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¹ 3357/Y-2014

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



General Purpose

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

1. DC (15) Permitted and Discretionary Uses Table

(a) Permitted Uses	
<ul style="list-style-type: none"> (i) Accessory building subject to section 3.5. (ii) Detached dwelling. (iii) Home occupations which, in the opinion of the Development Officer, will not generate additional traffic subject to section 4.7(8). (iv) Home music instructor/instruction (two students), subject to section 4.7(10). (v) Neighbourhood identification signs subject to section 3.4. (vi) Secondary suite subject to section 4.7(9). 	
(b) Discretionary Uses	
<ul style="list-style-type: none"> (i) Accessory use. (ii) Amateur radio tower. (iii) Bed & breakfast, subject to section 4.7(11). (iv) Garden suite subject to section 4.7(13). (v) Home music instructor/instruction (six students), subject to section 4.7(10). (vi) ¹Health and Medical Services, secondary to residential use, occupying no more than 50 percent of the habitable floor area of the detached dwelling on Lots 5-6, Block 2, Plan 7075AE (4922 – 55 Street) subject to the following restrictions <ul style="list-style-type: none"> 1. Hours of operation of the Health and Medical Services use restricted to 9:00 a.m. to 7:00 p.m.; 2. In addition to the two residential off-street parking stalls, there shall be a minimum of two more off-street parking stalls provided for the exclusive and unrestricted use of the Health and Medical Services use during its hours of operation. (vii) ²Show Home or Raffle Home. 	

¹ 3357/A-2014

² 3357/T-2015

- (viii) ¹The following uses on Lot 1A, Block 2, Plan 862-1950 (4926-55 Street)
1. 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
 2. Commercial service facility
 3. Dwelling units above the ground floor
 4. Restaurant without drive through
 5. Merchandise sales and/or rental excluding agricultural and industrial motor vehicles or machinery
 6. Office
 7. Service and repair of goods traded on 4926-55 Street
 8. Signs (subject to section 3.3 and 3.4):
 - a. a-board signs,
 - b. awning and canopy signs,
 - c. under canopy signs,
 - d. fascia signs,
 - e. free standing signs,
 - f. neighbourhood identification signs, and
 - g. projection sign.

2. Direct Control District No. 15 Regulations

(a) ²Table 8.6 DC(15) Regulations

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

¹ 3357/N-2017

² 3357/N-2017

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

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

- (i) not less than 90.0% of the minimum front yard, side yard, rear yard, site area, or frontage,
- (ii) not less than 95.0% of the minimum floor area,
- (iii) not less than 98.0% of the minimum landscaping area.

- (c) In calculating the minimum floor area for an odd and irregular shaped site:
 - (i) the frontage of the site shall be the greater of either the width of the site at the building line or the front boundary of the lot,
 - (ii) the width of the site at the building line shall be deemed to be the distance between the side boundary lines measured along the alignment of the front or rear wall of the building, whichever is the lesser.

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



General Purpose

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

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

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

1. DC (16) Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory building subject to section 3.5.
(ii)	Home occupations which, in the opinion of the Development Officer, will not generate additional traffic subject to section 4.7(8).
(iii)	Home music instructor/instruction (two students), subject to section 4.7(10).
(iv)	Neighbourhood identification signs subject to section 3.4.
(b) Discretionary Uses	

- | |
|--|
| <ul style="list-style-type: none">(i) Amateur radio tower.(ii) Bed & breakfast, subject to section 4.7(11).(iii) Home music instructor/instruction (six students), subject to section 4.7(10).(iv) Home occupations which will generate additional traffic subject to section 4.7(8).(v) Multi-attached building.(vi) Multiple family building.(vii) ¹Show Home or Raffle Home. |
|--|

2. Direct Control District No. 16 Regulations

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

3. Special Regulations

- (a) All dwelling units and buildings shall be designed on the basis of “universal design principles” as generally defined by the building industry refer to section 8.16 general purpose.
- (b) At the completion of construction of Phase 1, i.e. the apartment building or the first stage thereof, some of the existing mature spruce trees along the north portion of the property and on the north property line shall be relocated to and maintained in permanent landscaping within the rear yard setback along Kentwood Drive. To the extent possible, any remaining mature spruce trees along the north portion of the property and on the north property line shall be maintained in this position until the construction of Phase 2, i.e. the townhouses, in this location.
- (c) No vehicular access (except emergency vehicles) shall be allowed from or onto Kentwood Drive to or from the proposed development, and appropriate arrangements shall be made with and to the satisfaction of the Emergency Services Department in this regard.
- (d) The density of the proposed development on this site shall be restricted to 60 dwelling units per hectare.

¹ 3357/T-2015

- (e) The provision of parking spaces on the site shall be restricted to the applicable minimum requirement in terms of sections 3.1 and 3.2, and shall further be subject to the applicable requirements of the Alberta Building Code with regard to parking spaces for handicapped persons.
- (f) As a condition of any development permit contemplated in this District, the Development Authority shall ensure that an agreement exists between The City and the owners of the remainder of Lot 1 Block 2 Plan 782 1439 that requires these owners to provide additional parking spaces on the said property in compliance with sections 3.1 and 3.2 of this Land Use Bylaw.

4. Redevelopment of Existing Neighbourhoods

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

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

¹ 3357/U-2009

8.18 Direct Control District No. 18 DC (18) (See Map L16)



General Purpose

This District will allow the development of an apartment building and townhouses in a manner that is compatible with the surrounding neighbourhood and the Riverside Meadows Area Redevelopment Plan. For the purpose of this Direct Control District Council is the Development Authority.

1. DC (18) Permitted and Discretionary Uses Table

(a) Permitted Uses
(i) Apartment building to a maximum of 95 units.
(ii) Townhouse units to a maximum of 7 units.
(b) Discretionary Uses
(i) As approved by Council
(ii) ¹ Show Home and Raffle Home.

2. Development Standards

- (a) All development standards not specifically referred to in this district shall be approved by City Council and shall generally follow the requirements of the R2 Residential (Medium Density) District.
- (b) Site Development: The apartment building shall be handicapped accessible with an elevator.
- (c) Building Height: Apartment building will be four storeys with all dwellings units above grade; the townhouses are to comply to the R2 Residential (Medium Density) District.
- (d) Parking Standards: Parking Standards shall be as required in the R2 District, however, Council may defer construction of a portion of the parking if parking research proves that the parking is not required at this time. If part of the parking requirements are deferred, the area on which the parking is deferred (on the west side of the site) will be retained for public park use until such time as the land is required for use as parking.
- (e) Traffic: In order to ensure that any site development meets vehicular and pedestrian traffic needs, the developer shall submit a traffic study for review by The City of Red Deer.
- (f) Site area: Minimum site area is to be 1 hectare.

¹ 3357/T-2015

8.19 Direct Control District No. 19 DC (19) (See Map L15)



General Purpose

This District will allow all of the prescribed uses as listed in the C1A Commercial City (City Centre West) District and allow development of a non-medical detoxification centre and overnight shelter program. For the purpose of this Direct Control District, Council is the Development Authority.

1. DC (19) Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	All uses listed as permitted in the C1A Commercial (City Centre West) District.
(ii)	¹ Maximum 46 bed combined non-medical detoxification centre and overnight shelter.
(b) Discretionary Uses	
(i)	All uses listed as discretionary in the C1A Commercial (City Centre West) District.

2. Development Standards

- (a)** The existing building is deemed to meet all development standards with the exception of landscape area.
- (b)** Landscape area is to be 15% of site area which is to include perimeter landscaping around the north parking area.
- (c)** Existing metal fence to be removed within 30 days of occupancy.
- (d)** Any development standards listed in this district as well as those as set out in Parts 2, 3 and 5 of the Land Use Bylaw are delegated by Council to the Development Officer.

¹ 3357/BB-2013

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

(a) Permitted Uses	
(i)	Commercial recreation facility.
(ii)	Commercial service facility.
(iii)	Restaurant.
(iv)	Merchandise sales and/or rental, excluding:
(1)	all uses where the primary focus is adult oriented merchandise and/or entertainment,
(2)	liquor,
(3)	motor vehicles,
(4)	machinery and,
(5)	fuel.
(v)	Health and medical services.
(vii)	Signs subject to section 3.3 and 3.4:
(1)	awning and canopy signs,
(2)	under canopy signs,
(3)	fascia signs,
(4)	free standing signs,
(5)	painted wall signs, and
(6)	projecting signs.
(b) Discretionary Uses	
(i)	Accessory building or use.
(ii)	Service and repair of goods traded in this district.
(iii)	Dangerous good occupancy, where required, in association with a dry cleaning business.
(iv)	¹ Gaming or Gambling Establishment subject to section 5.7 (1) (g)

¹ 3357/J-2007

2. Direct Control District No. 20 Regulations

(a) Table 8.7 DC(20) Regulations

Regulations	Requirements
Floor Area Maximum	One third of site area
Building Height Maximum	2 storeys
Front Yard Minimum	9.0 m
Side Yard Minimum	3.0 m, unless the side yard abuts a residential parcel, in which case it shall be 7.0 m
Rear Yard Minimum	9.0 m
Landscaped Area Minimum	15% of site area to include retention of existing vegetation on the south portion of site
Parking	Subject to sections 3.1 & 3.2
Loading Spaces Minimum	1 space opposite each loading door with a minimum of 1 which may be used as a parking space
Site Area Minimum	0.5 ha
Frontage Minimum	40.0 m

3. Site Development

- (a) In order to ensure that the new development on this site matches the character and scale of the existing surrounding neighbourhood, all uses and development standards prescribed for this district, site plan, site access, pedestrian environment, the provision of landscaped areas, and the parking layout shall be subject to approval by the Municipal Planning Commission.
- (b) The relationship of the use to adjacent residential areas will be a factor in considering the site plan and architectural treatment of the building.

8.20.1 ¹DELETED

8.20.2 Direct Control District No. 22 DC (22) (See Map L17)



General Purpose

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

1. DC (22) Permitted and Discretionary Uses Table

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

2. Development Standards

Residential Multiple Family Building:

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

¹ 3357/Q-2016

² 3357/T-2015

All other uses: subject to approval of the Development Authority

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

DC (24)

General Purpose

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

1. DC (24) Discretionary Use Table

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

2. Direct Control District No. 24 Regulations

- (a) The regulations set out in section 6.1(2); being the I1 Industrial (Business Service) District regulations, apply to this district.
- (b) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Development Authority.
- (c) All development shall meet the requirements of section 3.12 Major Entry Areas Development Standards.

¹ 3357/DD-2007

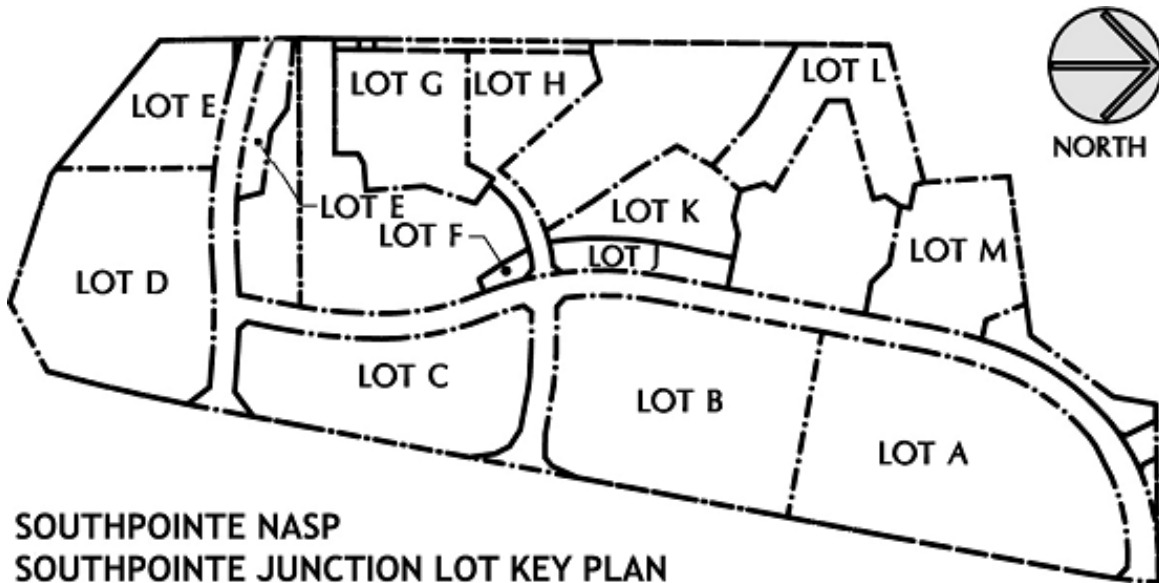
- (d) All lighting must not interfere with highway traffic and must be approved by the Development Authority.

3. Approving Authority

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

¹8.20.5 Direct Control District No. 25 DC (25)

DC (25)



¹ 3357/BB-2009

GENERAL

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

COMMERCIAL PARCELS

General Purpose

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

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

(a) Permitted Uses
<ul style="list-style-type: none"> (i) Commercial service facility. (ii) Merchandise sales and/or rental excluding all motor vehicles, machinery and fuel. (iii) Office on the second floor and above¹ (iv) Restaurant – Lots A, B, C, D, and E only. (v) Service and repair of permitted goods traded in the DC (25) district, excluding motor vehicles and machinery. (vi) Signs (subject to section 3.3 and 3.4 of the Land Use Bylaw). <ul style="list-style-type: none"> (a) Awnings & canopy signs. (b) Fascia signs. (c) Free standings signs (subject to section (C) Signage Regulations.) (d) Projecting signs.
(b) Discretionary Uses
<ul style="list-style-type: none"> (i) Above ground storage tanks for motor fuel including propane and used oil – Lots D and E only. (ii) Accessory building or use subject to section 3.5 of the Land Use Bylaw. (iii) Commercial entertainment facility – Lots A, B, C, D, and E only. (iv) Commercial recreation facility. (v) Dwelling units above the ground floor (vi) Drinking establishment (adult entertainment prohibited & subject to section 5.7(8)) of the Land Use Bylaw – Lots A, B, C, D, E only

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

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

2. Regulations

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

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

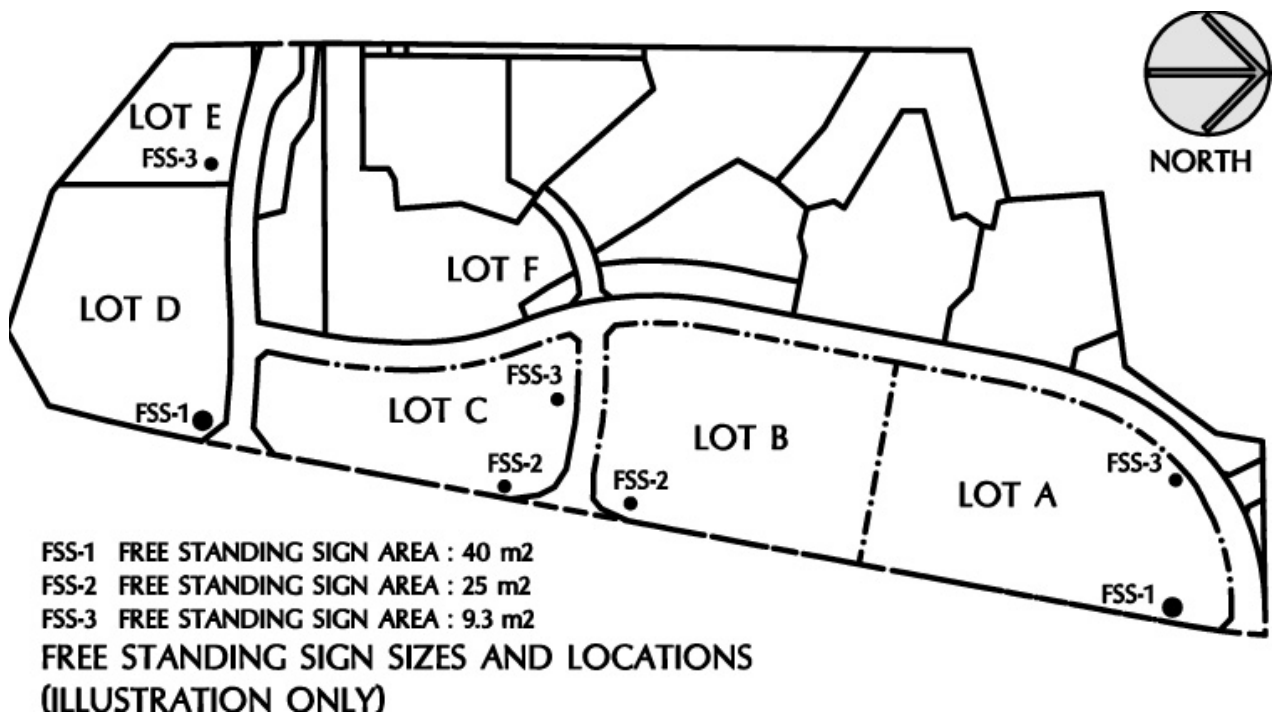
(b) The DC (25) District is subject to any applicable commercial regulations listed within section 5.7 of the Land Use Bylaw.

(c) Signage Regulations

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

- a. Two signs of a maximum area of 40m² each may be allowed in locations approved by the Development Authority on the Parcels marked “FSS-1” on Figure 1.
- b. Two signs of a maximum area of 25m² each may be allowed in locations approved by the Development Authority on the Parcels marked “FSS-2” on Figure 1, for the sole purpose of identifying the centre and its tenants.
- c. Three signs of a maximum area of 9.3m² each in locations approved by the Development Authority on the Parcels marked “FSS-3” on Figure 1.

Figure 1: Free Standing Sign Locations



3. Site Development

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

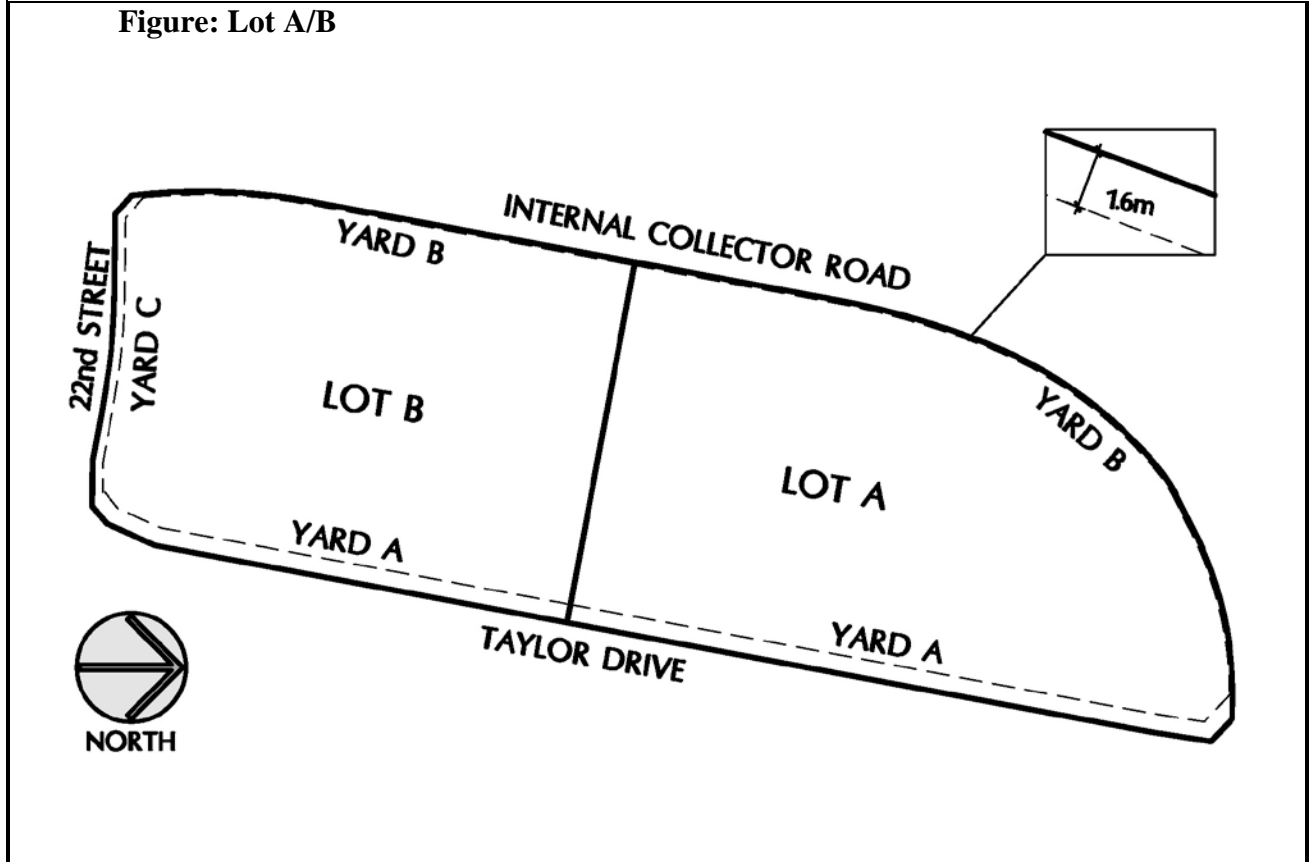
4. Setbacks

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

(a) Table 1 Lot A/B Setbacks

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

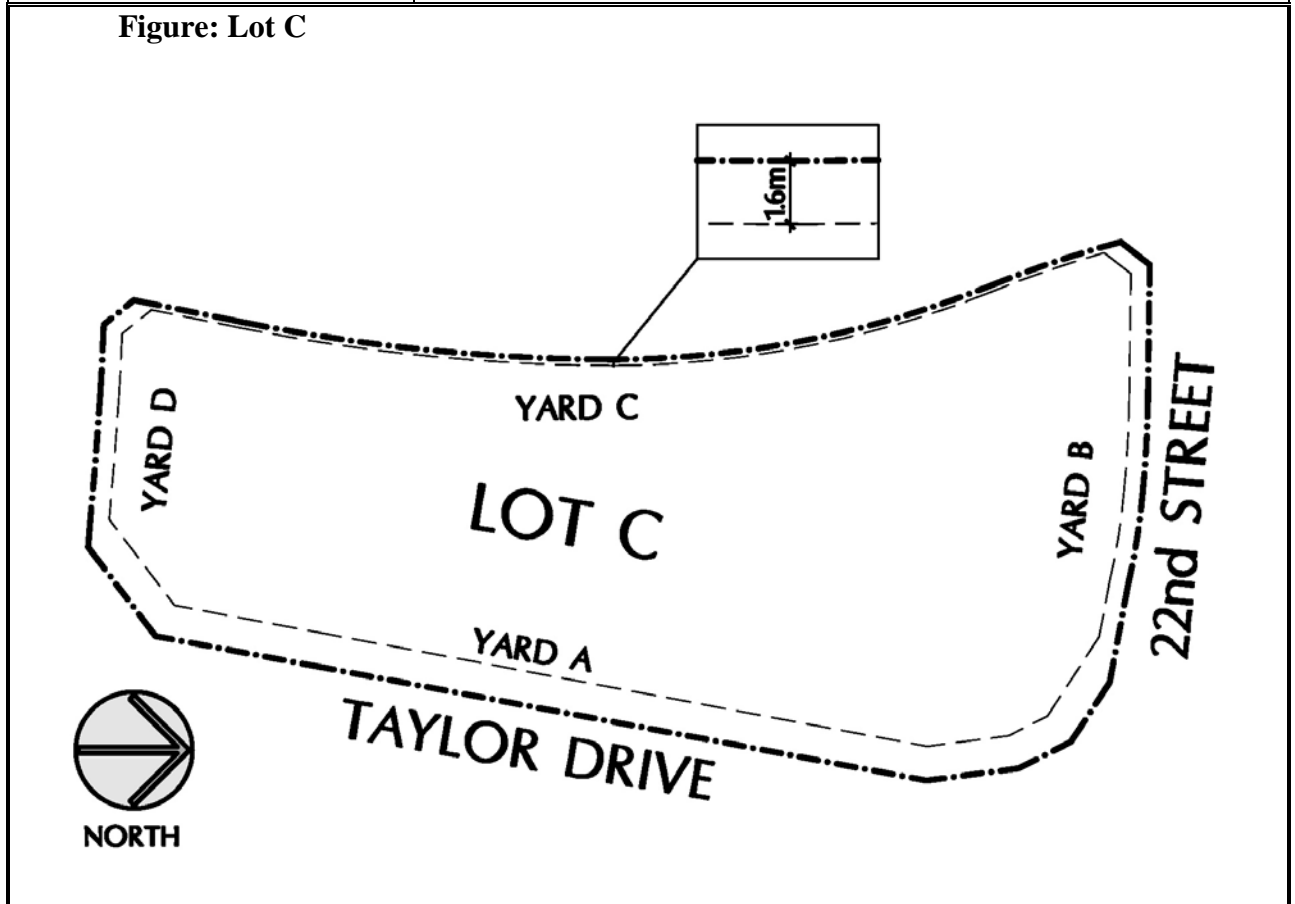
Figure: Lot A/B



(b) Table 2 Lot C Setbacks

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

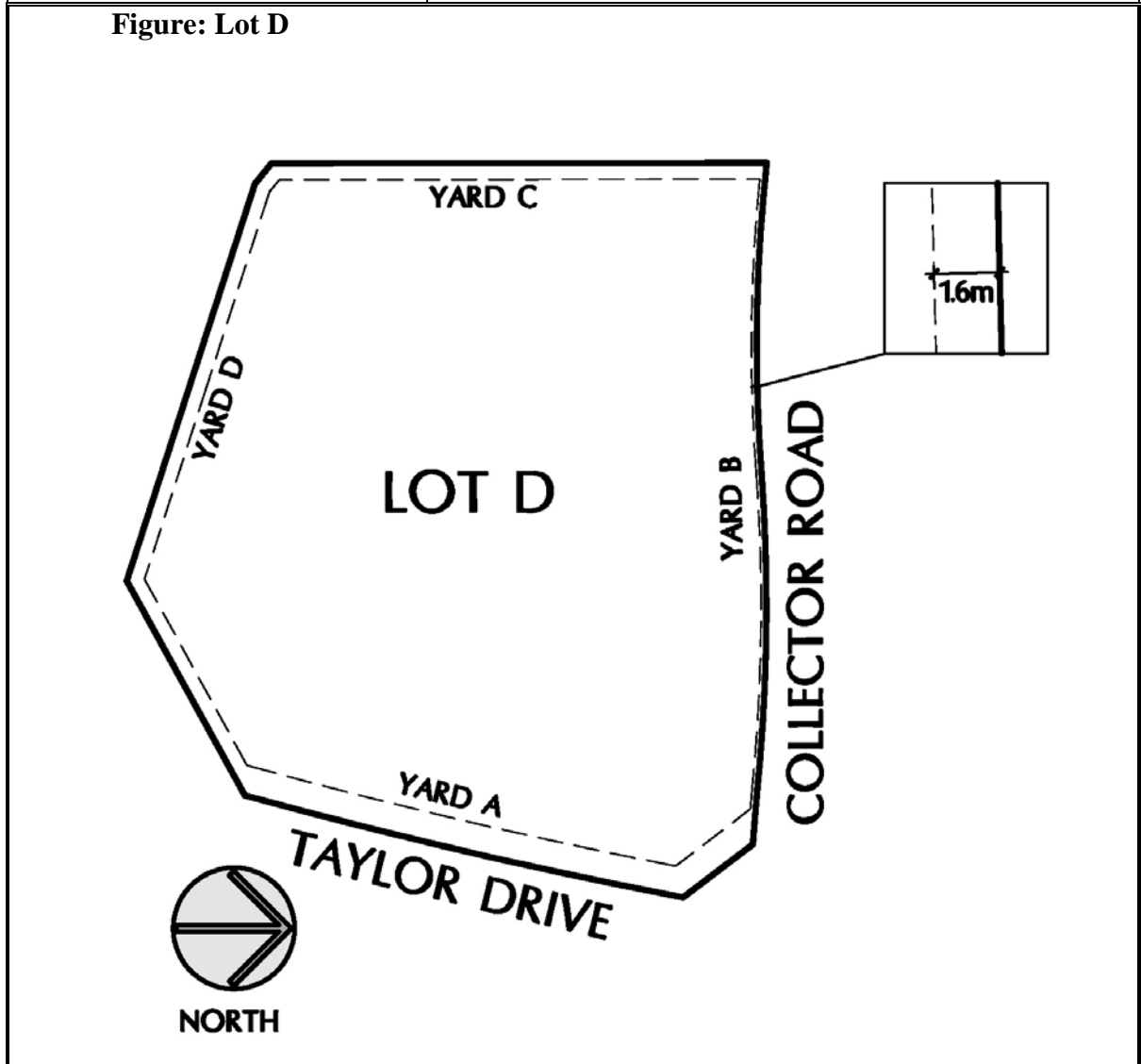
Figure: Lot C



(c) Table 3 Lot D Setbacks

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

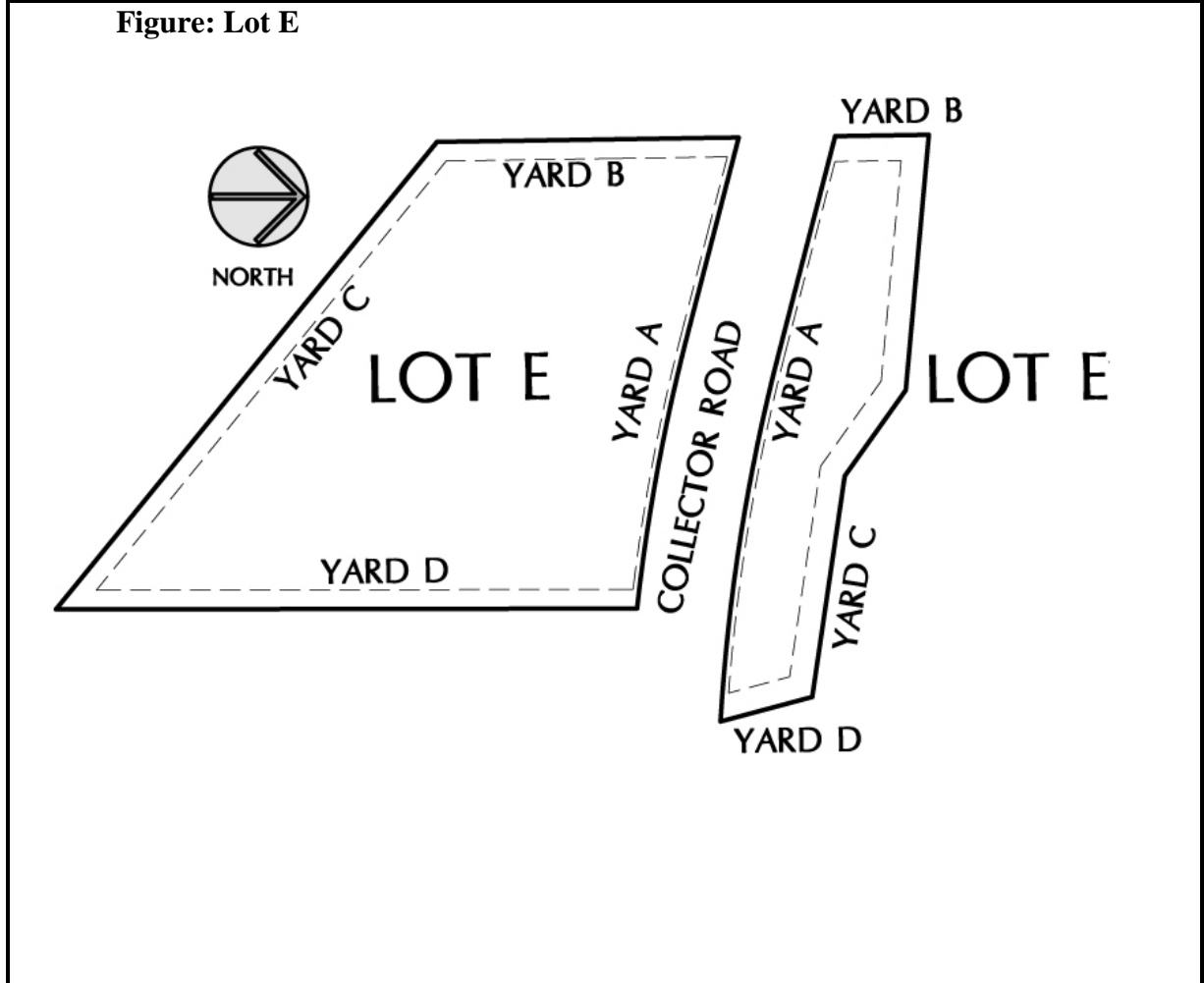
Figure: Lot D



(d) Table 4 Lot E Setbacks

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

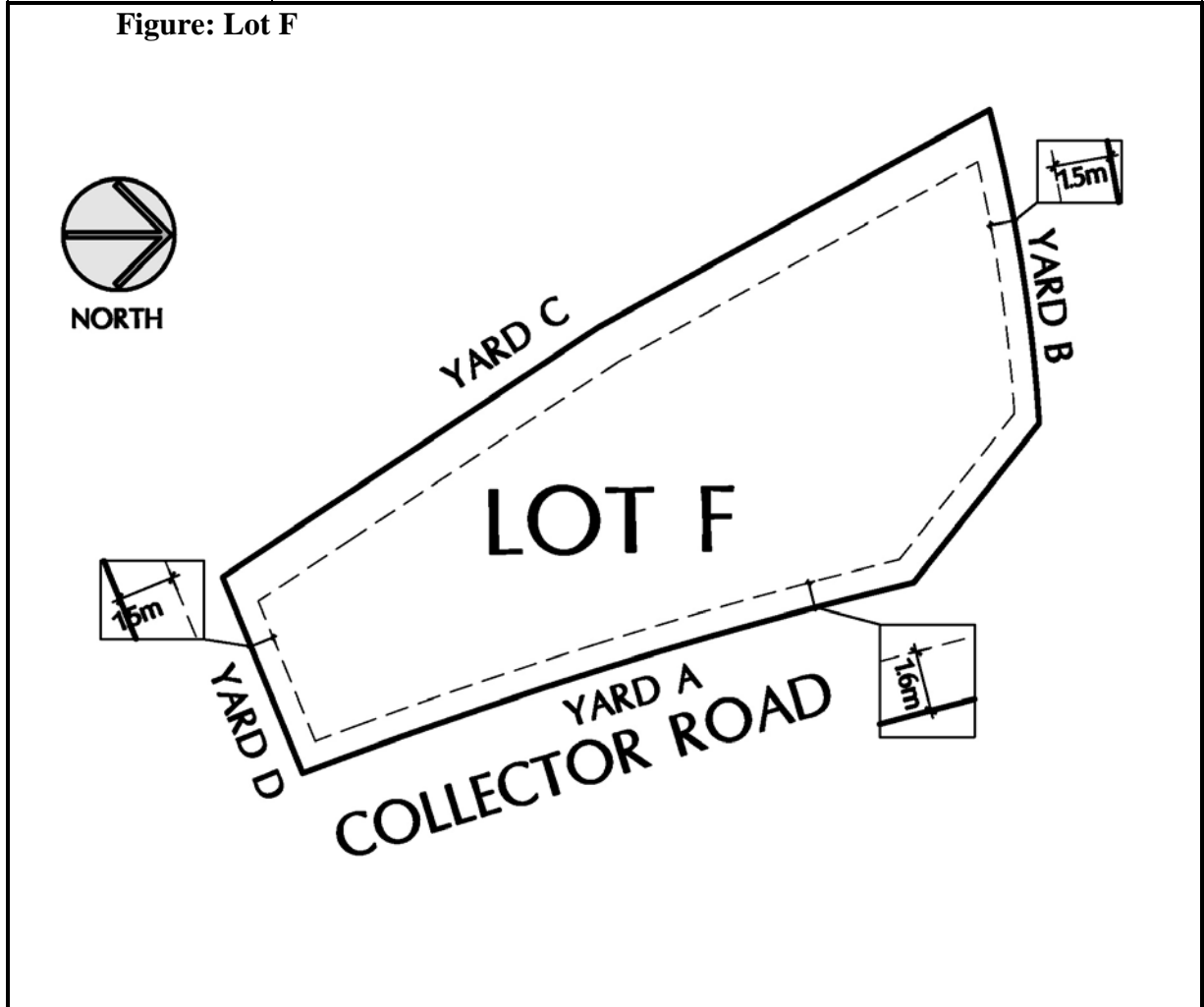
Figure: Lot E



(e) Table 5 Lot F Setbacks

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

Figure: Lot F



RESIDENTIAL PARCELS

General Purpose

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

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

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

(ix) ¹Show Home or Raffle Home.

2. Regulations

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

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

¹ 3357/T-2015

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

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

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

3. Live-Work Unit Regulations

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

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

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

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

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

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

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

4. Site Development

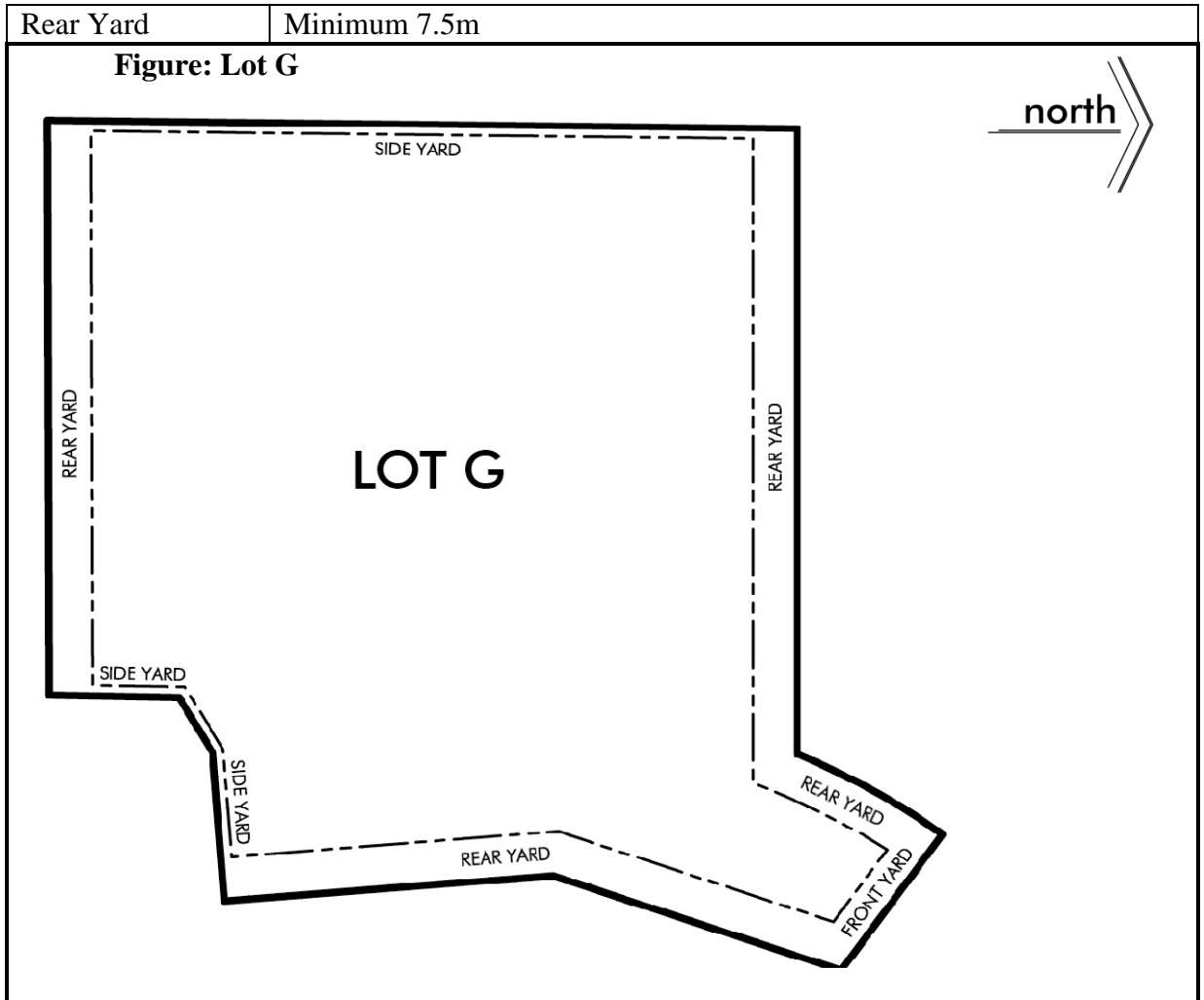
(a) The site plan and the relationship between buildings, structures, and open space the architectural treatment of buildings, the provision and architecture of landscaped open space and the parking layout shall be subject to approval by the Development Authority.

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

5. Setbacks

(a) Table 1 Lot G Setbacks

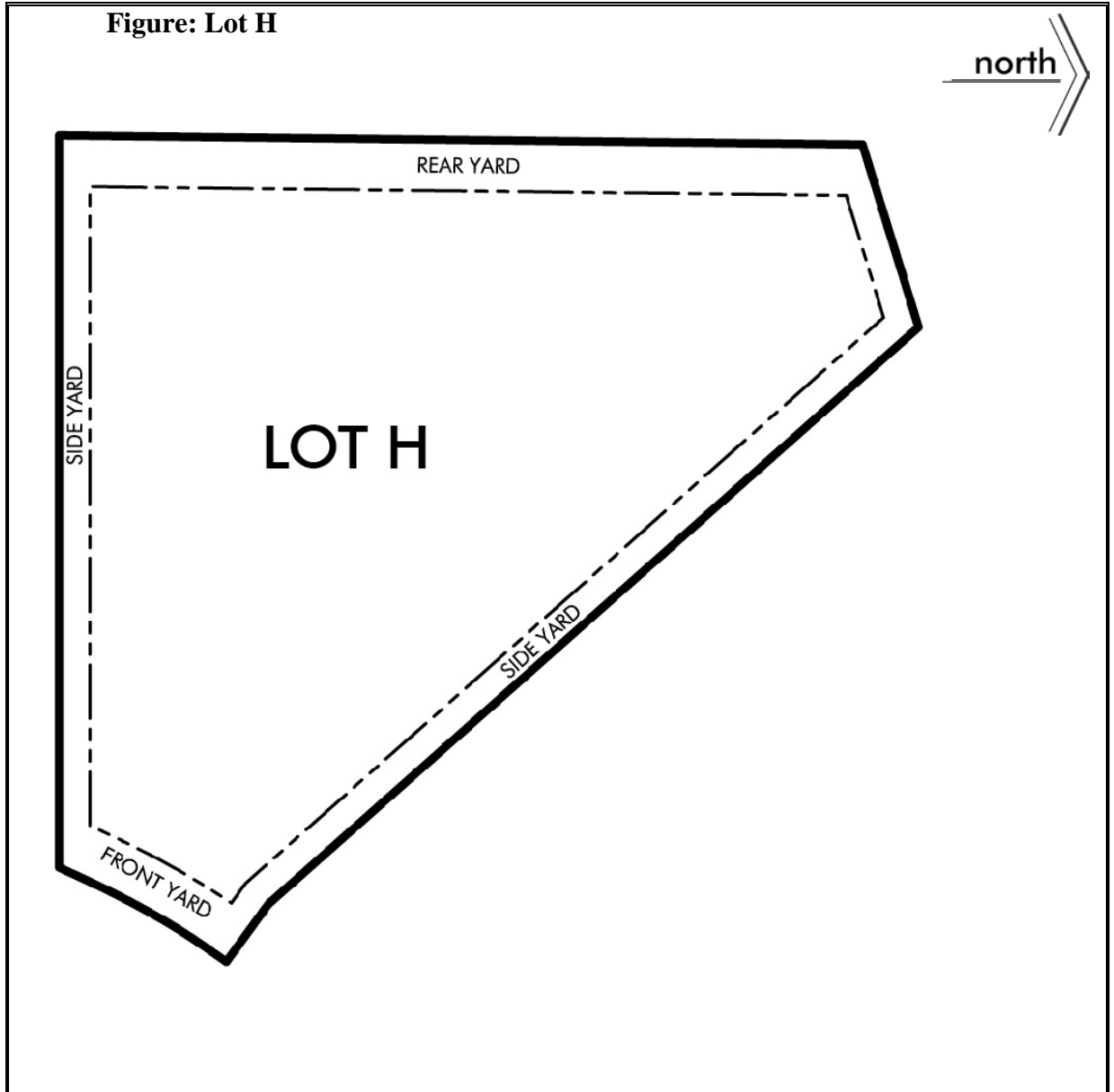
Yard	Setback
Front Yard	Multi-family minimum 4.5 m (Refer to Appendix 2: Front Yard Concepts) Multi attached (to front door): minimum 2.4m Multi attached (to any regularly occupied room): minimum 4.8
Side Yard	Semi-detached (without side entry): minimum 1.5 m Semi-detached (with side entry): minimum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



(b) Table 2 Lot H Setbacks

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

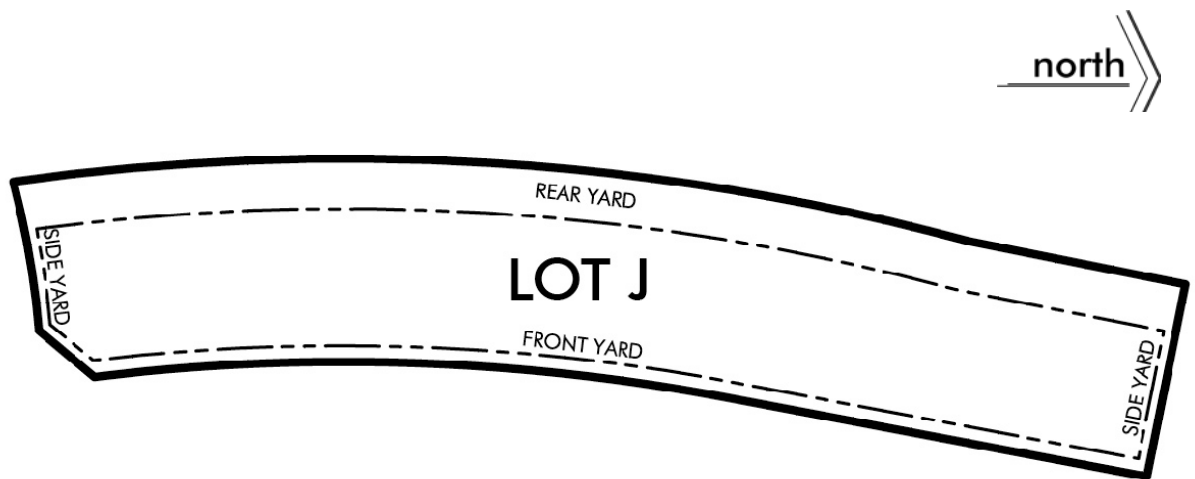
Figure: Lot H



(c) Table 3 Lot J Setbacks

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

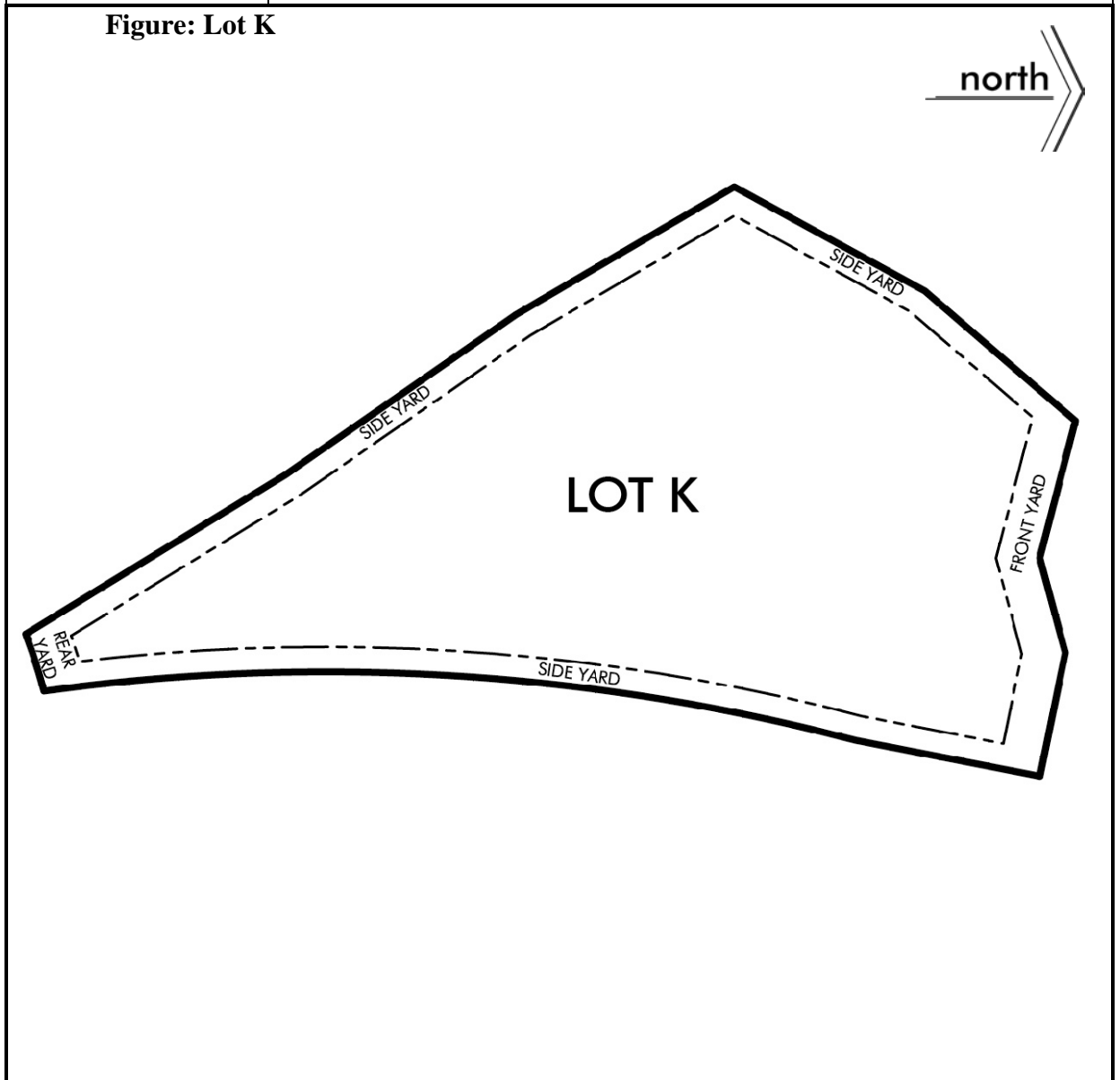
Figure: Lot J



(d) Table 4 Lot K Setbacks

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

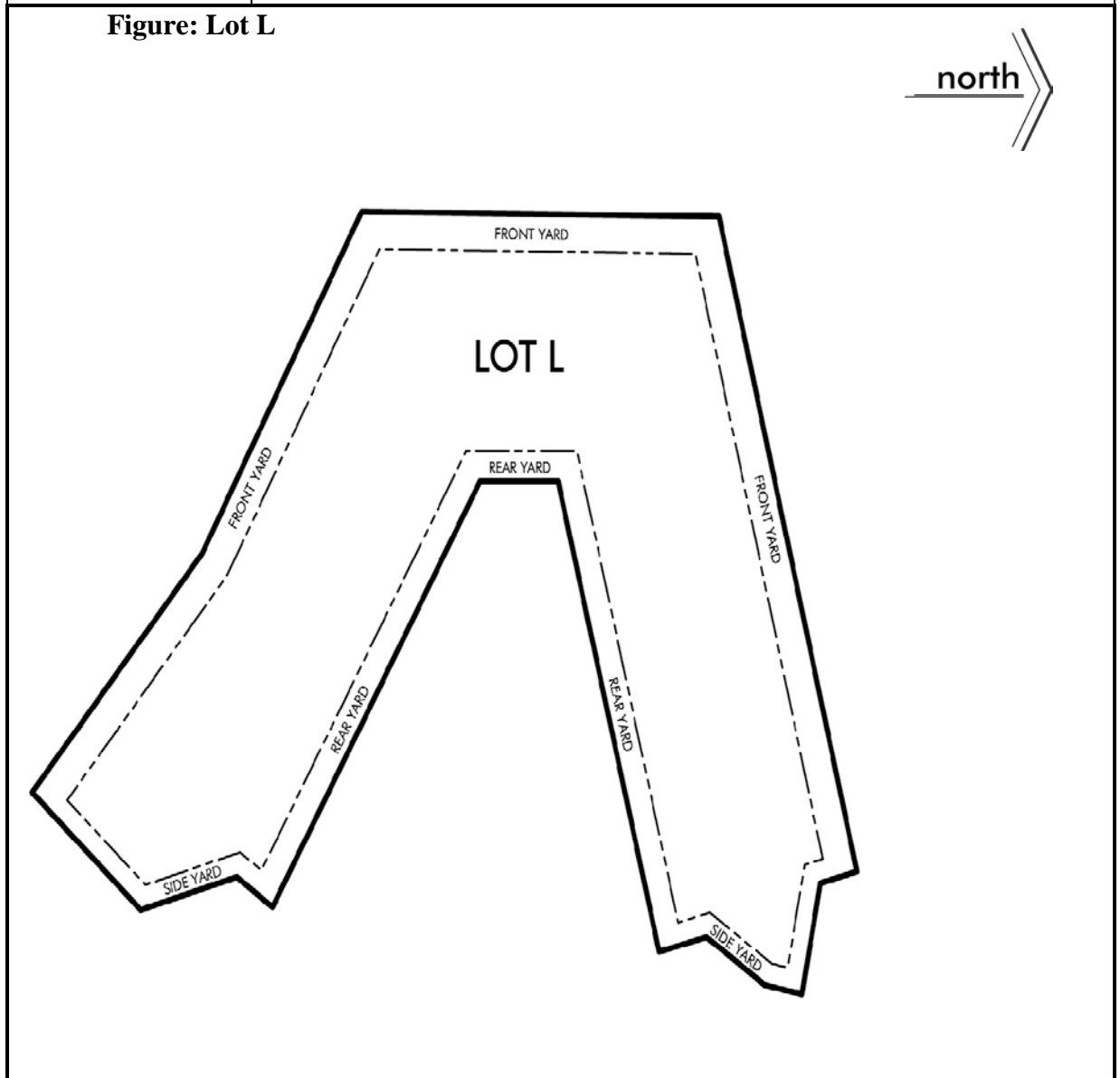
Figure: Lot K



(e) Table 5 Lot L Setbacks

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

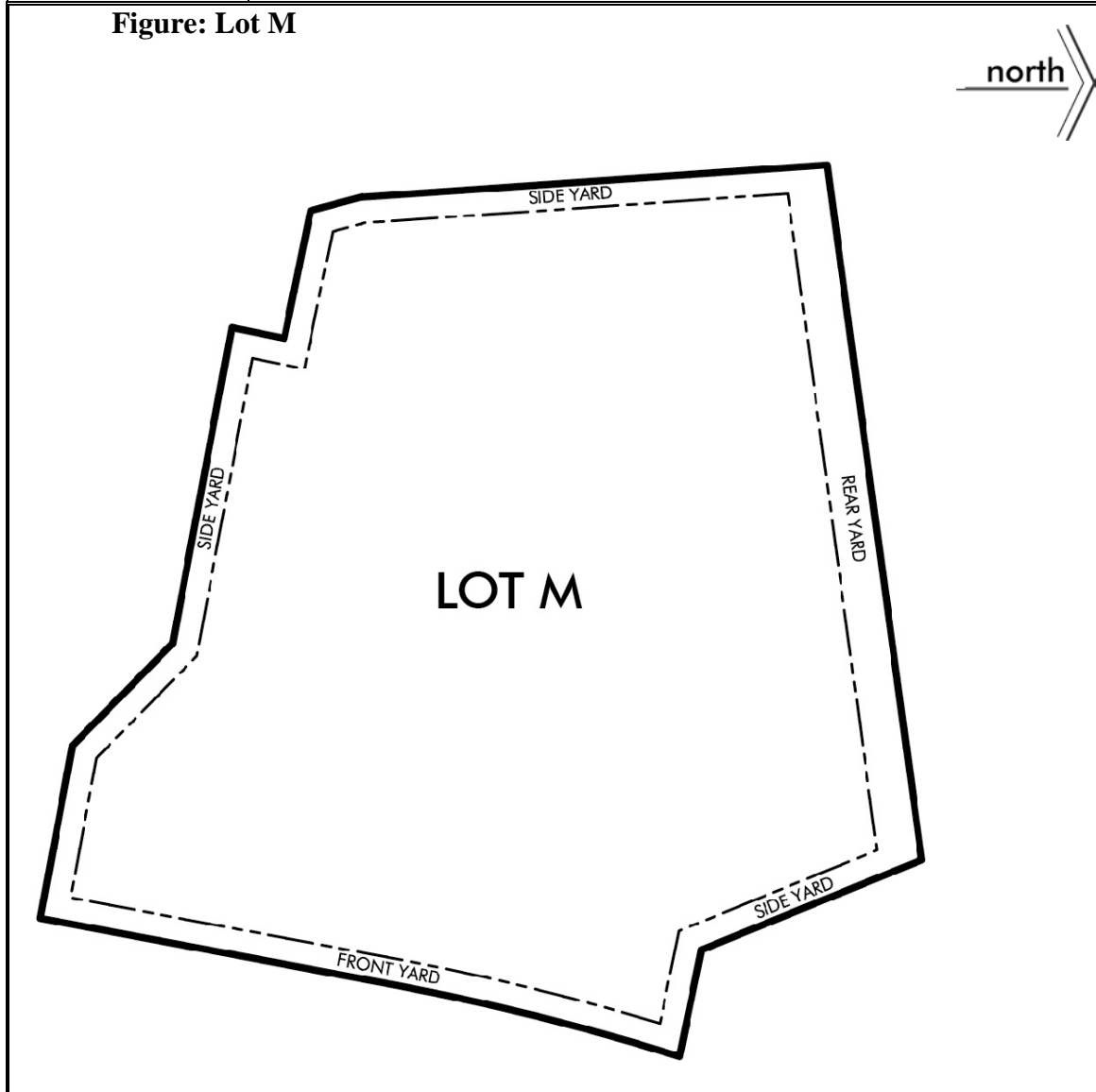
Figure: Lot L



(f) Table 6 Lot M Setbacks

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

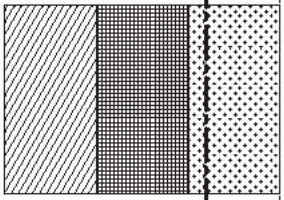
Figure: Lot M



appendix 1:



maximum extent of building
pockets as per DC zoning
residential parcel
property lines



zone 1:
Flammable vegetation surrounding buildings is eliminated or converted to less flammable species. Distance between building footprint and untreated trees is 10 m.

agreement zone:
City of Red Deer has agreed to expand zone 1 by up to 5 m if required by any future revision to fire smart guidelines
1 See Land Purchase Agreements, dated October 23, 2009

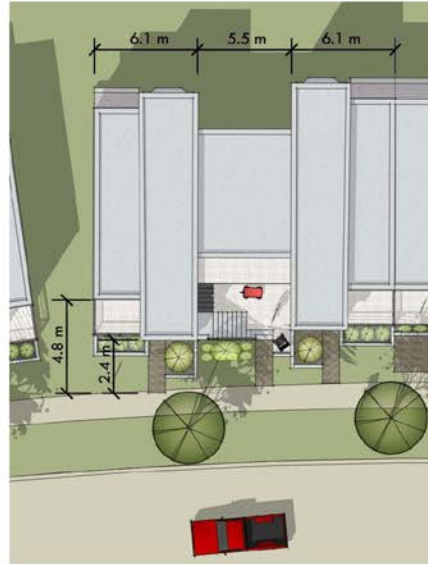
zone 2:
Area of reduced flammable vegetation, with variety of thinning and pruning actions.

fire smart interpretation
of maximum vegetation setbacks based
on maximum building footprints



Appendix 2: Front Yard Concepts

Multi-attached



Multiple Family/ Multiple Family Live Work



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



General Purpose

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

1. DC (26) Permitted and Discretionary Uses Table

(a) Permitted Uses
<ul style="list-style-type: none"> (i) Nursing Home (ii) Accessory building subject to sections 3.5 and 4.7(3)
(b) Discretionary Uses
<ul style="list-style-type: none"> (i) Detached dwelling unit (ii) Semi-detached dwelling unit (iii) Townhouses (iv) Seniors Lodge (v) Children Day Care Facility (vi) School (vii) Physical rehabilitation centre (viii) Designated seniors supportive living (ix) ²Show Home or Raffle Home.

2. DC (26) Regulations

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

3. Approving Authority

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

¹ 3357/U-2009

² 3357/T-2015

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



²General Purpose

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

1. Permitted and Discretionary Uses Table

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

¹ 3357/Q-2010

² Correction #29

(b) Discretionary Uses

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

2. ³ Approving Authority

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

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

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

(b) ⁵City Council in the case of:

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

¹ 3357/B-2013

² 3357/T-2015

³Correction #29

⁴ 3357/A-2012, 3357/I-2013

⁵3357/I-2013

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

3. Concept Design

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



4. General Design Guidelines

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

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

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

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

(c) Key Elements

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

(i) Hard Surface Public Spaces: Priority 1

Purpose and Location:

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

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

Components and Programming:

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

Design and Relationship with Adjacent Buildings:

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

Linkages:

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

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

(ii) Pedestrian Promenade: Priority 2

Purpose and Location:

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

Design and Relationship with Adjacent Buildings:

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

Components and Programming:

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

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

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

(iii) Regional Trail Pathway: Priority 3

Purpose and Location:

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

Components and Programming:

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

Design and Relationship with Adjacent Buildings:

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

(iv) Open Green Spaces: Priority 4

Purpose and Location:

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

Design and Relationship with Adjacent Buildings:

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

Components and Programming:

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

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

(v) Vehicular Pathways: Priority 5

Purpose and Location:

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

Components:

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

Design and Relationship with Adjacent Buildings:

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

(vi) Local Pedestrian Pathways: Priority 6

Purpose and Location:

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

Components and Programming:

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

Design and Relationship with Adjacent Buildings:

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

General Land Use

(vii) Primarily Residential Area

Purpose and Location:

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

Interface and Relationship with Adjacent Uses:

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

(vii) Primarily Retail Commercial

Purpose and Location:

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

Design and Relationship with Adjacent Uses:

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

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

DC (28)

General Purpose

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

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

(a) Permitted Uses	
(viii)	Merchandise sales on the ground floor excluding all motor vehicles, machinery, fuel, pawn shops, and adult entertainment.
(ix)	Dwelling Units above the ground floor.
(x)	Hotel.
(xi)	Office above the ground floor.
(xii)	Multiple family building.
(xiii)	Multi-attached dwelling unit building.
(xiv)	Restaurants (No drive through windows).
(xv)	Signs (subject to C1 regulations in sections 3.3 and 3.4):
	a. awning and canopy signs,
	b. under canopy signs,
	c. fascia signs,
	d. neighbourhood identification signs,
	e. projecting sign

(b) Discretionary Uses	
(i)	Accessory building or use subject to section 3.5.
(ii)	Any development legally existing or legally approved prior to the passing of this Bylaw deemed to be a discretionary use duly approved by the Development Authority.
(iii)	Assisted living facility.
(iv)	Commercial Entertainment Facility.
(v)	Commercial Recreation Facility.
(vi)	Commercial Service Facility (No drive through windows).
(vii)	Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
(viii)	Home occupations subject to section 4.7 (8).

¹ 3357/P-2010

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

2. Direct Control District No. 28 Regulations

(a) Table 1 DC (28) Regulations

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

3. Amenity Areas

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

¹ 3357/AA-2014

² 3357/T-2015

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

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

4. Approving Authority

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

5. Site Development

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

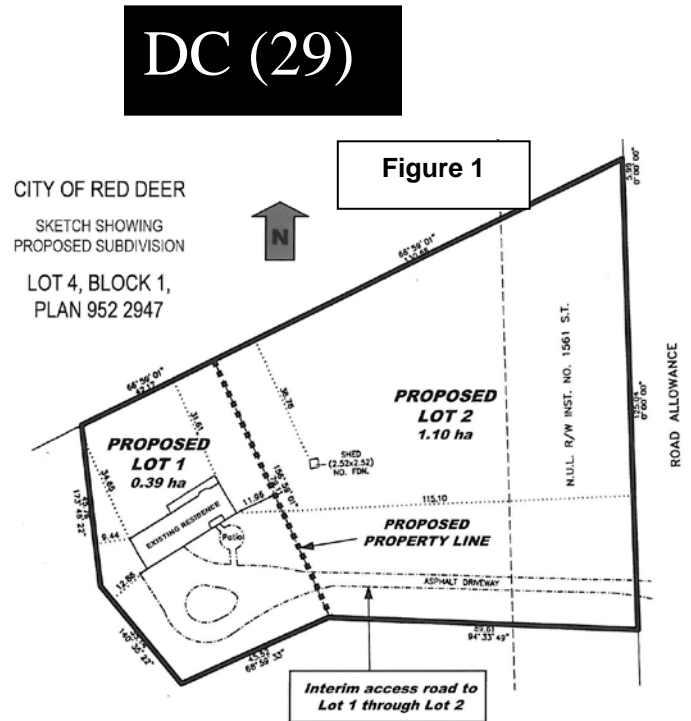
6. General Design Purpose

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

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

General Purpose

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



1. DC 29 Permitted and Discretionary Uses Tables

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

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

¹ 3357/H-2010

² 3357/T-2015

2. DC 29 Regulations

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

3. Approving Authority

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

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

DC (30)

General Purpose

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

1. DC 30 Permitted Uses Table

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

2. Development Standards

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

3. Approving Authority

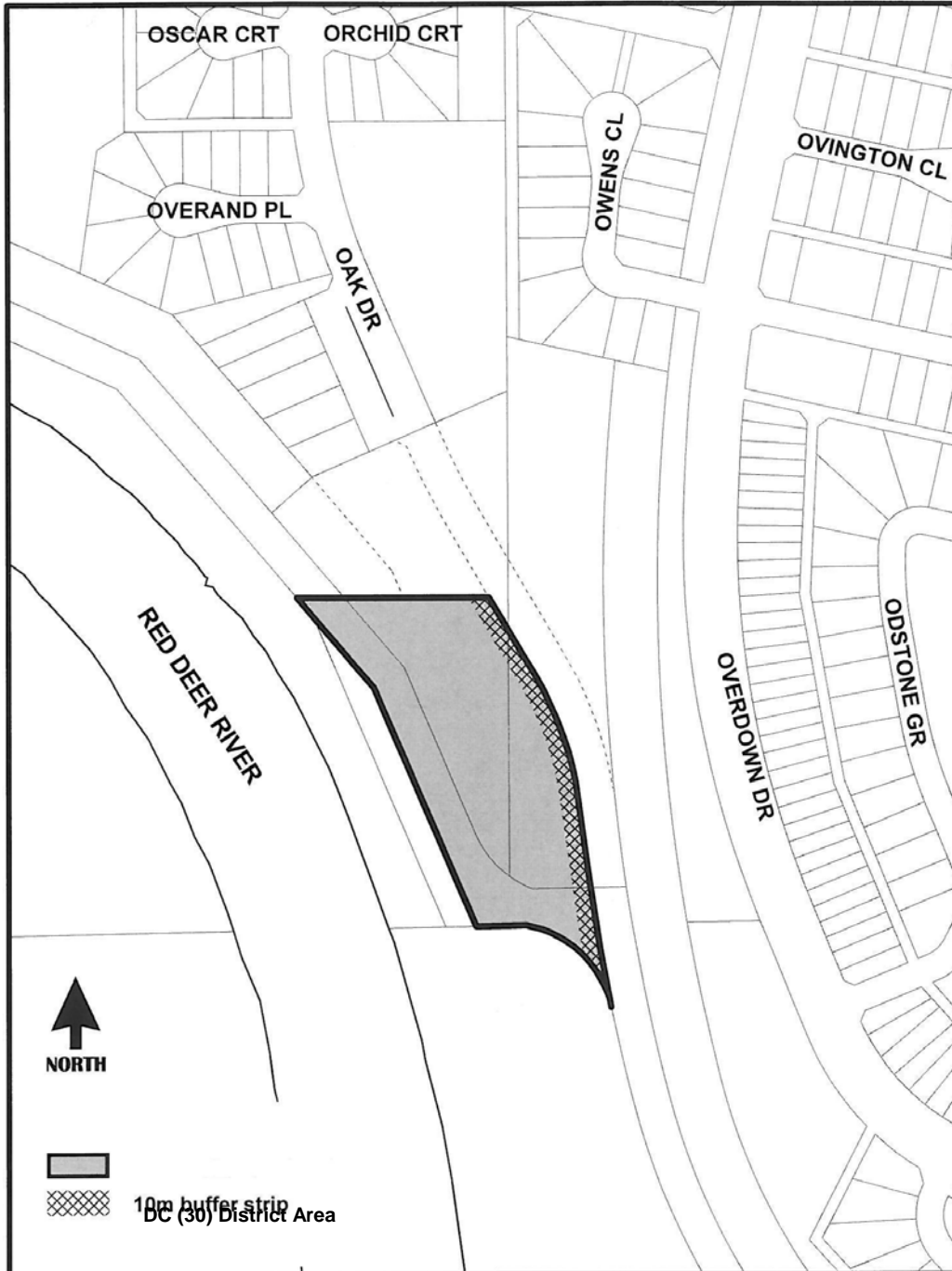
- (a)** The Municipal Planning Commission is the Development Authority.

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

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

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

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



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

General Purpose

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

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

Area of Application

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

1. ²DC 31 Permitted and Discretionary Uses Table

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

¹ 3357/I-2012
² Correction #29

b. under canopy signs, c. fascia signs, d. projecting signs, and e. free-standing signs
(b) Discretionary Uses
(i) Any ancillary use approved by City Council; (ii) School; (iii) Utilities.

2. ¹Approving Authority

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

3. ²Development Regulations

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

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

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

¹ Correction #29

² Correction #29

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

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

6. Site Development

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

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

A. Area of Application

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

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

1. Purpose

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

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

2. Definitions

In this District:

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

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

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

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

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

3. Fundamental Land Use Criteria

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

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

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

¹ Correction 36

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

4. Application of the Fundamental Land Use Criteria

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

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

5. Exceptions to the Fundamental Land Use Criteria

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

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

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

6. DC 32 Discretionary Uses

(a) Discretionary Uses

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

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

7. Development Regulations

Respecting this District and lands therein:

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

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

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

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

Front Yard setback minimum of 6.0m;

Side Yard setback minimum of 1.5m; and

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

8. Approving Authority

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

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

- (a) that the Subdivision or Development Authority determines are reasonable, having considered:
 - (i) the purposes and other provisions of this District;
 - (ii) the uniqueness of the lands (e.g. the relevant environmental or man-made hazards or risks, and existing Developments); and
 - (iii) that the suitable scale of residential Development should be reviewed on a case-by-case basis and considering site-specific geotechnical recommendations.

- (b) including, but not limited to:
 - (i) provision of a real property report during preliminary construction indicating that the structure is located beyond the Restricted Development Area, and/or more than 50m from the crest and/or in accordance with any accepted Report and/or Site Plan;
 - (ii) that the applicant meet or exceed the recommendations of any applicable Report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;
 - (iii) the provision of emergency access;
 - (iv) ongoing monitoring programs and related access (for example, slope monitoring and/or subsurface exploration data derived from appropriate geotechnical drilling);
 - (v) increased site-specific setbacks for fire protection and mitigation due to elevated risks of fire;
 - (vi) a post construction certificate from a relevant professional (e.g. Professional Engineer, Registered Architect, or an Alberta Land

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

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

9. Development Permits

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

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

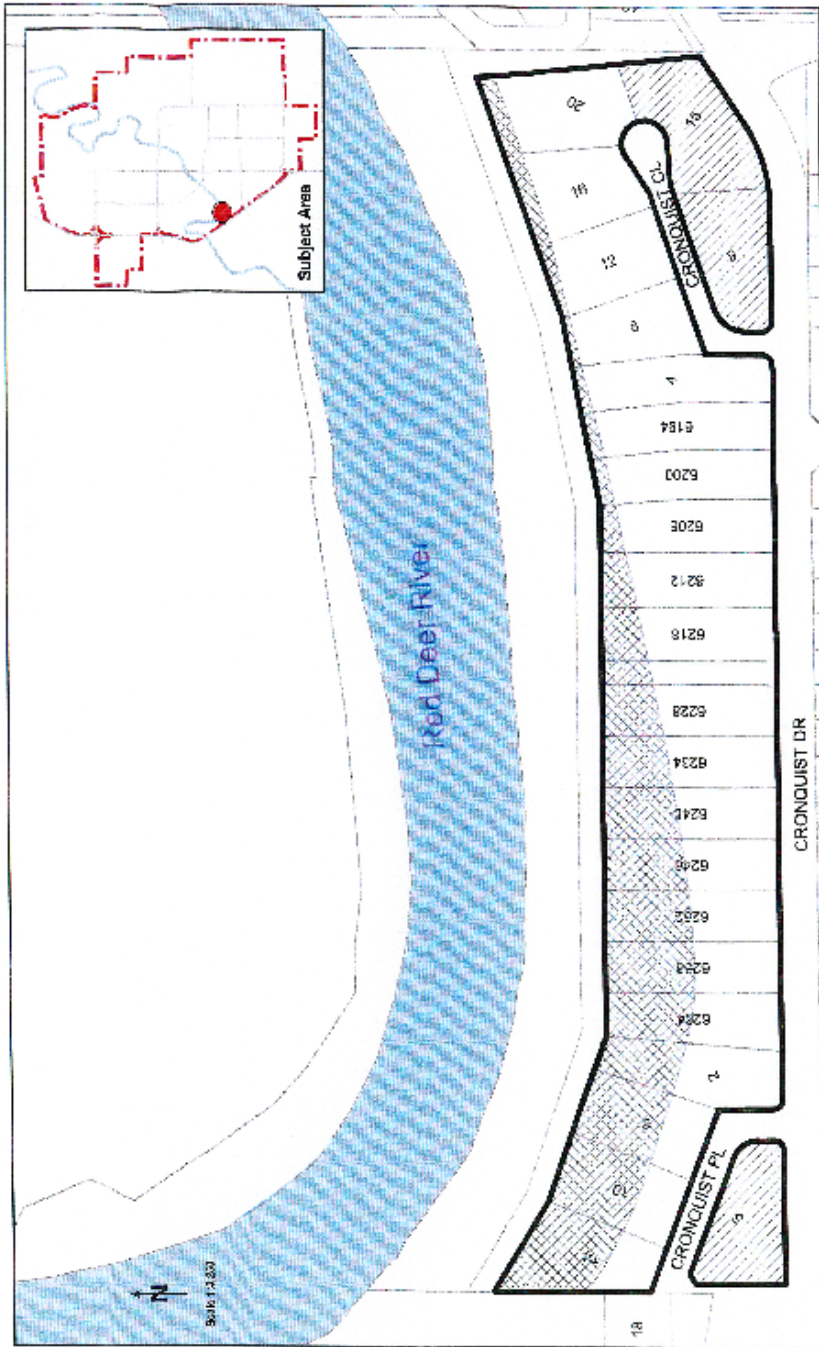
- (a) those Developments set out in “Application of the Land Use Bylaw” Section 1.2(2)(e), (f), (g), (j) and (l); and
- (b) up to 5 flow collectors (rain barrels) attached to authorized roof leaders, each collector having storage capacity of less than 420 litres).

10. Technical Reports

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



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

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



Source: City of Red Deer
City Engineer, Planning Division
Date: August 20, 2015

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

 Restricted Development Area  Subdivision Consideration

8.21 Direct Control Districts General Regulations

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

8.22 Exceptions Respecting Land Use

1. Areas Specifically Designated for a Particular Use

- (a) In addition to the list of discretionary uses set out in the applicable land use district, those sites shall have the following additional discretionary uses and the Commission shall determine the floor area, yard requirements, building height, parking and loading requirements:
- (i) 40 Avenue and Ross Street (south side only) motor vehicle service and repair (no sales), car wash and drive-in,
 - (ii) Lot 33, Block 1, Plan 772 2593 food establishment,
 - (iii) 41 Avenue and Ross Street (southeast corner only) motor vehicle service and repair (no sales), car wash and drive-in,

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

- (b) On those sites listed below, medical offices and related facilities and related commercial services are discretionary uses provided that such offices shall not be located on any floor of the building which contains a dwelling unit. Parking lots are also a discretionary use for Block 4, Plan 6564 E.T.:
- (i) Block 4, Plan 6564 E.T. (5101 – 5129 39 Street & 5102-5130 38 Street)
 - (ii) Lot 1, Block J, Plan 3999 R.S. (3939-50A Avenue),
 - (iii) Lot 2, Block J, Plan 3999 R.S. (3947-50A Avenue),
 - (iv) 5102-5130 38 Street and 5101 – 5129 39 Street.
- (c) On Lot 58, Block 14, Plan 792-0555 (88 Howarth Street), the development of C2B uses, except lounges, bars and amusement arcades may be allowed as discretionary uses, provided that landscaped buffers of 10 m and 3 m be developed along Howarth Street and the lane respectively, and be subject to all other provisions of the C2B Districts.
- (d) On those sites, or portions thereof herein listed, the following uses may be allowed as permitted uses:
- (i) One basement dwelling in a detached dwelling in addition to the uses listed in the R1 Use Table on:
 - (1) Lot 3C, Block E, Plan 792-3164 (5853-71 Street).
 - (ii) Alberta Amateur Hockey Association Training Program and distribution of materials on:

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

¹ 3357/S-2009

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

¹ 3357/Y-2009

² 3357/P-2012

³ 3357/X-2013, Correction #31

⁴ 3357/Y-2014

⁵ 3357/D-2008

- (1) Lots 21 and 22, Block 25, Plan 7604 S (5824 and 5826-51 Avenue).
- (iii) Semi-detached dwelling on:
- (1) Lots 22 and 23, Block 2, Plan 982 0058 (6007 and 6009 - 63 A Street) subject to the front elevation of each unit (half) being significantly different from each other thereby resembling a single family dwelling.
- (iv) ¹**DELETED**
- (v) ²Three-unit multi-attached building on:
- (1) Lots 9-11, Block 24, Plan 5555AF (3818 44 Street)
- (vi) ³Multiple Family Building, Assisted Living Facility, Day Care Facility, and Day Care Adult on Lot 9, Block 1, Plan 042 2888 (6791 65th Ave) subject to a ,maximum height of six storeys as discretionary uses and that each building shall contain commercial uses, as a minimum, on the ground floor. The commercial component shall not exceed three storeys. A residential noise impact statement is required outlining the measures to be taken to mitigate noise impacts from the adjacent industrial area.
- (vii) ⁴Security Suite on Lot UNT 29, Clock CDE, Plan 762 1172 (7429 49 Ave) subject to the following:
- (1) The security suite:
- (a) shall be located within the principal building on the site;
- (b) shall not be occupied by more than one (1) person dwelling in the suite;
- (c) shall be occupied by the owner or an employee whose primary responsibility is to provide surveillance, maintenance and/or security for the site; and
- (d) shall not contain more than one sleeping area
- (2) In addition to the number of parking stalls required for the principal user under Part 3 and 4 of this Bylaw, no

¹ 3357/T-2016

² 3357/E-2012

³ 3357/F-2013

⁴ 3357/EE-2013

additional parking space shall be designated for the security suite.

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

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

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

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

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

(i) ²DELETED

(ii) ³Photographic studio on:

(1) DELETED – See 8.22(1)(g)(ii)

(iii) Hair salon on:

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

(iv) Detached dwelling with 2 basement units on:

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

(v) Contractor's business on:

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

(vi) ⁴One basement dwelling suite on:

¹ 3357/H-2015

² 3357/N-2017

³ 3357/T-2010

⁴ 3156/B-1998

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

(vii) ¹DELETED

(viii) ²Law office subject to the low impact commercial use provisions of section 5.7 (6) on:

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

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

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

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

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

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

(i) Office for a utility locating service on:

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

(ii) ⁴A photography studio, Commercial Service Facility and related

¹ 3357/I-2013

² 3357/A-2007

³ 3357/N-2013

⁴ 3357/T-2010

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

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

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

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

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

- (iii) ¹Canadian Cancer Society and Fanta Homes on Lot 8 Block1 Plan 6784KS.
- (iv) ²A Medical Marihuana Facility on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following development standards:

- (1) no other use shall be allowed on the Site;
- (2) the licensed processes and functions of the use shall be fully enclosed within the Building;
- (3) no Outdoor Storage shall be allowed on the Site;
- (4) all loading facilities shall be fully enclosed within the Building;

1 3357/U-2010
2 3357/L-2016

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

¹ 3357/U-2009

² 3357/U-2009

³ 3357/U-2009

- (vi) Lot 19A (4309 – 46 Avenue) and Lot 20A (4310 – 45A Avenue) Block A Plan 2354 AE.
- (vii) Lot 1 (4505 – 46 Avenue) and Lot 2 (4503 – 46 Avenue) Block K Plan 4900 R.
- (viii) The most southerly sixty two and one half (62 ½) feet of Lots 1, 2, 3 and 4 and all of Lot 5, Block J Plan 4900 R (4601 – 46 Avenue).
- (ix) Lots 45 and 46 Block J Plan 922 1244 (4519A and 4519B – 47 Street).
- (x) Lot 1A, Block I, Plan 4900 R (4536 – 47 Street).
- (xi) Lots 4 and 5, Block I, Plan 4900 R (4532A and 4532B – 47 Street).
- (xii) Lots 10 and 11, Block I, Plan 4900 R (4520 – 47 Street).
- (xiii) Lots 49 and 50, Block B, Plan 042 1756 (4644 – 48 Street and 4801 – 47 Avenue).
- (xiv) Proposed Lots 5A and 6A Block F Plan 042 6407 (4642 – 44 Street).

(m) Notwithstanding anything in this Bylaw, on the sites listed below, the uses shown below shall be added to the list of permitted uses set out in the applicable land use district, but the developments must comply with the regulations applicable to the R2 district and to the density and height restrictions specified below.

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

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

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

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

- (o) On those sites or portions thereof listed, the following uses may be allowed as permitted uses:
- (i) Notwithstanding section 6.3(1) of this Land Use Bylaw, warehouse and storage in a building in existence as of July 15, 2003 may be allowed as a permitted use on Lot 22 and 29, Block 17, Plan 7604S (5904-54 Avenue).
 - (p) Notwithstanding section 6.3(1), structural alterations, exterior renovations, expansions or additions are permitted uses for existing buildings located on the sites listed in section 6.3(1)(a)(xi), provided that they comply with the general purpose of the I1A/BSR District set out in section 6.3 and subject to Municipal Planning Commission approval of the site development.
 - (q) Signs, as listed within the C3 Commercial (Neighbourhood Convenience) District and which comply with the provisions of section 3.3 of this Bylaw, may be allowed as a discretionary use on Lot 1, Block 23, Plan 892 1574.
 - (r) ¹DELETED
 - (s) ²DELETED
 - (t) ³Notwithstanding Section 5.6 of this Land Use Bylaw, on Lot 5, Block 1, Plan 972-4056 a combined commercial restaurant and maximum 230 unit assisted living facility shall be a permitted use. This mixed use development requires approval by the Development Authority and is subject to the following development regulations/standards:
 - (i) Floor areas minimum within the assisted living facility for a one bedroom unit shall be 46.5 square metres, and for a unit of more than one bedroom 65.0 square metres;
 - (ii) Landscaping area minimum: 30% of site;
 - (iii) Building height maximum: 4 storeys;
 - (iv) Front Yard Minimum: 15.0 m;
 - (v) Side Yard Minimum: 4.5 m;
 - (vi) Rear Yard Minimum: 3.0 m;
 - (vii) Parking: Subject to Section 3.1 and 3.2;
 - (viii) Loading Spaces: One opposite each loading door with a minimum of one;
 - (ix) Site Area Minimum: Existing parcel

¹ 3357/Z-2007, 3357/I-2013

² 3357/Z-2007, 3357/I-2013

³ 3357/G-2008

- (x) Site Frontage Minimum: 30.0 m
- (xi) Any development standard not specifically referred to above including building elevations, shall be subject to approval by the Municipal Planning Commission;
- (xii) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Municipal Planning Commission.

(u) ¹To allow for compatible redevelopment on sites listed below multi-family and multi-attached residential buildings shall be added to the list of discretionary uses in the applicable land use district to allow redevelopment of the property to less than or equivalent gross floor area as the existing structure and to a maximum height of 2 storeys or 10 metres measured from the average of the lot grade. The Riverside Meadows Overlay District, section 7.11, shall continue to apply:

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

¹ 3357/U-2009

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

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

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

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

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

¹ 3357/U-2009

² 3357/F-2013, 3357/R-2010

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

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

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

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

² 3357/H-2013

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

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

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

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



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

¹ 3357/L-2014

² 3357/D-2015

³ 3357/F-2015

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

²(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

¹ 3357/U-2015

² 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.

2. Areas Specifically Exempted from a Particular Use

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

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

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

- (i) a gaming or drinking establishment:

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

- (c) ¹On Lot 174, Block 2, Plan 142 1595 (42 Timberstone Way) no uses of the R2 Residential (Medium Density) District shall be allowed except for “assisted living facilities” and “big house’ styled multiple family building up to three storeys”, both of which shall be discretionary uses on this parcel.
- (d) ²On Lot 1, Block 7, Plan 952 0967 (2827-30 Avenue) the following uses shall not be allowed as either permitted or discretionary uses:
- (i) Liquor Store
 - (ii) Sale of Fuel
- (e) ³On Lot 1, Block 2, Plan 932 1800 (2506 19 Street) the following uses shall not be allowed as either permitted or discretionary:
- (i) Dwelling units above the ground floor
 - (ii) 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) Restaurant with drive through

¹ 3357/V-2014

² 3357/T-2016

³ 3357/HH-2016