<sup>2</sup>,
  - (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) <sup>3</sup>The availability of on-Street parking, in consideration of the

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<sup>1</sup> 3357/S-2017

<sup>2</sup> 3357/S-2017

<sup>3</sup> 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) <sup>1</sup>a hard surfaced walkway shall be provided between any Secondary Suite parking space(s) and the primary Dwelling unit in which the Secondary Suite is located.

(d) <sup>2</sup>the 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.

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<sup>1</sup> 3357/E-2014

<sup>2</sup> 3357/S-2017

**5.1 C1 Commercial (City Centre) District**



General Purpose

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

**1. C1 Permitted and Discretionary Uses Table**

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

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/C-2007

**5.2 C1A Commercial (City Centre West) District**



**General Purpose**

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

**1. C1A Permitted and Discretionary Uses Table**

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

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

**(b) Discretionary Uses**

- (i) Accessory building or use subject to section 3.5.
  - (ii) Any development legally existing or legally approved prior to the passing of this Bylaw deemed to be a discretionary use duly approved by the Development Authority.
  - (iii) <sup>1</sup>Assisted living facility.
  - (iv) <sup>2</sup>Commercial entertainment facility
  - (v) Commercial recreation facility.
  - (vi) Dangerous goods occupancy.
  - (vii) Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
  - (viii) Funeral home.
  - (ix) Late night club subject to section 5.7(7).
  - (x) Home occupations subject to section 4.7 (8).
  - (xi) Hotel, motel, or hostel.
  - (xii) Manufacturing of any articles.
  - (xiii) <sup>3</sup>Merchandise sales (excluding Cannabis Retail Sales) and/or rental.
  - (xiv) Multiple family building.
  - (xv) Parking lot/parking structure
- 
- (xiv) Service and repair of any articles.
  - (xv) <sup>4</sup>DELETED
- 
- (xvi) <sup>5</sup>Temporary care facility.
  - (xvii) Transportation, communication or facility.
  - (xviii) Warehouse in the existing structure.
  - (xix) <sup>6</sup>Outdoor storage.
  - (xx) <sup>7</sup>Outdoor display or sale of goods.
  - (xxi) <sup>8</sup>Gaming or Gambling Establishment subject to section 5.7 (1) (f)
  - (xxii) <sup>9</sup>Show Home or Raffle Home

**2. C1A Commercial (City Centre West) Regulations**

**(a) Table 5.2 C1A Regulations**

<b>Regulations</b>	<b>Requirements</b>
Floor Area	Minimum - dwelling units 37.0 m <sup>2</sup>

<sup>1</sup> 3357/C-2007

<sup>2</sup> 3357/R-2007

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357B-2018

<sup>5</sup> 3357/C-2007

<sup>6</sup> 3357/E-2006

<sup>7</sup> 3357/E-2006

<sup>8</sup> 3357/J-2007

<sup>9</sup> 3357/T-2015

Regulations	Requirements
	Maximum – one third of site area (ground floor)
Building Height Maximum	As approved by the Commission
Front Yard Minimum	6.0 m
Side Yard Minimum	Nil, when there is a constructed lane 3.8 m on one side when there is no constructed lane 3.0 m when it abuts a street
Rear Yard Minimum	3.0 m
Landscaped Area	15 % site area
Parking	Subject to sections 3.1 & 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one
Site Area Minimum	900.0 m <sup>2</sup>
Frontage Minimum	20.0 m

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

### 5.3 C2A Commercial (Regional Shopping Centre) District

#### General Purpose



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

#### 1. C2A Permitted and Discretionary Uses Table

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

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/B-2018

<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/G-2016, 3357/B-2018

**5.4 C2B Commercial (District Shopping Centre) District**



**<sup>1</sup>General Purpose**

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

**1. C2B Permitted and Discretionary Uses Table**

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

<sup>1</sup> 3357/E-2016  
<sup>2</sup> 3357/B-2018  
<sup>3</sup> 3357/B-2018  
<sup>4</sup> 3357/L-2018  
<sup>5</sup> 3357/B-2018  
<sup>6</sup> 3357/B-2018  
<sup>7</sup> 3357/B-2018  
<sup>8</sup> 3357/B-2018  
<sup>9</sup> 3357/E-2006



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

## 2. C2B Commercial (District Shopping Centre) Regulations

### (a) Table 5.4 C2B Regulations

Regulations	Requirements
Floor Area	Dwelling Units Minimum – 55.0 m <sup>2</sup> Shopping Centre Maximum – gross leasable floor area shall not exceed one third of site area
Building Height Maximum	3 storeys
Front Yard Minimum	9.0 m
Side Yard Minimum	9.0 m
Rear Yard Minimum	9.0 m
Landscaped Area Minimum	15% of site area
Parking	Commercial - 5.1 spaces for every 93.0 m <sup>2</sup> of gross leasable floor area, subject to section 3.1 and 3.2 Residential – subject to section 3.1 and 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one per building, subject to section 5.7(3)
Site Area	Shopping centre minimum 1.0 ha Shopping centre maximum 3.0 ha

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

<sup>1</sup> 3357/E-2006

<sup>3</sup> 3357/J-2007

<sup>2</sup> 3357/T-2015

## 5.5 C3 Commercial (Neighbourhood Convenience) District

**C3**

### General Purpose

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

### 1. C3 Permitted and Discretionary Uses Table

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

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/L-2018

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/B-2018

## 5.6 C4 Commercial (Major Arterial) District

C4

### General Purpose

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

### 1. C4 Permitted and Discretionary Uses Table

#### (a) Permitted Uses

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

#### (b) Discretionary Uses

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

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<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/B-2018

<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/B-2018

<sup>8</sup> 3357E/2011

**(b) Discretionary Uses *continued***

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

**2. C4 Commercial (Major Arterial) District Regulations**

**(a) Table 5.6 C4 Regulations**

<b>Regulations</b>	<b>Requirements</b>
<sup>7</sup> 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 <sup>2</sup> Maximum 4.0 ha
Frontage	Minimum 30.0 m

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

<sup>1</sup> 3357/L-2018

<sup>2</sup> 3357/E-2006

<sup>3</sup> 3357/G-2016, 3357/B-2018

<sup>4</sup> 3357/E-2006

<sup>5</sup> 3357/J-2007

<sup>6</sup> 3357/P-2018

<sup>7</sup> 3357/G-2018

**<sup>1</sup>5.6.1 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**

<b>(a) <sup>2</sup>Permitted Uses</b>
(i) <sup>3</sup> Building Sign
(ii) Day care facility
(iii) Dwelling units above the ground floor
(iv) <sup>4</sup> Freestanding Sign
(v) Health and medical services
(vi) Home music instructor/instruction, subject to section 4.7(10)
(vii) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(viii) Live work unit subject to section 4.3.2(2)(b)
(ix) <sup>5</sup> 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) <sup>6</sup> Restaurant without drive-through
<sup>7</sup> (xiii) Show Home or Raffle Home.
(xiv) <sup>8</sup> DELETED

<sup>1</sup> 3357/L-2013

<sup>2</sup> 3357/D-2015

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/L-2018

<sup>6</sup> 3357/G-2018

<sup>7</sup> 3357/T-2015

<sup>8</sup> 3357/B-2018

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**(b) Discretionary Uses *continued***

- (v) <sup>1</sup>DELETED
- (vi) <sup>2</sup>DELETED
- (vii) <sup>3</sup>Dynamic Fascia Sign; and
- (viii) <sup>4</sup>Dynamic Freestanding Sign.
- (ix) Crematorium
- (x) Dangerous goods occupancy.
- (xi) Restaurant.
- (xii) <sup>5</sup>Sale of large trucks over 10,000 Kg, Manufactured Homes, heavy construction equipment and machinery
- (xiii) Sale of horse, stock, and light flatdeck and cargo trailers.
- (xiv) <sup>6</sup>DELETED
- (xv) Transportation, communication or utility facility.
- (xvi) <sup>7</sup>Industrial trade schools (maximum capacity of 60 persons).
- (xvii) <sup>8</sup>Accessory outdoor display or sale of goods
- (xviii) <sup>9</sup>Pet Crematorium
- (xix) <sup>10</sup>Alternative/Renewable Energy Facility on sites designated in an Eco Industrial Park Overlay District.
- (xx) <sup>11</sup>Uses that produce waste materials, outputs, or by-products that may be used as inputs for an industrial operation within the Eco Industrial Park Overlay District. This use does not include Cannabis Retail Sales.
- (xxi) <sup>12</sup>Uses that may consume waste materials, outputs, or by-products that are produced by an industrial operation within an Eco Industrial Park Overlay District. This use does not include Cannabis Retail Sales.

**2. I1 Industrial (Business Service) District Regulations**

(a) Table 6.1 I1 Regulations

Regulations	Requirements
Floor Area Minimum	n/a
Building Height	n/a

<sup>1</sup> 3357/G-2016, 3357/B-2018

<sup>2</sup> 3357/G-2016, 3357/B-2018

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/E-2016

<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/L-2011

<sup>8</sup> 3357/E-2006

<sup>9</sup> 3357/M-2008

<sup>10</sup> Correction 38

<sup>11</sup> 3357/L-2018

<sup>12</sup> 3357/L-2018

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



General Purpose

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

**1. I1A/BSR Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
<b>(i)</b>	<sup>1</sup> Building Sign.
<b>(ii)</b>	Commercial services facilities, excluding a funeral home, crematorium, any gaming or gambling establishment, any drinking establishment or late night club, or any adult entertainment or related use.
<b>(iii)</b>	Dwelling units above the ground floor with one of the following located on the ground floor:
	<b>(1)</b> office,
	<b>(2)</b> <sup>2</sup> merchandise sales and/or rental excluding sales and/or rental of adult oriented merchandise, motor vehicles, machinery, fuel, Cannabis Retail Sales and liquor, beer or wine,
	<b>(3)</b> <sup>3</sup> restaurants excluding drive-through fast food restaurants,
	<b>(4)</b> commercial service facility, excluding a funeral home, crematorium, any gaming or gambling establishment, any drinking establishment or late night club, or any adult oriented entertainment or related use, or
	<b>(5)</b> financial institutions.
<b>(iv)</b>	Financial institutions.
<b>(v)</b>	Home occupations subject to section 4.7(8).
<b>(vi)</b>	Industrial support services, excluding dangerous goods, oilfield services and/or construction trade or contractors and provided it takes place in a building existing as of July 15, 2003 .
<b>(vii)</b>	Multi-attached or multiple family dwelling units.
<b>(viii)</b>	<sup>4</sup> Restaurants excluding drive-through fast food restaurants.
<b>(ix)</b>	Service and repair of goods traded in the District (excludes service stations)

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/L-2018

<sup>3</sup> 3357/G-2018

<sup>4</sup> 3357/G-2018



and/or car washes) approved prior to July 15, 2003.

(x) <sup>1</sup>DELETED

(xi) The following uses are permitted on the lands indicated, provided that they are in existence as of July 15, 2003 and provided that they continue to meet the conditions listed below:

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

(xii) Notwithstanding the above conditions, where a legally approved industrial building within this District in existence at the time of the passing of this Bylaw, is partially or fully destroyed by fire or other accidental means, it may be replaced for the same use and building size as that which was destroyed.

<sup>1</sup> 3357/B-2018

**(b) Discretionary Uses**

- (i) <sup>1</sup>Freestanding Sign.
- (ii) <sup>2</sup>Merchandise sales and or rentals, excluding motor vehicle sales, machinery sales, fuel sales, sales of adult oriented merchandise, Cannabis Retail Sales and/or sale of liquor, beer, or wine.
- (iii) Offices (professional and medical).
- (iv) <sup>3</sup>Industrial trade/commercial schools.
- (v) Service and repair of goods traded in the District (excludes service stations and/or car washes).
- (vi) <sup>4</sup>Show Home or Raffle Home.
- (vii) <sup>5</sup>Accessory Building, subject to Section 3.5 Accessory Building Regulations.

**2. I1A/BSR (Light Industrial and Business Service-Residential) Regulations**

I1A/BSR District is subject to any applicable regulations listed within 6.4. The C3 Commercial (Neighbourhood Convenience) District shall be used as a guideline to determine the site regulations within this district including minimum site area, frontage, setbacks, front yard, side yard, and rear yards, as well as minimum parking, loading, and landscaping requirements, except where otherwise specified below and except in cases where these have been varied by the Development Authority. With regard to building height, the Development Authority may consider approval of up to four storeys in special circumstances based on the requirements of the Area Redevelopment Plan. Comments from the Community Association shall be considered.

(c) Table 6.3 I1A/BSR Regulations

<b>Regulations</b>	<b>Requirements</b>
Building Height	Maximum 3 storeys subject to section 6.3(2)
Garbage/Recycling	To be fully screened with a solid fence
Outside storage	Not permitted
<sup>6</sup> DELETED	

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/L-2018

<sup>3</sup> 3357/L-2011

<sup>4</sup> 3357/T-2015

<sup>5</sup> 3357/A-2017

<sup>6</sup> 3357/B-2018

### **3. Site Development**

- (a) Within this District, on any properties which owe municipal reserve at the time of subdivision, land is to be taken for reserves in preference to cash where the land can be used for the development of the public amenity area (town square or commercial village) as described in the Riverside Meadows Area Redevelopment Plan.
- (b) New development/redevelopment is expected to incorporate such features as awnings, planters, and architectural treatment and detailing compatible with surrounding development. Buildings should incorporate pedestrian or street oriented design elements (e.g. recessed entrance ways, street level windows, awnings, appropriate landscaping, parking in the rear where possible).

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## 7.1 A1 Future Urban Development District

**A1**

### General Purpose

The General Purpose of this District is to allow agricultural and related uses until such time as the land is required for urban development.

### 1. A1 Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>	
<b>(i)</b>	<sup>1</sup> Building Sign.
<b>(ii)</b>	<sup>2</sup> Growing of crops and produce, market gardens or other agricultural operations which may include stands for the sale of produce grown or produced on the site but shall not include Cannabis Retail Sales, feedlots, abattoirs, or the packing or processing of meat or poultry products.
<b>(iii)</b>	<sup>3</sup> Greenhouse or landscape nursery - stock farms including ancillary sales not including Cannabis Retail Sales..
<b>(iv)</b>	Home occupations - office only subject to section 4.7(8).
<b>(v)</b>	<sup>4</sup> DELETED
<b>(b) Discretionary Uses</b>	
<b>(i)</b>	Bed & breakfast, subject to section 4.7(11).
<b>(ii)</b>	Extraction from the ground of petroleum, minerals, sand and gravel, peat moss and topsoil.
<b>(iii)</b>	<sup>5</sup> Freestanding Sign.
<b>(iv)</b>	Home occupations subject to section 4.7(8).
<b>(v)</b>	<sup>6</sup> DELETED
<b>(vi)</b>	Residential uses: one detached dwelling or one manufactured home.
<b>(vii)</b>	Utilities and sanitary landfill.
<b>(viii)</b>	<sup>7</sup> Accessory building, subject to section 3.5

### 2. A1 Future Urban Development District Regulations

#### (a) Table 7.1 A1 Regulations

<b>Regulations</b>	<b>Requirements</b>
Floor Area Minimum	Detached dwellings 75.0 m <sup>2</sup>

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/L-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/B-2018

<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/X-2014

<b>Regulations</b>	<b>Requirements</b>
Building Height Maximum	10 m measured from the average of the lot grade
Front Yard Minimum	15.0 m
Side Yard Minimum	7.5 m
Rear Yard Minimum	7.5 m
Landscaped Area	Subject to Commission approval
Parking Spaces	Subject to sections 3.1 & 3.2
Site Area Minimum	1.2 ha
Frontage Minimum	Subject to Commission approval

## 7.2 A2 Environmental Preservation District



### General Purpose

The general purpose of this District is to protect environmentally sensitive land by restricting development to minimal and environmentally compatible uses.

### 1. A2 Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>
(i) Natural vegetation. (ii) Parks.
<b>(b) Discretionary Uses</b>
(i) Cemetery. (ii) <sup>8</sup> Growing of crops and produce, market gardens or other agricultural uses which may include stands for the sale, not including Cannabis Retail Sales, of produce grown or produced on the premise but shall not include feedlots, abattoirs, meat or poultry products, packing or processing. (iii) Home occupations subject to section 4.7(8). (iv) Recreational and sports activities and facilities provided that the use is compatible with the natural characteristics of the site. (v) Utilities.

### 2. A2 Environmental Preservation District Special Provisions and Regulations

- (a) All regulations of this district are subject to Commission approval.
- (b) After the passing of this Bylaw, no permanent building shall be erected on any site in this district.
- (c) Trees shall not be cut, felled or removed without prior approval of the Commission.
- (d) No aggregate extraction will be allowed.

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<sup>8</sup> 3357/L-2018



### 7.3 P1 Parks and Recreation District



#### General Purpose

The general purpose of this District is to provide land for parks and recreation areas and facilities for the use and enjoyment of the public at large.

#### 1. P1 Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>	
1.	Formal parks including trees, shrubs, flowers, lawns, pedestrian walks, statuary, ornamental ponds and fountains and any other use normally comprised in a formal floral or ornamental garden and campgrounds.
2.	<sup>9</sup> DELETED
<b>(b) Discretionary Uses</b>	
(i)	<sup>10</sup> Accessory Building
(ii)	Above ground storage tanks for motor fuel products including propane and used oil.
(iii)	Bowling greens.
(iv)	<sup>11</sup> Building Sign
(v)	Community centres.
(vi)	Curling rinks.
(vii)	Day care facilities.
(viii)	Enclosed hockey, ice skating or roller skating rinks.
(ix)	Exhibition buildings or amphitheatres.
(x)	<sup>12</sup> Freestanding Sign.
(xi)	Golf courses or golf driving ranges.
(xii)	<sup>13</sup> DELETED
(xiii)	Outdoor rinks.
(xiv)	Parks, picnic areas or open space facilities for use by the general public, playgrounds or tot lots.
(xv)	Parking ancillary to a permitted or discretionary use.
(xvi)	Sports fields.
(xvii)	Swimming pools.
(xviii)	Sports stadiums.
(xix)	<sup>14</sup> Tennis Courts (indoor or outdoor)
(xx)	Utilities.
(xxi)	<sup>15</sup> Deleted

<sup>9</sup> 3357/A-2017, 3357/B-2018

<sup>10</sup> 3357/E-2016

<sup>11</sup> 3357/B-2018

<sup>12</sup> 3357/B-2018

<sup>13</sup> 3357/I-2013, 3357/B-2018

<sup>14</sup> 3357/E-2016

(xxii) <sup>2</sup> Off Leash Dog Park

### 3. P1 Parks and Recreation District Regulations

#### (a) Table 7.2 P1 Regulations

Regulations	Requirements
Front Yard Minimum	15.0 m
Side Yard Minimum	15.0 m from any street, otherwise 7.5 m
Rear Yard Minimum	15.0 m from any street, otherwise 7.5 m
Landscaped Area	As required by the Recreation, Parks and Culture Manager
Parking Spaces	Subject to sections 3.1 & 3.2
Loading	Subject to Commission approval

### 4. Site Development

- (a) Within the P1 Parks and Recreation District the site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Development Authority.

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<sup>15</sup> 3357/I-2009 and 3357/F-2011

<sup>2</sup> 3357/FF-2009

## 7.4 PS Public Service (Institutional or Government) District

PS

### General Purpose

The general purpose of this District is to provide land for those uses that are public or quasi-public in nature.

### 1. PS Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>	
<b>(i)</b>	Any use for National Defence purposes which does not prejudice the character or value of the surrounding property.
<b>(ii)</b>	At the Westerner Exposition Site situate upon the following lands namely Lot 5, Block 1, Plan 882 2274, and Plan 615 L.Z, the holding of the annual Westerner Exposition Fair or Exhibition and any use in conjunction with or incidental thereto, agricultural, animal, machinery, automotive shows, rodeos, circuses, concerts, racing and sporting events, the rental of facilities for banquets, weddings, meetings and events.
<b>(iii)</b>	<sup>16</sup> Building Sign
<b>(iv)</b>	<sup>17</sup> Freestanding Sign
<b>(v)</b>	Recreation and sport activities operated or sponsored by a governmental body or agency for the participation of the public at large.
<b>(vi)</b>	<sup>18</sup> DELETED
<b>(b) Discretionary Uses</b>	
<b>(i)</b>	<sup>19</sup> Assisted living facility.
<b>(ii)</b>	At the Westerner Exposition Site situated upon the following lands namely Lot 5, Block 1, Plan 882-2274, and Plan 615 L.Z.: <ol style="list-style-type: none"> <li><b>(1)</b> any use similar to the uses permitted at the Westerner site,</li> <li><b>(2)</b> any uses which are accessory to any of the approved uses, provided that they are consistent with the theme of such use, or provide a directly related service to such use.</li> <li><b>(3)</b> Gaming establishment.</li> </ol>
<b>(iii)</b>	At the Red Deer College site, situate upon the following lands namely: <ol style="list-style-type: none"> <li><b>(1)</b> Lot 1, Block 1, Plan 012 0303 and the remainder of Section 5, Township 38, Range 27, West of the 4<sup>th</sup> meridian.</li> <li><b>(2)</b> Residence, nursing home, research facility, diagnostic services, work placement services, and/or technical or administrative support related to education of students at Red Deer College.</li> </ol>
<b>(iv)</b>	Concession booths for the sale of food or beverages to members and guests of

<sup>16</sup> 3357/B-2018

<sup>17</sup> 3357/B-2018

<sup>18</sup> 3357/A-2017, 3357/B-2018

<sup>19</sup> 3357/C-2007

	a group approved under this table.
(v)	Campground.
(vi)	Day care facilities.
(vii)	<sup>20</sup> Dynamic Fascia Sign on Sites over 17.1 hectares in size;
(viii)	<sup>21</sup> Dynamic Freestanding Sign on Sites over 17.1 hectares in size;
(ix)	<sup>22</sup> Electronic Message Fascia Sign; and
(x)	<sup>23</sup> Electronic Message Freestanding Sign.
(xi)	<sup>24</sup> DELETED
(xii)	<sup>25</sup> DELETED
(xiii)	<sup>26</sup> Institutional service facility
(xiv)	Offices for community oriented groups which have recreation as part of their programs.
(xv)	Parking ancillary to any permitted or discretionary use.
(xvi)	Private clubs or organizations.
(xvii)	<sup>27</sup> Retail sales of goods, excluding Cannabis Retail Sales, required in connection with a use approved under this table.
(xviii)	<sup>28</sup> Temporary care facility.
(xix)	Utilities.
(xx)	<sup>29</sup> Deleted.
(xxi)	<sup>30</sup> Accessory Building, subject to Section 3.5 Accessory Building Regulations.

## 2. PS Public Service (Institutional or Government) District Regulations

### (a) Table 7.3 PS Regulations

Regulations	Requirements
Floor Area Minimum	Not applicable, except for a unit in assisted living residence or retirement home 23.0 m <sup>2</sup>
Front Yard Minimum	Subject to Commission approval
Side Yard Minimum	Subject to Commission approval
Rear Yard Minimum	Subject to Commission approval
Landscaped Area	Subject to Commission approval
Parking Spaces	Subject to sections 3.1 & 3.2
Loading	Subject to Commission approval

<sup>20</sup> 3357/B-2018

<sup>21</sup> 3357/B-2018

<sup>22</sup> 3357/B-2018

<sup>23</sup> 3357/B-2018

<sup>24</sup> 3357/G-2016, 3357/B-2018

<sup>25</sup> 3357/B-2018

<sup>26</sup> 3357/C-2007

<sup>27</sup> 3357/L-2018

<sup>28</sup> 3357/C-2007

<sup>29</sup> 3357/I-2009 and 3357/F-2011

<sup>30</sup> 3357/A-2017

### **3. Site Development**

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

## 7.5 HP Historical Preservation Overlay District



### General Purpose

The general purpose of this District is to maintain the historical character of an area in the terms of building appearance, and to ensure the degree of activity and other aspects of the operation would not be incompatible with such district, and subject to such regulatory standards as are necessary to ensure such compatibility and historical preservation.

### 1. HP Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>
(i) Those uses listed as permitted in the underlying use district.
<b>(b) Discretionary Uses</b>
(i) Those uses which, in the opinion of Council, will maintain and achieve the general purpose of this District.

### 2. Historical Preservation Overlay District Regulations

- (a) <sup>31</sup>In accordance with the *Alberta Historical Resources Act*, no person shall destroy, disturb, alter, restore, or repair a building or structure on a site that has been designated a:
- (i) Municipal Historic Resource without written approval from the Development Officer based on a recommendation of the Heritage Planner or planning department and in consultation with relevant experts;
  - (ii) Provincial Historic Resource without written approval from the Minister responsible for the *Alberta Historical Resources Act*;
  - (iii) Registered Historic Resource until expiration of 90 days from the date the notice of the proposed intervention is served on the Minister responsible for the *Alberta Historical Resources Act*, unless the Minister sooner consents to the proposed action.
- (b) The relationship between buildings, structures and open spaces, and the provisions of landscaping and parking shall be subject to the approval of the Development Authority.

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<sup>31</sup> 3357/Q-2007

### 3. <sup>32</sup>Historical 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
<sup>33</sup> 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
<sup>34</sup> HP - 16	16. Red Deer Cenotaph	4908 - 50 Street	Lot 1, Block 1, 1221959	Provincial/ Municipal
<sup>35</sup> HP-17	17. Willson House	5011 43 Avenue	Lot 8, Block 6, Plan 5470HW	Municipal
<sup>36</sup> HP-18	18. Routledge Family Residence	4736 56 Street	Lot 15, Block C, Plan 5947 AM	Municipal
<sup>37</sup> HP-19	19. Intermediate School	5205 48 Street	Lot S, Block 36, Plan 802 2591	Municipal

<sup>32</sup> 3357/M-2009

<sup>33</sup> 3357/H-2009

<sup>34</sup> 3357/A-2010, 3357/I-2013

<sup>35</sup> 3357/M-2015

<sup>36</sup> 3357/W-2010

<sup>37</sup> 3357/W-2017

<sup>38</sup> 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.

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<sup>38</sup> 3357/DD-2017



## 7.6 HS Historical Significance Overlay District



### General Purpose

This district is intended to promote community awareness of actual or potential heritage and historically significant sites or buildings, and to provide a means whereby identified sites or buildings may be preserved with available and practical means from time to time. This district will provide that an identified site or building of potential historical significance shall not be demolished; or in the case of sites disturbed, until such time as an evaluation of the heritage or historical significance of the site or building has been carried out. The Bylaw encourages but does not require that any renovations undertaken be sympathetic to the historical integrity of the site.

It is not the intent of this Bylaw to set these properties up to later be designated as Municipal, Provincial, Registered, or Federal Heritage resources. In the event that any change of the properties listed within this bylaw to any other heritage designation were proposed, it is the intent that such a shift would occur only with the agreement of the owner. A change in designation would require an amendment to this Land Use Bylaw.

### 1. HS Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>
(i) Those uses listed as permitted in the underlying use district.
<b>(b) Discretionary Uses</b>
(i) The uses listed as discretionary in the underlying land use district, which in the opinion of the Development Authority, will maintain and achieve the general purpose of the District.

### 2. Historical Significance Overlay District Regulations

- (a) <sup>39</sup>All applications for development or demolition of sites listed in section 7.6 (3) (c) shall be forwarded to the Heritage Planner or planning department for comment.
  - (i) For developments, not involving demolition, the Heritage Planner or planning department will work with the land owner to encourage preservation of the character defining elements that contribute to the historical value of the site.

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<sup>39</sup> 3357/Q-2007

(ii) For developments involving demolition, the owner must give 45 days notice to The City of the proposed demolition. The City will cause an historical evaluation to be carried out by the Heritage Planner or planning department in consultation with relevant expertise. If the building or site is deemed of significant heritage value and a candidate for preservation, the Heritage Planner or planning department will work with the land owner during the 45 day period in an effort to preserve the building and/or site. The Heritage Planner or planning department will make appropriate recommendation to the Development Officer. If the owner and the Development Officer are unable to reach an agreement, once the 45 day notice period has expired, this bylaw will no longer prevent demolition of the building or disturbance of the site.

(b) The Development Officer may waive or reduce the 45 day review period, based upon advice received from the Heritage Planner or planning department, in the following circumstances:

- (i) if the building or site is deemed not of significant heritage value or not a suitable candidate for preservation; or
- (ii) in the case of an emergency situation requiring immediate demolition.

### Inventory of Historical Significant Resources

Property Number	Historical Site Designation Building	Street Address	Legal Description
HS - 1	A20 Army Camp Motor Pool Building and Cormack Gardens Currently Red Deer Armory	4402 - 55 <sup>th</sup> Street	Parcel C, Plan 837 H.W.
HS - 3	Bank Manager's Residence	4742 - 56 <sup>th</sup> Street	Lot 12, Block C, Plan K1
HS - 4	Bawtinhimer Garage	4925 - 48 Street	Lot 12 (part ) 13, Block 20, Plan K.
<sup>40</sup> HS - 5	DELETED		
HS - 6	Bower Barn Gothic Roof Barn Sunnybrook Farm	4701 - 30 <sup>th</sup> Street	Lot 3, Block 14 Plan 4436 TR.
HS - 7	Bower Residence	4701 - 30 <sup>th</sup> Street	Lot 3, Block 14 Plan 4436 TR.
HS - 8	Buffalo Hotel	5031 Ross Street	Lots 6-10, Block 10, Plan H

<sup>40</sup> 3357/E-2016

<b>Property Number</b>	<b>Historical Site Designation Building</b>	<b>Street Address</b>	<b>Legal Description</b>
HS - 9	Capitol Theatre	4924 Ross Street	Lot 8-9, Block 17, Plan H
HS - 10	Central Alberta Dairy Pool (CADP) Building Condensery	5410 Gaetz Ave	Lot 45, Block 12, Plan 972 0467
<sup>41</sup> HS-11	DELETED	DELETED	DELETED
HS - 12	Cole/G.W. Smith Residence	5142 - 44 <sup>th</sup> Street	Lot 15, Block 1, Plan 6077 HW
HS - 13	Dawe Residence	4124 - 52 <sup>nd</sup> Street	Lots 8 & 9, Block 12, Plan 3586AE
HS - 14	Drill Hall #1 (Red Deer Public School Maintenance Shop)	4230 - 58 Street	Lot D1, Plan 4154 R.S.
HS - 15	Drill Hall #2 (Red Deer Memorial Centre)	4214 - 58 <sup>th</sup> Street	Lot E, Plan 3962 H.W.
HS - 16	Eaton's Store (former)	4807 Gaetz Ave	Lots 3 - 8, Block 19, Plan H
HS - 17	Eilertson Sculpture (Victory Park)	4540 Ross Street	Part Lot X, Plan 4900
<sup>42</sup> HS - 18	DELETED		
HS - 19	Fallow Residence	12 Howarth St. Close	Lot 9A, Block E, Plan 4387 RS
HS - 20	Freytag Tannery Site	5616 Kerry Wood Drive	Block 11, Plan 3331 AJ
HS - 21	F.W. Galbraith Residence	5810 - 45 <sup>th</sup> Ave	Lot 1, Block 5, Plan 961 H.W.
HS - 22	Gaetz Manufacturing Building	4840 - 51 <sup>th</sup> Street	Lots 1 & 2, Block 29, Plan K
HS - 23	Gaetz Memorial United Church	4758 Ross Street	NW ¼, 16-38-27-4 and Lot 1, Block 37 Plan 6275 H.W.
<sup>43</sup> HS - 24			
HS - 25	Greene Block	5001 Ross Street	Lots 18 – 19, Block 10, Plan H

<sup>41</sup> 3357/A-2010

<sup>42</sup> 3357/E-2016

<sup>43</sup> 3357/M-2015

<b>Property Number</b>	<b>Historical Site Designation Building</b>	<b>Street Address</b>	<b>Legal Description</b>
HS - 26	Hallman Residence	4617 - 48 <sup>th</sup> Street	Lot 32-33, Block C, Plan K8 (excluding E 10' of Lot 32)
HS - 27	Hamilton Block	5211 Gaetz Ave	Lots 5 & 6, Block 15, Plan K
HS - 28	Heritage Square	4600 Block 47 <sup>th</sup> Avenue	Lot 1, Block C, Plan 842-2092
HS - 29	Huestis Residence	5201 - 47 <sup>th</sup> Ave	Lots 9-11, Block N Plan 6901 R
HS - 30	J. Weddell Residence	4532 Waskasoo Cres.	Lot 40, Block 2, Plan 872 2544
HS - 31	Johnstone Residence	5509 - 48A Ave	Lot B, Block A, Plan 1995 ET
HS - 32	La France Residence	4922 - 55 <sup>th</sup> Street	Lots 5 & 6, Block 2, Plan 7075 A.E.
HS - 33	MacKenzie/Ellis Residence	5343 - 46th Ave	Lot 10A, Block G, Plan 1500 R.S.
HS - 34	Maple Leaf Block	5020 Gaetz Ave	Lot 17, Block 11, Plan 795 HW
HS - 35	McGregor Parson's Residence	5140 - 43rd Avenue	Lot 12, Block 14, Plan 6393 MC
HS - 36	McLean Residence	4123 Ross Street	Lot 8, Block 3A, Plan 3288 K.S.
HS - 37	Meredith Residence	4 Howarth St. Close	Lot 10, Block E, Plan 5746 AH
HS - 38	Mitchell & Jewell Building	4812 Gaetz Ave	Lot 16, Block 9, Plan H
HS - 39	William Moore Residence	5555 - 45th Ave	Lot 8, Block A, Plan 955 M.C
<sup>44</sup> HS - 40	Deleted		
HS - 41	Nachtman Residence	4630 - 45th Street	Lot 9, Block E, Plan 3591 P
HS - 42	New Life Tabernacle Church (Pentecostal Church of the Nazarene)	4801 - 48th Street	Lots 21-22, Block 25, Plan K
HS - 43	The Old Mill/ Hayhoe Building	5028 Gaetz Ave	Lot 18, Block 11 Plan 795 HW
HS - 44	Payne Residence	4634 - 49th Street	Lots 5 - 8, Block A, Plan K-8
HS - 45	Pettepher Residence	5045 - 45th Ave	Lots 3 & 4, Block 1, Plan K9
HS - 46	Piper Creek/ Twilight Lodge	4820 - 33rd Street	Lot 2, Block 8 Plan 1621 NY
HS - 47	Pollock Residence	4629 - 46th Street	Lots 37-40, Block E, Plan 3591 P

<sup>44</sup> 3357/W-2010

<b>Property Number</b>	<b>Historical Site Designation Building</b>	<b>Street Address</b>	<b>Legal Description</b>
HS – 48	<sup>45</sup> 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	5938 - 45th Ave	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
<sup>46</sup> 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
		5517 - 49A Ave	Lots 10-11, Block 3, Plan 7075 AE

<sup>45</sup> 3357/DD-2017

<sup>46</sup> 3357/I-2013

<b>Property Number</b>	<b>Historical Site Designation Building</b>	<b>Street Address</b>	<b>Legal Description</b>
		5520 - 49A Ave	Lots 16 & 17, Block 2, Plan 002 3098
		5521 - 49A Ave	Lots 12-13, Block 3, Plan 7075 AE
		5526 - 49A Ave	Lots 13-15, Block 2, Plan 7075 AE
		5525 - 49 A Ave	Lot 19, Block 3 Plan 922 3300
		5527 - 49A Ave	Lot 20, Block 3, Plan 922 3300
HS – 67	A.C.R. Bridge Abutment	Taylor Drive	Lot R-1, Block 10 Plan 3231 TR
HS – 68	Ceremonial Trees Central School	5100 Block 47th Avenue	
HS – 69	Ceremonial Trees Coronation Park	4500 Block Ross Street	
HS – 70	Ceremonial Trees Cronquist House	Bower Ponds	
HS - 71	Ceremonial Trees Red Deer & District Museum	4525 - 47A Ave	
HS – 72	Ceremonial Trees Pioneers' Lodge	47th Avenue	
HS – 73	Chestnut Tree	45th Ave and 55th Street	Lot 22, Block G Plan 822-2078
HS – 74	City Hall Park	4800 Block 48th Avenue	Lot 1, Block 27, Plan 1339 R.S
HS – 75	'Crossing' School Site Marker	60th Ave and Cronquist Drive	SE 1/4, 18-38-27-4
<sup>47</sup> HS – 76	DELETED		
HS – 77	Gaetz Lakes Sanctuary		
HS – 78	Great West Lumber Co. Site	Bower Ponds	
HS – 79	Krause Hill, Trees	Ross Street Hill	Lot 3, Block 8A Plan 882-1939
HS – 80	Oak Tree	55th Street and 46th Ave	Lot 25, Block 1 Plan 1292 A.O.
HS – 81	Piper's Mountain	Rotary Park	Lot R3, Plan 4816 R.S.
HS – 82	Reinholt Quarries	Cronquist Business Park	SW 1/4 17-38-27-4 Lot R3, Plan 762-1616
HS – 83	Site of the ACR Silver Spike	Gaetz Ave and 35th Street	Lot 16, Block 1 Plan 8324 ET

<sup>47</sup> 3357/E-2016

<b>Property Number</b>	<b>Historical Site Designation Building</b>	<b>Street Address</b>	<b>Legal Description</b>
HS – 84	Snell Residence Site	4915 - 48th Ave	Lot 14, Block 38 Plan 832 0062
HS – 85	Stone Wall, Everglades Apartments	4319 - 51st Ave	Lot 15B, Block 6, Plan 862 2144
HS – 86	Towers at Checkmate Court	4902 - 37th Street	Plan 902 1647
HS – 87	Willow Tree	4700 - 55th Street	Lots 5 - 7, Block B, Plan K1 Lots 21, Block B, Plan 902 1952
HS – 88	Wishart Cabin Site	Gaetz Lake Sanctuary	
HS – 89	Farthing Block	4930 Ross Street	Lot 7, Block 17, Plan H
HS – 90	Park Hotel (Park Place)	4918 - 4920 Ross Street	Lots 10 – 15, Block 17, Plan H
HS – 91	Golden Circle	4620 – 47 Avenue	Lot 1, Block C Plan 842 2029
HS – 92	Fabretti Residence	5001 – 43 Avenue	Lot 10, Block 6, Plan 758KS
<sup>48</sup> HS-93	Manning Residence	4641 – 49 Street	Lots 45-46, Block B, Plan KB

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<sup>48</sup> 3357/A-2007

## **7.7 Mature Neighborhood Parkvale Overlay District**

### **General Purpose**

The purpose of this District is to ensure that new and infill low density residential development in the Parkvale Neighbourhood is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape and ensures privacy and sun penetration on adjacent properties. This District provides a means to regulate unique design attributes of the mature Parkvale neighbourhood in a manner which cannot be satisfactorily addressed through conventional land use zoning.

This District is comprised of additional development regulations for the Parkvale neighbourhood, which add to the regulations of the underlying use districts.

### **1. Permitted and Discretionary Uses**

Those uses listed as permitted and discretionary in the underlying use districts.

### **2. Application**

- (a)** The regulations in this District apply to the construction of any new principle or accessory building and to any major structural renovation, alteration, addition and/or reconstruction of an existing building on lands located in the low density residential areas of Parkvale, the boundaries of which are shown for illustrative purposes in Part 7, Figure 15.
  
- (b)** An application for development approval shall include a site plan which shows:
  - (i)** existing and proposed grades;
  - (ii)** existing and proposed landscaping and buildings;
  - (iii)** proposed building demolition, if any;
  - (iv)** the height of main floor above grade;
  - (v)** the location of proposed fences;
  - (vi)** the location of existing side yard windows in any adjacent building; and
  - (vii)** the location of all underground/overhead utility services and their connection points to any building.
  
- (c)** Where the building regulations of the underlying use district are in conflict with the development regulations of this District, then the development regulations of



this District shall govern, and the building regulations of the underlying District shall be deemed to be repealed to the extent of the inconsistency.

- (d) Where a proposed development does not comply with the development regulations of this District, the Development Authority shall:
- (i) contact the Parkvale Community Association and each owner of property located within a distance of 100 m of the site of the proposed development (the “affected parties”);
  - (ii) describe to the affected parties 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; and
  - (iii) <sup>49</sup>for their consideration, document all comments provided by the affected parties with respect to the proposed development and modifications, if any, made by the applicant to the proposed development to address the concerns of the affected parties.

### **3. Development Regulations for Residential Buildings**

- (a) Maximum building width for all residential structures: 12.2 m
- (b) Minimum side yard: 1.5 m
- (c) Minimum frontage (lot width) for detached dwellings: 11.43 m
- (d) Minimum front yard setback shall be equal to the setback of the existing building or, where the existing building is to be replaced or there is no existing building, the average setback of the existing residential buildings on the block.
- (e) The main entrance shall be located on the front elevation of the building, facing the street.
- (f) On corner properties, the front building elevation and main entrance shall be located in the same direction as the residences on the remainder of the block.
- (g) On corner lots, the two elevations facing the street shall have consistent and complimentary design elements, in terms of building materials, colour and architectural details.
- (h) <sup>50</sup>Maximum side yard vertical building height shall fit within a building envelope that measures 5.5 m in height along each side property boundary, then angles inward and up at a 45 degree angle until it intersects with the maximum permitted total building height.

- (i) The main floor shall not be located higher than 1.2 m above grade of the front public sidewalk, unless basement heights for the site are restricted by the depth of a shallow sanitary sewer service.
- (j) Large flat wall surfaces on building elevations facing a street or lane, including roof gable ends, shall not have any single horizontal or vertical wall lengths greater than 8.0 m unless it is broken up by the use of such design features as porches, projections, terracing, recesses, jogs, gables or windows.
- (k) Side windows and/or balconies shall not be located directly facing similar facilities in adjoining residential buildings, in order to maintain privacy between neighbours.
- (l) Use of vibrant (strong, bright, bold) colours and building textures shall be permitted.
- (m) On lands where semi-detached housing is permitted, the front building elevation shall contain separate non-symmetrical architectural design elements (i.e. different roof lines, different window/door configurations and locations) for each unit.
- (n) No overhead power/telephone/cable services or utility meters shall be connected to, or located on, the front elevation of any building.
- (o) <sup>51</sup>Front driveways or front drive attached garages shall not be permitted on parcels with a lane at the rear of the property, except in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein front driveways in conjunction with single wide attached garages may be allowed subject to the following standards:
  - (i) Attached garages may not protrude beyond the front wall of the house;
  - (ii) Attached garages may be designed to accommodate two vehicles in tandem;
  - (iii) Garages must not be wider than 4.9 metres (16.1 ft.), excluding eaves;
  - (iv) Front driveways must not be wider than 4.3 metres (14.1 ft. +/-);
  - (v) Front driveways are not permitted without a single wide attached garage; and
  - (vi) The appearance, architectural features, and finish materials must be acceptable to the Development Authority.
- (p) Front driveways or front drive attached/detached garages may only be permitted on laneless parcels provided that the garage shall not protrude forward beyond the front building face of the principal building including porches and verandas.

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<sup>51</sup> 3357/OO-2009

- (q) On laneless corner lots, driveways or an attached/detached garage with driveway will be permitted from the side street but the garage shall not protrude forward beyond the side wall of the principal building.
- (r) Driveways from any front or side street shall be hard surfaced (i.e. concrete, asphalt, paving stones).
- (s) No trees(s) located in a City boulevard shall be removed to accommodate any front or side driveway or front or side drive garage access.

#### **4. Development Regulations for Accessory Buildings**

- (a) The elevations of accessory buildings which face a street or lane, including roof gable ends, shall not have any single horizontal or vertical wall lengths greater than 8.0 m unless it is broken up by use of such design features as projections, recesses, jogs, gables or windows.
- (b) Maximum building width: 12.2 m.
- (c) Accessory buildings shall be designed to complement the principal building by utilizing consistent design elements, in terms of building materials, colour and architectural details.
- (d) On parcels having a lane, including corner parcels, vehicle access to any accessory building shall be only from the lane; front drive detached garages shall not be permitted.

#### **5. Regulations for Vegetation and Landscaping**

- (a) Where mature vegetation needs to be removed to facilitate new development or, where no mature vegetation exists in a front yard, new landscaping material shall be added consisting of not less than the following standards:
  - (i) deciduous trees – minimum calliper 65 millimetres (measured 450 millimetres from ground level);
  - (ii) coniferous trees – minimum height 2.5 m;
  - (iii) deciduous shrubs – minimum 0.6 m height; and
  - (iv) coniferous shrubs – minimum 0.4 m height or spread.
  - (v) landscaping in a front yard shall consist of at least one tree and one shrub.

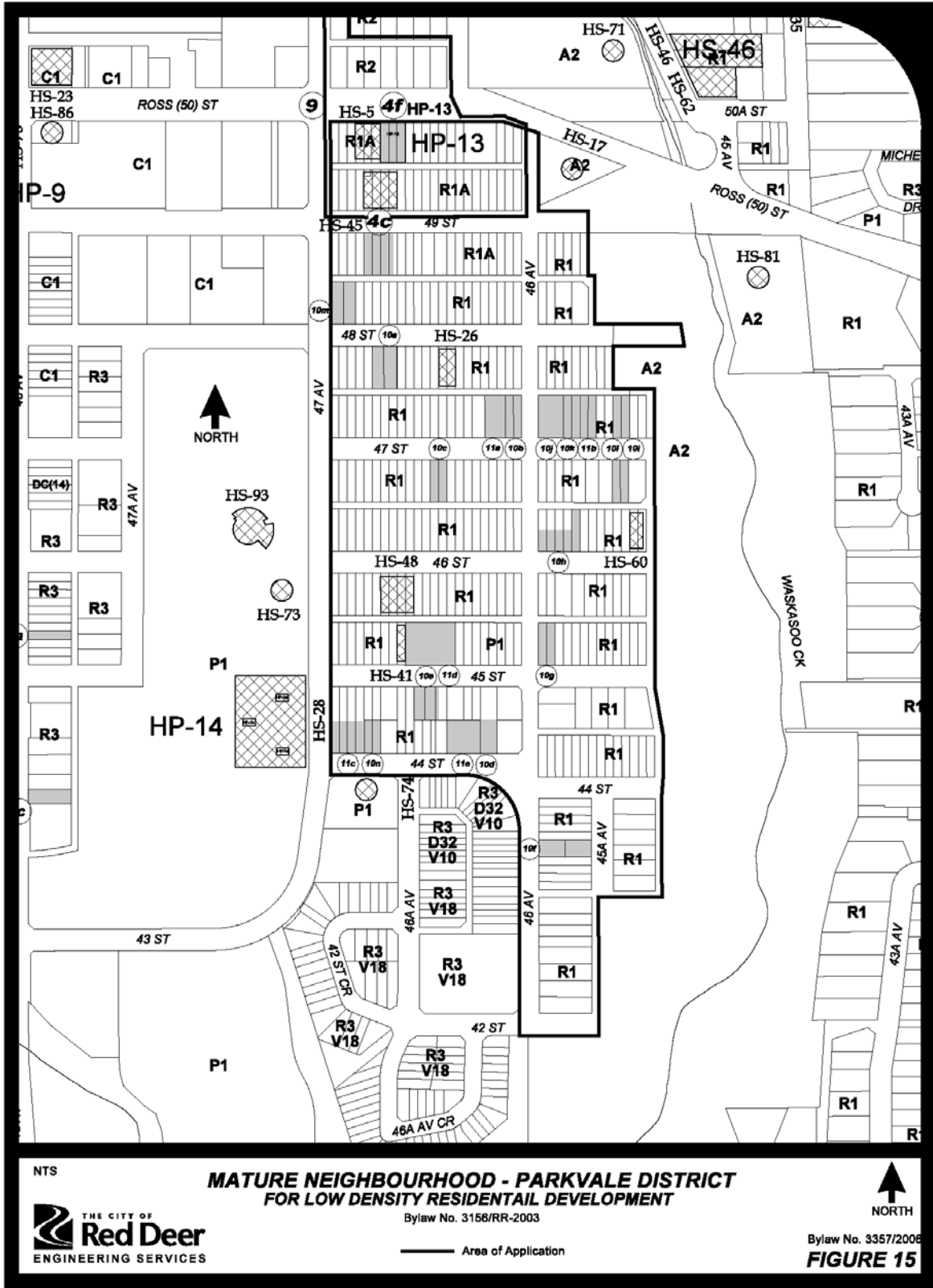


Figure 15-Mature Neighbourhood - Parkvale District

## **7.8 Vertical Height Overlay District**

### **General Purpose**

The general purpose of this sub-district is to establish the maximum permitted height on any site in any use district.

#### **1. Method of Application**

- (a) If a site does not possess a V designation, the maximum permitted height shall be determined by the regulation of the applicable use district.
- (b) In a district with a V designation, the maximum permitted height of a building, expressed in metres, is determined by the number following the letter “V” on the use district map.

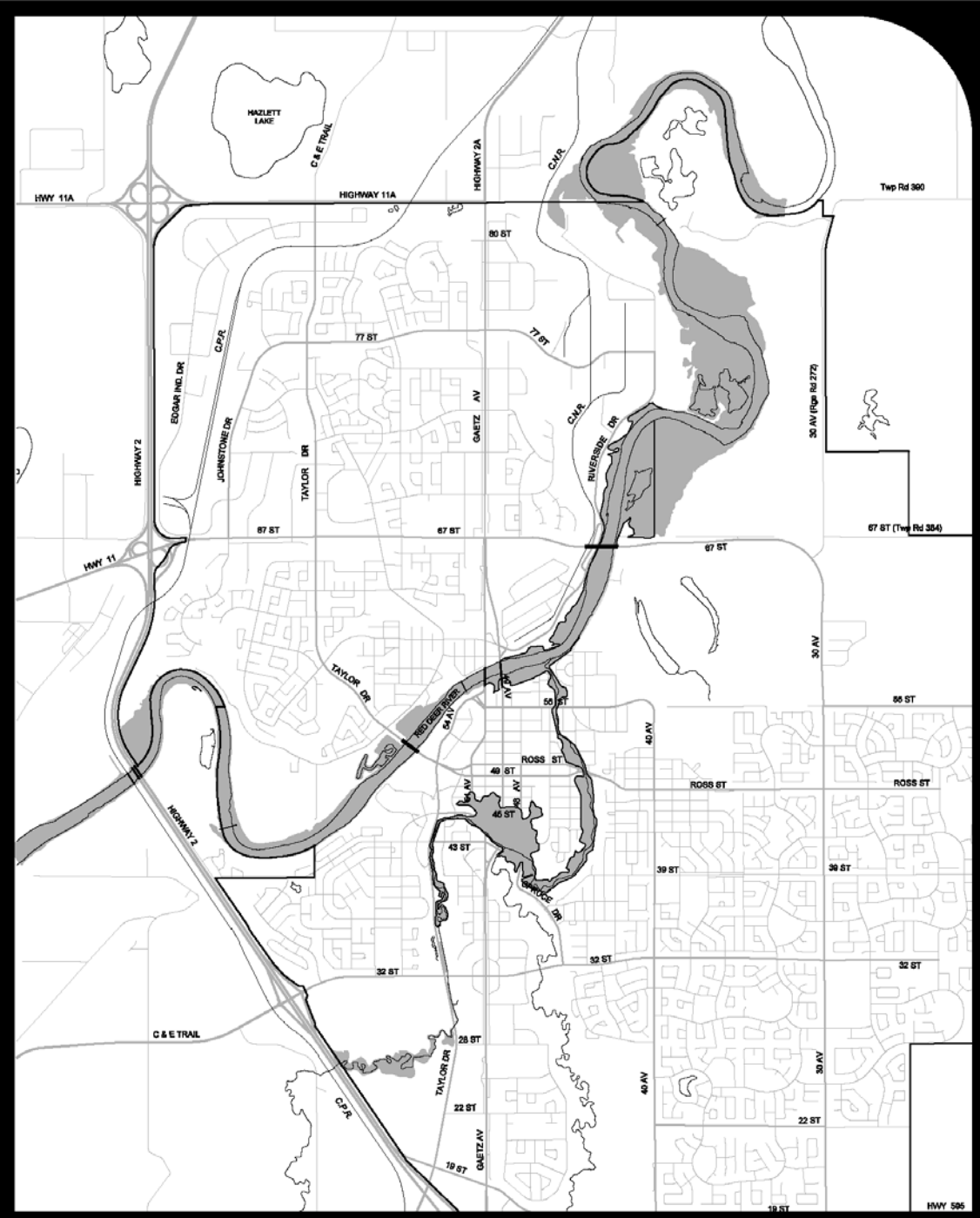
The following example is for illustrative purposes:

R 3.V18 means R 3 uses are permitted and the building shall not exceed a height of 18.0 m above grade.

## **7.9 Flood Plain Overlay Provisions**

### **1. Flood Risk Overlays**

- (a) Figure 16 shown for illustrative purposes, shall apply to any site included in flood fringe and floodway areas identified therein.
- (b) The general purpose of these provisions is to provide for the safe and efficient use of lands within the defined floodway and flood fringe of the Waskasoo Creek and a portion of the Red Deer River by way of prohibiting the construction of new buildings or structures in the floodway and allowing development and redevelopment of buildings or structures in the flood fringe, only if these facilities are satisfactorily flood proofed.



NTS



### FLOOD PLAINS

Bylaw No. 2672/K-94

- Flood Plain Area Bylaw No. 2672/K-94
- Flood Plain Area Bylaw No. 3156/0-2004

BASED ON INFORMATION PROVIDED BY:  
CANADA-ALBERTA FLOOD DAMAGE REDUCTION PROGRAM



Bylaw No. 3357/2008

**FIGURE 16**

## **Figure 16-Flood Plains**

Note: This figure is shown for illustrative purposes.

### **2. Floodway Uses**

- (a) The only uses permitted in the floodway are private open space, environmental reserve, natural areas, parks, bridge support structures and related roadways.

### **3. Flood Fringe Uses**

- (a) In the flood fringe area, the permitted and discretionary uses listed in the district in which the site is located shall continue to apply. Where the provisions of the flood risk overlay appear to be in conflict with the regulations of such district, the provisions of the overlay shall take precedence and be applied in addition to the regulations of the district.
- (b) Industrial, commercial, institutional, or residential development will not be permitted in the flood fringe unless the area is flood proofed by filling to a level equivalent to the 1:100 year flood level plus 0.3 m.
- (c) Notwithstanding the foregoing, low risk activities such as temporary outside storage or parks use, may be permitted in the flood fringe at the discretion of the Development Authority, having considered comments from both the Director of Development Services and Planning Department.

### **4. Regulations**

- (a) No new buildings will be allowed in the floodway.
- (b) Before a development permit is issued for the construction of any development within the flood fringe, the Development Authority may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been incorporated in the building and lot:
  - (i) Canadian Mortgage and Housing Corporation guidelines for building in flood susceptible areas,
  - (ii) the flood proofing of habitable rooms, electrical panels and heating units, and openable windows,



**(iii)** basement drainage and site drainage, and

**(iv)** information on grade elevation in relation to the 1:100 year flood elevation.

**(c)** Except as provided in subsections (d) and (e), the Development Authority shall not issue a development permit until it is satisfied that adequate flood proofing exists.

**(d)** The Development Authority shall permit minor renovations and repairs to an existing building, whether structural or not, in the flood fringe without requiring the flood proofing of a building.

**(e)** The Development Authority may allow additions to an existing building in the flood fringe without requiring the flood proofing of the existing building(s).

## **7.10 Density Overlay District**

### **General Purpose**

The general purpose of this District is to establish the maximum number of dwelling units permitted on a residential site designated by this District.

### **1. Method of Application**

- (a) The maximum number of dwelling units permitted per hectare in a Density District is indicated by the number following the letter “D” on the site in a district map. The following is an example for illustration purposes only:
  - (i) R3.D40 means R3 uses are permitted to a maximum of 40 dwelling units per hectare.
- (b) In a Density District the maximum number of dwelling units which may be developed on a site is determined as follows:
  - (i) Site area expressed in hectares x density restriction as per the district map (e.g. D40) = Maximum number of dwelling units allowed on that site.
- (c) If no density designation is established for a site, the maximum permitted density of development shall be determined by the regulations in the applicable land use district.

## 7.11 <sup>52</sup>Riverside Meadows and West Park Overlay District

### General Purpose

<sup>53</sup>The purpose of these Districts is to ensure that redevelopment in these Districts will be designed to satisfy objectives outlined in the *Riverside Meadows and West Park Area Redevelopment Plan* which describes a compatible blend of residential and commercial development of varying sizes, styles and types appealing to a variety of demographic groups as if it were a village in a city. These Districts are comprised of regulations that provide a means to regulate design attributes which cannot be satisfactorily addressed through conventional land use zoning. Nothing in this section restricts the scope of the discretion of the Development Authority as set out in Part Two of this Bylaw.

- (a) “Shall” statements mean those which must be followed;
- (b) “Should” statements mean compliance with the principle is required but may be varied based on the circumstances of the specific case.
- (c) “May” statements mean that the Development Authority determines the level of compliance.

### 1. Permitted and Discretionary Uses

Those uses listed as permitted and discretionary in the existing underlying land use districts.

### 2. Application

- (a) <sup>54</sup> The regulations in this District apply to permit applications that change the site plan or exterior of any existing building and for the development of new buildings on lands located in the:
  - (i) Riverside Meadows Overlay District (shown on the Land Use Constraint Maps K15, K16, K17, L16); and the
  - (ii) West Park Overlay District (shown on the Land Use Constraint Maps K12, K13, K14, L12, L13, L12)

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<sup>52</sup> 3357/H-2013

<sup>53</sup> 3357/Q-2015

<sup>54</sup> 3357/U-2009, 3357/H-2013

<sup>55</sup>(b) In addition to the requirements of Section 2.4 (4), an application for development approval shall include a site plan which shows:

- (i) existing and proposed grades;
- (ii) existing and proposed landscaping;
- (iii) proposed building demolition, if any;
- (iv) the height of main floor above grade;
- (v) the location of proposed fences;
- (vi) the location of all underground/overhead utility services and their connection points to any building; and
- (vii) a sketch or photograph showing façade design and location of existing or proposed adjacent buildings.

(c) Where the building regulations of the existing underlying use district are in conflict with the development regulations of this District, then the development regulations of this District shall govern.

(d) Where a proposed development does not comply with the development regulations of this District, the applicant shall:

- (i) Contact the Community Association and each owner of property located within a distance of 30 metres of the site of the proposed development (the “affected parties”);
- (ii) Describe to the affected parties 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 comments of the affected parties with respect to the proposed development;
- (iv) Describe any proposed modifications to the development made by the applicant to address the concerns of the affected parties, if any; and

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<sup>55</sup> 3357/Q-2015

- (v) Submit as part of the Development Application, documents showing the foregoing requirements have been complied with.
- (vi) Where a proposed development is to be forwarded to the Municipal Planning Commission for a decision, the Development Officer shall notify the affected parties of the time and date at which the application will be considered

### **3. <sup>56</sup>Regulations for All Redevelopment**

- (a) Building elevations fronting a street or park shall not have any single wall length greater than 5 metres unless it contains distinct architectural elements such as projections, balconies, surface changes, and/or articulation.
- (b) Windows and balconies shall be placed to allow overlook of streets, lanes, sidewalks, pedestrian passages, parking areas and public open spaces.
- (c) Entrances shall be clearly identified, visible and accessible from the principal frontage streets.
- (d) Areas between a building edge and public sidewalk shall be developed in a manner that provides a visual amenity to the pedestrian environment.
- (e) More than one type of high quality and innovative building material, such as, but not limited to, brick, stone, concrete, hardy board and cement stucco shall be used in a variety of combinations for ornamentation and articulation.
- (f) Architectural elements such as gables projections, recesses, balconies, verandahs, porches, steps, canopies, terracing, bay windows, window and door trim shall be incorporated into elevations fronting a street to minimize repetition, perception of mass and height and to break up large flat surfaces, including roof faces.
- (g) Street frontage elevations of buildings located on corner lots shall have equal quality architectural treatment.
- (h) All street facing elevations shall be parallel to the street except in the case of parcels with street frontage on three sides, only two elevations shall be parallel.

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<sup>56</sup> 3357/U-2009, 3357/H-2013

- (i) Fencing along the street fronts of vacant sites, construction sites, and around garbage compounds shall be constructed of weather proof materials or finishes (no plywood) and should be coordinated with the look and finish of adjoining development.
- (j) Ground-oriented pedestrian scale lighting shall identify pedestrian routes and site entrances to parking lots and buildings.
- (k) Open spaces shall incorporate landscaping and plant material to soften the harder elements such as concrete. Buildings, including additions, shall be designed to provide for useable outdoor spaces.
- (l) Development shall minimize disruption to existing topography and vegetation.
- (m) The street facing elevations multi-attached residential, multi-family residential and commercial buildings shall contain a critical height line or projecting horizontal element at a height between 3.6 metres and 4.25 metres.
- (n) Pedestrian spaces, linkages to parking lots and streets, pocket parks, courtyards, area sidewalks, walkways, and trail networks shall be incorporated in all developments.
- (o) Elements which are utilitarian in nature such as air conditioning units, electrical equipment, service areas, waste receptacles and the like shall be screened from the public view.
- (p) In addition to the parking regulation provisions of Section 3.1 and 3.2 the following shall apply to all redevelopment:
  - (i) Large multi-family or commercial developments should have underground parking and minimize above grade parking.
  - (ii) Parking access shall be from the lane for commercial and multifamily developments. Where no lane exists, street access to the rear of the building or parking lot may be permitted if it does not interfere with boulevard trees or other streetscaping. The number of vehicular site entrances should be held to a single driveway per block and parking lots shall be organized into clusters. Entrances may be shared with other properties.
  - (iii) Landscaped areas shall be incorporated into parking lots. A raised landscaped area shall define the edge of the parking lot along a sidewalk.

- (iv) All off street surface parking lots shall be paved.
- (v) Fulfilling the principles of CPTED, parking lots shall be visually enhanced and incorporate elements to define sidewalk edge, promote user safety and clear pedestrian connections to sidewalk and/or building entrances.

#### **4. <sup>57</sup>All Residential Redevelopment**

- (a) Architectural design elements such as gables, projections, recesses, balconies, verandahs, porches, steps, canopies, terracing, bay windows, window and door trim shall be incorporated into elevations fronting a street, park or trail to minimize repetition, perception of mass and height and to break up large flat surfaces, including roof faces.
- (b) Each main floor dwelling unit, including multi-attached and multifamily residential, fronting a street or park shall have a private front yard and individual front entry access from the sidewalk or trail.
- (c) The main floor shall not be situated higher than 1.2 metres above the grade of the front sidewalk.
- (d) Vertical walls, railings, hedges, gateways or decorative fences in the front yard shall not exceed .9 metres in height and be of an open design that does not impede sight lines.
- (e) The ground floor of residential buildings shall be set back a minimum of 4 metres from the property line.
- (f) Front drive garages and front onsite parking is not permitted on sites fronting Kerry Wood Drive, 54th Avenue and sites in Direct Control District 13 (DC 13). Onsite parking shall be located in the rear of lot and garages shall be rear attached or detached with access off the lane.
- (g) The front yard setback areas of residential buildings shall contain enhanced landscaped areas with trees and a variety of plantings.
- (h) The maximum building width shall be 15 metres for a single family home.
- (i) The front yard setback shall be consistent with the setback of all existing buildings on the same block as the proposed development. On corner properties, the front yard shall contain the main entrance and be determined as the same as the front yards on the remainder of the block.

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<sup>57</sup> 3357/U-2009, 3357/H-2013

- (j) There shall be no more than 6 units in one building block of multi-attached residential.
- (k) The use of vibrant colours and textures shall be used in combination to distinguish elements of the façade and visually separate multi-attached and semi-detached residential units.
- (l) Multi-attached residential with more than four units shall have an enclosed garbage area.
- (m) Side windows and balconies shall respect privacy of neighbours by minimizing direct views into existing neighbouring windows and yards.
- (n) Semi-detached residential façade design shall either:

  - (i) Treat each unit with distinction to give the appearance of two separate units. Or
  - (ii) Utilize a common roof line and front façade design elements to create the appearance of a single detached dwelling
- (o) Overhead utility service shall be buried and connected to the side or rear of the principal building. No metres shall be allowed on the front of the building.
- (p) Garages shall be no more than 35% of the total lot frontage. Garages shall not protrude beyond the front building façade, including porches and verandahs, of the principal building.
- (q) Garages and accessory buildings with elevations facing streets or parks shall complement the principle building and have design features including projections, recesses, variations and gables to minimize the perception of mass and height and to break up large flat surfaces, including roof faces.
- (r) Mature trees shall be preserved to the greatest extent possible. Where mature vegetation or landscaping material has been removed with redevelopment, new landscaping materials shall be added to the site.
- (s) For developments in West Park, any healthy, mature tree that is required to be removed to allow for a development shall be replaced at a minimum ratio of 1:1 (new tree : existing tree). Where no mature trees exist in the front yard, a new tree for every 7.62 m (25 ft.) of street frontage shall be planted within the front yard setback. New deciduous trees shall have a minimum caliper size of 50mm.



Ornamental trees shall be an exception and shall have a minimum caliper size of 35 mm. Coniferous trees shall have a minimum height of 1.8 m.

- (t) For West Park, an application for a new dwelling unit(s) shall be accompanied by at least one green initiative including but not limited to:
  - (i) Wiring each unit so that they are solar ready should a subsequent owner be interested in installing solar panels
  - (ii) Providing a landscape plan that consists of drought resistant native species
  - (iii) Using permeable pavers for parking areas
  - (iv) Any other initiative subject to the approval of the Development Authority.

## **5. <sup>58</sup>Regulations for Commercial Redevelopment**

- (a) All regulations listed in section 7.11 (3) also apply to commercial redevelopment.
- (b) Building elevations facing a street, including both elevations on corner sites, shall be built to the property line unless a setback provides an amenity to the pedestrian environment under Section 7.11 (3) (d).
- (c) Side yard setbacks shall be zero unless the parcel abuts a residential parcel, in which case there shall be a minimum 1.5 metre side yard. Rear yard setback shall be no less than 1.5 metres.
- (d) The minimum ground floor to ceiling height for commercial uses shall be 3.6 metres.
- (e) The ground floor portion of any street facing elevation shall contain a minimum of 50% transparent windows.
- (f) Where a lane exists, access to on-site parking and for loading and delivery zones shall be provided from the lane.
- (g) As a minimum, overhangs and canopies shall be provided at each building entrance and should be located along the full elevation. The design of the overhangs and canopies shall be compatible with the building's architecture and shall not affect the safety of the sidewalk.
- (h) Lighting shall be used to complement and draw attention to window displays, signs, store information, and architectural elements on the entire facade.

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<sup>58</sup> 3357/U-2009, 3357/H-2013

- (i) Service bays, utility entrances and storage yards shall be located to the side or rear of the building and shall be screened from view.
- (j) Street elevations shall replicate the historic pattern of store front modules of 7.5 metres to 10 metres wide, each containing varied design elements such as entrances, windows, canopies, projections, roof lines and signage.
- (k) Subject to review by administration, front angle parking shall be permitted on private property along local roads and streets where traffic volumes are less than 3,000 vehicles per day. Angle parking design shall incorporate landscaped boulevards and sidewalks between the vehicle and building elevation to ensure a continuous pedestrian path.
- (l) Sites located along Gaetz Avenue shall have the following exceptions:
  - (i) New buildings or major additions shall be set back as listed in Section 5.6 (2) (a).
  - (ii) Parking should be in the rear or side yard. Front parking areas may be considered if an enhanced landscaped buffer of 1.5 metres is provided adjacent to Gaetz Avenue.
- (m) In West Park, an application for a new commercial development shall be accompanied by at least one green initiative including but not limited to:
  - (i) Wiring each unit so that they are solar ready should a subsequent owner be interested in installing solar panels
  - (ii) Providing a landscape plan that consists of drought resistant native species (naturescaping)
  - (iii) Using permeable pavers for parking areas
  - (iv) Any other initiative subject to the approval of the Development Authority.

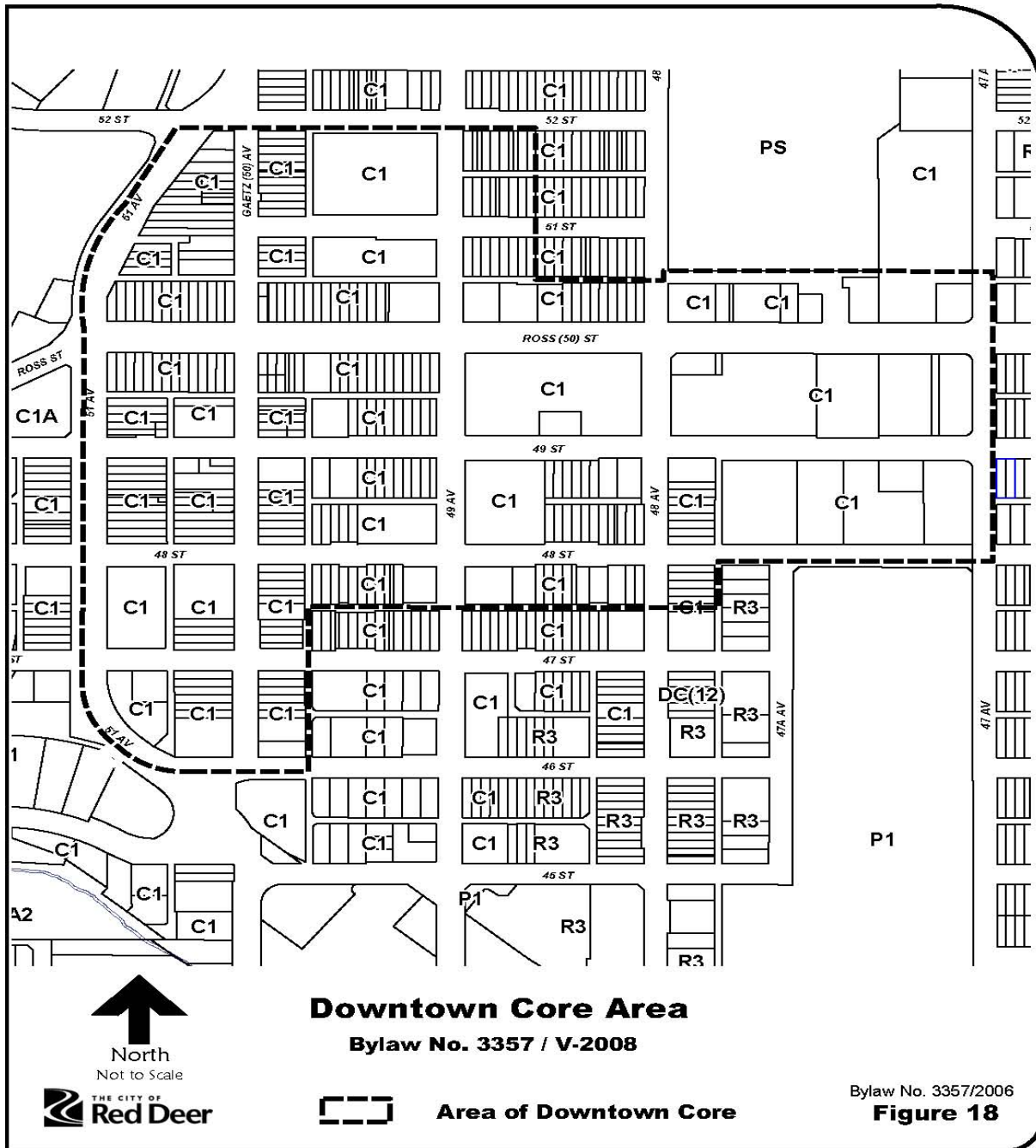


Figure 18 – Downtown Core Area

## 7.12 <sup>59</sup>Public Service Residential (See Map N17)

**PSR**

### General Purpose

The purpose of this District is to provide for the development of a cultural centre and/or residential uses on Lot 4, Block 8, Plan 892 2959 in a manner that is compatible with adjacent uses and natural areas. In this district “cultural centre” means a facility that provides for a variety of cultural and artistic programs and activities and social gatherings.

### 1. PSR Permitted and Discretionary Use Table

<b>(a) Permitted Uses</b>
<ul style="list-style-type: none"> <li>(i) <sup>60</sup>Building Sign</li> <li>(ii) No more than forty (40) dwelling units in total comprised of one or more of the following:               <ul style="list-style-type: none"> <li>(1) Multi-attached residential building,</li> <li>(2) Multiple family residential building, and</li> <li>(3) <sup>61</sup>Dwelling units within the building containing the Cultural Centre.</li> </ul> </li> <li>(iii) Cultural Centre.</li> <li>(iv) Daycare facility, ancillary to an on-site use (i) and/or (ii) above.</li> <li>(v) <sup>62</sup>Freestanding Sign.</li> <li>(vi) Offices ancillary to an on-site use (i) and/or (ii) above.</li> <li>(vii) Temporary building.</li> <li>(viii) Accessory buildings.</li> <li>(ix) Home occupations that in the opinion of the Development Officer will not generate traffic subject to section 4.7(8).</li> <li>(x) <sup>63</sup>DELETED</li> </ul>
<b>(b) Discretionary Uses</b>
<ul style="list-style-type: none"> <li>(i) Accessory uses.</li> <li>(ii) Home occupations that will generate additional traffic subject to section 4.7(8).</li> <li>(iii) Offices for community oriented groups.</li> <li>(iv) Parks, picnic areas or open space facilities for use by the general public, playgrounds or tot lots.</li> <li>(v) Utilities.</li> </ul>

<sup>59</sup> 3357/M-2013

<sup>60</sup> 3357/B-2018

<sup>61</sup> 3357/A-2017

<sup>62</sup> 3357/B-2018

<sup>63</sup> 3357/B-2018

## 2. PSR Permitted Regulations

Regulations	Requirements
Lot Area Minimum	1.4 hectares <sup>64</sup>
Building Footprint Maximum for Cultural Centre	930m <sup>2</sup>
Building Height Maximum for Cultural Centre	Maximum 4 storeys
Front Yard Minimum	4.0 m
Side Yard Minimum	1.5 m or as required by the Alberta Building Code, whichever is greater
Rear Yard Minimum	1.5 m or as required by the Alberta Building Code, whichever is greater
Landscaped Area	Subject to section 3.6
Parking Spaces: <ul style="list-style-type: none"> <li>• Residential:</li> <li>• Other Uses:</li> </ul>	<ul style="list-style-type: none"> <li>• 1 stall per dwelling unit subject to section 3.2</li> <li>• Subject to sections 3.1 and 3.2</li> </ul>
Loading	One loading space per subject to section 3.7(7)

## 3. Site Development

- (a) Within the PSR – Public Service Residential District the site plan, the relationship between buildings, the provision and the architecture of landscaped open space, and the parking layout, shall be subject to approval by the Development Authority.
- (b) Subject to subsection (2) above, the development of Multi-attached and Multiple family buildings will be regulated by the R3 Residential development regulations.
- (c) All useable floor area shall be a minimum of 0.6 metres above the 1:100 flood elevation.

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<sup>64</sup> Correction #32

## **7.13      65Eco Industrial Park Overlay District**

### **General Purpose**

The purpose of this Overlay is to provide a regulatory framework for the implementation of the eco-industrial vision outlined in Bylaw No. 3398-2007, the West QE2 Major Area Structure Plan. The goal of this Overlay is to guide industrial development with the result being the development of an eco-industrial park in which businesses cooperate with one another and the local community in an attempt to reduce waste, efficiently share resources (such as information, materials, water, energy, infrastructure and natural resources), and produce sustainable development, with the intention of increasing economic gains and improving environmental quality. This Overlay contains regulations that provide a means to achieve the objective of an eco-industrial park, something that would not be achievable given the existing conventional industrial districts and regulations in this Bylaw.

### **1. Application**

This Overlay applies to the I1 – Industrial (Business Service) District areas shown on the Land Use Constraints Maps F20, F21, G19, G21, and the construction of any principle or accessory building on those lands.

The Development Authority may require that structural renovations, alterations, additions or reconstructions of buildings, which exist as of the date this Overlay comes into effect for a site, be completed in accordance with this Overlay.

### **2. Permitted and Discretionary Uses**

Those uses listed as permitted and discretionary in the existing underlying land use districts.

### **3. Applications for Development**

In addition to the requirements of Section 2.4 of this Bylaw, every application for a development permit for development on a site subject to this Overlay shall be accompanied by the following information specifically related to eco-industrial development:

1. In-house Recycling and Composting Letter;
2. Green Building Material List; and

The format for any additional information required as part of the application shall be prescribed by the Development Authority.

If in the opinion of the Development Authority, acting reasonably, the information provided by the applicant is not sufficient to allow the Development Authority to evaluate and make a decision on the development permit application, the Development Authority may request further and more detailed information from the applicant.

#### **4. Development Authority Variance Powers**

In this Overlay:

- a. The Development Authority may vary any regulation in this Overlay if, in the opinion of the Development Authority, the variance is reasonably necessary to achieve the purpose of this Overlay.

#### **5. Regulations**

- a. In the event of a conflict between a regulation in this Overlay and any other regulation in this Bylaw, including those regulations set out in the underlying district, the regulation in this Overlay shall apply.
- b. Each building on a site shall incorporate at least three different Green Building Materials. The Green Building Materials shall be identified on the Green Building Materials List that makes up part of the application for a development permit.
- c. Each business shall establish an in-house recycling and/or composting program for organic and material wastes.
- d. Building and Site Design
  - i. Front yard minimum shall be 9m.
  - ii. Sidewalks shall be provided along each side of a building that abuts a parking area.
  - iii. If the site abuts a public sidewalk or transit stop, a direct sidewalk connection shall be provided from the main entrance of a principle building on the site to the abutting public sidewalk or transit stop.
  - iv. Buildings shall be designed to take advantage of passive solar heating, natural lighting, passive ventilation, and shading for cooling.
  - v. Windows shall be located and oriented to provide building occupants with views to significant natural and/or landscaped areas.

- vi. A designated area for onsite recycling and/or composting of materials shall be identified on the site plan and landscape plan.

e. Parking and Loading Areas

- i. 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 set out 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.
- ii. One parking space shall be designated for a small, alternative, carpool or electric vehicle. This is not in addition to the number of on-site parking spaces set out in Sections 3.1 and 3.2 of this Bylaw. This space shall be located in a preferential location and shall be signed appropriately. The design and location of the signage of this parking space shall be satisfactory to the Development Authority.
- iii. In shipping and receiving areas the owner or occupant of land shall erect at least one sign per loading dock that indicates the area of the loading dock is an “Idle Free” zone. The design and location of this signage shall be satisfactory to the Development Authority.

f. Landscaping

- i. Landscaping shall be completed using those species of plants, trees or shrubs that are suitable for Xeriscaping, Naturescaping, stormwater management, and/or rear yard screening.
- ii. Landscaping shall consist of a combination of flowers, grasses, mulch, trees, and/or shrubs.
- iii. A minimum of 15% of all Landscaped Area shall consist of Naturescaping or Xeriscaping.
- iv. Landscaping shall be designed to provide shading, climate protection and windbreaks to the principle building on the site.
- v. Access to the site shall be framed with landscaping islands.
- vi. If the building abuts a parking area, a 1m wide landscaping strip shall be provided immediately adjacent to and along the length of the building abutting the parking area in order to separate the building from the parking area or sidewalk that abuts the parking area.
- vii. A 1m wide landscaping strip, in addition to the landscaping strips provided pursuant to s.5(e) of this Overlay, shall be provided immediately adjacent to and along another side of the building. This landscaping strip will preferably be provided on the side of the building that is visible from



a public roadway or be located to provide shading and climate protection for the building.

- viii. A 1m wide landscaping strip shall be provided along the entirety of the front yard of the site if the front yard of the site abuts a road. The landscaping strip will provide separation and soften the appearance of the front yard of the site.
- ix. If the rear yard of the site is visible from a road or highway, a 1.5m wide landscaping strip, incorporating trees and shrubs, shall be provided to screen the view of the rear yard from the road or highway. Rear yard screening may be supplemented by fencing.
- x. The area of a Green Roof may be included by the Development Authority in determining if required landscaping requirements are satisfied.
- xi. Irrigation systems installed at the time of the development of the site shall be high efficiency drip systems.

## 7.14 <sup>66</sup>Mature Neighbourhood Overlay District

### 1. General Purpose

The general purpose of this District is to ensure Redevelopment that occurs in mature neighbourhoods is compatible with the existing Development within the Immediate Street Context.

### 2. Definitions

In this District:

<sup>67</sup>**“Redevelopment”** means the construction of a new Principal Building, Accessory Building(s) with a Floor Area of 22.0 m<sup>2</sup> or more, and/or structural additions to the front or side of a Principal Building that are wholly or partially visible from the Street on Sites that have existing uses and/or Buildings and includes the construction of a new Principal Building and/or Accessory Building(s) on Sites that are vacant or underutilized.

<sup>68</sup>**Large Scale Redevelopment** means Redevelopment on a Site or a combination of Sites that total 1,398.00 m<sup>2</sup> or more in area.

<sup>69</sup>**Mixed-Use** means a Development that accommodates a mix of land uses within a single Site while providing a Building form that is Street oriented at Grade. It may refer to different uses combined on the same Site or within the same Building. An example would be a Building that stacks residential uses above ground floor commercial uses.

<sup>70</sup>**Sidewalk** means a public infrastructure pedestrian walkway system that is built to The City of Red Deer Engineering construction contract specifications.

<sup>71</sup>**Walkway** means an on-site private infrastructure system of pedestrian walkways intended to provide access to and within the Site.

### 3. Application

- (a) <sup>72</sup>The regulations in this District apply to all Redevelopment applications located in the Mature Neighbourhood Overlay District (shown on the Land Use Constraints Maps J15, J16, J17, J19, J20, K15, K16, K17, K18, K19, K20, K21, L13, L14, L16, L17, L18, L19, L20, L21, M10, M11, M12, M13, M15, M16, M17, M18, M19, M20, N10, N11, N12,

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<sup>66</sup> 3357/A-2016

<sup>67</sup> 3357/C-2018

<sup>68</sup> 3357/C-2018

<sup>69</sup> 3357/C-2018

<sup>70</sup> 3357/C-2018

<sup>71</sup> 3357/C-2018

<sup>72</sup> 3357/E-2018, 3357/C-2018

N13, N14, N15, N16, N17, N18, O12, O13, O14, O15, O16, O17, O18, P11, P12, P13, P14, P15, Q11, Q12, Q13, Q14, Q15, R14, R15, S15).

- (b) Character Statements are incorporated into a form part of this bylaw for the purpose of this District, and the design elements within the applicable Character Statement shall apply to all Redevelopment or subdivision within this District.
- (c) Where the regulations in the underlying District contradict or will not serve to achieve the design elements contained in the applicable Character Statement, the Character Statement design elements shall prevail.
- (d) <sup>73</sup>Where the regulations in this section contradict or will not serve to achieve the regulations contained within Section 7.7 Mature Neighbourhood Parkvale Overlay District, Section 7.7 Mature Neighbourhood Parkvale Overlay District regulations shall prevail.

#### 4. Discretionary Use

All applications for the Redevelopment of a listed use within the underlying District shall be considered a Discretionary Use.

#### 5. Regulations for All Redevelopment

The Development Authority shall have the authority to impose conditions that require the Redevelopment to conform to a higher standard than required by the applicable regulations, including the design elements contained within a Character Statement, for any Redevelopment.

- (a) <sup>74</sup>All residential and Mixed-Use Redevelopment shall be compatible with existing Principal Buildings in terms of the scale and form within the Immediate Street Context. Redevelopment must not overwhelm or overshadow Principal Buildings and is required to comply with the following considerations:
  - (i) **Building Height:** Redevelopment shall be within one (1) to two (2) storeys of existing Buildings within the Immediate Street Context.
  - (ii) **Window Placement:** Windows shall be designed to protect privacy for adjacent residential uses. Staggered windows, the use of translucent glass or glass blocks and angled bay windows are examples of sensitive window placement.
  - (iii) **Front Yard Setback:** The Front Yard setback shall be within 1.20 m of the existing Front Yard setback of adjacent Sites or within the average of the existing Front Yard setback of the Principal Buildings in the Immediate Street Context.
  - (iv) **Access:** Doors, Decks, balconies, Patios, and other similar access points that are located on the side of a Building shall be at Grade or less than 1.00 m above Grade. Where privacy may be compromised, fencing, screening, and landscaping shall be used to create privacy between uses.

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<sup>73</sup> 3357/C-2018

<sup>74</sup> 3357/C-2018

- (v) **Rear Yard Setback:** The Rear Yard setback shall be designed to minimize overlook into the Rear Yard. Where privacy is compromised, fencing, screening and landscaping shall be used to create privacy between uses.
- (b) Where the primary entrance does not face onto the Frontage of the Site, the route from the Frontage to the primary entrance shall be clearly defined through the use of Walkways, landscaping, porch features, lighting, and/or other wayfinding designs.
- (c) To minimize Sidewalk interruptions, curb cuts shall be minimized by requiring rear vehicular access where adequate vehicle access is available from the rear lane, as determined by the Development Authority.
- (d) The continuation of Sidewalks should be maintained by minimizing curb cuts for front vehicular access.
- (e) For Large Scale Redevelopment, the following requirements apply:
  - (i) Hard surfaced Walkways shall be provided to allow for internal pedestrian movement and connectivity.
  - (ii) Walkways should be provided across the full width of all Building elevation(s) which have public entrances to improve pedestrian access to the Buildings.
  - (iii) Wheel stops shall be required for all parking spaces adjacent to a Walkway or in front of a Building and shall be setback a sufficient distance to prevent vehicles from projecting over the Walkway. This requirement is not applicable where the Walkway exceeds The City's minimum width requirement for Sidewalks and vehicle overhang would still allow for at least 1.20 m of clear width.
  - (iv) Walkways shall be free of any obstructions and/or architectural features that would impede pedestrian movements and doors providing access to Buildings and/or bays will not swing out into the Walkway.
  - (v) To provide barrier-free access, curb ramps shall be installed at the corner of any intersection which connects to an existing or planned Sidewalk or Walkway.
  - (vi) Where pedestrian crossing points are required to connect individual Walkways over a Driveway or vehicle maneuvering aisle, the width of the crossing shall be kept as narrow as possible and will be marked through painting or use of materials that are different than the material of the road surface to clearly delineate the location of the Walkway.
  - (vii) The Development Authority may exercise discretion and vary, relax or waive any or all of the requirements listed in this section if the intent of the requirements have been otherwise achieved.
- (f) Existing trees and shrubs must be marked on landscaping plans and should be maintained. Mature trees that are required to be removed to accommodate

Redevelopment should be replaced with trees that are appropriate for the location in terms of size and species.

- (g) Publically owned trees and shrubs shall not be removed to facilitate the construction of a Redevelopment project, unless approved by the Development Authority.

## <sup>75</sup>**APPENDIX A: Woodlea Character Statements**

The following Character Statements form part of The City of Red Deer Land Use Bylaw 3357/2006 Appendix A under Land Use Bylaw amendment 3357/E-2018. (Adopted March 19, 2018)

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<sup>75</sup> 3357/E-2018

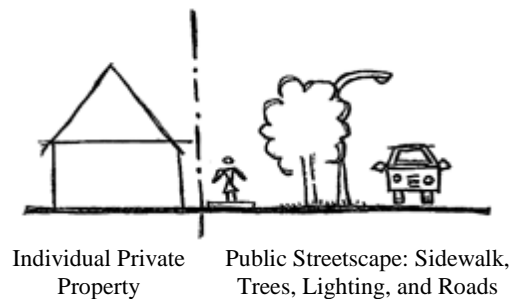
# Woodlea Character Statements

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## 1. Introduction

All neighbourhoods contain the same basic elements; individual properties, and public infrastructure such as streets, sidewalks, lighting, and utilities. What establishes the character of a neighbourhood is the relationship and design of these basic elements. When Redevelopment of private property or public infrastructure occurs, concerns over losing the “character” of a neighbourhood are often raised. The following Character Statements define the “character” of a specific geographic area by capturing the design elements that make one geographic area different from another.



Character Statements are not necessary for every neighbourhood in The City of Red Deer. They are useful for specific geographic areas that contain a combination of elements that together make an area unique or special. The ‘Character’ of the neighbourhood is specifically identified and design standards are created to assist in redeveloping an area intentionally.

Each Character Statement Area contains the following information which serves to define the overall characteristics:

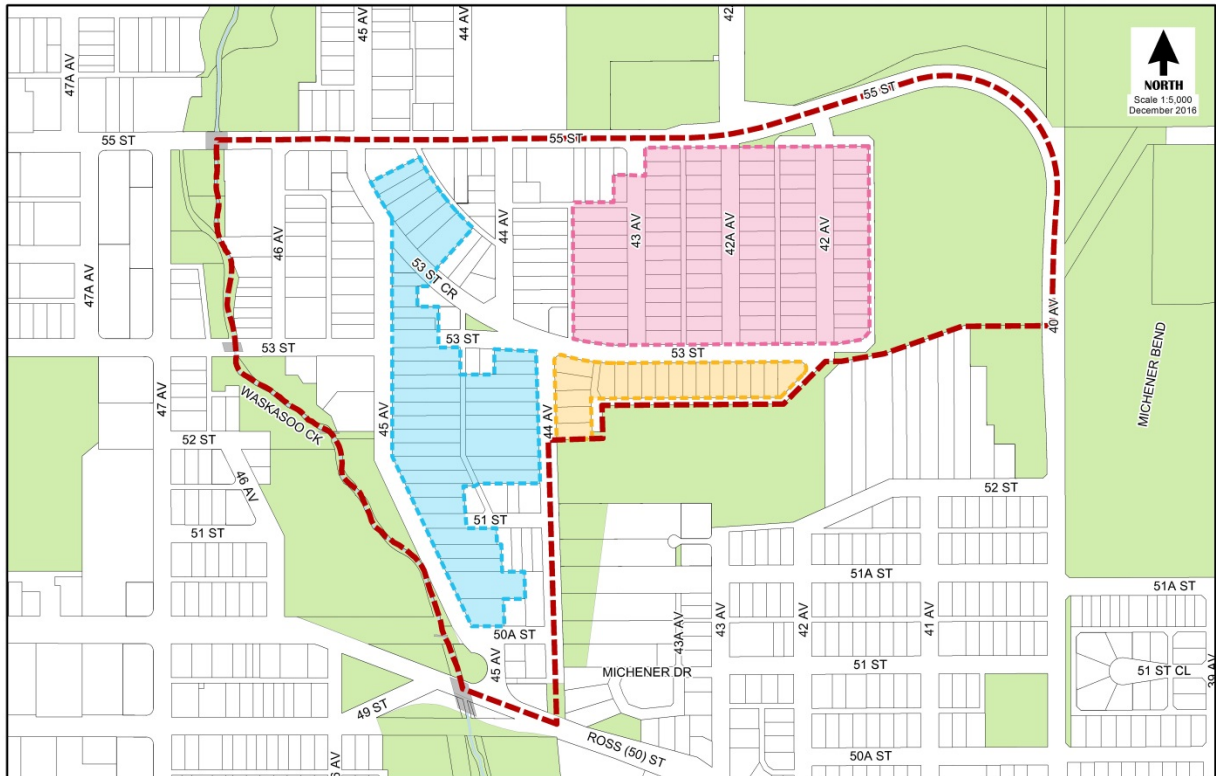
- Character Statement Area Map;
- Context and History;
- Common Forms and Scale of Buildings;
- Common Building Materials;
- Other Common Elements; and
- Design Standards.

### 1.1 Woodlea Character Statements

The intent of the Character Statements is to define some design parameters to which a new proposal for Redevelopment within a defined area should adhere.

The Character Statements specific to the Woodlea neighbourhood were developed with assistance from community members and the Woodlea Community Association. Their assistance made it possible to create these Character Statements and their sincere efforts are greatly appreciated.

The Woodlea neighbourhood is divided into three distinct Character Areas, highlighted in the map below. Character Statements have been created for each of the three Character Areas. In addition to the three Character Areas, separate Character Statements have been created for the entire Woodlea area.



## WOODLEA PLAN AREA CHARACTER AREA MAP



All of the photographic images used in the following Character Statements, unless otherwise noted, were taken by The City of Red Deer Planning Department in 2016. Assistance from the community, by the Woodlea Community Association, and their individual members are greatly appreciated and recognized.

### 1.2 How Character Statements are Applied

When an application for a development permit to redevelop a lot, or a subdivision application is received, the appropriate approving authority will evaluate the application based on conformity with:

- The City of Red Deer statutory plans (including but not limited to the *Municipal Development Plan, Area Structure Plans, Area Redevelopment Plan*);
- The *Land Use Bylaw*;
- Consultation with internal City departments and landowners within 100 m of the subject lot in accordance with section 2.7(d) of the *Land Use Bylaw*;
- The *Neighbourhood Planning and Design Standards* planning document;
- The applicable Character Statements;
- *Engineering Services Design Guidelines*; and
- The contents of the Letter of Intention submitted by the Applicant with development permit applications for Redevelopment within a Character Statement area.



Character Statements are a planning tool that will be applied in conjunction with *The City of Red Deer's Land Use Bylaw* and the generally applicable *Neighbourhood Planning and Design Standards* to evaluate if an application maintains the character of the area. Where the regulations in the *Land Use Bylaw* or the *Neighbourhood Planning and Design Standards* conflict with the Character Statements, the Character Statements shall prevail.

The Context and History, Common Forms and Scale of Buildings, Common Building Materials and Other Common Elements sections within each Character Statement identify various aspects that add to the distinct character and should be considered when evaluating whether a proposed development complements or maintains the character of the area.

A Letter of Intention shall be submitted by the Applicant with development permit applications for Redevelopment within a Character Statement area addressing how the proposal is sensitive to the Immediate Street Context as identified in the relevant Character Statements.

### 1.3 Historical Properties

As of June 2017 there are four properties in the Woodlea area listed as having historical significance. Each is listed below.

- McKenzie/Ellis Residence HS-33 (5345 46 Avenue)
- Frank Pettepher Residence HS-45 (5045 45 Avenue)
- Walter Trump Residence HS-60 (5035 45 Avenue)
- Chestnut Tree HS-73 (4501 55 Street)



McKenzie/Ellis Residence HS-33

The City has surveyed several additional historic properties over the years. Additional information can be found within the City's *Historic Site Survey Project (2008)*, the *Historic Site Inventory Project (2009)*, the *Heritage Site Survey (2015)*, and the *Places of Interest List* (currently being compiled). The information gathered in these documents can assist landowners to explore a designation on a voluntary basis.

Applications for properties that are identified as HS (Historical Significance) in the *Land Use Bylaw* are to be reviewed applying the *Standards and Guidelines for the Conservation of Historical Places in Canada* as well as *Creating a Future for Alberta's Historic Places*. The Federal and Provincial requirements take precedence over Character Statements.

#### **1.4 Interpretation**

Wording contained in the following Character Statements are intentional and contain “shall”, “should” and “may” statements. Character Statements that contain “shall” are those which must be followed. “Should” statements mean compliance is recommended and generally expected but acknowledge that the Development Authority may vary these statements based on the extraordinary circumstances of the specific case. “May” statements indicate that the Development Authority determines the level of compliance that is required. Terms identified by a capitalized first letter are found in the Definitions section of this document or in the *Land Use Bylaw*.

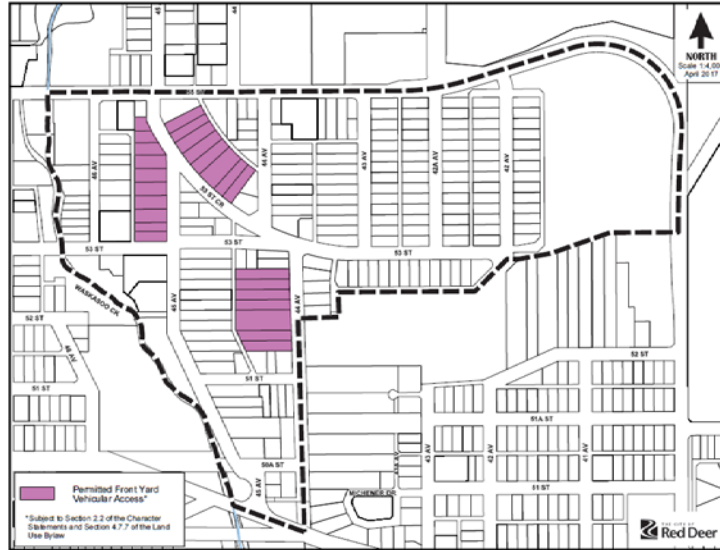
## **2. Design Standards applicable to the entire Woodlea neighbourhood**

The following Character Statements will be applicable to the entire Woodlea Plan Area outlined on the Woodlea Plan Area Character Area Map.

### **2.1 Vehicular Access**

1. Where a property does not have Rear Yard or Side Yard vehicular access, Front Yard vehicular access is allowed.
2. Notwithstanding Sections 4.6.9 and 5.6.9 of the Woodlea Character Statements, Front Yard vehicular access is discouraged in areas with Rear Yard or Side Yard access.
3. Notwithstanding Section 2.2 of these Character Statements and Section 4.7.7 Vehicular Access to Lots from Public Roadways of the *Land Use Bylaw*, Front Yard vehicular access is allowed where it is a dominant feature of the existing streetscape. Existing Front Yard vehicular access in areas where it is not a dominant feature of the existing streetscape may remain until the property is Redeveloped. Redevelopment of properties may require existing Front Yard vehicular access in areas where it is not a dominant feature to be removed. As shown in the map below, Front Yard vehicular access is considered a dominant feature of the streetscape in the following areas:
  - Properties on the west side of 45 Avenue between 5302 45 Avenue and 5344 45 Avenue;
  - 5335 45 Avenue, 5337 45 Avenue, 5339 45 Avenue, and properties along the north side of 53 Street Crescent between 4408 53 Street Crescent and 4434 53 Street Crescent
  - Properties on the west side of 44 Avenue between 5110 44 Avenue and 5138 44 Avenue.

Map 2.1.3(a) Front Yard Vehicular Access in Dominant Areas of Streetscape



4. Where Rear Yard or Side Yard vehicular access exist and Front Yard vehicular access is not a dominant feature of the streetscape, consideration for Front Yard vehicular access may only be granted in unique circumstances on the property such as retaining mature trees in the Rear Yard or Side Yard or an irregular parcel shape which limits development design options. In these circumstances the applicant is required to provide their reasons in writing for consideration by the Development Authority.
5. Front parking pads shall not be considered where there is vehicular access available from the Rear Yard or Side Yard, unless currently existing.

## 2.2 Boulevard Trees

1. Boulevard trees shall not be removed or harmed to accommodate development on private property. Protection of existing boulevard trees shall conform to the City's Contract Specifications.
2. Existing tree-lined boulevards within the plan area shall remain indefinitely; however, trees may be replaced over time with different species and caliper as determined by the City's Recreation, Parks, and Culture department.

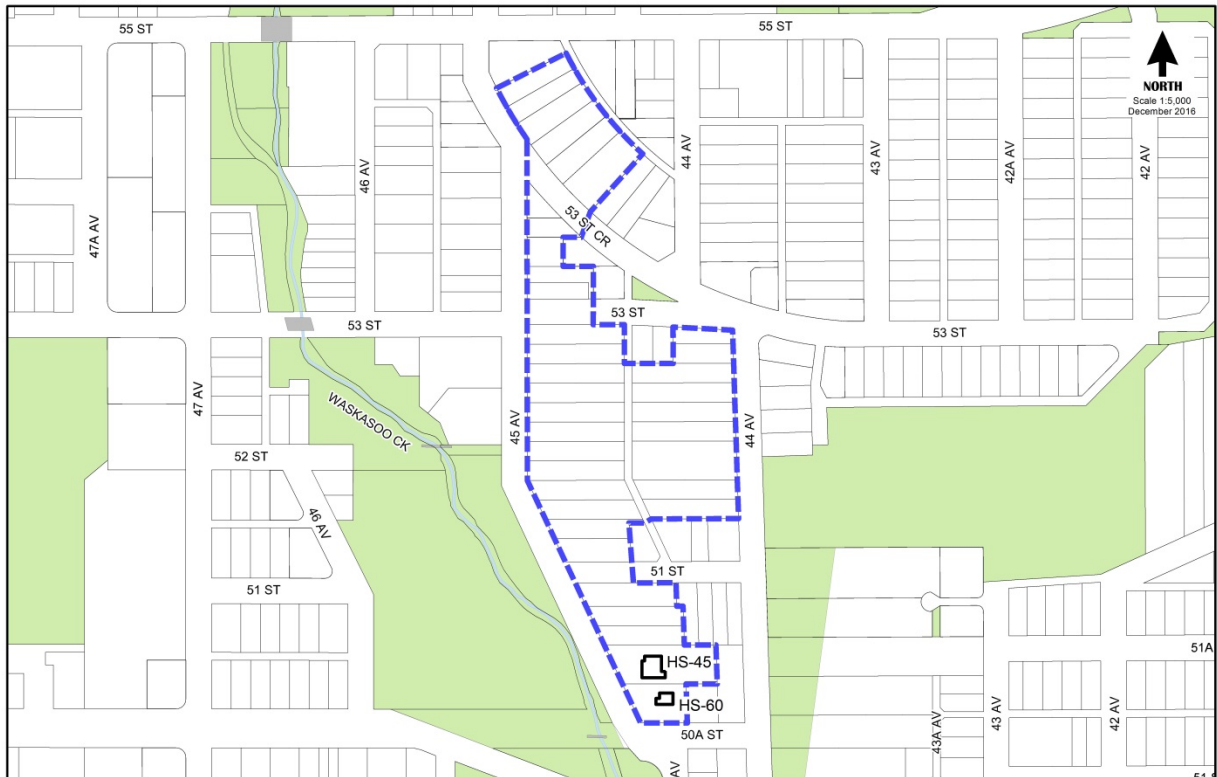
## 2.3 Building and Site Design

1. For corner lots where the primary entrance of the Dwelling Unit is not at the front of the property, the design of the Dwelling Unit should create a strong sense of entry from the Front Façade (such as thoughtful design of pathways, Landscaping, or porch features). All other properties shall have the primary entrance of the Dwelling Unit at the front of the property.
2. Side windows and balconies on Dwelling Units are to respect the privacy of neighbouring properties. They should be located to minimize direct views into existing neighbouring windows and views overlooking neighbouring yards. A sketch showing the window locations of existing adjacent Buildings shall be accompanied with any development application for a new Dwelling Unit or major structural addition to the front or side of the existing Dwelling Unit that is wholly or partially visible from the street. Additional design elements to respect privacy

- of neighbouring properties may be required by the Development Authority.
3. Excessive loss of sunlight on adjacent properties due to Redevelopment may be considered by the Development Authority.
  4. If a new Dwelling Unit or major structural addition to the front or side of the existing Dwelling Unit that is wholly or partially visible from the street is larger in Scale than the existing adjacent Dwelling Units, a transition in building widths should be created by visually dividing the building into smaller sections that approximate the width of adjacent Dwelling Units, and by scaling down the height as it approaches the adjacent Dwelling Units.
  5. For the purpose of assessing the Scale of a Dwelling Unit or major structural addition to the front or side of the existing Dwelling Unit that is wholly or partially visible from the street, photos of the adjacent properties on each side yard shall be accompanied with any development application. Supplementary information may be required by the Development Authority to further assess the impact of the proposed Dwelling Unit Scale on adjacent properties.
  6. Lots shall be compatible in the width, depth and area with properties existing within the Immediate Street Context as the proposed Redevelopment.
  7. Where front Attached Garages are allowed, the dominance of the garage shall be reduced by having the façade of the garage flush with the Front Façade of the Dwelling Unit or recessed behind the Front Façade of the Dwelling Unit. In addition, in areas where there is Rear Yard or Side Yard vehicular access, the Front Façade of a front Attached Garage shall only be developed to less than or equal to 50% of the Front Façade of the Dwelling Unit.
  8. The height and total floor area of all Accessory Buildings shall not exceed the footprint area or height of the principal Building.

### 3. Central Woodlea Character Statement

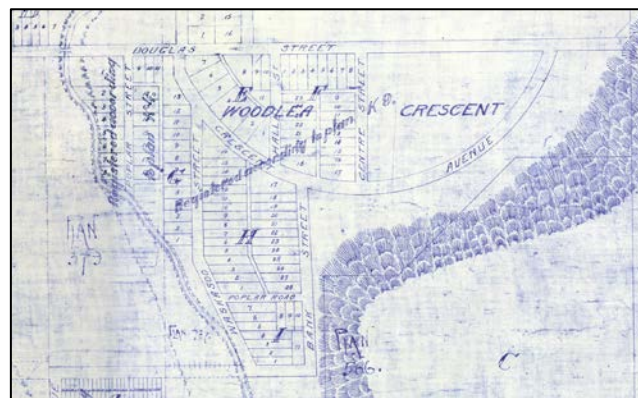
#### 3.1 Character Statement Area Map



#### WOODLEA PLAN AREA CENTRAL WOODLEA PLAN AREA

#### 3.2 Context and History

The Central Woodlea character area contains the earliest subdivisions and some of the most historic residences in Red Deer along 45 Avenue. In 1905 the land along 45 Avenue was subdivided by one of Red Deer’s first settlers, Leonard Gaetz and his son Halley. The layout of parcels were atypical to what was already existing in Red Deer; the parcels were much larger and longer in size, and varied from the standard



Red Deer & District Archives: K32 cropped

rectangular pattern (53 Street Crescent) emphasizing the Garden City and the City Beautiful movements. As a result, the subdivision proved to be well accepted with parcels selling promptly.<sup>1</sup>

This Character Area includes two historically significant properties within Woodlea (see map 2.1 Character Statement Area Map) as well as several other unique character homes. Design of homes had both Queen Anne and Craftsman influences and were associated with early residential development in Red Deer. The first homes consisted of: wood construction, Gable roofs, brick chimneys, front porches, and patterned wood windows.



Walter Trump Residence (5035 45 Avenue)  
HS-60 – Craftsman influences

After the economic crash of 1913 and into the Second World War very few homes were built. During the Second World War Red Deer saw a large increase in city residents; by 1943 Red Deer's population had doubled prior to that of pre-war times creating a huge housing shortage.<sup>2</sup> Attempts to manage the housing shortage involved renovations and creating multiple suites in existing homes and buildings, etc. Of the homes built during the Second World War, most consisted of 1 – 1 ½ storey bungalows with varied design influences. At the end of the Second World War Red Deer, along with much of Alberta, was in an economic boom influenced by the oil industry. During that time several simple, modest-sized homes were constructed of Minimal Traditional style.

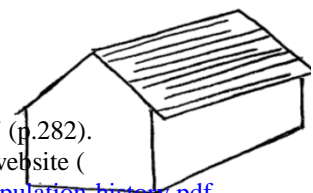
Since the 1970's the area has seen several properties redeveloped – properties either having significant renovations or older buildings being torn down and replaced with newer larger homes. Design and style of Redevelopment has varied influences including Ranch, Modern, and Craftsman.

### 3.3 Common Forms and Scale of Buildings

- Single detached dwellings constructed prior to the First World War ranging in size from 1 ½ storey dwellings to 2 storey dwellings influenced by Queen Anne and Craftsman architectural styles.
- Second World War homes ranging from 1 – 1 ½ storey Bungalows influenced by Tudor Revival, Ranch and Minimal Traditional styles.
- 1 and 1 ½ storey post-war dwellings built in the 1940's and 1950's, in the Minimal Traditional style.
- Gable roofs, often with Dormer windows, creating living space within the roof and some type of porch entry feature are common.
- Detailing from other architectural styles and eras, such as



Single Detached Dwelling



Gable Roof

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<sup>1</sup> *Homesteads That Nurtured a City* by E.L. Meeres, Fletcher Printing, Red Deer, 1977 (p.282).

<sup>2</sup> Population – City of Red Deer population history statistics on the City of Red Deer website (<http://www.reddeer.ca/media/reddeerca/about-red-deer/statistics-and-demographics/population-history.pdf>)

Victorian Architecture, is often found as scaled down elements.

- Consistent relationship between sidewalk location, finished floor elevations, Building Front Yard Setbacks, street tree locations, and road widths.
- Larger lots with generous Front and Side Yard Setbacks that are well treed and Landscaped adding to the aesthetic appeal of the streetscape.
- Scale is related to architectural style and is reflected in the Building design. For instance, 1 to 1 ½ storey dwellings have a Minimal Traditional architectural style and a small square footage.
- Front yard Setbacks along 45 Avenue facing Coronation Park follow the angle of the street offering privacy to adjoining neighbours.
- Front yard Setbacks along 53 Street Crescent follow the curvature of the street.



5045 45 Avenue (Frank Pettepher Residence HS-45) – Craftsman Style



5109 45 Avenue – Queen Anne influences



4434 53 Street Crescent – Bungalow with Queen Anne influences

### 3.4 Common Building Materials

- Wood cladding (wood shingle cladding and clapboard siding) or wood-replica siding;
- Vinyl or aluminum siding;
- Stone, river rock, sandstone detailing;
- Stucco;
- Asphalt shingles; and
- Cement, or cement block foundations.



Minimal Traditional Style – renovated with vinyl siding

### 3.5 Other Common Elements

- Mature tree lined streets with wide boulevard and separated sidewalks along 45 Avenue and 53 Street Crescent.
- Large well Landscaped, maintained yards complete with mature vegetation.



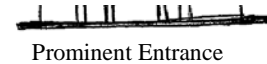
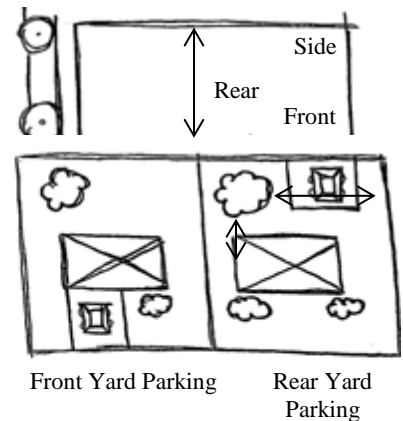
Separated sidewalks with tree lined streets



- Minimal front garages and driveways along 45 Avenue where the parcels can be accessed by a rear lane. Several properties along 44 Avenue and 53 Street Crescent are accessed from the front despite the rear lane access.
- Very walkable streets. The streets becoming informal meeting places.

### 3.6 Design Standards

1. Existing trees, natural features, Boundary Hedges, fences, gates and Landscaped boulevards shall be identified on a site plan for Redevelopment. The plan shall identify what is to be removed/relocated/preserved on site as well as any proposed tree replacements required as a result of tree removal.
2. Dwelling Units shall be sited on the lot to be compatible with the existing pattern of dwelling placement in terms of Front Yard, Side Yard, and Flankage Setbacks, prevalent in the Immediate Street Context.
3. Side Yard and Rear Yard Setbacks for Accessory Buildings shall be in accordance with the requirements of the underlying land use district.
4. Slight variances to the Front Yard Setback may be allowed to maintain existing natural features/trees to better align with the Immediate Street Context.
5. Dwelling Units shall have a primary Prominent Entrance facing the front of the property and are encouraged to incorporate a permitted projection (such as a porch).
6. Front projections shall require the same Front Yard Setbacks as the Dwelling Unit.
7. Upper storey living spaces, wholly or partially, may be incorporated within the roof structure for increased floor area. Dormer/end Gable windows are encouraged to provide adequate light to these spaces.
8. Additions to the Front Façade shall not be allowed unless the proposed Front Yard Setback, Building design, siting, and materials utilized are compatible with the Immediate Street Context.
9. Dwelling Units shall incorporate a range of architectural features and design details along the front façade of the Dwelling Unit. Exterior Building Materials and colors should be reflective of, similar to and compatible with those present within the Immediate Street Context.



2010 Craftsman Style Redevelopment



1974 Ranch Style Redevelopment

## 4. Chinese Market Garden Character Statement

### 4.1 Character Statement Area Map



### WOODLEA PLAN AREA CHINESE MARKET GARDEN CHARACTER AREA

### 4.2 Context and History

Prior to the development seen today, lands east of 43 Avenue were used as a large commercial garden. In 1924 the area was acquired by Chinese partners, who then transferred the land to new landowners who operated the Sam Wo Market Gardens. The gardens continued in this location until 1948 when it was relocated to the Mountview neighbourhood.<sup>1</sup>

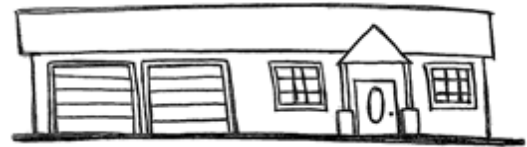
In 1949, the land west of 42A Avenue was subdivided into residential parcels; in 1951 lands on the east and west side of 42 Avenue were subdivided thereby completing the design of the Character Area as it now remains. The majority of



Red Deer & District Archives: N7 crop, c. 1943 shows the Chinese Market Garden on the right.

<sup>1</sup> *Mingling Memories*, Red Deer East Historical Society, Red Deer, 1979 (p 718 -719) and RG 2 City Commissioner fonds (Accession 2016-759, Box 1, File 2: 1917-1929)(p. 178-179).

homes in this area were constructed between 1950 and 1955. Homes developed at this time were simple and modest in design. Typical homes consisted of 1 storey bungalows with a Hipped Roof or a Ranch architectural influence.



Ranch Style

Redevelopment in the area has been steady. As demand to be closer to the city centre grows it is expected that further Redevelopment will continue.

### 4.3 Common Forms and Scale of Buildings

- 1 storey Bungalows and Ranch style dwellings with flat and simple Front Facades, with a front entry flush or slightly recessed to the remainder of the dwelling. Landings or front porches are typical on all dwellings.
- The overall shape is very square or rectangular and compact, with few ornamental features.
- Consistent large Front Yard Setbacks typically ranging from 8.4m to 11.2m.
- Large Side Yard Setbacks
- Lot widths are consistently between 15.24 m and 15.75 m.
- Additions by way of adding a second floor are common, however additions have also been constructed to the side and rear of existing dwellings.
- Only replacement and renovated dwellings exceed 1 ½ storeys in height.
- Front walkways leading from the public sidewalk to the Prominent Entrance of the dwelling.

### 4.4 Common Building Materials

- Wood;
- Vinyl or aluminum siding;
- Stucco;
- Concrete or stone faced foundation; and
- Brick or stone detailing.



Tree lined street with separated sidewalks

### 4.5 Other Common Elements

- Well connected sidewalks and pathways with streets laid out in a grid pattern.
- Mature tree lined streets with separated sidewalks.
- No vehicular access from the street. Detached Garages are accessed from the rear lane, are out of sight, and don't affect the Character when viewed from the street.

### 4.6 Design Standards

1. Roof styles and slopes should align with the



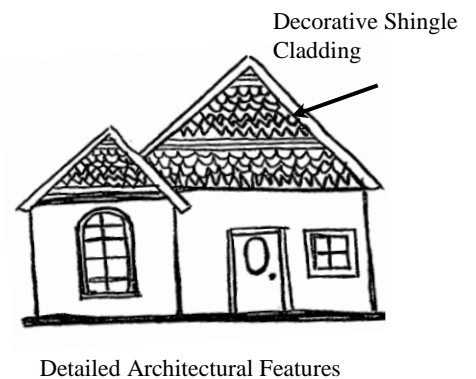
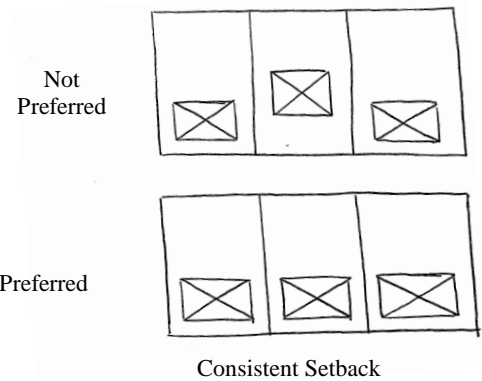
Preferred Roof Design



Not Preferred Roof Design

Immediate Street Context. If there is inconsistency resulting from height differences, the proposed Building elevations should include architectural detailing, building articulation and stepping back of the upper floor to break up the larger building form and reduce the impact to adjacent properties.

2. Dormers or similar design elements may be encouraged provide some additional living space in the roof.
3. Building additions, greater than 30% of the total square footage of the existing Building, shall be developed by the addition of a second storey, or in the Rear Yard. Only additions of less than 30%, will be considered in the Front or Side Yard.
4. Additions proposed to the Front Façade shall not be allowed unless there is no impact to the typical Front Yard Setback within the Immediate Street Context. Front additions shall be sensitive and compatible in Building design and Building Materials utilized with the Immediate Street Context.
5. Dwelling Units shall be sited on the lot to be compatible with the existing pattern of dwelling placement in terms of Front Yard, Side Yard, and Flankage Setbacks prevalent in the Immediate Street Context.
6. Side Yard and Rear Yard Setbacks for Accessory Buildings shall be in accordance with the requirements of the underlying land use district.
7. Dwelling Units are encouraged to incorporate a permitted projection (such as a porch). Front projections shall require the same Front Yard Setbacks as the Dwelling Unit.
8. Dwelling Units shall incorporate a range of architectural features and design details along the Front Façade of the Dwelling Unit. Exterior Building Materials and colors should be reflective of, similar to and compatible with those present within the Immediate Street Context.
9. Front Yard vehicular access shall not be considered on parcels where there is vehicular access available from a Rear Yard or Side Yard. This includes the following Front Yard examples:
  - driveways;
  - front Attached Garages; and
  - parking pads.





Typical Bungalow with Gable Roof



Typical Bungalow with Hipped Roof



Bungalow with porch addition

## 5. Nazarene Camp Character Statement

### 5.1 Character Statement Area Map



### WOODLEA PLAN AREA NAZARENE CAMP CHARACTER AREA

### 5.2 Context and History

In 1912 the first church in Woodlea, the Pentecostal Church of the Nazarene, was built along Ross Street at the foot of Michener Hill. During the First World War the church started using the neighbouring open areas for large evangelical revival camp meetings. In 1920 the church moved to a more central location in downtown Red Deer but continued to use the land in Woodlea for revival camp meetings. In 1923 and 1925 the Church of the Nazarene expanded their Woodlea property to include a church camp for revival meetings and summer holidays, and a large wooden summer tabernacle.



Red Deer & District Archives: P4431  
cropped, 1948  
Nazarene Camp (circled)

During this time the Nazarene Camp became one of the largest summer evangelical revival centres in Alberta. In the early 1950's the property was sold to support other Nazarene projects in Red Deer and subdivided into the residential lots existing today.<sup>1</sup>

In 1955 the subdivision of land was registered with Land Titles with the area fully developed by 1957. Today the area is developed with original one storey Bungalows with Hipped Roofs and Ranch style dwellings.

### 5.3 Common Forms and Scale of Buildings

- 1 storey Bungalows and Ranch style dwellings with simple Front Facades, with a front entry flush or slightly recessed to the remainder of the dwelling. Landings or front porches are typical on all dwellings.
- The overall shape is very square or rectangular and compact, with few ornamental features.
- Consistent Front Yard Setbacks typically ranging from 4.5m to 6.0m along 53 Street and 8.0m to 9.5m along 44 Avenue. However, the perceived Front Yard is much larger as the road right of way along 53 Street extends south approximately 3.0 m. This 3.0 m is adjacent to the front property lines and is grassed.
- Lot widths are 15.24 m along 53 Street, with the exception of the triangular parcel at 4201 53 Street, and are generally 18.29 m along 44 Avenue with the exception of those parcels near the corner of 53 Street. Side Yard Setbacks in this area are much smaller than the other Character Areas in Woodlea, and typically only meet the 1.5m minimum R1 Residential (Low Density) District standard outlined in the City's Land Use Bylaw.
- Redevelopment within the area is uncommon.
- All dwellings are one storey in height with the exception of one redeveloped dwelling with a second storey addition.
- Front walkways leading from the public sidewalk to the Prominent Entrance of the dwelling.



Consistent Front Yard Setbacks along



Square and compact shape

### 5.4 Common Building Materials

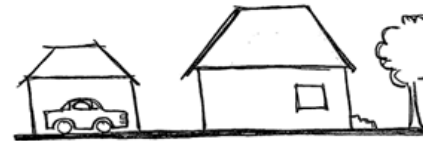
- Wood;
- Vinyl or aluminum siding;
- Stucco;
- Concrete or stone faced foundation; and
- Brick or stone detailing.

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<sup>1</sup>*Vine of His Planting* by Dorothy J. Thomson (1961) (p 11-12, and 28-29).

### 5.5 Other Common Elements

- Well connected sidewalks and pathways along the streets.
- Well-kept grassed Front Yards with separated sidewalks.
- With the exception of 5125 44 Avenue there is no vehicular access from the street. Detached Garages are accessed from the rear lane, are out of sight, and do not affect the Character when viewed from the street.



Detached Garage

### 5.6 Design Standards



Typical Bungalow with Hipped Roof

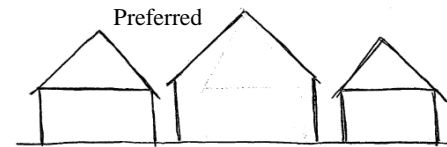


Typical Ranch style dwelling with Gable Roof  
Consistent Roof Design

1. Roof styles and slopes should align with the Immediate Street Context. If there is inconsistency resulting from height differences, the proposed Building elevations should include architectural detailing, building articulation and stepping back of the upper floor to break up the larger building form and reduce the impact to adjacent properties.
2. Dormers or similar design elements may be encouraged to provide some additional living space in the roof.
3. Building additions, greater than 30% of the total square footage of the existing Building, shall be developed by the addition of a second storey, or in the Rear Yard. Only additions less than 30% will be considered in the Front or Side Yard.
4. Additions proposed to the Front Façade shall not be allowed unless there is no impact to the typical Front Yard Setback within the Immediate Street Context. Front additions shall be sensitive and compatible in Building design, siting and materials utilized with the Immediate Street Context.
5. Dwelling Units shall be sited on the lot to be compatible with the existing pattern of dwelling placement in terms of Front Yard, Side Yard, and Flankage Setbacks prevalent in the Immediate Street Context.
6. Side Yard and Rear Yard Setbacks for Accessory Buildings shall be in accordance



Preferred



Not Preferred



Redevelopment – second storey addition



- with the requirements of the underlying land use district.
7. Front projections shall require the same Front Yard Setbacks as the Dwelling Unit.
  8. Dwelling Units shall incorporate a range of architectural features and design details along the Front Façade of the Dwelling Unit. Exterior Building Materials and colors should be reflective of, similar to and compatible with those present within the Immediate Street Context.
  9. Front Yard vehicular access shall not be considered on parcels where there is vehicular access available from a Rear Yard or Side Yard. This includes the following Front Yard examples:
    - driveways;
    - front Attached Garages; and
    - parking pads.

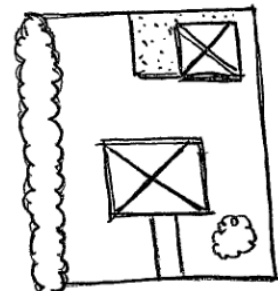
## 6. Definitions

**Attached Garages** are enclosed parking areas which are integrated into the main dwelling structure and are typically accessed from a driveway connecting to a municipal street or rear lane.



Attached Garage

**Boundary Hedge** is vegetation in the form of hedges or shrubs located on or adjacent to the registered property line of a site.



Boundary Hedge

**Building Materials** are materials used for construction. For the purpose of this document, Building Materials predominantly refer to exterior cladding materials, such as brick, stone, and wood.

**Bungalow** means a single storey detached Dwelling Unit which may include a second storey built into a sloping roof.

**City Beautiful** is an urban planning movement from the 1890's and 1900's which emphasized grandeur, order, symmetry, and harmony in the built environment. It was believed that these qualities would consequently be inspired in the landowners.

**Common Building Materials** is a similarity in the substance, or a mixture of substances that constitute a building.

**Common Form** is a similarity in the shape, outline or configuration of a structure as apart from colour, materials, etc.

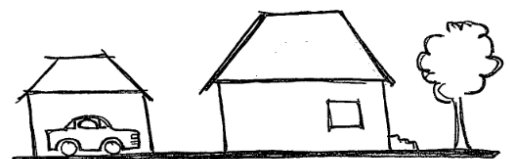
**Common Scale** is a similarity in size based on an informal system of general size categorizations useful for comparison purposes.

**Craftsman Style** is based on a reform philosophy, encouraging originality, simplicity of form, local natural materials, and the visibility of handicraft, but distinguished itself, particularly in the Craftsman Bungalow style, with a goal of ennobling modest homes for a rapidly expanding American middle class. Common architectural elements include:

- Low-pitched roof lines, Gabled or Hipped Roof
- Deeply overhanging Eaves,
- Exposed rafters or decorative brackets under Eaves
- Front porch beneath extension of main roof
- Tapered, square columns supporting roof
- 4-over-1 or 6-over-1 double-hung windows



Craftsman Style



- Frank Lloyd Wright design motifs
- Hand-crafted stone or woodwork
- Mixed materials throughout structure

**Detached Garages** are free-standing buildings that are not connected to the main dwelling, and are typically accessed from a driveway connecting to a municipal street or rear lane, but which contribute to the overall site function and layout.

**Dormer** is framing which projects from a sloping roof, providing an internal recess in the roof space.

**Dormer Window** is a window in a Dormer for lighting a room adjoining a sloping roof.

**Eaves** are defined as the edges of the roof which overhang the face of a wall and, normally, project beyond the side of a Building. The Eaves form an overhang to throw water clear of the walls and may be highly decorated as part of an architectural style.

**Flankage** is the Side Yard abutting a street on a corner lot.

**Front Façade** refers to the front elevation of the dwelling which faces the street and contains the main entrance.

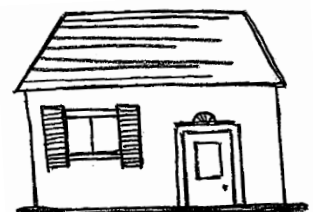
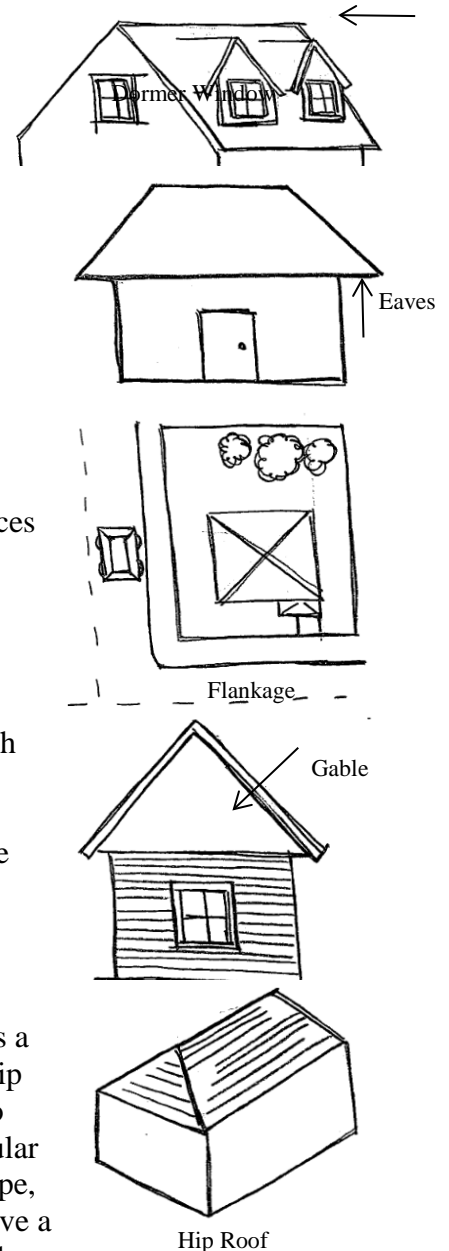
**Gable** is the upper triangular-shaped portion of the end wall of a Building.

**Gable Roof** means a roof with two sloping sides and a Gable at each end.

**Garden City** is an urban planning movement which emphasized the creation/maintenance of parks, green spaces, spacious lawns and gardens.

**Hip Roof** or **Hipped Roof** is a type of roof where all sides slope downwards to the walls, usually with a fairly gentle slope. Thus it is a house with no Gables or other vertical sides to the roof. A square Hip Roof is shaped like a pyramid. Hip Roofs on houses could have two triangular sides and two trapezoidal ones. A Hip Roof on a rectangular plan has four faces. They are almost always at the same pitch or slope, which makes them symmetrical about the centerlines. Hip Roofs have a consistent level fascia, meaning that a gutter can be fitted all around. Hip Roofs often have Dormer slanted sides.

**Landscaping** refers to any activity that modifies the visible features of an area of land, including simple to complex arrangements of living elements (flora), natural elements (landforms), and human elements (structures).



**Minimal Traditional Style** is housing of simple design appropriate for a country recovering from a Great Depression and anticipating World War II. Minimal Traditional houses may have these features:

- small with minimal decorations
- low or moderately pitched roof
- minimal Eaves and roof overhang
- side Gable, often with one front-facing cross Gable
- front door entrance under the front cross Gable
- one story, with an attic story
- shutters are common
- exterior siding of wood, brick, or a mix of sidings
- small fireplace and chimney

Minimal Traditional Style

**Modern architecture** refers to the Building style of the early to mid-20th century. Common themes of Modern architecture include:

- emphasis on function, meaning that the result of design should derive directly from its purpose
- simplicity and clarity of forms and elimination of "unnecessary detail"
- materials at 90 degrees to each other
- visual expression of structure (as opposed to the hiding of structural elements)
- the related concept of "Truth to materials", meaning that the true nature or natural appearance of a material ought to be seen rather than concealed or altered to represent something else
- use of industrially-produced materials; adoption of the machine aesthetic
- particularly in International Style modernism, a visual emphasis on horizontal and vertical lines

**Prominent Entrance** is a Building entrance that is conspicuous in its position or importance and is supported by architectural detailing, a walkway to the street and appropriate landscape treatment.

**Queen Anne Style** is a style that came into vogue in the 1880's and was used until the 1920's. Distinctive features of the American Queen Anne style (rooted in the English style) may include:

- an asymmetrical facade;
- dominant front-facing Gable, often cantilevered out beyond the plane of the wall below;
- overhanging Eaves;
- round, square, or polygonal tower(s);
- shaped Gables;
- a porch covering part or all of the front façade, including the primary entrance area;
- a second-story porch or balconies;
- pedimented porches;
- differing wall textures, such as patterned wood shingles shaped into varying designs, including resembling fish scales, terra cotta tiles, relief panels, or wooden

- shingles over brickwork, etc.;
- dentils;
- classical columns;
- Spindle work;
- oriel and bay windows;
- horizontal bands of leaded windows;
- monumental chimneys;
- painted balustrades;
- wooden or slate steep roofs
- Front gardens often had wooden fences

**Ranch Style** is a domestic architectural style originating in the United States. The Ranch house is noted for its long, close-to-the-ground profile, and minimal use of exterior and interior decoration. The houses fuse modernist ideas and styles with notions of the American Western period working ranches to create a very informal and casual living style. Ranch style houses have many of these features:



Ranch Style

- Single story
- Low pitched Gable roof
- Deep-set Eaves
- Horizontal, rambling layout: Long, narrow, and low to the ground
- Rectangular, L-shaped, or U-shaped design
- Large windows: double-hung, sliding, and picture
- Sliding glass doors leading out to patio
- Attached Garage
- Simple floor plans
- Emphasis on openness (few interior walls) and efficient use of space
- Built from natural materials: Oak floors, wood or brick exterior
- Lack decorative detailing, aside from decorative shutters

**Scale** is defined as the size of a Building and its component parts in comparison with the size of neighbouring dwellings.

**Setback** is defined as the distance of a structure from a property line.

**Tudor Revival** means a medieval architectural style adapted from Great Britain to the United States during the last quarter of the 19th century where it was incorporated into homes across America. The essential characteristics of a Tudor Revival house usually include the use of half-timbering, oversized fireplaces, and the use of brick and stucco siding. Roofs are steeply pitched, and Dormers and overhangs are common.

**Victorian Architecture** refers to styles that emerged in the period between 1830 and 1910, during the reign of Queen Victoria. They were often influenced and revived from historic styles mixed with the introduction of Middle East and Asian influences.

## **7.15 <sup>1</sup>Major Entry Areas Overlay District**

### **1. General Purpose**

The purpose of this District is to ensure that development along major commercial corridors leading into the City is visually attractive, creates a welcoming environment and does not prejudice pedestrian and traffic safety or the function of adjacent public roadways.

### **2. Definitions**

(a) **“Major Entry Areas”** means those areas adjacent to Major Corridors which are highly visible to motorists and include an area of at least 20m measured from the Site Boundary that is adjacent to the Major Corridor.

(b) **“Major Corridors”** mean:

- a. Gaetz (50) Avenue from the southern boundary of the City to 22 Street/Boyce Street;
- b. Gaetz (50) Avenue from the northern boundary of the City to Kingston Drive / 80 Street;
- c. Taylor Drive from the southern boundary of the City to 22 Street;
- d. 67 Street/Highway 11 from the western boundary of the City to Taylor Drive;
- e. Highway 11A from the western boundary of the City to Taylor Drive; and
- f. Highway 2 within the City boundary.

### **3. Permitted and Discretionary Uses**

(a) Those uses listed as Permitted Uses and Discretionary Uses in the existing underlying land use District; and

(b) <sup>2</sup>Notwithstanding any other provision in this Bylaw, the following Signs shall not be allowed within the Major Entry Areas Overlay District:

- a. Billboard Sign;
- b. Dynamic Sign; and
- c. Electronic Message Sign.

### **4. Application**

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<sup>1</sup> 3357/G-2016

<sup>2</sup> 3357/B-2018

- (a) The Major Entry Areas Overlay District is shown on the Land Use Constraints Maps J24, J23, J22, I23, I22, F21, G21, H21, I21, J21, K21, H20, I20, H19, I19, I18, J18, K18, I17, K17, I16, H16, H15, I15, I14, I13, J13, J12, K12, K11, L11, M11, M10, K10, L10, L9 and M9;
- (b) The Major Entry Areas Overlay District applies to all Sites that have one or more Boundaries that are adjacent to a Major Corridor, as identified on Figures 7A to 7I; and
- (c) The regulations of this District are in addition to any other applicable regulations under this Bylaw. Where the regulations in the existing underlying District contradict or will not serve to achieve the general purpose of this District, the Major Entry Area Development Regulations shall prevail, with the exception of any residential property.
- (d) All applications within a Major Entry Area that are adjacent to a provincially owned Major Corridor shall be circulated to Alberta Transportation for their review and comment.

## **5. Major Entry Areas Regulations for Buildings**

- (a) All Buildings on a Site shall be constructed using similar architectural theme and exterior finishes/colours, unless the function of individual Buildings dictates a specific style or image associated with a company. In such instances, the Development must maintain harmony in terms of building lines, mass, as well as quality and colour of exterior treatment, to the satisfaction of the Development Authority;
- (b) All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the Building, or concealed by incorporating it within the Building roof; and
- (c) All Buildings have a Gross Floor Area greater than 2,000.0m<sup>2</sup> or a single wall length greater than 5.0m visible from a Major Corridor, shall comply with the following design criteria, to the satisfaction of the Development Authority:
  - (i) the roof line and building façade shall include design elements that reduce the perceived mass of the Building and add architectural interest, and
  - (ii) the use of Landscaped Areas adjacent to exterior walls which are visible from a Major Corridor, to minimize the perceived mass of the Building and to create visual interest.

## **6. Major Entry Areas Regulations for Site Design**

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

## **7. Major Entry Areas Regulations for Landscaping**

- (a) In the Major Entry Area, the following minimum regulations shall be met:
  - (i) one tree shall be required for each 40.0m<sup>2</sup> of Landscape Area;

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<sup>1</sup> 3357/G-2018

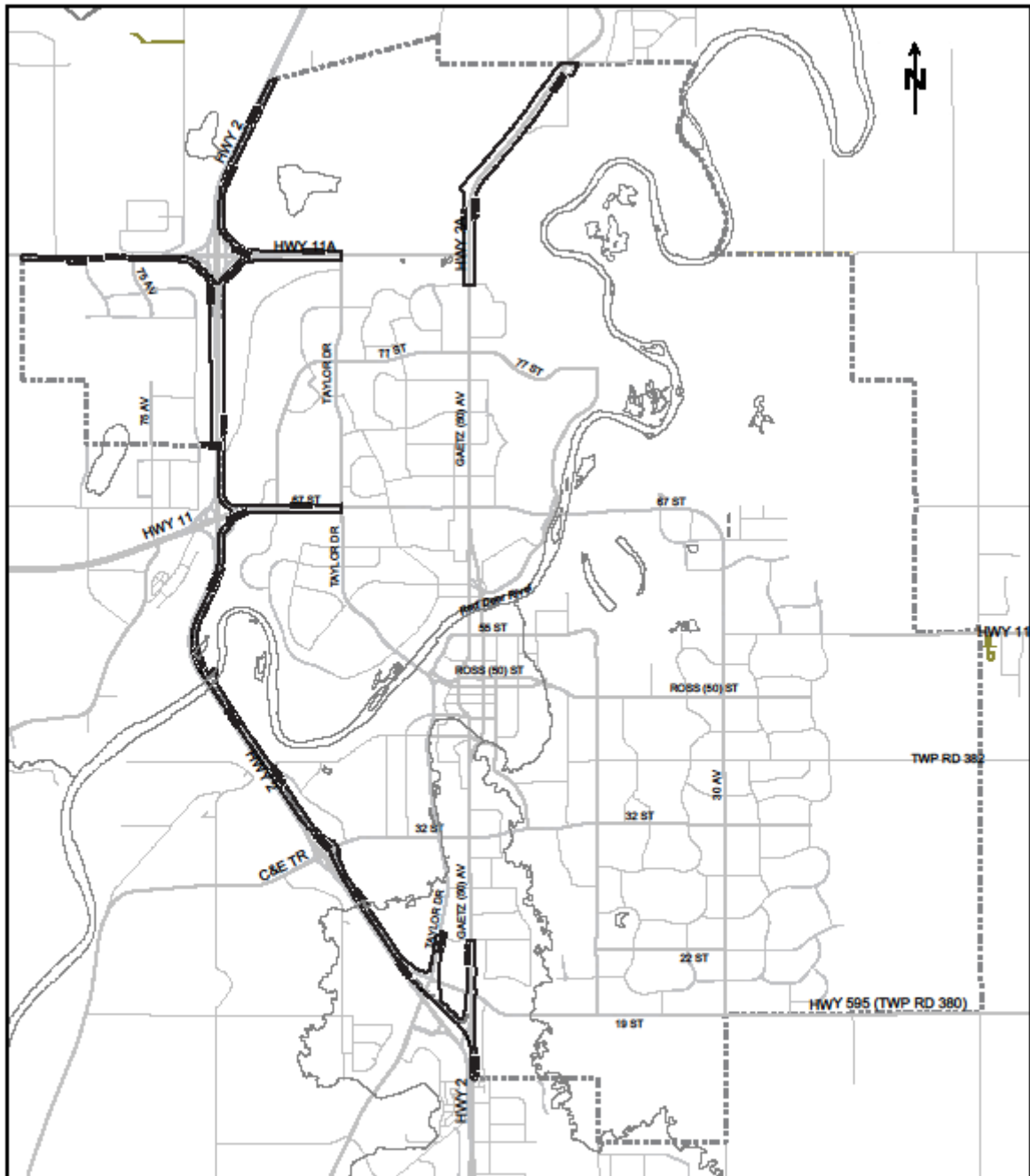


- (ii) the proportion of deciduous and coniferous shall be approximately 50:50;
- (iii) where new trees are otherwise required, existing trees having a height of 2.5m may be used if the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the tree) remains undisturbed during construction and final grades are not significantly changes;
- (iv) two deciduous shrubs are required for each 40.0m<sup>2</sup> of landscape area;
- (v) the proportion of deciduous to coniferous shrubs required shall be approximately 2:1.

**8. <sup>1</sup>DELETED**



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<sup>1</sup> 3357/B-2018

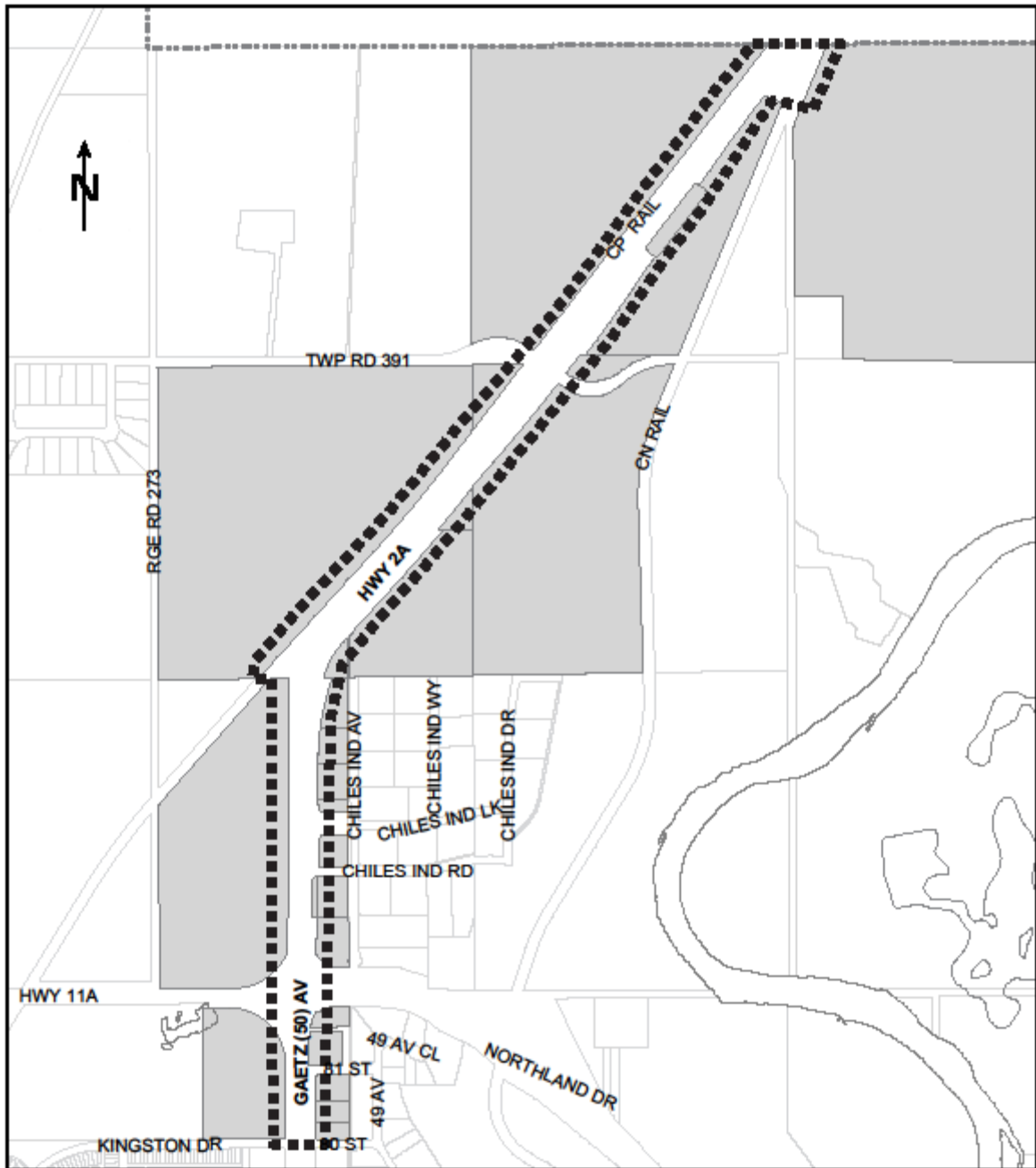


**Major Entry Areas: Subject to Landscaping Requirements  
& Restrictions on Billboards & Dynamic Signs**






-  Major Entry Area Overlay District  
(to 20 metres adjacent the Major Corridors)
-  City Boundary

**Figure 7A**  
Bylaw No. 3357/2006

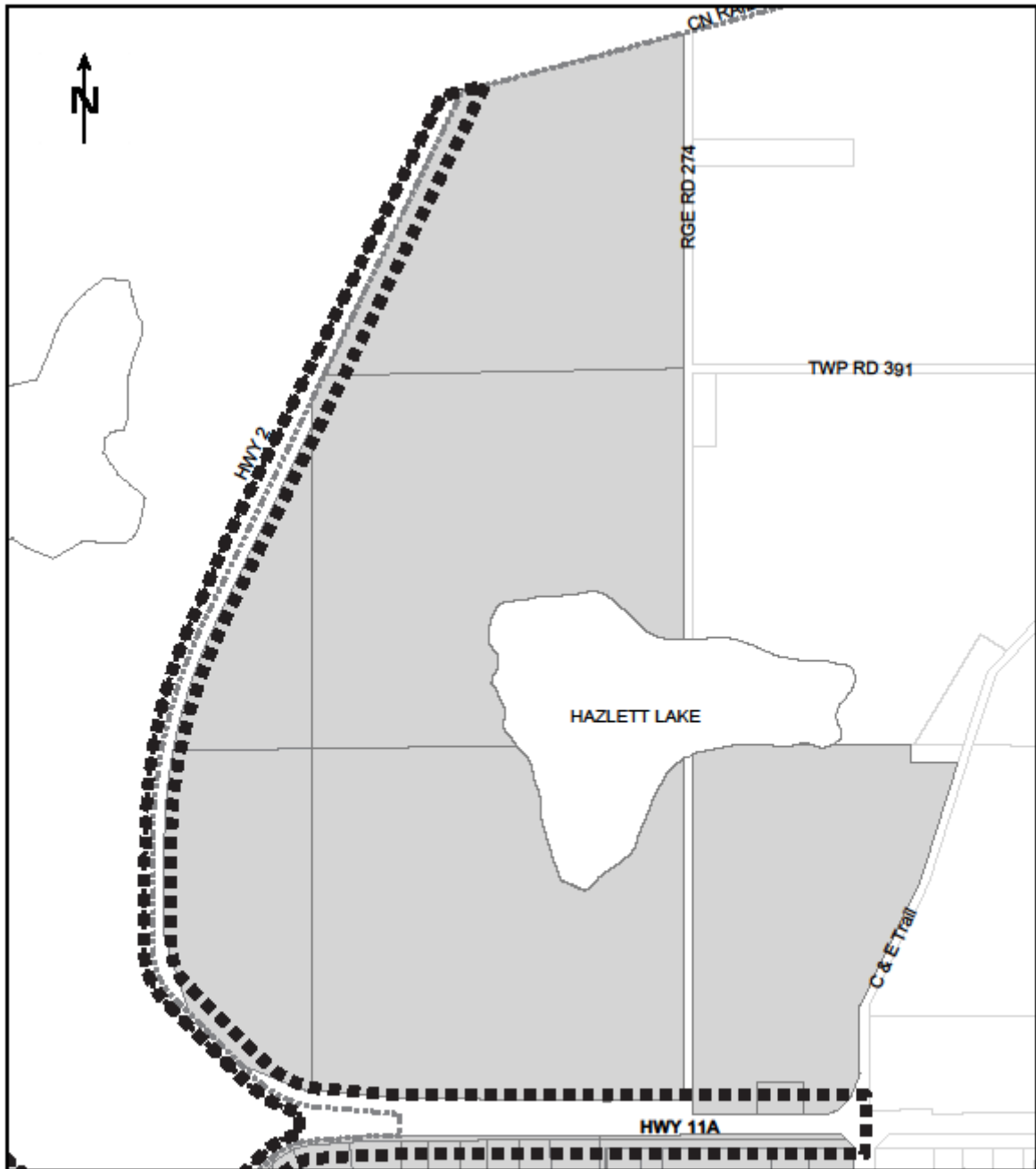


**Major Entry Area Affected Parcels (North East End):**  
 Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs

-  Major Entry Area Overlay District (to 20 metres adjacent the Major Corridors)
-  Affected Parcels
-  City Boundary






**Figure 7B**  
 Bylaw No. 3357/2006

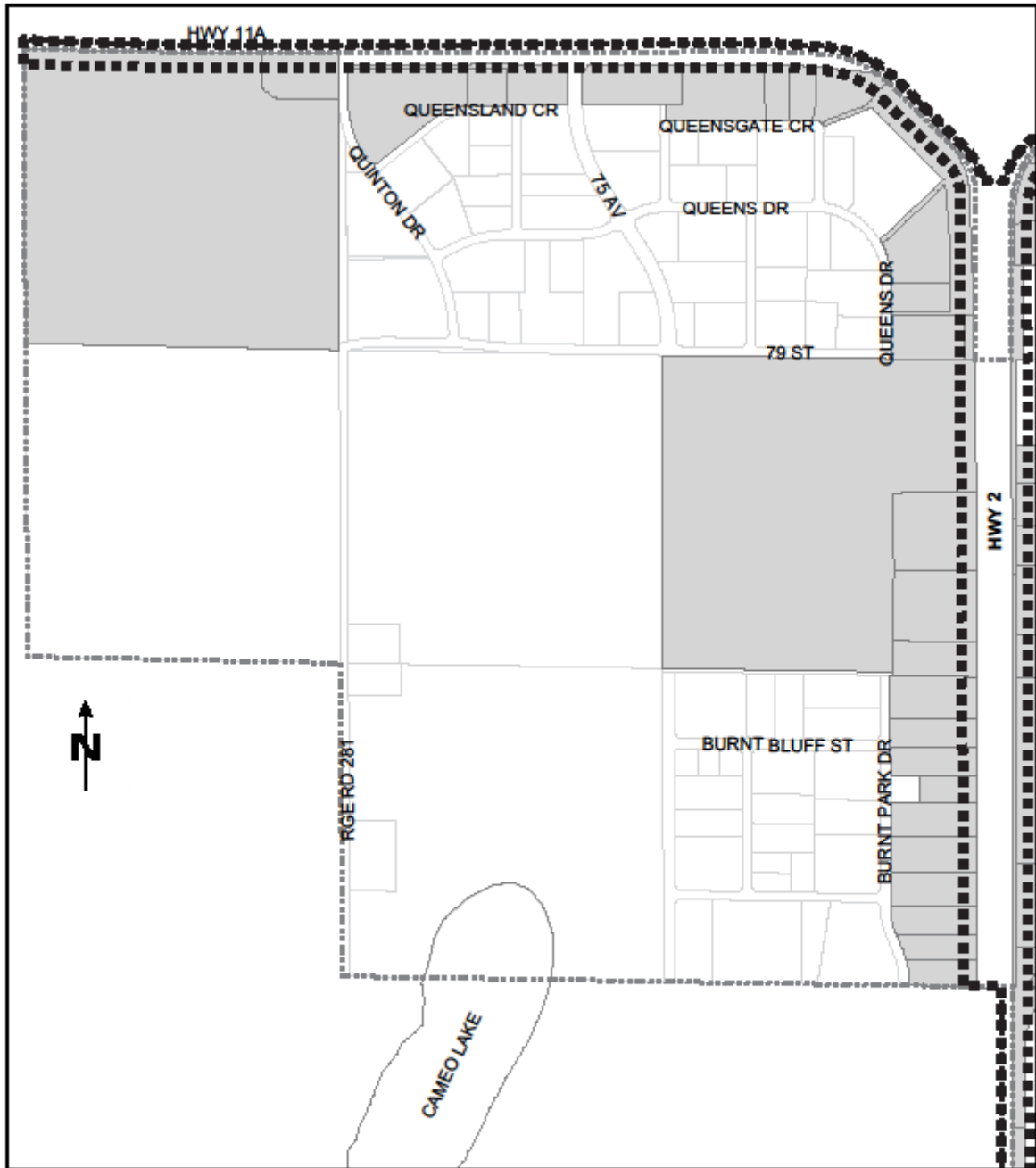


**Major Entry Area Affected Parcels (North West End):**  
Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs






-  Major Entry Area Overlay District  
(to 20 metres adjacent the Major Corridors)
-  Affected Parcels
-  City Boundary

**Figure 7C**  
Bylaw No. 3357/2006

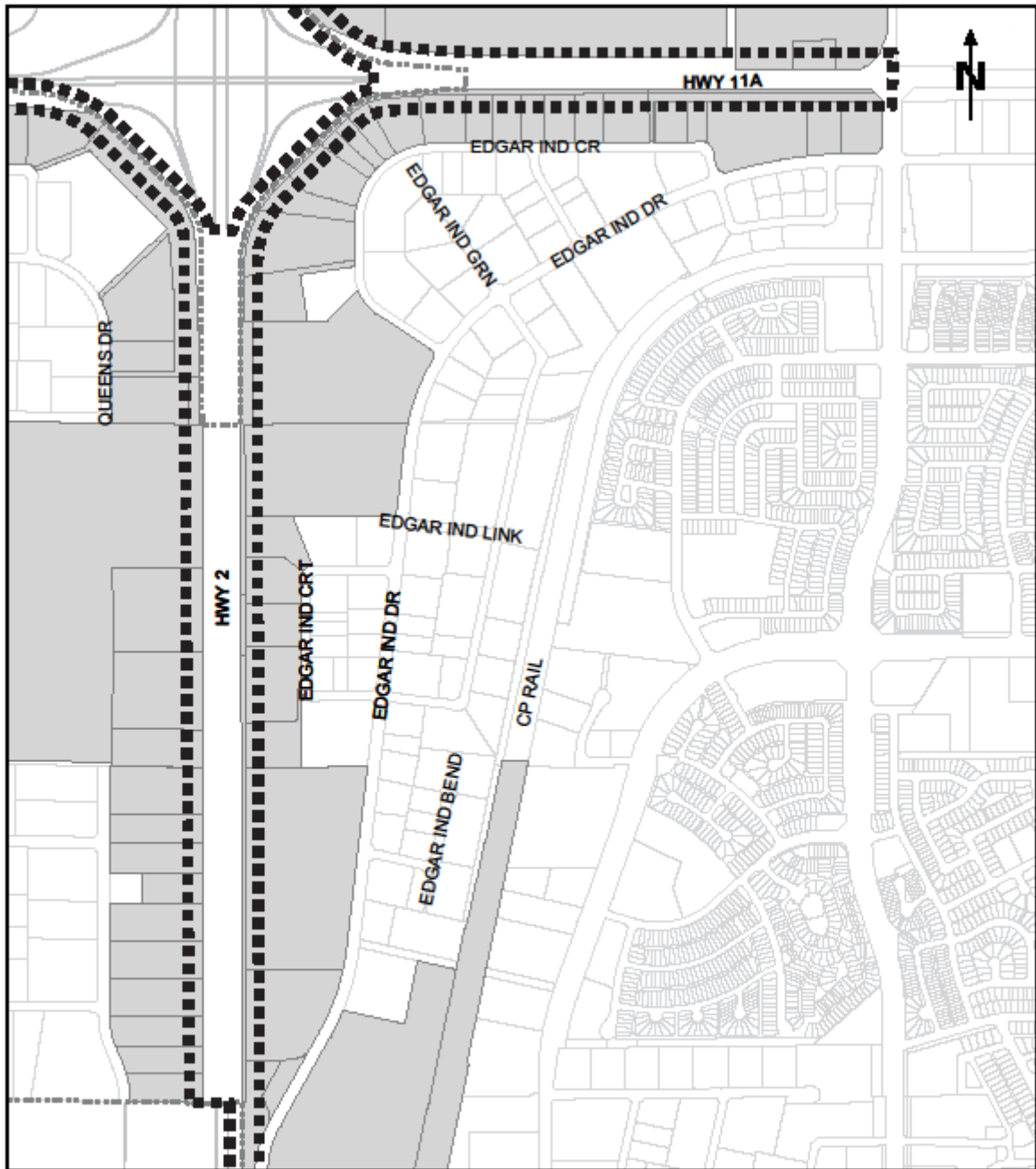


**Major Entry Area Affected Parcels (West QE2):**  
 Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs

-  Major Entry Area Overlay District  
(to 20 metres adjacent the Major Corridors)
-  Affected Parcels
-  City Boundary






**Figure 7D**  
 Bylaw No. 3357/2006

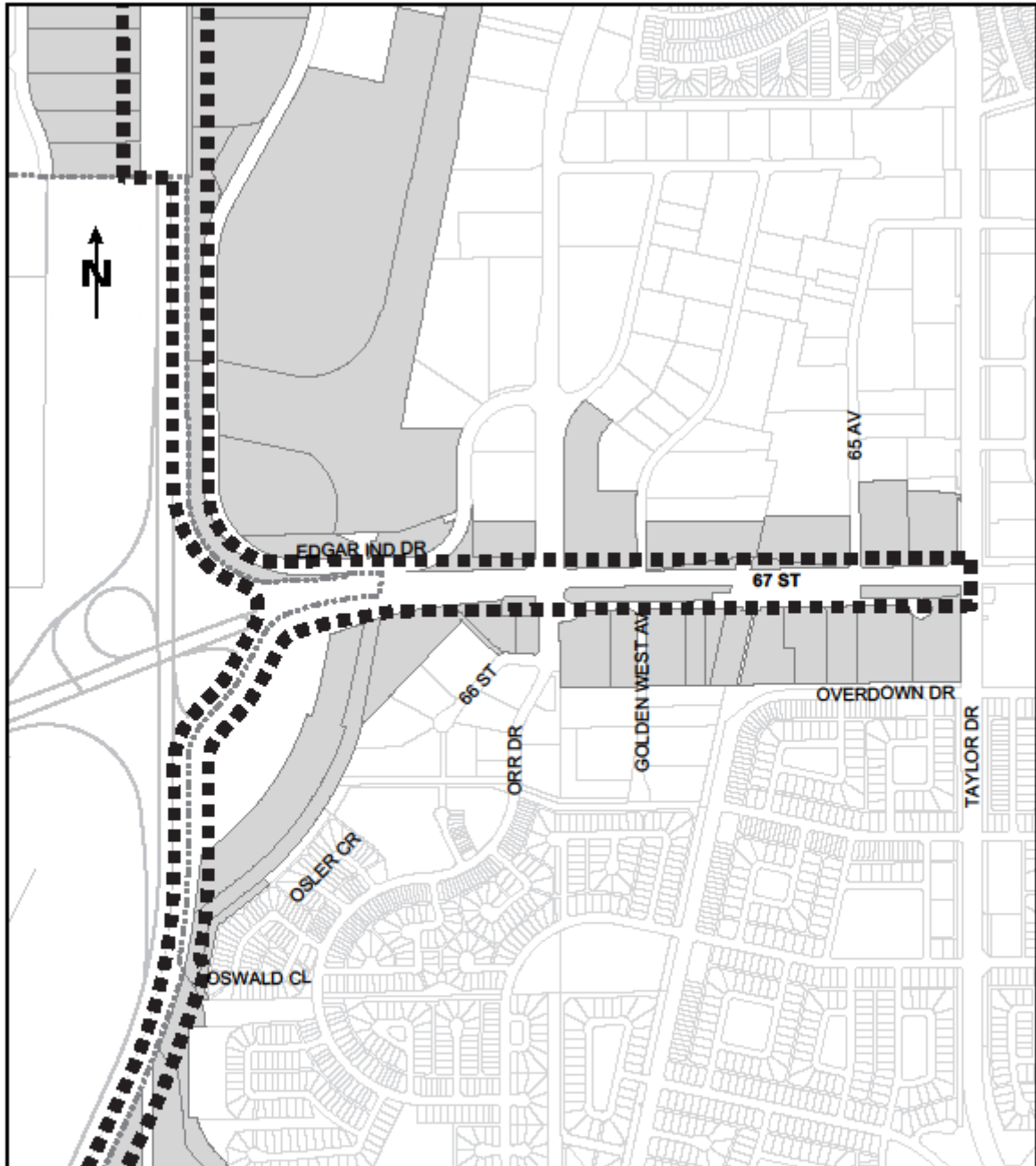


**Major Entry Area Affected Parcels (Between 67 St. & Hwy 11A):**  
Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs



-  Major Entry Area Overlay District  
(to 20 metres adjacent the streetscape of concern)
-  Affected Parcels
-  City Boundary




**Figure 7E**  
Bylaw No. 3357/2006



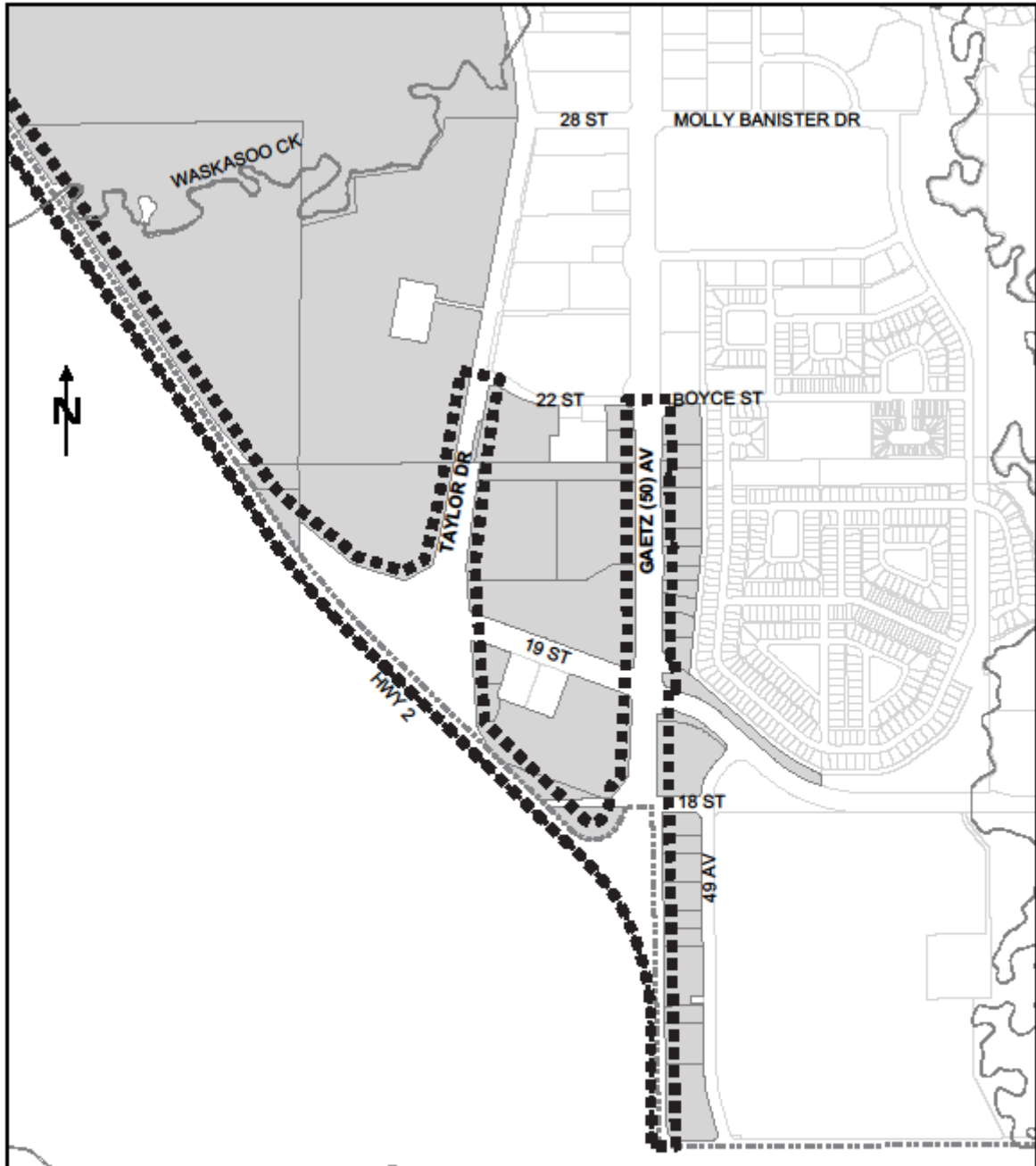
**Major Entry Area Affected Parcels (67 St.):**

Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs






-  Major Entry Area Overlay District  
(to 20 metres adjacent the streetscape of concern)
-  Affected Parcels
-  City Boundary

**Figure 7F**  
Bylaw No. 3357/2006



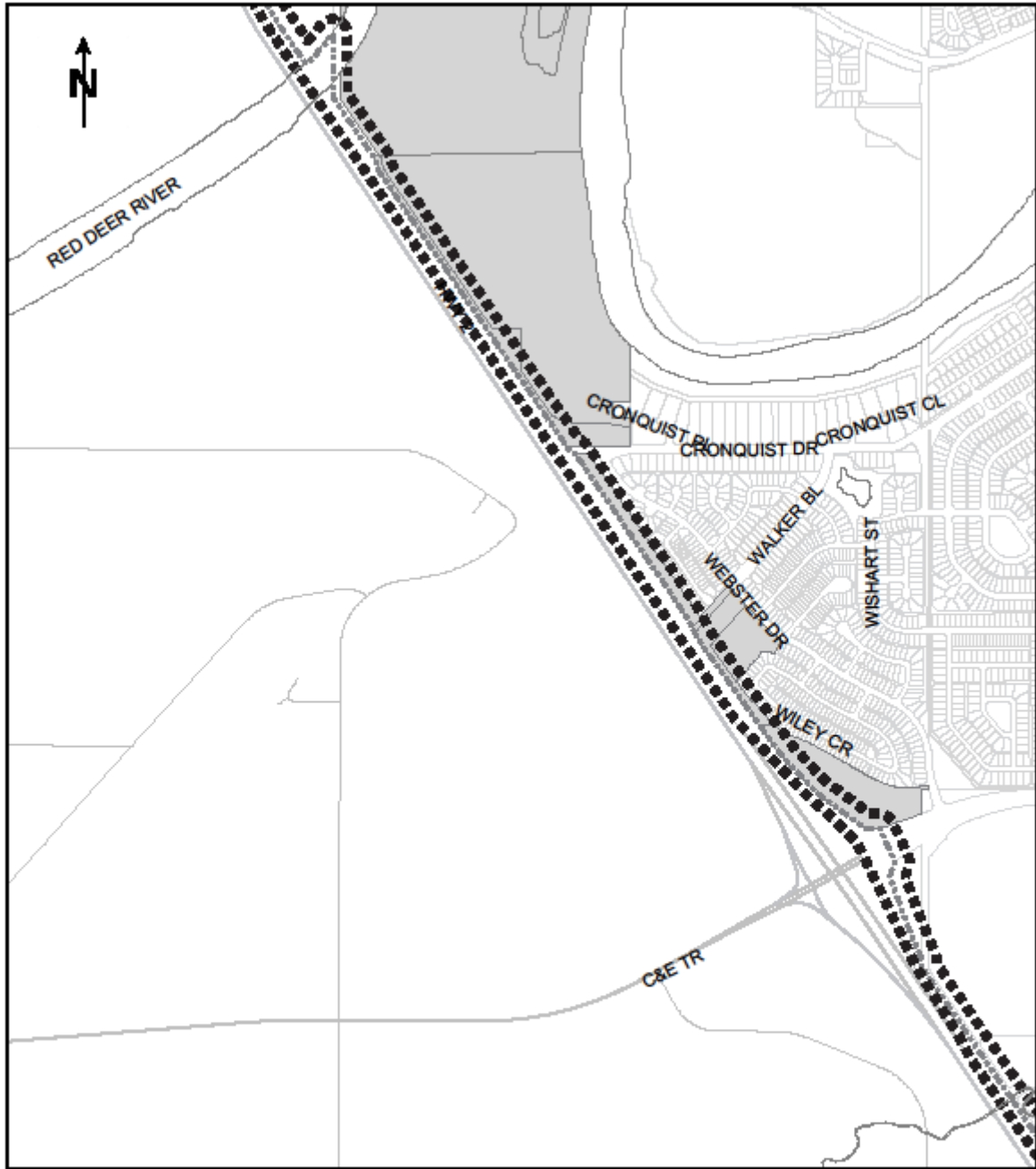
**Major Entry Area Affected Parcels (South End):**  
Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs



-  Major Entry Area Overlay District  
(to 20 metres adjacent the Major Corridors)
-  Affected Parcels
-  City Boundary




**Figure 7G**  
Bylaw No. 3357/2006



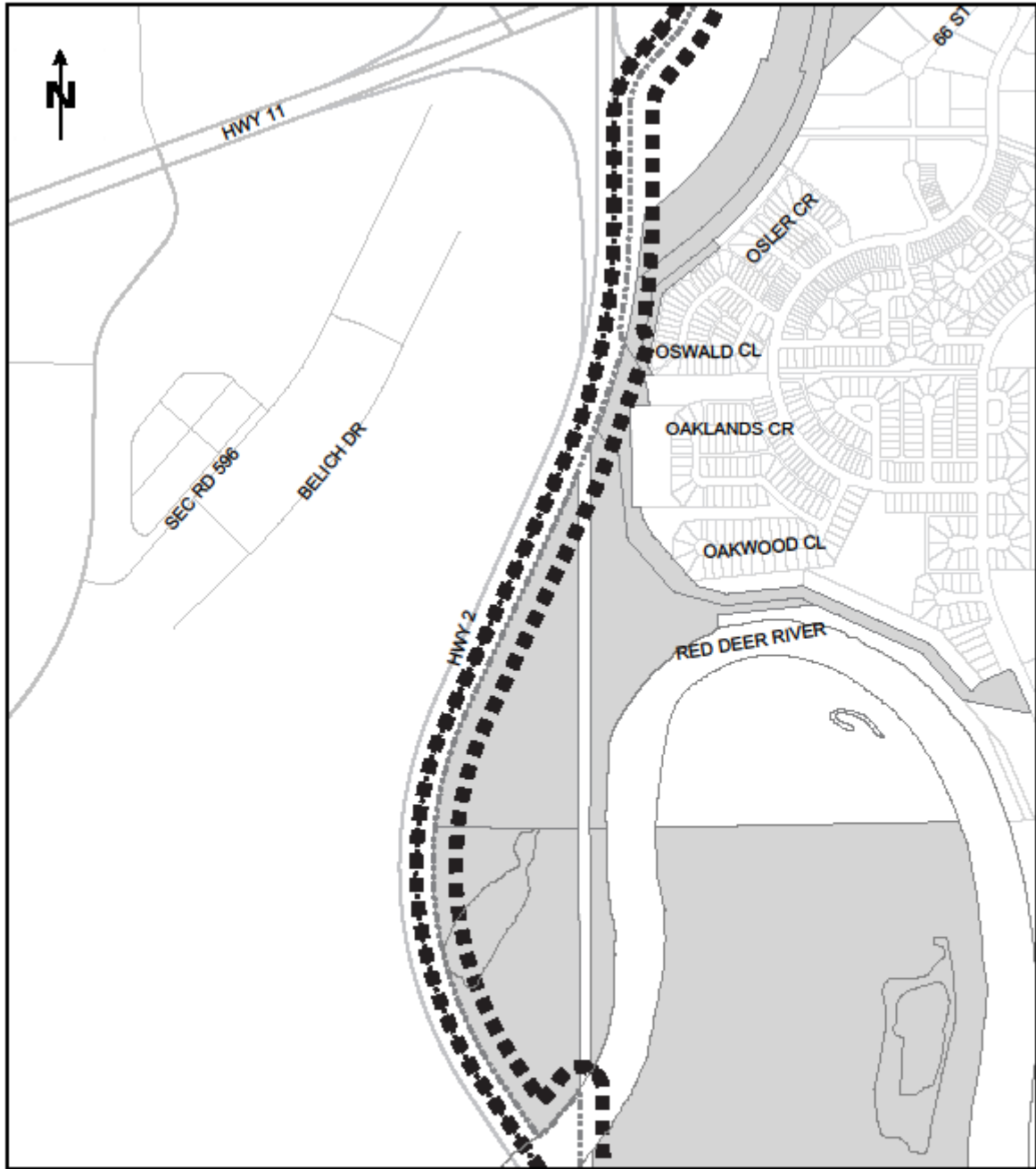


**Major Entry Area Affected Parcels (Hwy 2 South):**  
Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs






-  Major Entry Area Overlay District  
(to 20 metres adjacent the streetscape of concern)
-  Affected Parcels
-  City Boundary

**Figure 7H**  
Bylaw No. 3357/2006



**Major Entry Area Affected Parcels (Hwy 2 North):**  
Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs



-  Major Entry Area Overlay District  
(to 20 metres adjacent the Major Corridors)
-  Affected Parcels
-  City Boundary

**Figure 71**  
Bylaw No. 3357/2006

## 7.16 <sup>1</sup>Little Close Overlay District:

### 1. General Purpose

The purpose of this overlay is to allow for an increase to the maximum site coverage within an R1A district.

### 1. Application

In the Little Close Overlay District, the site coverage regulation set out in the underlying district is modified as follows:

Regulation	Requirements
Site Coverage Maximum	50% (includes garage and accessory buildings)

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<sup>1</sup> 3357/Q-2017

<b>8.13 Direct Control District No.13 DC (13) (See Map L16)</b> .....	<b>32</b>
(1) DC (13) Permitted and Discretionary Uses Table.....	32
(2) Direct Control District No. 13 Regulations.....	33
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<b>8.14 DELETED</b> .....	<b>34</b>
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(1) DC (16) Permitted and Discretionary Uses Table.....	38
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**8.1 Direct Control District No. 1 DC (1) (See Map M12)**



**<sup>1</sup>General Purpose**

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

**1. DC (1) Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
<b>(i)</b>	Accessory use or building subject to section 3.5.
<b>(ii)</b>	<sup>2</sup> Building Sign
<b>(iii)</b>	Commercial recreation facility.
<b>(iv)</b>	<sup>3</sup> Freestanding Sign.
<b>(v)</b>	<sup>4</sup> Institutional service facility.
<b>(vi)</b>	<sup>5</sup> Merchandise sales (indoor only) and/or rental, excluding all motor vehicles, machinery, Cannabis Retail Sales and fuel.
<b>(vii)</b>	<sup>6</sup> Restaurants (no drive-through windows).
<b>(viii)</b>	Service and repair of goods traded in this district.
<b>(ix)</b>	<sup>7</sup> DELETED
<b>(x)</b>	Transportation, Communication or Utility Facility.
<b>(xi)</b>	Royal Canadian Legion
<b>(xii)</b>	Red Deer Advocate
<b>(b) Discretionary Uses</b>	
<b>(i)</b>	<sup>8</sup> Gaming or gambling establishment subject to section 5.7 (1) (g).
<b>(ii)</b>	Offices limited to the existing buildings along Bremner Avenue
<b>(iii)</b>	Commercial service facility
<b>(iv)</b>	Assisted living facility
<b>(v)</b>	Multiple family building
<b>(vi)</b>	Dwelling units above the ground floor

<sup>1</sup> 3357/G-2015

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/C-2007, 3357/G-2015

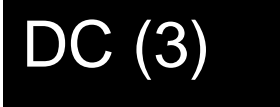
<sup>5</sup> 3357/L-2018

<sup>6</sup> 3357/G-2018

<sup>7</sup> 3357/B-2018

<sup>8</sup> 3357/J-2007, 3357/G-2015

**8.3 <sup>1</sup>Direct Control District No. 3 DC (3) (See Map L16)**



**General Purpose**

The general purpose of this district is to facilitate development that is in keeping with the direction set out in the Greater Downtown Action Plan for the Railyards neighbourhood. This vision includes medium to high density residential and mixed use residential/commercial land uses, residential development on the upper floors of ground floor commercial and an overall high-quality pedestrian environment.

This site encompassed by the DC (3) district is in a prominent location within the downtown and is highly visible given its location adjacent to both the Red Deer River and Gaetz Avenue. Any development within this site should reflect its elevated status as a major entry point into the downtown.

**1. Direct Control District No. 3 Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
<b>(i)</b>	<sup>2</sup> Building Sign
<b>(ii)</b>	<sup>3</sup> Freestanding Sign.
<b>(iii)</b>	<sup>4</sup> Merchandise sales and/or rental excluding motor vehicles, machinery, fuel, Cannabis Retail Sales, liquor stores, pawn shops and adult entertainment.
<b>(iv)</b>	Service and repair of goods traded in the C1 district, excluding motor vehicles.
<b>(v)</b>	Restaurant
<b>(vi)</b>	Dwelling Units above the ground floor
<b>(vii)</b>	Home occupations subject to section 4.7 (8).
<b>(viii)</b>	<sup>5</sup> DELETED
<b>(ix)</b>	<sup>6</sup> DELETED
<b>(x)</b>	Office
<b>(b) Discretionary Uses</b>	
<b>(i)</b>	Commercial Recreation Facility
<b>(ii)</b>	Commercial Service Facility
<b>(iii)</b>	Accessory building or use subject to section 3.5.
<b>(iv)</b>	Parking lot/parking structure.
<b>(v)</b>	<sup>7</sup> DELETED
<b>(vi)</b>	<sup>8</sup> Show Home or Raffle Home

<sup>1</sup> 3357/O-2010  
<sup>2</sup> 3357/B-2018  
<sup>3</sup> 3357/B-2018  
<sup>4</sup> 3357/L-2018  
<sup>5</sup> 3357/B-2018  
<sup>6</sup> 3357/B-2018  
<sup>7</sup> 3357/B-2018  
<sup>8</sup> 3357/T-2015



**8.6 Direct Control District No. 6 DC (6) (See Map L15)**



**1. DC (6) Uses Table**

<b>(a) Uses (that will be considered by City Council)</b>	
<b>(i)</b>	Two restaurants in the existing building.
<b>(ii)</b>	Accessory building or use to any of the above.
<b>(iii)</b>	<sup>1</sup> Building Sign;
<b>(iv)</b>	Commercial recreation facility.
<b>(v)</b>	Commercial entertainment facility.
<b>(vi)</b>	Commercial service facility.
<b>(vii)</b>	Drinking establishment (adult entertainment prohibited) subject to section 5.7(8).
<b>(viii)</b>	<sup>2</sup> Dynamic Fascia Sign, on Sites described in Section 11.8.1(4).
<b>(ix)</b>	<sup>3</sup> Dynamic Freestanding Sign, on Sites described in Section 11.8.1(4)
<b>(x)</b>	<sup>4</sup> Freestanding Sign.
<b>(xi)</b>	Home occupations subject to section 4.7(8).
<b>(xii)</b>	Hotel or motel.
<b>(xiii)</b>	Institutional service facility.
<b>(xiv)</b>	Merchandise sales, excluding: <ul style="list-style-type: none"> <li><b>(1)</b> agricultural and industrial vehicles or machinery, and fuel.</li> <li><b>(2)</b> a food store, a pharmacy or a drug store (restrictive covenant placed by 422984 Alberta Ltd. / Westfair Foods against this entire site).</li> <li><b>(3)</b> <sup>5</sup>Cannabis Retail Sales.</li> </ul>
<b>(xv)</b>	Multiple family building.
<b>(xvi)</b>	Office.
<b>(xvii)</b>	Parking lot or parking structure in conjunction with any of the above uses.
<b>(xviii)</b>	Restaurant, excluding against a portion of this site: any fast food outlet or restaurant specializing in the sale of hamburgers (restrictive covenant placed by McDonalds Restaurants of Canada Ltd.).
<b>(xix)</b>	<sup>6</sup> DELETED
<b>(xx)</b>	<sup>7</sup> Gaming or Gambling Establishment subject to section 5.7 (1) (f).
<b>(xxi)</b>	<sup>8</sup> Show Home or Raffle Home

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/L-2018

<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/J-2007

<sup>8</sup> 3357/T-2015

**8.12 Direct Control District No. 12 DC (12) (See Map M14)**



**General Purpose**

This District is created to permit the development of commercial uses in a manner that will facilitate and recognize a transition zone between existing residential areas and the more intensely developed commercial core.

**1. DC (12) Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
<b>(i)</b>	<sup>1</sup> Building Sign
<b>(ii)</b>	Commercial service facility.
<b>(iii)</b>	Dwelling units above the ground floor.
<b>(iv)</b>	<sup>2</sup> Freestanding Sign.
<b>(v)</b>	<sup>3</sup> Merchandise sales and/or rental, excluding agricultural and industrial motor vehicles or machinery, Cannabis Retail Sales and fuel.
<b>(vi)</b>	Office.
<b>(vii)</b>	Service and repair of goods traded in the district, excluding motor vehicles.
<b>(viii)</b>	<sup>4</sup> DELETED
<b>(b) Discretionary Uses</b>	
<b>(i)</b>	Accessory building or use subject to section 3.5.
<b>(ii)</b>	Detached dwelling and accessory buildings, existing legally at the time of adoption of bylaw.
<b>(iii)</b>	Home occupations subject to section 4.7(8).
<b>(iv)</b>	Multiple family building.
<b>(v)</b>	Multi-attached building.
<b>(vi)</b>	Parking lot.
<b>(vii)</b>	<sup>5</sup> DELETED
<b>(viii)</b>	<sup>6</sup> Show Home or Raffle Home.

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/B-2018

<sup>6</sup> 3357/T-2015

**(b) Discretionary Uses**

- (i) <sup>1</sup>Building Sign
- (ii) Semi-detached dwelling unit
- (iii) Multi-family building
- (iv) Multi-attached building
- (v) <sup>2</sup>Any combination of uses (v) through (xii) on the ground floor of a residential use.
- (vi) All uses in existence at January 15, 2001 are deemed to be discretionary uses under the bylaw provided that the use does not expand, takes place in an existing building and that the use is continuous. Discontinuance of a use for 6 months or more will render such use in non-compliance of this bylaw.
- (vii) <sup>3</sup>Merchandise sales and/or rental but excludes the sales and/or rental of adult oriented merchandise, motor vehicles, machinery, fuel, Cannabis Retail Sales and liquor, beer or wine stores.
- (viii) Office
- (ix) Commercial service facility
- (x) Restaurant
- (xi) <sup>4</sup>Merchandise sales and/or rental, servicing the neighbourhood, (excluding sales and/or rental of adult oriented merchandise, motor vehicles, machinery, fuel, Cannabis Retail Sales and liquor, beer or wine stores).
- (xii) Service and repair of goods traded in the neighbourhood
- (xiii) Place of worship
- (xiv) <sup>5</sup>Show Home or Raffle Home.

**2. Direct Control District No. 13 Regulations**

**(a) Table 8.4.1 DC(13) Regulations**

<b>Regulation</b>	<b>Requirement</b>
Site coverage	40% minimum (includes garage and accessory buildings)
Building Height	4 Storey maximum
Front Yard	Residential- 4 metre minimum Commercial- 0 metre minimum
Side Yard	0 metre minimum unless abut residential use then 1.5 metres
Rear Yard	Residential- 7.5 metre minimum Commercial- 1.5 metre minimum
Parking	Subject to Section 3.1 & 3.2

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/D-2016

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/L-2018

<sup>5</sup> 3357/T-2015

- (b) Council delegates its authority with respect to all development standards to the Development Authority.
- (c) Applications for redevelopment adjacent to or across the street from residential shall be circulated to all property owners located within 100m of the boundary of the site.

### **3. Site Development**

- (a) All development must comply with the design regulations provided in the Riverside Meadows Overlay District, Section 7.11.
- (b) Parking relaxations may be appropriate as an incentive for redevelopment and to help encourage use of alternate transportation modes where the developer can demonstrate that parking will not overflow in to or cause problems with the adjacent residential. Parking shall not be visible from the river front.
- (c) The partial conversion of existing multi-unit residential buildings to discretionary uses (VI) to (xii) listed above is not allowed unless extensive renovations are completed or a new building is constructed.

## **8.14 <sup>1</sup>Direct Control District No. 14 DC (14) – DELETED**

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<sup>1</sup> 3357/U-2009

- (viii) <sup>1</sup>The following uses on Lot 1A, Block 2, Plan 862-1950 (4926-55 Street)
1. <sup>2</sup>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. <sup>3</sup>Freestanding Sign.
  6. <sup>4</sup>Restaurant without drive-through
  7. <sup>5</sup>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. <sup>6</sup>DELETED

## 2. Direct Control District No. 15 Regulations

(a) <sup>7</sup>Table 8.6 DC(15) Regulations

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

<sup>1</sup> 3357/N-2017

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/G-2018

<sup>5</sup> 3357/L-2018

<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/N-2017

**8.20 Direct Control District No. 20 DC (20) (See Map M12, M13)**



**General Purpose**

This District is created to permit redevelopment of the former Red Deer County building site Lots 1 & 2, Block 9, Plan 708 M.C. (4758 – 32 Street) with low density commercial uses. Redevelopment of this site would be with compatible commercial uses that provide a transition between the Gaetz Avenue C4 (Major Arterial) Commercial District west of the site and, the R2 and R3 residential developments east and north of the site.

**1. DC (20) Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
<ul style="list-style-type: none"> <li>(i) <sup>1</sup>Building Sign</li> <li>(ii) Commercial recreation facility.</li> <li>(iii) Commercial service facility.</li> <li>(iv) <sup>2</sup>Freestanding Sign</li> <li>(v) Restaurant.</li> <li>(vi) <sup>3</sup>Merchandise sales and/or rental, excluding:                             <ul style="list-style-type: none"> <li>(1) all uses where the primary focus is adult oriented merchandise and/or entertainment,</li> <li>(2) liquor,</li> <li>(3) motor vehicles,</li> <li>(4) Cannabis Retail Sales</li> <li>(5) machinery and,</li> <li>(6) fuel.</li> </ul> </li> <li>(vii) Health and medical services.</li> <li>(ix) <sup>4</sup>DELETED</li> </ul>	
<b>(b) Discretionary Uses</b>	
<ul style="list-style-type: none"> <li>(i) Accessory building or use.</li> <li>(ii) Service and repair of goods traded in this district.</li> <li>(iii) Dangerous good occupancy, where required, in association with a dry cleaning business.</li> <li>(iv) <sup>5</sup>Gaming or Gambling Establishment subject to section 5.7 (1) (g)</li> </ul>	

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/J-2007

**GENERAL**

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

**COMMERCIAL PARCELS**

General Purpose

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

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

<b>(a) Permitted Uses</b>	
<ul style="list-style-type: none"> <li>(i) <sup>1</sup>Building Sign</li> <li>(ii) Commercial service facility.</li> <li>(iii) <sup>2</sup>Freestanding Sign.</li> <li>(iv) <sup>3</sup>Merchandise sales and/or rental excluding all motor vehicles, machinery, Cannabis Retail Sales and fuel.</li> <li>(v) Office on the second floor and above<sup>1</sup></li> <li>(vi) Restaurant – Lots A, B, C, D, and E only.</li> <li>(vii) Service and repair of permitted goods traded in the DC (25) district, excluding motor vehicles and machinery.</li> <li>(viii) <sup>4</sup>DELETED</li> </ul>	
<b>(b) Discretionary Uses</b>	
<ul style="list-style-type: none"> <li>(i) Above ground storage tanks for motor fuel including propane and used oil – Lots D and E only.</li> <li>(ii) Accessory building or use subject to section 3.5 of the Land Use Bylaw.</li> <li>(iii) Commercial entertainment facility – Lots A, B, C, D, and E only.</li> <li>(iv) Commercial recreation facility.</li> </ul>	

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

- (v) Dwelling units above the ground floor
- (vi) Drinking establishment (adult entertainment prohibited & subject to section 5.7(8)) of the Land Use Bylaw – Lots A, B, C, D, E only
- (vii) <sup>1</sup>Dynamic Fascia Sign
- (viii) <sup>2</sup>Dynamic Freestanding Sign.
- (ix) Hotel or Motel – Lots A, B, C, D, and E only.
- (x) Fuel sales – Lots D and E only.
- (xi) Parking Lot.
- (xii) Parking Structure.
- (xiii) Restaurant - Lot F only.
- (xiv) <sup>3</sup>DELETED
- (xv) Transportation, communication or utility facility.
- (xvi) Outdoor storage (subject to section 5.7(9)of the Land Use Bylaw)
- (xvii) Outdoor display or sale of goods (subject to section 5.7(10) of the Land Use Bylaw)
- (xviii)Service and repair of goods traded in the DC (25) district, excluding motor vehicles and machinery- Lot F only.
- (xix) Office on the ground floor<sup>1</sup>

<sup>1</sup> Office not to exceed 10% of the gross leasable floor area maximum of the whole shopping centre (Lots A/B, C, D, E and F). Total office not to exceed a maximum of 5914 m<sup>2</sup> / 63660 ft<sup>2</sup>.

## 2. Regulations

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

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

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

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/B-2018



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

**<sup>1</sup>8.20.7 Direct Control District No. 27 Neighbourhood Centre DC (27)  
(See Map P17)**



**<sup>2</sup>General Purpose**

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

**1. Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
(i)	<sup>3</sup> Building Sign
(ii)	Commercial Entertainment Facility.
(iii)	Commercial Recreation Facility.
(iv)	Commercial Service Facility
(v)	Day Care Facility.
(vi)	<sup>4</sup> Freestanding Sign.
(vii)	Home Music Instructor/Instruction, subject to section 4.7 (10).
(viii)	Home Occupations which, in the opinion of the Development Officer, will not generate additional traffic.
(ix)	<sup>5</sup> 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)	<sup>1</sup> Restaurant without drive-through.

<sup>1</sup> 3357/Q-2010

<sup>2</sup> Correction #29

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/L-2018

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

*Design and Relationship with Adjacent Buildings:*

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

**General Land Use**

**(vii) Primarily Residential Area**

*Purpose and Location:*

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

*Interface and Relationship with Adjacent Uses:*

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

**(viii)<sup>1</sup>Primarily Retail Commercial**

*Purpose and Location:*

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

*Design and Relationship with Adjacent Uses:*

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

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<sup>1</sup> 3357/L-2018

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

**DC (28)**

**General Purpose**

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

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

<b>(a) Permitted Uses</b>	
<b>(i)</b>	<sup>2</sup> Building Sign; and
<b>(ii)</b>	<sup>3</sup> Freestanding Sign.
<b>(iii)</b>	<sup>4</sup> Merchandise sales on the ground floor excluding all motor vehicles, machinery, fuel, pawn shops, Cannabis Retail Sales and adult entertainment.
<b>(iv)</b>	Dwelling Units above the ground floor.
<b>(v)</b>	Hotel.
<b>(vi)</b>	Office above the ground floor.
<b>(vii)</b>	Multiple family building.
<b>(viii)</b>	Multi-attached dwelling unit building.
<b>(ix)</b>	<sup>5</sup> Restaurants (No drive-through windows).
<b>(x)</b>	<sup>6</sup> DELETED

<b>(b) Discretionary Uses</b>	
<b>(i)</b>	Accessory building or use subject to section 3.5.
<b>(ii)</b>	Any development legally existing or legally approved prior to the passing of this Bylaw deemed to be a discretionary use duly approved by the Development Authority.
<b>(iii)</b>	Assisted living facility.
<b>(iv)</b>	Commercial Entertainment Facility.
<b>(v)</b>	Commercial Recreation Facility.
<b>(vi)</b>	<sup>7</sup> Commercial Service Facility (No drive-through windows).
<b>(vii)</b>	Drinking establishment (adult entertainment prohibited and subject to section

<sup>1</sup> 3357/P-2010

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/L-2018

<sup>5</sup> 3357/G-2018

<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/G-2018

- 5.7(8)).
- (viii) <sup>1</sup>Dynamic Fascia Sign, on Sites described in Section 11.8.1(4)
  - (ix) <sup>2</sup>Dynamic Freestanding Sign, on Sites described in Section 11.8.1(4).
  - (x) Home occupations subject to section 4.7 (8).
  - (xi) Institutional Service Facility including only libraries, museums, auditoriums, concert halls, colleges, schools, places of worship or assembly, hospitals, fire stations, police stations, court houses.
  - (xii) Office on the ground floor.
  - (xiii) <sup>3</sup>Merchandise sales above the ground floor excluding motor vehicles, machinery, fuel, pawn shops, Cannabis Retail Sales and adult entertainment.
  - (xiv) Parking lot/parking structure.
  - (xv) Service and repair of goods traded in this district.
  - (xvi) <sup>4</sup>DELETED
  - (xvii) Communication or Utility facility excluding Transportation facilities.
  - (xviii) <sup>5</sup>Microbrewery
  - (xix) <sup>6</sup>Show Home or Raffle Home.

**2. Direct Control District No. 28 Regulations**

**(a) Table 1 DC (28) Regulations**

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

<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/B-2018

<sup>5</sup> 3357/AA-2014

<sup>6</sup> 3357/T-2015

### **3. Amenity Areas**

- (a) The minimum front and side yard setbacks for sites within this district may be reduced or eliminated by the Development Authority, if the Development Authority determines, based on the merit of each individual development, that encroachment into the setback area is identified for pedestrian enhancements that meet the following criteria:
  - (i) Development within the setback area is non-structural.
  - (ii) Space for pedestrian amenities such as walkways, sidewalks, bicycle routes, green spaces and landscaping, urban sculptures and benches or other street furniture.
  - (iii) Development with special design elements featuring unique building entrances and/or facades, non-structural columns, canopies, porches and balconies, special lighting, or street oriented signage.
  - (iv) Development that takes into account the unique character of an area.
  - (v) Development that creates a visually interesting and compatible relationship with the street and adjoining buildings, and provides a continuous pedestrian streetscape or pedestrian/public amenity such as an outdoor café, courtyard or garden.

### **4. Approving Authority**

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

### **5. Site Development**

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

### **6. General Design Purpose**

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

- (ii) Promote residential developments on the upper floors of ground floor commercial along 53<sup>rd</sup> Avenue.
- (iii) Promote the enhancement of 53<sup>rd</sup> Avenue as a “complete street” with sidewalks, a dedicated bike lane, street furniture, and high quality landscaping.

## **8.22 Exceptions Respecting Land Use**

### **1. Areas Specifically Designated for a Particular Use**

- (a) In addition to the list of discretionary uses set out in the applicable land use district, those sites shall have the following additional discretionary uses and the Commission shall determine the floor area, yard requirements, building height, parking and loading requirements:
- (i) 40 Avenue and Ross Street (south side only) motor vehicle service and repair (no sales), car wash and drive-in,
  - (ii) Lot 33, Block 1, Plan 772 2593 food establishment,
  - (iii) 41 Avenue and Ross Street (southeast corner only) motor vehicle service and repair (no sales), car wash and drive-in,
- Notwithstanding the foregoing, no outside storage of vehicles may be permitted for longer than one week and sales of vehicles from the above sites is not permitted.
- (b) On those sites listed below, medical offices and related facilities and related commercial services are discretionary uses provided that such offices shall not be located on any floor of the building which contains a dwelling unit. Parking lots are also a discretionary use for Block 4, Plan 6564 E.T.:
- (i) Block 4, Plan 6564 E.T. (5101 – 5129 39 Street & 5102-5130 38 Street)
  - (ii) Lot 1, Block J, Plan 3999 R.S. (3939-50A Avenue),
  - (iii) Lot 2, Block J, Plan 3999 R.S. (3947-50A Avenue),
  - (iv) 5102-5130 38 Street and 5101 – 5129 39 Street.
- (c) <sup>1</sup>On Lot 58, Block 14, Plan 792-0555 (88 Howarth Street), the development of C2B uses, except Cannabis Retail Sales, lounges, bars and amusement arcades may be allowed as discretionary uses, provided that landscaped buffers of 10 m and 3 m be developed along Howarth Street and the lane respectively, and be subject to all other provisions of the C2B Districts.
- (d) On those sites, or portions thereof herein listed, the following uses may be allowed as permitted uses:
- (i) One basement dwelling in a detached dwelling in addition to the uses listed in the R1 Use Table on:

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<sup>1</sup> 3357/L-2018

- (1) Lot 3C, Block E, Plan 792-3164 (5853-71 Street).
- (ii) Alberta Amateur Hockey Association Training Program and distribution of materials on:

  - (1) Bays #1 - 4, Lot 4, Block 4, Plan 792-3149 (#1, 7875 - 48 Avenue).
- (iii) Use by Youth and Volunteer Centre on:

  - (1) W 1/2 of Lot 39, Lot 40, Block B, Plan K8 (4633-49 Street),
  - (2) Lots 41-42, Block B, Plan K8 (4637-49 Street).
- (iv) Basement dwelling suite on:

  - (1) Lot 1, Block 4, Plan 4194 M.C. (414 Terrace Park).
- (v) Office by Canadian Paraplegic Association on:

  - (1) Lots 3-4, Block 5, Plan 762-0870 (#4, 7803-50th Avenue).
- (vi) Tea house, lodging and boarding house, and gift store in association with a bed and breakfast operation on:

  - (1) Lots 38-40, Block A, Plan K8 (4631-50 Street).
- (vii) Dry waste disposal site on:

  - (1) The portion of the N.E. 1/4 of Section 33-38-27-4 which lies west of Railway Plan No. 1813 M.C. and the portion of Lot R5, Block 4, Plan 772-0064 which lies in the S.E. 1/4 of Section 33-38-27-4.
- (viii) Maximum 20 bed community residential centre (halfway house) by the John Howard Society on:

  - (1) Lots 10-14 and west 10 feet of Lot 15, Block 17, Plan H (4920– 50<sup>th</sup> Street).
- (ix) <sup>1</sup>A Ronald McDonald House facility, allowed as a permitted use on:

  - (1) Lots 2 and 2A, Plan 625 NY(3902 and 3906-50<sup>th</sup> Avenue); and
  - (2) Lot 3, Plan 3839 HW (3908-50<sup>th</sup> Avenue); and

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<sup>1</sup> 3357/S-2009



- (3) The north/south portion of lane immediately north of 39<sup>th</sup> Street right of way and east of 50A Avenue contained within plans 3839 HW and 625 NY.
- (4) Subject to all development regulations being determined by the Development Authority. The regulations in the R2 District shall not be applicable to this use.
- (x) <sup>1</sup>One unmanned (volunteer) fire station to store and house fire trucks, fire fighting apparatus and related ancillary equipment in:
- (1) Units 17 & 18, Condominium Plan 092 3280 (B7 & B8, 37 Burnt Basin Street).
- (xi) <sup>2</sup>Drinking Establishment not to exceed 100 m<sup>2</sup> in area, with an occupancy load of not more than 60 persons, secondary to a brewery manufacturing facility, at Block 5, Lot 1, Plan 0125593 (6610 – 71 Street), and no outdoor extensions at the above location shall be permitted in addition to or as an accessory to the above use
- (xii) <sup>3</sup>A maximum of 47 one bedroom multiple family residential units converted from existing hotel units on Lot 6, Block 14, Plan 4436TR (2807 50<sup>th</sup> Ave).
- (xiii) <sup>4</sup>Existing tele-theatre racetrack betting facility on Lot 7, Block 5 Plan 012 1322 [3731-50 (Gaetz) Avenue].
- (e) On those sites, or portions thereof herein listed, the following uses may be allowed as discretionary uses:
- (i) Apartments on:
- (1) Condominium Plan 822 2661 (Lot 19, Block G, Plan 802 3230) (5144 – 45 Avenue) and Condominium Plan 942 0656 (Lot 18, Block 6, Plan 802 3230) (4515–53 Street), and
- (2) Lots 18 and 19, Block G, Plan 3184 I (5301-46 Avenue), and
- (3) Lot 11A, Block G, Plan 1500 R.S. (4511-55 Street).

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<sup>1</sup> 3357/Y-2009

<sup>2</sup> 3357/P-2012

<sup>3</sup> 3357/X-2013, Correction #31

<sup>4</sup> 3357/Y-2014

<sup>1</sup>(4) Lot 8, Block 1, Plan 24 HW (6755-59 Avenue)

(ii) Upholstery business on:

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

(iii) Semi-detached dwelling on:

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

(iv) <sup>2</sup>**DELETED**

(v) <sup>3</sup>Three-unit multi-attached building on:

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

(vi) <sup>4</sup>Multiple Family Building, Assisted Living Facility, Day Care Facility, and Day Care Adult on Lot 9, Block 1, Plan 042 2888 (6791 65<sup>th</sup> Ave) subject to a maximum height of six storeys as discretionary uses and that each building shall contain commercial uses, as a minimum, on the ground floor. The commercial component shall not exceed three storeys. A residential noise impact statement is required outlining the measures to be taken to mitigate noise impacts from the adjacent industrial area.

(vii) <sup>5</sup>Security Suite on Lot UNT 29, Clock CDE, Plan 762 1172 (7429 49 Ave) subject to the following:

(1) The security suite:

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

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<sup>1</sup> 3357/D-2008

<sup>2</sup> 3357/T-2016

<sup>3</sup> 3357/E-2012

<sup>4</sup> 3357/F-2013

<sup>5</sup> 3357/EE-2013

(2) In addition to the number of parking stalls required for the principal user under Part 3 and 4 of this Bylaw, no additional parking space shall be designated for the security suite.

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

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

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

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

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

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

(xiii) Microbrewery on:

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

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

(i) <sup>3</sup>DELETED

(ii) <sup>4</sup>Photographic studio on:

(1) DELETED – See 8.22(1)(g)(ii)

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<sup>1</sup> 3357/H-2015

<sup>2</sup> 3357/Y-2017

<sup>3</sup> 3357/N-2017

<sup>4</sup> 3357/T-2010

- (iii) Hair salon on:
- (1) Lot 9, Block 43, Plan 157 HW (4407-48 Avenue).
- (iv) Detached dwelling with 2 basement units on:
- (1) Lot 21, Block F, Plan K9 (5311-44 Avenue).
- (v) Contractor's business on:
- (1) Lot 10C, Block 5, Plan 792-1541 (#3, 7887-50 Avenue).
- (vi) <sup>1</sup>One basement dwelling suite on:
- (1) Lot 13, Block 36, Plan 5187 KS (5702 West Park Crescent)
  - (2) Lots 25-26, Block 3, Plan 4516AC (4018 50 Street)
- (vii) <sup>2</sup>DELETED
- (viii) <sup>3</sup>Law office subject to the low impact commercial use provisions of section 5.7 (6) on:
- (1) Lots 45-46, Block B, Plan K8 (4641 – 49<sup>th</sup> Street)
- (ix) <sup>4</sup>A 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;

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<sup>1</sup> 3156/B-1998

<sup>2</sup> 3357/I-2013

<sup>3</sup> 3357/A-2007

<sup>4</sup> 3357/N-2013, 3357/B-2018

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

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

(i) Office for a utility locating service on:

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

(ii) <sup>1</sup>A 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;

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 45<sup>th</sup> 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) <sup>2</sup>Canadian Cancer Society and Fanta Homes on Lot 8 Block1 Plan 6784KS.

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

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

(2) the licensed processes and functions of the use shall be

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<sup>1</sup> 3357/T-2010, 3357/B-2018

<sup>2</sup> 3357/U-2010

<sup>3</sup> 3357/L-2016

fully enclosed within the Building;

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

(h) <sup>1</sup>DELETED

(i) <sup>2</sup>DELETED

(j) <sup>3</sup>DELETED

(k) A low impact commercial use which complies with the provisions of section 5.7(6) may be allowed as a discretionary use on any lot along the north side of 49 Street between 46 Avenue and 47 Avenue, along both sides of Ross/50 Street between 46 Avenue and 47 Avenue and the lots adjacent to the east side of 47 Avenue between Ross/50 Street and 55 Street.

(l) Notwithstanding anything in this Bylaw, on the sites listed below, a semi-detached dwelling unit shall be added to the list of permitted uses set out in the applicable land use district, but such semi-detached dwelling units must comply with the regulations applicable to the R1A district.

(i) Lot 47 (4635 – 48 Street) and Lot 48 (4631 – 48 Street) Block C Plan 992 6203.

(ii) Lot 22 and Lot 23 Block C Plan K8 (4602B and 4602A – 47

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<sup>1</sup> 3357/U-2009

<sup>2</sup> 3357/U-2009

<sup>3</sup> 3357/U-2009

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

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

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

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

- (i) Notwithstanding section 6.3(1) of this Land Use Bylaw, one new two storey building for the uses of paint supply, mixing paint, sale and distribution of automotive related finishes and parts may be built on Block N, Plan 3051HW (5825 Kerry Wood Drive) and

may be expanded to include Lot 1, Block N, Plan 1861KS, if Lot 1, Block N, Plan 1861KS is consolidated by Plan of Survey with Block N, Plan 3051HW. This permitted use is subject to review of the building design by the Riverside Meadows Community Association and Municipal Planning Commission. The building is to be designed with a commercial appearance; outside storage will be allowed provided it is adequately screened. All other standards are contained in sections 6.3(2) and 6.3(3). This land use exception will expire on July 15, 2010.

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

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

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

**(q)** <sup>1</sup>Signs, 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)** <sup>2</sup>DELETED

**(s)** <sup>3</sup>DELETED

**(t)** <sup>4</sup>Notwithstanding 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;

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<sup>1</sup> 3357/B-2018

<sup>2</sup> 3357/Z-2007, 3357/I-2013

<sup>3</sup> 3357/Z-2007, 3357/I-2013

<sup>4</sup> 3357/G-2008



- (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) <sup>1</sup>To 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:

<b>Lot</b>	<b>Block</b>	<b>Plan</b>	<b>Street Address</b>
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

<sup>1</sup> 3357/U-2009

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) <sup>1</sup>On 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

<sup>2</sup>(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

<sup>1</sup> 3357/U-2009

<sup>2</sup> 3357/F-2013, 3357/R-2010, 3357/B-2018

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).

<sup>1</sup>(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)

<sup>2</sup>(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.

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

<sup>1</sup> 3357/Y-2010, Clerical Correction re: numbering, 3357/B-2018

<sup>2</sup> 3357/H-2013

<sup>1</sup>(z) Subject to the approval of the Municipal Planning Commission, on the Site listed below, 2 Dynamic Fascia Signs on the existing Building, provided that the overall Sign, including the Dynamic Fascia Signs, otherwise complies with Part Eleven: Sign Development Standards:

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

<sup>2</sup>(aa) The location highlighted below, south of Timberlands Drive and abutting the road right-of-way, shall be restricted to a mixed use building as described herein. A portion of the said building must abut Timberlands Drive. The building shall be comprised of at-grade (main floor) commercial use and 3-storeys of multi-family residential. The building shall have an active commercial street face built close to or abutting Timberlands Drive. For further clarity, the restrictions of this Section 8.22(aa) shall be considered fundamental land use restrictions applicable to this location highlighted below; and, the restrictions of this Section 8.22 (aa) shall ‘overlay’ or restrict and limit the listed permitted and discretionary uses of any general Land Use District (e.g. C5 District) that may otherwise apply to the location highlighted below. No Cannabis Retail Sales will be permitted.



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

<sup>1</sup> 3357/L-2014, 3357/B-2018

<sup>2</sup> 3357/D-2015, 3357/L-2018

<sup>3</sup> 3357/F-2015

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

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

(i) Regulations:

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

(ii) Approving Authority

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

(iii) Design Criteria

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

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<sup>1</sup> 3357/U-2015

<sup>2</sup> 3357/HH-2016

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

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

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

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

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

## 2. Areas Specifically Exempted from a Particular Use

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

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

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<sup>1</sup> 3357/II-2017

<sup>2</sup> 3357/F-2018

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

(i) a gaming or drinking establishment:

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

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

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

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<sup>1</sup> 3357/V-2014

<sup>2</sup> 3357/T-2016

<sup>3</sup> 3357/HH-2016, 3357/L-2018

<sup>4</sup> 3357/G-2018

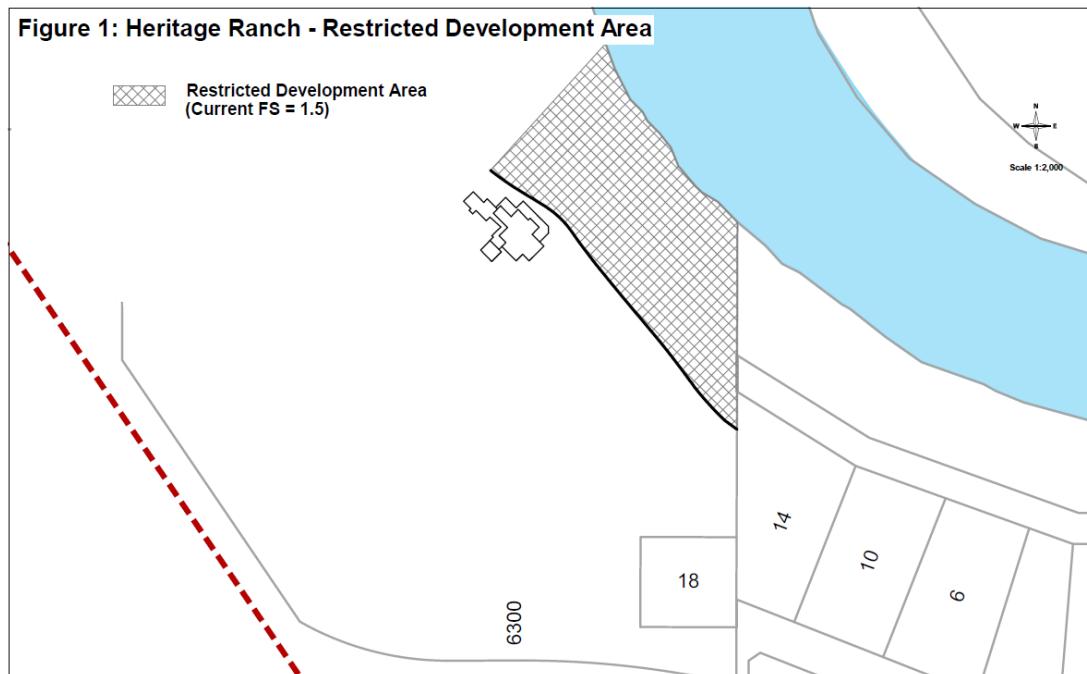


(xvii) Cannabis Retail Sales

(f) <sup>1</sup>On 4718-19 Street the following uses shall not be allowed as either permitted or discretionary uses:

(i) Motor Vehicle Sales

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



<sup>1</sup> 3357/X-2017

<sup>2</sup> 3357/F-2018

### 10.1.2 General Definitions

<sup>2</sup>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.

<sup>3</sup>**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).

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

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

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

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

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

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

<sup>5</sup>**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

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<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/L-2018

<sup>4</sup> 3357/L-2018

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.

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

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<sup>5</sup> 3357/L-2018

### 10.1.3 Use Definitions

<sup>6</sup>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 part 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.

<sup>7</sup>**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.

<sup>8</sup>DELETED

<sup>9</sup>**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

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<sup>6</sup> 3357/B-2018

<sup>7</sup> 3357/L-2018

<sup>8</sup> 3357/B-2018

<sup>9</sup> 3357/L-2018

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.

<sup>10</sup>**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).

<sup>11</sup>**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.

<sup>12</sup>**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.

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<sup>10</sup> 3357/L-2018

<sup>11</sup> 3357/L-2018

<sup>12</sup> 3357/L-2018

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

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

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

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

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

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

<sup>13</sup>**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.

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<sup>13</sup> 3357/L-2018

- (xi) Health and Medical Service
- (xii) Home music instructor/instruction (two students)
- (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) <sup>11</sup>**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) <sup>12</sup>**DELETED**
- (xxvii) **Utilities**

### 10.2.2 Discretionary Uses

- (a) <sup>13</sup>Drive-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) <sup>14</sup>**DELETED**
  - (viii) **Drinking Establishment (adult entertainment prohibited)**
  - (ix) <sup>15</sup>**Dynamic Fascia Sign, on Sites described in Section 11.8.1(4)**
  - (x) <sup>16</sup>**Dynamic Freestanding Sign, on Sites described in Section 11.8.1(4)**
  - (xi) **Gaming or Gambling Establishment**
  - (xii) **Home music instructor/instruction (six students)**
  - (xiii) **Home Occupation which will generate additional parking**

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<sup>11</sup> 3357/L-2018

<sup>12</sup> 3357/B-2018

<sup>13</sup> 3357/G-2018

<sup>14</sup> 3357/B-2018

<sup>15</sup> 3357/B-2018

<sup>16</sup> 3357/B-2018

- (xi) **Grocery Store**
- (xii) Health and Medical Service
- (xiii) **Hotel**
- (xiv) **Information Service Provider**
- (xv) **Market**
- (xvi) <sup>21</sup>**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) <sup>22</sup>Restaurant without drive-through
- (xxiii) **Specialty Food Store**
- (xxiv) <sup>23</sup>DELETED
- (xxv) Utilities

### 10.3.2 Discretionary Uses

- (a) <sup>24</sup>Drive-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) <sup>25</sup>DELETED
  - (iv) Drinking Establishment (adult entertainment prohibited)
  - (v) <sup>26</sup>Dwelling units above the ground floor.
  - (vi) Gaming or Gambling Establishment
  - (vii) Institutional Service Facility (excluding detention and correction centres)
  - (viii) Liquor, Beer and/or Wine Sales
  - (ix) Microbrewery
  - (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

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<sup>20</sup> 3357/B-2018

<sup>21</sup> 3357/L-2018

<sup>22</sup> 3357/G-2018

<sup>23</sup> 3357/B-2018

<sup>24</sup> 3357/G-2018

<sup>25</sup> 3357/B-2018

<sup>26</sup> 3357/MM-2016



- (x) **Information Service Provider**
- (xi) **Live Work Unit**
- (xii) <sup>28</sup>**Merchandise Sales** (excluding Cannabis Retail Sales, 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) <sup>29</sup>**DELETED**
- (xix) **Specialty Food Store**
- (xx) **Utilities**

#### 10.4.2 Discretionary Uses

- (a) <sup>30</sup>Drive-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) <sup>31</sup>**Building Sign**
  - (v) **Commercial Service Facility** (excluding financial or insurance services outlet)
  - (vi) <sup>32</sup>**Freestanding Sign**
  - (vii) <sup>33</sup>**DELETED**
  - (viii) **Home music instructor/instruction** (six students)
  - (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) <sup>34</sup>**Commercial Entertainment Facility on 5589-47 Street (Condominium Plan 152 2369)**
  - (xvii) <sup>35</sup>**Commercial Recreational Facility on 5589-47 Street (Condominium Plan 152 2369)**

<sup>28</sup> 3357/L-2018

<sup>29</sup> 3357/B-2018

<sup>30</sup> 3357/G-2018

<sup>31</sup> 3357/B-2018

<sup>32</sup> 3357/B-2018

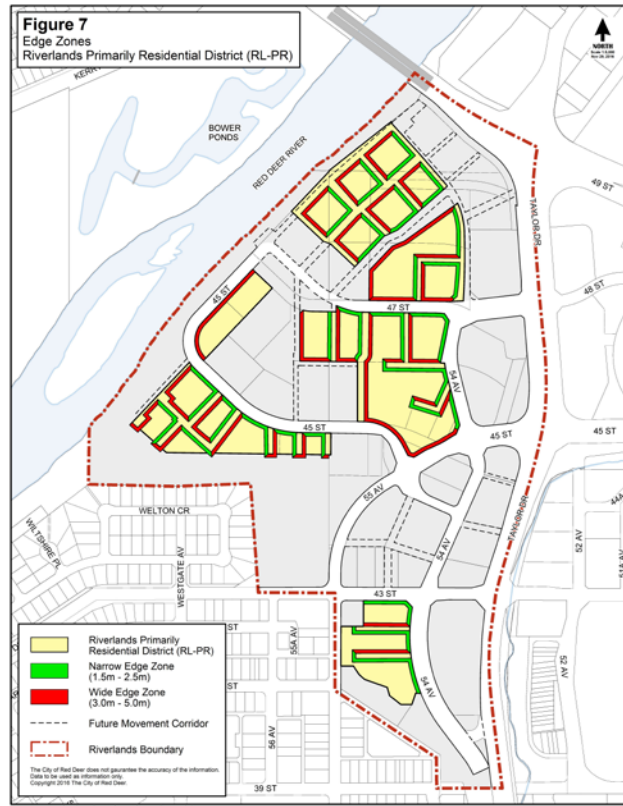
<sup>33</sup> 3357/B-2018

<sup>34</sup> 3357/KK-2016

<sup>35</sup> 3357/KK-2016

### 10.4.3.2 Edge Zones

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



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

### 10.4.3.3 Live Work Unit Development Standards

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

- vii. <sup>37</sup>**Merchandise Sales** (excluding Cannabis Retail Sales); and
  - viii. Other similar **Commercial** uses approved by the Development Authority
- (vi) A Live Work Unit shall not be individually separated through any subdivision or condominium plan.

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<sup>37</sup> 3357/L-2018

- (xii) **Grocery Store**
- (xiii) **Liquor, Beer, and/or Wine Sales**
- (xiv) <sup>41</sup>**Merchandise Sales** (excluding Cannabis Retail Sales, 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) <sup>42</sup>**DELETED**
- (xviii) **Specialty Food Store**

## 10.5.2 Discretionary Uses

- (a) <sup>43</sup>Drive-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 45<sup>th</sup> Street between 47<sup>th</sup> 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.

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<sup>40</sup> 3357/B-2018

<sup>41</sup> 3357/L-2018

<sup>42</sup> 3357/B-2018

<sup>43</sup> 3357/G-2018