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

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

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

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

¹ 3357/G-2018

² 3357/C-200, 3357/Z-2009, 3357/N-2010

³ 3357/H2014

⁴**Emergency Shelter** means a facility that provides accommodation for people in need of immediate shelter or short-term accommodation. An Emergency Shelter may offer health, education, and other programs and services to clients but does not provide residential treatment programs for addiction, mental or medical illnesses;

⁵**Escarpment Area** means a Site, any part of which lies within the areas identified on the Land Use Constraint Maps in Schedule A and includes any site which contains or is adjacent to an escarpment or slope which in the reasonable opinion of the Development Officer could be affected by soil instability.

Financial Services means the provision of services related to financial matters, including the deposit or lending of money, the sale of financial investments and the provision of financial planning services.

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

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

Flood Risk Overlay means the Flood Risk Overlay, Figure 16 within Part 7, adopted by this Bylaw, which identifies the flood risk and flood fringe areas mapped under the

⁴ 3357/D-2020

⁵ 3357/M-2008

Canada-Alberta Flood Damage Reduction Program.

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

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

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

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

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

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

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

¹ 3357/Q-2016

² 3357/L-2009

³**Garden Suite Deleted**

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

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

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

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

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

Gross Vehicle Weight Rating (GVWR) is the maximum weight a vehicle should reach in use, including the vehicle itself,

³ 3357/S-2019

⁴ 3357/H-2014

⁵ 3357/H-2014

⁶ 3357/A-2006

⁷ 3357/N-2018

passengers and cargo, but not including a trailer. A vehicle's GVWR is established by its manufacturer.

¹Health and Medical Services means a development used for services related to the physical or mental health of individuals on an out-patient basis. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative in nature or may consist of treatment or counselling. Uses may include but are not limited to medical clinics, dental clinics, optometrists, chiropractic and psychiatric or medical counselling services.

²Home Music Instructor/Instruction

Deleted

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

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

³Household means an individual, or two or more persons related by blood, marriage or adoption, or a group of up to five unrelated persons, all living together as a single housekeeping unit and using common cooking facilities. The development shall be primarily residential in character but may include non-resident staff providing professional care or supervision, which may be in the nature of ongoing medical care, nursing or homemaking services. A household shall not include an Assisted

Living Facility or a Temporary Care Facility.

⁴Immediate Street Context refers to existing Buildings and Signs along the same street Frontage (both sides of the Street) as the proposed Development or Sign and within the same block.

⁵Indoor Recreation Facility means a facility that has been specifically built or adapted for athletic, recreation or leisure activities requiring an industrial scale building.

⁶Industrial/Commercial Training Facility means a development that provides the training of personnel in commercial businesses and/or industrial operations.

⁷Industrial District means a land use District primarily related to or used for industrial uses.

⁸Industrial Support Service means a Development whose principal use is to provide support services to industrial clients. Typical uses include, but are not limited to, duplicating, photocopying and blueprinting services, building security, cleaning or maintenance services, engineering (with dangerous goods), industrial drafting, land surveyors, laboratories, oilfield services, project design and management services, construction trade, information technology support services, financial and insurance service outlets and construction contractors, and exclude Offices. Any retail sales,

¹ 3357/E-2011

² 3357/S-2019

³ 3357/C-2007

⁴ 3357/A-2016, 3357/GG-2017

⁵ 3357/M-2019

⁶ 3357/M-2019

⁷ 3357/B-2018

⁸ 3357/C-2016, 3357/L-2018

display or Office areas shall be accessory to the principal Industrial Support Service use. Does not include Cannabis Retail Sales.

¹**Industrial Trade School** means a facility which provides education or training to adults in trades used in an industrial context, including electrical, plumbing, carpentry, welding, mechanics, sheet metal work, vehicle driving, surveying and similar skills.

²**Institutional Service Facility** means a facility:

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

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

³**Landfill** means a Landfill as defined in the Subdivision and Development Regulation, as amended.

⁴**Landfill/Wastewater Treatment Plan Setback** means the area in proximity of a landfill or wastewater treatment plant as established by the Subdivision and

Development Regulation within which subdivision for and/or development of certain uses cannot be approved by the Subdivision or Development Authority without the written consent of the Deputy Minister of Environment and Parks to vary the setback distance as per the Subdivision and Development Regulation, as amended. These areas are shown for illustrative purposes only on the Land Use Constraints Maps in Schedule A. The Subdivision or Development Authority may require the applicant to verify the setback distance as part of the subdivision approval application or development permit application.

⁵⁶**Landscaped Area** means the portions of a lot or development which are modified and enhanced through the use of lawns, garden plots, naturescaping materials, “green roofs”, shrubs, trees, flowers or other ornamentals.

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

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

- (a) no alcohol or alcoholic beverages are available on the premises for consumption or for sale;
- (b) 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
- (c) the event is held for the purpose of gain or profit;

¹ 3357/L-2011

² 3357/C-2007, 3357/T-2015, 3357/A-2017

³ 3357/G-2018

⁴ 3357/G-2018

⁵ 3357/T-2009, 3357/F-2011

⁶ 3357/H-2014

- (d) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
- (e) music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music sound or band music is performed or played.

¹**License to Occupy Agreement** means an agreement between the City and a person to permit the use of City owned lands and may include permission for the erection or display of a sign or signs on public property.

²**Licensing Agreement** means an agreement between The City and a person to permit the erection or display of a sign overhanging or on public property.

³**Live Work Unit** means a dwelling unit where a business other than a permitted home occupation is operated by the resident and up to two employees.

⁴**Low Impact Commercial Use** means the conducting of merchandise sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling form in a residential district. **Low Impact Commercial Use** does not include **Cannabis Retail Sales**.

⁵**Machinery Sales** means the retail sale, service, and rental of new or used

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

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

⁶**Medical Marihuana Facility (MMF)**
DELETED

⁷**Microbrewery** includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place utilizing no more than 70% of the Gross Floor Area, and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room, Drinking Establishment, or Restaurant but does not include Cannabis Retail Sales.

⁸**Minimum Gravel Parking Standard** means a layer of packed gravel, rock, or

¹ 3357/B-2018

² 3357/B-2018

³ 3357/BB-2009

⁴ 3357/L-2018, 3357/S-2019

⁵ 3357/N-2018

⁶ 3357/E-2014, 3357/EE-2018

⁷ 3357/AA-2014, 3357/T-2015, 3357/V-2017, 3357/L-2018, 3357/S-2019

⁸ 3357/I-2013, 3357/S-2019

crushed concrete or rock which is a minimum of 4 inches in depth.

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

¹Multi-attached Building means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or each unit is on its own individual lot, and each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, triplexes and fourplexes.

²Multiple Family Building means a residential building containing three or more dwelling units having shared entrance facilities, in which the dwelling units are arranged in any horizontal or vertical configuration

³Naturescaping means the modification and enhancement of a lot or development to promote water efficiency and reduce the dependence on fertilizers and pesticides. For the purpose of this section, the use of native central Alberta non-invasive vegetation is preferred in combination with other landscaping materials.

Office means a development that provides professional, management, administrative, consulting, and health care services, such as the offices of doctors, lawyers, accountants, engineers, architects, clerical, secretarial,

¹ 3357/I-2013
² 3357/I-2013
³ 3357/T-2009

employment, telephone answering and similar office support services.

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

⁴Outdoor Display or Sale of Goods means the display of goods intended for sale or the sale of goods on any portion of a site, but does not include the sale or display of goods by licensed hawkers. Does not include Cannabis Retail Sales.

⁵Outdoor Storage means the storage of goods outside the principal building or buildings on a site but does not include the outdoor display or sale of goods nor accessory buildings and garbage enclosures.

⁶Parking Pad means that portion of a lot intended to accommodate part or all of the required off-street parking space(s) for a residential land use where a garage, parking lot or other parking facilities may or may not be otherwise provided and which has been graded, constructed and maintained with dustless materials, including but not limited to concrete, asphalt or paving stone. A Parking Pad does not include a Driveway.

⁷Patio means an uncovered horizontal structure with a surface height no greater than 0.6 metres above grade at any point and which is adjacent to a residential dwelling, and intended for use as a private outdoor amenity space;

⁴ 3357/E-2006, 3357/L-2018
⁵ 3357/E-2006
⁶ 3357/G-2018
⁷ 3357/S-2016

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

¹**Pet Crematorium** means a facility to conduct cremations of pets or companion animals weighing less than 136 kg.

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

Principal Building means a building which:

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

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

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

²**Public Property** means all lands owned or under the control of The City of Red Deer and includes highways, medians, boulevards, sidewalks and parks.

¹ 3357/M-2008

² 3357/E-2006

³**Raffle Home** means a Dwelling Unit that constitutes a prize in a raffle or lottery open to the public, and may be used as a venue for selling raffle tickets.

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

⁴**Residential District** means a land use district primarily related to or used for residential housing (for example, a Detached Dwelling Unit, Multi-attached Building).

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

⁵**Secondary Suite** means a self-contained Dwelling Unit that is located within a primary Dwelling Unit, where both Dwelling Units are registered under the same land title.

⁶**Secured Facility** means a facility providing residential accommodation in addition to continuous on-site professional care and supervision to persons whose

³ 3357/T-2015

⁴ 3357/GG-2017

⁵ 3357/Z-2009

⁶ 3357/A-2017

cognitive or behavioural health needs require increased levels of service and a structure with enhanced safety and security controls such as entrances and exits under the exclusive control of the staff and secured rooms / buildings, fences, and secured windows and doors.

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

Service Station means any premises at which flammable or combustible liquids are put into the fuel tanks of vehicles and includes self-service outlets.

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

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

³**Show Homes** means a Dwelling Unit that is used temporarily to exhibit Dwelling

Units for sale or rent, and may be used as a sales office.

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

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

⁵**Site, Corner** – DELETED

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

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

¹ 3557/U-2015

² 3357/J-2013

³ 3357/T-2015

⁴ 3357/B-2018

⁵ 3357/Q-2016

⁶ 3357/Q-2016

⁷ 3357/H-2008

development, the term “site plan” also means the configuration, size and dimensions of individual bare land condominium units and the setbacks of building locations from the boundaries of such units.

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

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

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

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

²Supervised Consumption Services means a location where, pursuant to an exemption granted for medical purposes by the federal government, a person may consume a controlled substance that was obtained in a manner not authorized under the Controlled Drugs and Substances Act in a supervised and controlled environment.

³Supporting Merchandise Sales means a use where the sale of products produced and

packaged on the premises takes place utilizing no more than 30% of the Gross Floor Area. Does not include Cannabis Retail Sales.

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

⁴Targeted Grazing means the temporary placement of livestock on a Site as a form of low impact weed control to manage plant communities and invasive plant species and to accomplish landscape management goals. Targeted Grazing may include temporary fencing.

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

⁵Temporary Care Facility means a facility providing temporary living accommodation and includes such facilities as overnight shelters, halfway houses, short term medical rehabilitation centres, detoxification centres, hospices and other similar uses.

⁶Temporary Home Stay Accommodations means the sale of overnight accommodation in a Dwelling Unit in a Residential District, with or without a breakfast meal.

¹ 3357/I-2013

² 3357/II-2017

³ 3357/M-2019

⁴ 3357/N-2018

⁵ 3357/C-2007

⁶ 3357/S-2019

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

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

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

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

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

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

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

¹ 3357/L-2018

² 3357/G-2018

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

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

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

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

⁴**Xeriscaping** means a method of landscaping that uses plants that can survive dry periods on their own without reliance on watering, fertilizer or other maintenance.

³ 3357/S-2019

⁴ 3357/H-2014

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18.20.13 Direct Control District No. 33 DC (33)

General Purpose

The purpose of this District is to allow for the operation of the Central Alberta Women’s Emergency Shelter with accessory uses that provide support services for users, including immediate shelter, short-term accommodation, Offices directly related to the function of the Emergency Shelter, counselling, kitchen facilities, and outreach programs. This District also allows small-scale commercial uses on the main floor for complimentary commercial uses for Emergency Shelter users and the general public.

1. DC (33) Permitted and Discretionary Uses Table

<p>(1) Permitted Uses</p> <ul style="list-style-type: none"> (a) Accessory Building (b) Building Sign
<p>(2) Discretionary Uses</p> <ul style="list-style-type: none"> (a) Accessory Use (b) Commercial Service Facility, as an accessory to an Emergency Shelter (c) Day Care Facility, as an accessory to an Emergency Shelter (d) Emergency Shelter (e) Merchandise Sales (excluding industrial goods, motor vehicles, machinery, Cannabis Retail Sales, liquor, beer or wine sales, fuel and all uses where the primary focus is adult orientated merchandise and/or entertainment), as an accessory to an Emergency Shelter (f) Restaurant (excluding liquor, beer or wine sales), as an accessory to an Emergency Shelter

2. Approving Authority

- (1) The approving authority for applications for development approval in this District shall be as follows:
 - (a) The Development Officer for a Permitted Use that is compliant with the provisions of this District; and
 - (b) The Municipal Planning Commission for all other Development Permit applications.
- (2) Prior to the Municipal Planning Commission considering a Development Permit

¹ 3357/D-2020

application for any Discretionary Use in this District, the Development Officer shall send a notice to all property owners of land located within 100 m of the boundary of this District advising the property owners of the Development Permit application and providing them a date by which to provide written comments in response to the notice.

3. Site Development

Floor Area	As determined by the Development Authority
Commercial Service Facility, Merchandise Sales and Restaurant Floor Area Maximum	2000ft ² (185m ²)- Limited to the main floor of the principal building
Site Coverage	As determined by the Development Authority
Building Height Maximum	4 storeys
Front Yard Minimum	As determined by the Development Authority
Side Yard Minimum	As determined by the Development Authority
Rear Yard Minimum	As determined by the Development Authority
Landscaped Area	15% of the site area
Parking	Subject to Sections 3.1 and 3.2
Loading Spaces	Subject to Section 3.7

4. Design Criteria

- (1) The Principles of Crime Prevention Through Environmental Design (CPTED) shall be applied to all Development within this District.
- (2) Any development within the Escarpment Area is subject to section 2.11 of the Land Use Bylaw.
- (3) Notwithstanding any other provision of the Land Use Bylaw, Trees shall not be cut, felled or removed from the Site without prior approval of the Commission.
- (4) Building Design
 - (a) The Principal Building shall have equal sidewalk interface, architectural corner features, and high quality elevation treatments along 47th Avenue and 53rd Street.
 - (b) No Street frontage Building elevation shall have any single horizontal wall length greater than 5.0 m unless it contains distinct architectural elements such as projections, recesses, jogs or windows or vertical accents, to provide visual variety and interest.
 - (c) More than one type of high quality Building material, including but not limited to, brick, stone, concrete, hardy board, and cement stucco shall be

- used in a variety of combinations for ornamentation and articulation.
- (d) Elements which are utilitarian in nature, including but not limited to, air conditioning units, electrical equipment, service areas, and the like shall be screened to the satisfaction of the Development Authority.
 - (e) All commercial uses open to the public shall be located on the main floor of the Principal Building.
- (5) Building Entrances
- (a) Building entrances shall be designed and architecturally treated to emphasize the Building entrance.
 - (b) Emergency Shelter entrance(s) and entrances for commercial uses open to the public shall be architecturally differentiated to avoid confusion.
 - (c) All commercial uses open to the public shall have their own clearly identifiable Street level entry.
 - (d) As a minimum, overhead weather protection shall be provided for pedestrians along the Building front at each Street level entry.
 - (e) All commercial uses open to the public shall contain un-tinted glass windows.
- (6) Parking
- (a) Underground parking is highly encouraged. The majority of 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.
 - (b) Secure outdoor bicycle racks that allow the bicycle frame to be locked directly to the rack shall be provided.
- (7) Landscaping
- (a) All plant material provided shall be of a species capable of healthy growth in Red Deer. Incorporation of naturescaping is required.
 - (i) Applicants shall use The City of Red Deer's Naturescaping Plant List as a guide.
 - (b) Existing trees that are healthy and that have long-term viability are to be preserved by rigid temporary protective fencing to protect the root zone during construction, in accordance with Contract Specifications, The City of Red Deer. See Section 32 93 50 Tree and Shrub Preservation and Parks Standard Drawing, 50 08 05, "Tree Protection Fence", or any replacement drawing.
- (8) Garbage, Recycling, and Outdoor Storage
- (a) All garbage, recycling facilities, and outdoor storage shall be fully screened with a solid fence, landscaping, or a combination of both.
 - (b) Sufficient space shall be allotted aside from parking requirements to provide appropriate waste and recycling collection vehicle access.
 - (c) Outdoor garbage disposal bins will be placed every 25.0 m along all frontages, and will be available for public use. Garbage disposal will be the responsibility of the landowner

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) ¹On those sites listed below the following uses are discretionary:

	Site	Discretionary Uses
(i)	Block 4, Plan 6564 E.T. (5101 - 5129 – 39 Street and 5102 - 5130 – 38 Street)	<ul style="list-style-type: none">• Medical offices and related facilities and related commercial services provided that such offices shall not be located on any floor of the building which contains a dwelling unit.• Parking Lots
(ii)	Lot 1, Block J, Plan 3999 R.S. (3939 – 50A Avenue)	<ul style="list-style-type: none">• Medical Offices and related facilities and related commercial services provided that such offices shall not be located on any floor of the building which contains a dwelling unit.
(iii)	Lot 2, Block J, Plan 3999 R.S. (3947-50A Avenue)	<ul style="list-style-type: none">• Medical offices and related facilities and related commercial services provided that such offices shall not be located on any floor of the building which contains a dwelling unit.

¹ 3357/BB-2018

- A Freestanding Sign, subject to the provisions of Part 11, to a maximum Sign Height of 9.0 metres and a maximum Sign Area of 7.0 square metres.

(c) ¹On Lot 58, Block 14, Plan 792-0555 (88 Howarth Street), the development of C2B uses, except Cannabis Retail Sales, lounges, bars and amusement arcades may be allowed as discretionary uses, provided that landscaped buffers of 10 m and 3 m be developed along Howarth Street and the lane respectively, and be subject to all other provisions of the C2B Districts.

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

(i) One basement dwelling in a detached dwelling in addition to the uses listed in the R1 Use Table on:

(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).

¹ 3357/L-2018

(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.

- (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) ²One 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) ³Drinking 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) ⁴A maximum of 47 one bedroom multiple family residential units converted from existing hotel units on Lot 6, Block 14, Plan 4436TR (2807 50th Ave).

¹ 3357/S-2009

² 3357/Y-2009

³ 3357/P-2012

⁴ 3357/X-2013, Correction #31

(xiii) ¹Existing 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).

²(4) Lot 8, Block 1, Plan 24 HW (6755-59 Avenue)

(ii) Upholstery business on:

(1) Lots 21 and 22, Block 25, Plan 7604 S (5824 and 5826-51 Avenue).

(iii) Semi-detached dwelling on:

(1) Lots 22 and 23, Block 2, Plan 982 0058 (6007 and 6009 - 63 A Street) subject to the front elevation of each unit (half) being significantly different from each other thereby resembling a single family dwelling.

(iv) ³**DELETED**

(v) ⁴Three-unit multi-attached building on:

(1) Lots 9-11, Block 24, Plan 5555AF (3818 44 Street)

(vi) ⁵Multiple 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

¹ 3357/Y-2014

² 3357/D-2008

³ 3357/T-2016

⁴ 3357/E-2012

⁵ 3357/F-2013

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) ¹Security 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 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.

²(viii) Temporary parking lot for a 9 year period commencing the date of development permit issuance at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street) for parking provisions for Jackpot Casino Ltd. Lot 15, Block 38, Plan 3479 MC, subject to parking regulations established in sections 3.2, 3.2.1 and 3.2.2 of this bylaw. Additional landscaping and/or design enhancements may be required at the discretion of City Council as the approving authority.

(ix) when listed as a use, the following uses may be incorporated into a Live-Work Unit:

- 1. artist's studio;
- 2. beauty and body service;

¹ 3357/EE-2013

² 3357/H-2015

- ¹(x) Parking accessory to an approved principle use on the same site provided each bare land condominium unit that is created for parking meets the requirements of Section 3.2 to the satisfaction of the Development and Subdivision Authorities on:
- (1) Lots 77 and 78, Block 7, Plan 132 3870 (155 Vanier Drive)
- (xi) Microbrewery on:
- (1) Lot 3, Block 5, Plan 902 0499
 - (2) ²Lot 5, Block C, Plan 002 2241 (Bay 1-2, 7023 Johnstone Drive)
- (xii) ³Four unit Multi-attached Building on:
- (1) Lot 3A, Block 1, Plan 3182 TR (6719 59 Avenue and 6721 59 Avenue).
- (xiii) ⁴Financial Services and Office not exceeding 4000 ft² on:
- (1) Lot 8, Plan 922 2540 (#8 4608 62 Street)
- (xiv) ⁵In addition to the permitted and discretionary uses allowed in the R1A district, a three unit Multi-attached Building as a discretionary use on Lots A, 1 and 2, Block B, Plan 7068W (5835-60A Street)
- (1) The Development Authority is the development authority.
 - (2) The R1A district regulations apply.
- (xv) ⁶In addition to the permitted and discretionary uses allowed in the R1 district, an Office, including but not limited to an insurance broker business as a discretionary use on Lot 76, Block 7, Plan 9823705.
- (1) The C3 regulations in Section 5.5.2 apply to the development of an Office including but not limited to an insurance broker business.
 - (2) A use which serves residents beyond the adjoining neighbourhood may be allowed provided the use:
 - (1) will not result in excess traffic or parking demand that cannot be accommodated on-site; and

¹ 3357/Y-2017

² 3357/V-2018

³ 3357/W-2018

⁴ 3357/V-2019

⁵ 3357/DD-2019

⁶ 3357/A-2020

- (2) will not operate business between 10:00pm and 7:00am; and
 - (3) will not, in the opinion of the Development Authority, result in excessive noise or otherwise unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
- (3) The Development Authority is the development authority.
- (f) On those sites, or portions thereof herein listed, the following uses may be allowed as permitted uses in the existing structure only:
- (i) ¹Deleted
 - (ii) ²Photographic 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) ³One basement dwelling suite on:
 - (1) Lot 13, Block 36, Plan 5187 KS (5702 West Park Crescent)
 - (2) Lots 25-26, Block 3, Plan 4516AC (4018 50 Street)
 - (vii) ⁴Deleted
 - (viii) ⁵Deleted
 - (ix) ⁶A Commercial Service Facility, Health and Medical Services, or Office along with a Building Sign or a Freestanding Sign in

¹ 3357/N-2017

² 3357/T-2010

³ 3156/B-1998

⁴ 3357/I-2013

⁵ 3357/A-2007, 3357/S-2019.

⁶ 3357/N-2013, 3357/B-2018

accordance with the maximum Sign Height and Sign Area prescribed in Section 11.13 for Residential Districts in Table 1, on Lot 1, Block 3, Plan 6759ET (3702 50 Avenue), but not including the following:

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

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

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

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

- (i) ¹Restaurant at 4501-48 Avenue (Lot 18, Block 42, Plan 182 2251). The Development Authority, at its discretion, may apply the C1 district's development standards to the restaurant use.
- (ii) ²A photography studio, Commercial Service Facility along with a Building Sign or a Freestanding Sign in accordance with the maximum Sign Height and Sign Area prescribed in Section 11.13 for Residential Districts in Table 1, on Lot 7, Block E Plan K0 (4419 55 Street) but not including the following:
 - (1) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet;
 - (2) kennelling of animals;

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

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

¹ 3357/L-2019

² 3357/T-2010, 3357/B-2018

- (5) prohibit uses that operate outside the hours of 7:00 a.m. to 10:00 p.m.
- (6) avoid the need for customers to park on 45th Avenue

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

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

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

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

¹ 3357/U-2010

² 3357/L-2016, 3357/S-2019

³ 3357/U-2009

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

¹ 3357/U-2009

² 3357/U-2009

³ 3357/S-2019

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

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

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

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

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

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

(q) ¹Signs, as listed within the C3 Commercial (Neighbourhood Convenience) District, may be allowed as a discretionary use on Lot 1, Block 23, Plan 892 1574 (4820 45 Street).

(r) ²Deleted

¹ 3357/B-2018

² 3357/Z-2007, 3357/I-2013

- (s) ¹Deleted
- (t) ²Notwithstanding Section 5.6 of this Land Use Bylaw, on Lot 5, Block 1, Plan 972-4056 a combined commercial restaurant and maximum 230 unit assisted living facility shall be a permitted use. This mixed use development requires approval by the Development Authority and is subject to the following development regulations/standards:
- (i) Floor areas minimum within the assisted living facility for a one bedroom unit shall be 46.5 square metres, and for a unit of more than one bedroom 65.0 square metres;
 - (ii) Landscaping area minimum: 30% of site;
 - (iii) Building height maximum: 4 storeys;
 - (iv) Front Yard Minimum: 15.0 m;
 - (v) Side Yard Minimum: 4.5 m;
 - (vi) Rear Yard Minimum: 3.0 m;
 - (vii) Parking: Subject to Section 3.1 and 3.2;
 - (viii) Loading Spaces: One opposite each loading door with a minimum of one;
 - (ix) Site Area Minimum: Existing parcel
 - (x) Site Frontage Minimum: 30.0 m
 - (xi) Any development standard not specifically referred to above including building elevations, shall be subject to approval by the Municipal Planning Commission;
 - (xii) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Municipal Planning Commission.
- (u) ³To 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

¹ 3357/Z-2007 , 3357/I-2013

² 3357/G-2008

³ 3357/U-2009

City of Red Deer Land Use Bylaw 3357/2006

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

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

Lot	Block	Plan	Street Address
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¹ 3357/U-2009

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

¹(w) In order to diverse forms of advertising within the C1 and C4 Districts for Sites that have no less than 100.0m Frontage on Gaetz Avenue and offer conference and convention space, Dynamic Signs which comply with Part Eleven: Sign Development Standards may be allowed as a Discretionary Use on the following Sites:

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

²(x) On the site listed below, the relocation of a Dynamic Fascia Sign, lawfully in existence on September 30, 2010 to another location on the same Site, is a Discretionary Use provided that the Dynamic portion of the Sign is not altered and provided that the Sign complies with the applicable provisions in Part Eleven: Sign Development Standards.

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

³(y) To allow for the compatible redevelopment on sites listed below, multi-family and multi-attached residential buildings shall be added to the list of discretionary uses in the applicable land use district to allow redevelopment of the property to less than or equivalent gross floor area as the existing structure and to a maximum height of 2 storeys or 10 metres or to the maximum height of the existing building Section 7.11 shall continue to apply.

Lot	Block	Plan	Civic Address
10-11	E	K11	5601 42 St
2	A	3019KS	5506 41 St
1	1	223AI	3930 55 Av
5	2	4618KS	3926 56 Av
Z	1	223AI	3905 56 Av
1	7	1429HW	3815 54 Av
14-16	9	6269AF	5409 38 St

¹ 3357/F-2013, 3357/R-2010, 3357/B-2018

² 3357/Y-2010, Clerical Correction re: numbering, 3357/B-2018

³ 3357/H-2013

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, 2 Dynamic Fascia Signs on the existing Building, provided that the overall Sign, including the Dynamic Fascia Signs, otherwise complies with Part Eleven: Sign Development Standards:

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

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. No Cannabis Retail Sales will be permitted.



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, 3357/B-2018

² 3357/D-2015, 3357/L-2018

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.

¹(ee) On those sites listed below, a Supervised Consumption Services may be considered as a Discretionary Use with City Council as the designated Development Authority:

- (i) Lot 1, Block 7, Plan 8621676 (3942 50A Avenue)

²(ff) At 6300 Cronquist Drive (Heritage Ranch, within the SW ¼ Sec 18; 38-27-W4), any legally existing use prior to January 8, 2017 shall be considered a discretionary use thereafter.

2. Areas Specifically Exempted from a Particular Use

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

<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

¹ 3357/II-2017

² 3357/F-2018

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

(i) a gaming or drinking establishment:

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

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

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

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

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

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

¹ 3357/V-2014

² 3357/T-2016

³ 3357/HH-2016, 3357/L-2018

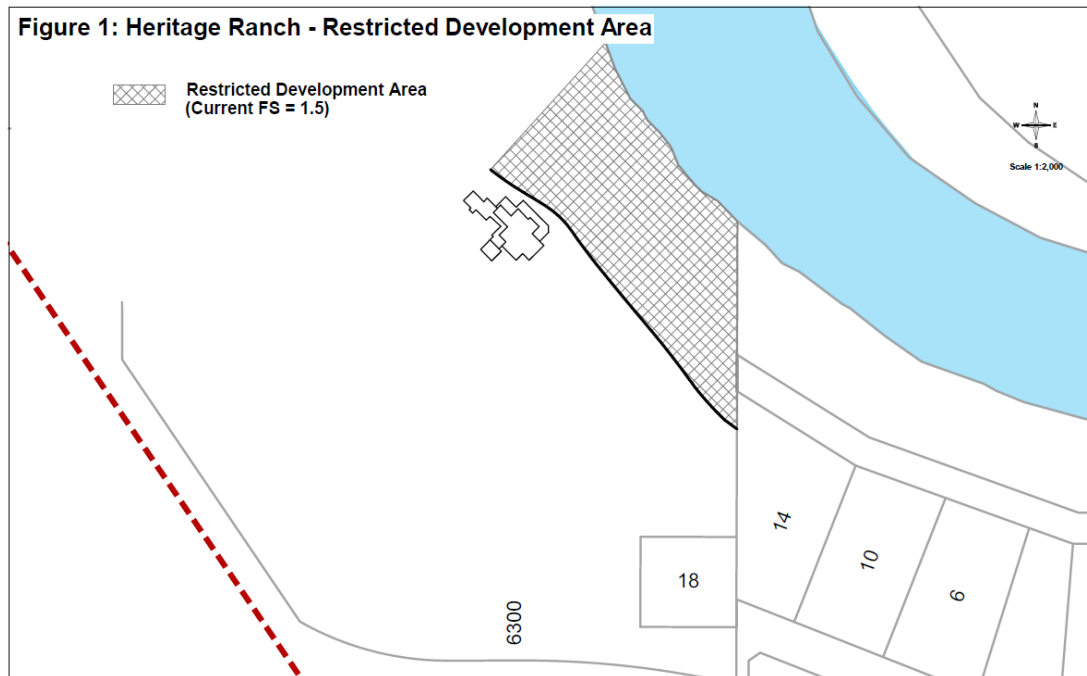
⁴ 3357/S-2019

(xvii) Cannabis Retail Sales

(f) ²On 4718-19 Street the following uses shall not be allowed as either permitted or discretionary uses:

(i) Motor Vehicle Sales

(g) ³At 6300 Cronquist Drive (Heritage Ranch, within the SW ¼ Sec 18; 38-27-W4), no uses or development will be permitted within the Restricted Development Area as shown on Figure 1 below and “Land Use Constraints Map I14”. All other uses and development is subject to the provisions of subsections 2 through 5, and subsections 7 through 10 of Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District.



¹ 3357/G-2018

² 3357/X-2017

³ 3357/F-2018