

pool, hot tub, backyard skating rink, play structures, putting green or tennis court;

- (m) internal alterations and maintenance, or repair to any Building provided that the use, intensity, height or Floor Area of the Building does not change;
- (n) Site grading in accordance with an executed development agreement;
- (o) minor Structures not exceeding 1.8m in height which are accessory to residential uses, such as barbeques, tents for camping, dog houses, lawn sculptures, bird feeders, raised planting beds or other similar Structures;
- (p) ¹Accessory Buildings within a residential District with a Floor Area of 10.0 m² or less and a height of 2.8m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw.
- (q) ²The basement development of any residential Dwelling Unit in which the Dwelling Unit has received a development permit including, but not limited to, the addition of, or changes to, basement windows.
- (r) ³Where a home occupation that does not generate any client or vehicular traffic is a permitted use, it will be exempt from the Development Permit process provided that such use shall be in accordance with the regulations contained in section 4.7(8) Home Occupations.
- (s) ⁴Development undertaken by the City or on the City's behalf for repair or upkeep on Public Property in the P1 Parks and Recreation District, and A2 Environmental Preservation District including picnic areas, play structures, outdoor furniture, playgrounds or tot lots. This exemption does not include any development requiring tree removal.
- (t) ⁵Target Grazing on City owned lands, including lands within an Escarpment Area or Direct Control District 32, which is carried on by, or on behalf of, the City.
- (u) ⁶A change of use of a Building or part of a Building from a Permitted Use to another Permitted Use within the same District, where the uses are similar and where there is no increase in the intensity of use of land or a Building;

¹ 3357/L-2020

² 3357/D-2016, 3357/C-2022

³ 3357/A-2017

⁴ 3357/G-2018

⁵ 3357/N-2018

⁶ 3357/J-2021

- (v) ¹ Minor exterior renovations to a residential building including, but not limited to, changes in material, the addition of windows or doors, or changes to existing windows or doors.

¹ 3357/C-2022

- i) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- ii) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building;
- j) ¹May, where the test set out in section 2.7(i) is met, approve, without or without conditions, a variance related to the following regulations:
 - i) maximum height of Building;
 - ii) ²minimum and maximum Front Yard;
 - iii) minimum Rear Yard;
 - iv) minimum Side Yard;
 - v) maximum Site coverage;
 - vi) minimum parking requirements.
 - vii) ³minimum Landscaped Area;
 - viii) ⁴minimum and maximum Floor Areas
- k) Shall refer to the Commission or Council all applications requiring the specific approval of the Commission or Council under this Bylaw and may refer to the Commission any application that the Development Officer determines is advisable.

2.8 ⁵Municipal Planning Commission Decisions on Permit Applications

- (1) The Commission shall approve an application for a Permitted Use which requires no variance;
 - a) without conditions; or
 - b) subject to conditions if the power to do so is clearly set out in this Bylaw.
- (2) The Commission may, in respect of an application for a Discretionary Use:
 - a) Approve with or without conditions; or
 - b) Refuse, providing reasons.

¹ 3357/C-2022

² 3357/C-2022

³ 3357/C-2022

⁴ 3357/C-2022

⁵ 3357/Q-2015, 3357/O-2014

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

3.18 Utility Regulation Stations

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

3.19 Electrical Overhead Wiring Separation Distance

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

3.20 Fence Regulations

- (1) No person shall erect or cause to be erected or shall have or maintain on any property located in the City of which he is the owner, occupant, tenant or lessee:

¹ 3357/C-2022

4.1 R1 Residential (Low Density) District

R1

General Purpose

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

(1) R1 Permitted and Discretionary Uses Table

(a) Permitted Uses

- (i) Accessory building subject to sections 3.5 and 4.7(3).
- (ii) Detached dwelling unit.
- (iii) ¹Deleted
- (iv) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
- (v) ²Deleted
- (vi) ³Secondary Suite, subject to section 4.7(9).
- (vii) ⁴at 22 Gunn Street no more than 6 lots with a single dwelling unit per lot.
- (viii) ⁵Show Home or Raffle Home

(b) ⁶Discretionary Uses

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

¹ 3357/S-2019

² 3357/B-2018

³ 3357/Z-2009

⁴ 3357/J-2019

⁵ 3357/C-2022

⁶ 3357/A-2012

⁷ 3357/C-2007

⁸ 3357/C-2007

⁹ 3357/B-2018

¹⁰ 3357/B-2018

¹¹ 3357/S-2019

¹4.1.1 R1C Residential (Carriage Home) District



General Purpose

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

(1) ²DELETED

(2) R1C Permitted and Discretionary Uses Table

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

¹ 3357/L-2013

² 3357/CC-2018

³ 3357/S-2019

⁴ 3357/B-2018

⁵ 3357/C-2022

⁶ 3357/S-2019

⁷ 3357/S-2019

⁸ 3357/T-2015, 3357/C-2022

⁹ 3357/B-2018

- (ix) Home occupations which will generate additional traffic subject to section 4.7(8).
- (x) ¹Deleted
- (xi) Municipal Services limited to Police, Emergency Services and/or Utilities.
- (xii) ²Deleted
- (xiii) ³Secondary Suite, subject to section 4.7(9).
- (xiv) ⁴Deleted
- (xv) ⁵at 22 Gunn Street tree removal

(2) R1 Residential (Low Density) District Regulations

(a) Table 4.1 R1 Regulations

Regulations	Requirements
Floor Area Minimum	Frontage in m x 6.0 m but not less than 72.0 m ²
⁶ Site Coverage Maximum	40% (includes garage and accessory buildings)
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade
⁷ Front Yard Minimum	6.0 m except for the R1 zoned lands located within the Timberlands North Neighbourhood Area Structure Plan area, excluding Lots 1-16, Block 2, Plan 152 2440, where the front yard is: <ul style="list-style-type: none"> • A minimum 3.0 m and a maximum of 4.5m for the live portion of a dwelling unit, and • A minimum 6.0 m for any front attached garage portion of a dwelling unit.
Side Yard Minimum	Detached dwelling: minimum 1.5 m Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m
Landscaped Area	35% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	Detached dwelling 360.0 m ²
Frontage Minimum	Detached dwelling 12.0 m

¹ 3357/S-2019

² 3357/T-2015, 3357/C-2022

³ 3357/Z-2009

⁴ 3357/B-2018

⁵ 3357/J-2019

⁶ 3357/I-2013

⁷ 3357/L-2013, 3357/D-2015, 3357/G-2022

¹4.1.2 R1WS Residential (Wide/Shallow Lot) District



²General Purpose

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

(1) R1WS Permitted and Discretionary Uses Table

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

¹ 3357/L-2013

² 3357/D-2015

³ 3357/D-2015

⁴ 3357/B-2018

⁵ 3357/C-2022

⁶ 3357/S-2019

⁷ 3357/T-2015, 3357/C-2022

⁸ 3357/B-2018

Regulations	Requirements
Side Yard Minimum <i>continued</i>	<p>Semi-detached dwelling unit (without side entry): 1.5 m Semi-detached dwelling unit (with side entry): 2.4 m</p> <p>Special residential: 3.0 m</p> <p>Multi-attached (without side entry): 1.8 m Multi-attached (with side entry): 2.4 m</p> <p>Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.</p> <p>For multi-family, assisted living facility or temporary care facility:</p> <ul style="list-style-type: none"> ▪ Buildings up to 2 storeys: 3.0 m ▪ Buildings of 3 and 4 storeys: 4.5 m ▪ Buildings of 5 and 6 storeys: subject to the approval of the ¹Development Authority, but not less than 6.0 m ▪ Buildings more than 6 storeys: subject to the approval of the ¹Development Authority, but not less than 7.5m <p>In all cases the minimum side yard requirement is subject to sections 5.7(2) and 3.19.</p>
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m
Landscaped Area Minimum	35% of site area except for multi-family, assisted living facility or temporary care facilities on sites located within the boundaries of the Greater Downtown Action Plan, where 30% landscaping of the site is required.
Parking Spaces	Subject to sections 3.1 & 3.2
² Lot Area Minimum	<p>Detached dwelling 360.0 m²</p> <p>Semi-detached: 232.0 m² per dwelling unit</p> <p>Multi-attached: 185.0 m² per dwelling unit</p> <p>³- deleted</p> <p>For multi-family, Assisted living facility or Temporary care facility:</p> <ul style="list-style-type: none"> ▪ in all cases subject to section 4.5(3) (a).

¹ 3357/C-2022

² 3357/I-2013

³ 3357/A-2012

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

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

(f) ²Notwithstanding anything in this Bylaw, on bare land condominium R2 parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.

(4) R2 Residential (Medium Density) Site Location

(a) Notwithstanding section 4.4(2) (d), a site shall not be located or developed so as to leave small isolated parcels of land that cannot accommodate future development.

(b) The location of the site to be developed within the land use district, and the relationship of the site to the surrounding environs shall be subject to approval by the ³Development Authority.

¹ 3357/I-2013

² 3357/L-2020

³ 3357/C-2022

Regulations	Requirements
Side Yard Minimum <i>continued</i>	<p>Semi-detached dwelling unit (without side entry): 1.5 m Semi-detached dwelling unit (with side entry): 2.4 m</p> <p>Special residential: 3.0 m</p> <p>Multi-attached (without side entry): 1.8 m Multi-attached (with side entry): 2.4 m</p> <p>Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.</p> <p>For multi-family, assisted living facility or temporary care facility:</p> <ul style="list-style-type: none"> ▪ Buildings up to 2 storeys: 3.0 m ▪ Buildings of 3 and 4 storeys: 4.5 m ▪ Buildings of 5 and 6 storeys: subject to the approval of the ¹Development Authority, but not less than 6.0 m ▪ Buildings more than 6 storeys: subject to the approval of the ¹Development Authority, but not less than 7.5m <p>In all cases the minimum side yard requirement is subject to sections 5.7(2) and 3.19.</p>
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m
Landscaped Area Minimum	35% of site area except for multi-family, assisted living facility or temporary care facilities on sites located within the boundaries of the Greater Downtown Action Plan, where 30% landscaping of the site is required.
Parking Spaces	Subject to sections 3.1 & 3.2
² Lot Area Minimum	<p>Detached dwelling 360.0 m²</p> <p>Semi-detached: 232.0 m² per dwelling unit</p> <p>Multi-attached: 185.0 m² per dwelling unit</p> <p>³- deleted</p> <p>For multi-family, Assisted living facility or Temporary care facility:</p> <ul style="list-style-type: none"> ▪ in all cases subject to section 4.5(3) (a).

¹ 3357/C-2022

² 3357/I-2013

³ 3357/A-2012

Regulations	Requirements
	<ul style="list-style-type: none"> ▪ no separate bedroom: 55 m² per dwelling unit ▪ one bedroom: 82.0 m² per unit ▪ more than one bedroom: 102.0m² per dwelling unit

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

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

(3) R3 Residential (Multiple Family) Site Development

- (a) ²Notwithstanding the minimum site area requirements of Table 4.5, when an area has a density designation in accordance with section 7.10(1), the minimum site area is subject to approval of the ³Development Authority.
- (b) Notwithstanding the building height maximum, any existing building located outside of the boundaries of the Greater Downtown Action Plan which is greater than four storeys may be structurally altered or replaced by another building provided the number of storeys does not increase.
- (c) ⁴Notwithstanding anything in this Bylaw, on bare land condominium R3 parcels, the development of more than one Dwelling Unit shall be subject to the Development Authority approving the site plan.

¹ 3357/I-2013

² 3357/I-2013

³ 3357/C-2022

⁴ 3357/L-2020

4.6 R4 Residential (Manufactured Home) District



General Purpose

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

(1) R4 Permitted and Discretionary Uses Table

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

(2) R4 Residential (Manufactured Home) Regulations

(a) Notwithstanding subsection (b), the site plan of a Manufactured Home Park shall be subject to approval by the ¹⁰Development Authority.

(b) Table 4.6 R4 Regulations

¹ 3357/S-2019
² 3357/B-2018
³ 3357/B-2018
⁴ 3357/S-2019
⁵ 3357/S-2019
⁶ 3357/B-2018
⁷ 3357/L-2006
⁸ 3357/I-20013
⁹ 3357/T-2015
¹⁰ 3357/C-2022

4.7 Residential District Regulations

(1) General Regulations

- (a) Notwithstanding the district regulations, where an approved subdivision plan or a proposed subdivision plan within these use districts, R1, R1A, and R2 comprises of at least 5 sites, the Development Officer shall establish the front yard setbacks required.
- (b) Notwithstanding regulations listed in Tables 4.1, 4.2, and 4.4, in lane less subdivisions, in districts R1, R1A, and R2, one of the side yards for a detached dwelling shall be:
 - (i) 1.5 metres where a garage or carport is attached to or is an integral part of the principal building, or
 - (ii) 3.0 metres where a garage or carport is to be provided in the rear yard of the said land, or
 - (iii) 5.0 metres where a garage or carport is to be attached to the principal building at a later date, or
 - (iv) in the event that the front building line of the said lands is 21.0 metres in length or greater, the minimum side yard in one side of the site shall be 10% of such building line. The minimum side yard on the other side of the site in the case subsection (i) hereof applies, 10% of the said building line; in the case subsection (ii) or (iii) applies, 3.0 metres or 5.0 metres respectively as the case may be.
- (c) ¹Notwithstanding regulations listed in all Residential District Tables, the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in the Residential District Tables, within any Residential district namely:
 - (i) Not less than 90% of the minimum or maximum regulations in the Residential District Table, which related to the placement of Buildings.
 - (ii) ² Not less than 90% of the minimum or maximum regulations listed in section 4.7(5), which relates to the placement of projections (decks, steps, etc.) over minimum yard setbacks.
- (d) In calculating the minimum floor area for an odd and irregular shaped site within districts R1, R1A and R2:
 - (i) the frontage of the site shall be the greater of either the width of the site at the building line or the front boundary of the lot, and

¹ 3357/GG-2008, 3357/L-2020

² 3357/C-2022

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

- (b) Notwithstanding anything in this Bylaw, on bare land condominium R1E parcels, the development of more than one Detached Dwelling Unit shall be subject to site plan approval by the Development Authority.

(3) Redevelopment within existing subdivision

- (a) Notwithstanding other sections within this bylaw, in order to maintain the character of existing neighbourhoods, the ²Development Authority shall have the authority to require increased development standards for any redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or along the applicable street.
- (b) Development Applications within existing developed areas will include the following:
- (i) Existing and proposed grades
 - (ii) Existing and proposed landscaping and buildings
 - (iii) Proposed building demolition (if any)
 - (iv) Location of proposed fences
 - (v) Location of existing side yard windows
- (c) Where the proposed development is a discretionary use or does not comply with the development regulations of this district the applicant shall:
- (i) Contact the local community association to inform it of the proposed development.

¹ 3357/L-2020

² 3357/C-2022

4.7 Residential District Regulations

(1) General Regulations

- (a) Notwithstanding the district regulations, where an approved subdivision plan or a proposed subdivision plan within these use districts, R1, R1A, and R2 comprises of at least 5 sites, the Development Officer shall establish the front yard setbacks required.
- (b) Notwithstanding regulations listed in Tables 4.1, 4.2, and 4.4, in lane less subdivisions, in districts R1, R1A, and R2, one of the side yards for a detached dwelling shall be:
- (i) 1.5 metres where a garage or carport is attached to or is an integral part of the principal building, or
 - (ii) 3.0 metres where a garage or carport is to be provided in the rear yard of the said land, or
 - (iii) 5.0 metres where a garage or carport is to be attached to the principal building at a later date, or
 - (iv) in the event that the front building line of the said lands is 21.0 metres in length or greater, the minimum side yard in one side of the site shall be 10% of such building line. The minimum side yard on the other side of the site in the case subsection (i) hereof applies, 10% of the said building line; in the case subsection (ii) or (iii) applies, 3.0 metres or 5.0 metres respectively as the case may be.
- (c) ¹Notwithstanding regulations listed in all Residential District Tables, the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in the Residential District Tables, within any Residential district namely:
- (i) Not less than 90% of the minimum or maximum regulations in the Residential District Table, which related to the placement of Buildings.
 - (ii) ² Not less than 90% of the minimum or maximum regulations listed in section 4.7(5), which relates to the placement of projections (decks, steps, etc.) over minimum yard setbacks.
- (d) In calculating the minimum floor area for an odd and irregular shaped site within districts R1, R1A and R2:
- (i) the frontage of the site shall be the greater of either the width of the site at the building line or the front boundary of the lot, and

¹ 3357/GG-2008, 3357/L-2020

² 3357/C-2022

(2) ¹DELETED

(3) Accessory Residential Structures

(a) In addition to the requirements of section 3.5 when allowed in a residential land use district an accessory building shall not:

- (i)** exceed one storey or 4.5 metres in height, or
- (ii)** ²occupy more than two thirds of the width of the rear yard of any site except in an R1N District where an Accessory Building can be up to a maximum of 7.32 m provided it complies with the Side Yard setback requirement, or
- (iii)** be located in the front yard of a residential district unless approved by the Development Authority, or
- (iv)** be erected or placed in the rear yard of a site within 0.9 metres of the side or rear boundary of the site, provided that in the case of an accessory building erected on and serving two abutting sites, such building may be erected on the side boundary common to such sites, or
- (v)** be used as a dwelling.

(4) Objects Prohibited or Restricted in Yards

(a) Except for one commercial vehicle of gross vehicle weight rating not exceeding 4,500 kg which may be parked in the rear yard, no motor vehicle other than a passenger vehicle shall be parked on a site in any residential districts for longer than is necessary to load or unload.

(b) No person shall allow:

- (i)** a commercial motor vehicle or trailer to remain or be parked in a front yard of the site in a residential district, except for:
 - (1)** one trailer used as a dwelling or sleeping place which may be parked on a constructed parking pad in the front yard
 - (2)** between the first day of April and the thirty-first day of October of any year;

¹ 3357/C-2018

² 3357/C-2022

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

(5) Projections over Yards

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

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

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

¹ 3357/I-2013

² 3357/I-2013, 3357/C-2022

(10) ¹Deleted

(11) Bed & Breakfasts

General Purpose

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

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

¹ 3357/S-2019

² 3357/W-2015

³ 3357/E-2014

⁴ 3357/C-2022

- (b) Once the use of a Show Home or Raffle Home ceases, any area of the Development used as a Show Home or Raffle Home shall revert to residential use.
- (c) The Show Home or Raffle Home shall provide sufficient on-Site and off-Site parking, in the opinion of the Development Authority, to ensure that adjacent Sites would not be adversely affected.
- (d) ¹ A Show Home shall not operate for a period of more than 24 consecutive months; however, when the 24 consecutive month period expires the landowner or an agent of the landowner may reapply for a development permit.
- (e) A Raffle Home shall not operate for a period of more than 9 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a development permit.
- (f) A Raffle Home may only be used for the purpose of:
 - (i) public viewing; and
 - (ii) sale of tickets in connection with a lottery where a Raffle Home is a prize.

¹ 3357/C-2022

Regulations	Requirements
Maximum	surrounding properties and the streetscape. For development greater than four storeys, the Development Authority shall be the Municipal Planning Commission.
Front Yard Minimum	Commercial – nil, subject to sections 5.7(2) & 3.19 Residential – 7.5 m or as required by the ² Development Authority
Side Yard Minimum	Commercial – nil, subject to sections 5.7(2) & 3.19 unless the side yard abuts a lane, in which case it shall be 1.5 m Residential – as required by the ³ Development Authority
Rear Yard Minimum	Commercial – 1.5 m, subject to sections 5.7(2) & 3.19 Residential – as required by the ⁴ Development Authority
Landscaped Area	Commercial – nil Residential – 15 % unless otherwise required by the ⁵ Development Authority
Parking	Subject to sections 3.1 & 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one
Site Area Minimum	278.0 m ²
Frontage Minimum	7.5 m

- (b) C1 district is subject to any applicable commercial regulations listed within section 5.7.
- (c) The Development Authority will consider the lot configuration as well as the standards in corresponding residential districts when evaluating the site plan for a residential development in the C1 District.
- (d) The following development design criteria apply to all C1 Commercial lands located south of the Red Deer River:
- (i) Building Fronts – All Buildings:
 - (1) Street facing elevations shall be parallel to the street. In the case of corner lots or parcels with multiple street frontages, a minimum of two street facing elevations shall be parallel to the street.
 - (2) Minimum building height shall be 8.5 m from grade to the cornice (eave) line.

¹ 3357/X-2014

² 3357/C-2022

³ 3357/C-2022

⁴ 3357/C-2022

⁵ 3357/C-2022

Regulations	Requirements
	Maximum – one third of site area (ground floor)
Building Height Maximum	As approved by the ¹ Development Authority
Front Yard Minimum	6.0 m
Side Yard Minimum	Nil, when there is a constructed lane 3.8 m on one side when there is no constructed lane 3.0 m when it abuts a street
Rear Yard Minimum	3.0 m
Landscaped Area	15 % site area
Parking	Subject to sections 3.1 & 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one
Site Area Minimum	900.0 m ²
Frontage Minimum	20.0 m

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

¹ 3357/C-2022

5.7 General Commercial District Regulations

1. Site Development

- (a) Within C1, C1A, C2A, C2B, C3, and C4 Districts 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.
- (b) ¹Within C1 and C1A Districts, where a drinking establishment is proposed as an accessory use or as the main use and where it would abut a residential neighbourhood or lane or street or reserve which abuts a residential neighbourhood, the developer shall provide the Development Authority with an impact statement as part of the application for a development permit, indicating the measures taken to ensure that noise or visual impacts from the proposed establishment will not negatively affect the adjoining residential neighbourhood.
- (c) All buildings in the C1 and C1A Districts shall feature street oriented design elements for all elevations visible from adjacent public roadways (excluding lanes). These design elements shall include street level windows, appropriately designed entrances, street oriented signage, pedestrian scale design and building materials, which complement other buildings in the downtown. Screening shall be used, as necessary, to ensure that any waste receptacles are not visible from the surrounding public roadways (excluding lanes).
- (d) If strict adherence to C2A, C2B and C4 corresponding regulations listed in Tables 5.3, 5.4 & 5.6 prohibits an effective relationship between buildings, structures and open spaces on the site and adjoining property the ²Development Authority may relax the requirements of the corresponding regulations.
- (e) ³A drinking establishment in a C2A, C2B and C4 District shall not be located where it would abut a residential land use district or a lane or street or reserve which abuts a residential land use district. This prohibition shall not apply to a drinking establishment which is proposed as an accessory use, subject to the developer providing the Development Authority as part of the application for a development permit, an impact statement being an assessment of measures to be taken to ensure that noise or visual impacts from the drinking establishment will not negatively affect adjoining properties.

¹ 3357/J-2007

² 3357/C-2022

³ 3357/J-2007

6.2 I2 Industrial (Heavy Industrial) District



General Purpose

¹The general purpose of this District is to provide for a wide range of manufacturing, assembling, fabrication and processing of goods within the performance standards, of section 6.6 subsection (2)(b) in which nuisance factors have a high probability of occurring.

1. I2 Permitted and Discretionary Uses Table

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

2. I2 Industrial (Heavy Industrial) District Regulations

(a) Table 6.2 I2 Regulations

Regulations	Requirements
Floor Area Minimum	n/a
Building Height Maximum	n/a
Front Yard Minimum	15.0 m, except Edgar Industrial Drive which is 9 m
Side Yard Minimum	3.8 m one one side
Rear Yard Minimum	3.0 m
Landscaped Area	20 % of minimum front yard
Parking Spaces	Subject to section 3.1 and 3.2
Loading Space	Subject to section 3.7
Site Area Minimum	1.2 hectares unless otherwise approved by the ³ Development Authority
Frontage Minimum	n/a

¹ 3357/N-2019, 3357/M-2019

² 3357/N-2014, 3357/S-2019

³ 3357/C-2022

- (b) ¹I2 District is subject to any applicable industrial regulations listed within section 6.6.

3. Site Location

- (a) The location of any discretionary use on a site within the land use district and the relationship of the site to the rest of the city and surrounding environs, shall be subject to approval by the ²Development Authority.

¹ 3357/N-2019, 3357/M-2019

² 3357/C-2022

- (7) ¹outdoor storage of goods or material is permitted if kept in a neat and orderly manner subject to regulations listed in section 6.6 subsection (6),
- (8) no waste which does not conform to the standards established by The City Utility Bylaw shall be discharged into any sewer.

(b) Industrial Standard II

- (i) “Industrial Standard II” means an industrial operation, including production, processing, cleaning, testing, repairing, storage or distribution of any material, which does not create a nuisance discernible beyond the property line of the lot concerned, but might produce noxious emissions.

3. General Industrial Performance Standards

- (a) The onus of proving to the Development Authority's satisfaction that a proposed development does and will comply with the requirements of the respective industrial district rests with the applicant.
- (b) ²In addition to meeting the requirements of section 6.6 subsection (2), development of an industrial site shall comply with the following:
 - (i) the minimum front yard of a site in any industrial district may be used only for:
 - (1) landscaped areas and pedestrian walkways which, together, unless otherwise provided in the Regulations, shall comprise not less than 40% of the area of the minimum front yard,
 - (2) driveways having access to a street or streets at locations to be approved by the ³Development Authority,
 - (3) subject to the approval of the ⁴Development Authority loading and parking areas having a combined area not exceeding 60% of the area of the said minimum front yard, provided that vehicles can enter and leave the site without reversing or manoeuvring on the right of way of a registered street,
 - (4) display purposes provided that no display is located within

¹ 3357/E-2006, 3357/N-2019, 3357/M-2019

² 3357/N-2019, 3357/M-2019

³ 3357/C-2022

⁴ 3357/C-2022

Regulations	Requirements
Building Height Maximum	10 m measured from the average of the lot grade
Front Yard Minimum	15.0 m
Side Yard Minimum	7.5 m
Rear Yard Minimum	7.5 m
Landscaped Area	Subject to ⁸ Development Authority approval
Parking Spaces	Subject to sections 3.1 & 3.2
Site Area Minimum	1.2 ha
Frontage Minimum	Subject to ⁹ Development Authority approval

⁸ 3357/C-2022

⁹ 3357/C-2022

7.2 A2 Environmental Preservation District



General Purpose

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

1. A2 Permitted and Discretionary Uses Table

(a) Permitted Uses
(i) Natural vegetation. (ii) Parks.
(b) Discretionary Uses
(i) Cemetery. (ii) ¹⁰ Growing of crops and produce, market gardens or other agricultural uses which may include stands for the sale, not including Cannabis Retail Sales, of produce grown or produced on the premise but shall not include feedlots, abattoirs, meat or poultry products, packing or processing. (iii) Home occupations subject to section 4.7(8). (iv) Recreational and sports activities and facilities provided that the use is compatible with the natural characteristics of the site. (v) Utilities.

2. A2 Environmental Preservation District Special Provisions and Regulations

- (a) All regulations of this district are subject to ¹¹Development Authority approval.
- (b) After the passing of this Bylaw, no permanent building shall be erected on any site in this district.
- (c) Trees shall not be cut, felled or removed without prior approval of the ¹²Development Authority.
- (d) No aggregate extraction will be allowed.

¹⁰ 3357/L-2018

¹¹ 3357/C-2022

¹² 3357/C-2022

(xxii) ² Off Leash Dog Park

3. P1 Parks and Recreation District Regulations

(a) Table 7.2 P1 Regulations

Regulations	Requirements
Front Yard Minimum	15.0 m
Side Yard Minimum	15.0 m from any street, otherwise 7.5 m
Rear Yard Minimum	15.0 m from any street, otherwise 7.5 m
Landscaped Area	As required by the Recreation, Parks and Culture Manager
Parking Spaces	Subject to sections 3.1 & 3.2
Loading	Subject to ²⁰ Development Authority approval

4. Site Development

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

¹⁹ 3357/I-2009 and 3357/F-2011

² 3357/FF-2009

²⁰ 3357/C-2022

(v)	Campground.
(vi)	Day care facilities.
(vii)	²⁸ Dynamic Fascia Sign on Sites over 13.1 hectares in size;
(viii)	²⁹ Dynamic Freestanding Sign on Sites over 13.1 hectares in size;
(ix)	³⁰ Electronic Message Fascia Sign; and
(x)	³¹ Electronic Message Freestanding Sign.
(xi)	³² DELETED
(xii)	³³ DELETED
(xiii)	³⁴ Institutional service facility
(xiv)	Offices for community oriented groups which have recreation as part of their programs.
(xv)	Parking ancillary to any permitted or discretionary use.
(xvi)	Private clubs or organizations.
(xvii)	³⁵ Retail sales of goods, excluding Cannabis Retail Sales, required in connection with a use approved under this table.
(xviii)	³⁶ Temporary care facility.
(xix)	Utilities.
(xx)	³⁷ Deleted.
(xxi)	³⁸ Accessory Building, subject to Section 3.5 Accessory Building Regulations.

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

(a) Table 7.3 PS Regulations

Regulations	Requirements
Floor Area Minimum	Not applicable, except for a unit in assisted living residence or retirement home 23.0 m ²
Front Yard Minimum	Subject to ³⁹ Development Authority approval
Side Yard Minimum	Subject to ⁴⁰ Development Authority approval
Rear Yard Minimum	Subject to ⁴¹ Development Authority approval
Landscaped Area	Subject to ⁴² Development Authority approval

²⁸ 3357/B-2018

²⁹ 3357/B-2018, 3357/S-2022

³⁰ 3357/B-2018, 3357/S-2022

³¹ 3357/B-2018

³² 3357/G-2016, 3357/B-2018

³³ 3357/B-2018

³⁴ 3357/C-2007

³⁵ 3357/L-2018

³⁶ 3357/C-2007

³⁷ 3357/I-2009 and 3357/F-2011

³⁸ 3357/A-2017

³⁹ 3357/C-2022

⁴⁰ 3357/C-2022

⁴¹ 3357/C-2022

⁴² 3357/C-2022

Regulations	Requirements
Parking Spaces	Subject to sections 3.1 & 3.2
Loading	Subject to ⁴³ Development Authority approval

3. Site Development

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

⁴⁴7.4.1 PSI Post-Secondary Institution District

General Purpose

The purpose of this District is to provide for the development of post-secondary education uses, related Public and Quasi-Public uses, and support services that demonstrate significant training and applied learning connection to one or more academic programs. The commercial uses in this District are intended to primarily serve and support the campus community.

1. PSI Permitted and Discretionary Uses Table

(1)	Permitted Uses
	(a) Accessory Building
	(b) Building Sign
	(c) Post-Secondary Institution
(2)	The following uses are Permitted Uses only if located within a Post-Secondary Institution Building, otherwise the following are Discretionary Uses:
	(a) Commercial Entertainment Facility
	(b) Commercial Service Facility
	(c) Day Care Facility
	(d) Health and Medical Services
	(e) Merchandise Sales (excluding Cannabis Retail Sales)
	(f) Public Recreational Facility
	(g) Restaurant
	(h) Service Organization

⁴³ 3357/C-2022

⁴⁴ 3357/I-2021

- (i) without limited the ability of the Development Officer to refer applications to the Commission under Section 2.7(k), the development Officer may approve variances of up to 10%;
- (ii) ⁴the Commission may approve variances between 10.1% and 30%; and
- (iii) ⁵all variances over 30.1% are prohibited.

- (f) total Sign Area;
- (g) ⁶DELETED
- (h) setbacks.

- (2) In determining if a variance is justified, the Development Authority may consider:
 - (a) the size and location of the Site;
 - (b) the design or construction of a Building or a Sign;
 - (c) the Immediate Street Context;
 - (d) whether the proposed Sign would unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring Sites;
 - (e) the heritage value of a Sign or Building;
 - (f) the topography or configuration of the Site;
 - (g) all applicable Council policies and guidelines; and
 - (h) applicable Statutory Plans.
- (3) Notwithstanding any other provision of this bylaw, if necessary for safety reasons, the Development Authority may require greater distance separations between Signs and may increase the minimum display time for Dynamic or Electronic Messaging.

11.4.4 Attaching Conditions to Variances

- (1) Any variance approved by the Development Authority may be temporarily approved and may be subject to conditions including:
 - (a) the removal of existing Sign(s) on a Site;
 - (b) restrictions on the location, number, and type of new and existing Signs on a Site;
 - (c) controls on light levels or hours of operation of Illuminated Signs;
 - (d) other upgrades or changes to existing Signs on Site;
 - (e) safety and construction matters; and
 - (f) Conditions that reflect impacts on adjacent Sites pursuant to Section 640(6) of the *Municipal Government Act*.

⁴ 3357/S-2022

⁵ 3357/S-2022

⁶ 3357/C-2022

11.13 Freestanding Sign Development Standards

- (1) Freestanding Signs in Residential Districts may be considered on Sites with the following Principal uses:
- Assisted Living Facility;
 - Day Care Facility;
 - Day Care Adult;
 - Multiple Family Building;
 - municipal services (limited to police, emergency services, and/or utilities);
 - places of worship or assembly;
 - Public and Quasi-Public Building;
 - Temporary Care Facility; and
 - ²⁴Low Impact Commercial Use



- (2) ²⁵Siting Criteria
- Freestanding Signs shall be located a minimum of 100.0 m from any other Freestanding Sign on the same Site.
- (3) ²⁶DELETED
- (4) Freestanding Sign Sizes
- The maximum Sign Width for Freestanding Signs is:
 - In DC(9), DC(10), DC(16), DC(18), and DC(26) and in other Residential Districts in conjunction with a principal use listed in 11.13(1):
 - The maximum width is 2.5 m.
 - In all other Districts:
 - The maximum width is 4.0 m.
 - The maximum Sign Heights and Sign Areas are prescribed in Table 1 below:

Table 1

Districts	Maximum Sign Height	Maximum Sign Area
Residential Districts		
Residential Districts, subject to Section 11.13(1)	3.0 m	3.0 m ²
Commercial Districts		
C1	9.0 m	12.0 m ²
C1A	9.0 m	12.0 m ²
C2A	<ul style="list-style-type: none"> • 9.0 m where the Site is adjacent to an Arterial Road. • 25.0 m where the Site is adjacent to a service road. 	<ul style="list-style-type: none"> • First Sign: 36.0 m², • Additional Signs: 25.0 m²
C2B	9.0 m	12.0 m ²

²⁴ 3357/S-2019

²⁵ 3357/C-2022

²⁶ 3357/C-2022

8.22 Exceptions Respecting Land Use

1. ¹General Regulations

- (a) An exception to the uses and/or regulations of a District or this Bylaw may be approved by Council on a site specific basis when a proposed Development, because of its unique characteristics or innovative ideas or because of unusual site constraints, can only proceed if an exception to the provisions of this Bylaw is approved.
- (b) Exceptions to the uses and/or regulations of a District shall not be sought:
 - (i) if a redistricting to another District could achieve the same result either with or without relaxations of this Bylaw; or
 - (ii) to regulate matters that are typically addressed by conditions imposed by the Subdivision or Development Authorities.
- (c) An applicant for an exception to the uses and/or regulations of a District shall, as part of the application for the exception, submit a written statement indicating why, in the applicant's opinion, an exception is necessary and why the proposed Development cannot proceed without an exception.

2. 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 ²Development Authority 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,
 - (iv) ³ Drinking Establishment at Lot 1-6, Block 21, Plan 7604S (6017 54 Avenue)

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.

¹ 3357/D-2021

² 3357/C-2022

³ 3357/N-2021