

## Part Four: Residential Districts and Regulations

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**4.1 R1 Residential (Low Density) District**



**General Purpose**

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

**1. R1 Permitted and Discretionary Uses Table**

**(a) Permitted Uses**

- (i) Accessory building subject to sections 3.5 and 4.7(3).
- (ii) Detached dwelling unit.
- (iii) Home music instructor/instruction (two 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) <sup>1</sup>DELETED
- (vi) <sup>2</sup>Secondary Suite, subject to section 4.7(9).
- (vii) <sup>3</sup>at 22 Gunn Street no more than 6 lots with a single dwelling unit per lot.

**(b) <sup>4</sup>Discretionary Uses**

- (i) Amateur radio tower.
- (ii) <sup>5</sup>Assisted Living Facility in a Detached Dwelling Unit.
- (iii) <sup>6</sup>Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.
- (iv) Bed & Breakfast in a Detached Dwelling Unit or Semi-detached Dwelling Unit, subject to subject to section 4.7 (11).
- (v) <sup>7</sup>Building 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) <sup>8</sup>Freestanding Sign, for uses described in Section 11.13(1).
- (viii) Garden Suite subject to section 4.7(13).
- (ix) Home occupations which will generate additional traffic subject to section 4.7(8).
- (x) Home Music Instructor/Instruction (six students), subject to section 4.7(10).

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

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

<sup>3</sup> 3357/J-2019

<sup>4</sup> 3357/A-2012

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

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

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

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

- (xi) Municipal Services limited to Police, Emergency Services and/or Utilities.
- (xii) <sup>1</sup>Show Home or Raffle Home.
- (xiii) <sup>2</sup>Secondary Suite, subject to section 4.7(9).
- (xiv) <sup>3</sup>DELETED
  
- (xv) <sup>4</sup>at 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 <sup>2</sup>
<sup>5</sup> 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
<sup>6</sup> Front Yard Set Back	6.0 m except for the R1 zoned lands located within the Timberlands North Neighbourhood Area Structure Plan area (south of 67 Street and east of 30 Avenue) where the front yard setback is: <ul style="list-style-type: none"> <li>• Minimum 3.0 m and a maximum of 4.5m for the live portion of a dwelling unit, and</li> <li>• Minimum 6.0 m for any front attached garage portion of a dwelling unit.</li> </ul>
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 <sup>2</sup>
Frontage Minimum	Detached dwelling 12.0 m

(b) R1 district is subject to any applicable residential regulations listed within section 4.7.

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

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

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

<sup>4</sup> 3357/J-2019

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

<sup>6</sup> 3357/L-2013, 3357/D-2015

- (c) <sup>1</sup>Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R-1, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.

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<sup>1</sup> 3357/H-2008

**<sup>1</sup>4.1.1 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) <sup>2</sup>DELETED

**(2) R1C Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
(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)	Home Music Instructor/Instruction (2 students), subject to section 4.7(10)
(v)	Home Occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(vi)	<sup>3</sup> DELETED
(vii)	Secondary Suite, subject to sections 4.1.1(3)(b) and 4.7(9)
<b>(b) Discretionary Uses</b>	
(i)	Assisted Living Facility in the principal dwelling unit
(ii)	Bed & Breakfast in the principal dwelling unit
(iii)	Garden Suite, subject to sections 4.1.1(3)(b) and 4.7(9)
(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)	Home Music Instructor/Instruction (six students), subject to section 4.7(10)
<sup>4</sup> (vi)	Show Home or Raffle Home.
(vii)	Secondary Suite, subject to sections 4.1.1(3) and 4.7(9)
(viii)	<sup>5</sup> DELETED

**3. R1C Residential (Carriage Home) Regulations**

(a) Table 4.1.1 R1C Regulations – Principal Dwelling Unit

<sup>1</sup> 3357/L-2013  
<sup>2</sup> 3357/CC-2018  
<sup>3</sup> 3357/B-2018  
<sup>4</sup> 3357/T-2015  
<sup>5</sup> 3357/B-2018

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

(b) Table 4.1.1 Use Provisions - Carriage Home Unit

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

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

- (c) The R1C District is subject to any applicable residential regulations listed within section 4.7
- (d) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R1C, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.
- (e) <sup>4</sup>The following regulations shall not be relaxed or varied by the Development Authority:
- i. Carriage Homes shall contain no more than 2 bedrooms.
  - ii. Carriage Homes shall only be located on a residential lot that has access from a lane.

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

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

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

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

**<sup>1</sup>4.1.2 R1WS Residential (Wide/Shallow Lot) District**



**<sup>2</sup>General 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**

<b>(a) Permitted Uses</b>	
(i)	Accessory Building subject to sections 3.5 and 4.7(3)
(ii)	<sup>3</sup> 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)	<sup>4</sup> DELETED
<b>(b) Discretionary Uses</b>	
(i)	Assisted Living Facility in a Detached Dwelling Unit
(ii)	Bed & Breakfast in a Detached Dwelling Unit
(iii)	Garden Suite, subject to sections 4.1.2(2)(b) and 4.7(13)
(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)
<sup>5</sup> (vi)	Show Home or Raffle Home.
(vii)	Secondary Suite, subject to sections 4.1.2(2)(b) and 4.7(9)
(viii)	<sup>6</sup> DELETED

**2. R1WS Residential (Wide/Shallow Lot) Regulations**

**(a) <sup>7</sup>Table 4.1.2 R1WS Regulations**

<sup>1</sup> 3357/L-2013  
<sup>2</sup> 3357/D-2015  
<sup>3</sup> 3357/D-2015  
<sup>4</sup> 3357/B-2018  
<sup>5</sup> 3357/T-2015  
<sup>6</sup> 3357/B-2018  
<sup>7</sup> 3357/D-2016

<b>Regulations</b>	<b>Requirements</b>
Floor Area	Lot frontage in m x 6.0 m, but not less than 72 m <sup>2</sup>
Site Coverage Maximum	45% (includes garage & accessory buildings)
Building Height Maximum	2 ½ storeys with a maximum height of 12.0 m measured from the average of the lot grade
<sup>1</sup> Front Yard Minimum	<ul style="list-style-type: none"> <li>▪ 3.8 m for the live portion of a dwelling unit, and</li> <li>▪ 6.0 m for the front attached garage of the dwelling unit</li> </ul>
<sup>2</sup> Front Yard Maximum	The live portion of a Detached Dwelling Unit cannot be further from the Street than the front attached Garage
Front Porch encroachment Maximum into Front Yard	1.8 m
Side Yard Minimum	<sup>3</sup> 1.25 m however, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2B
Rear Yard Minimum	7.5 m
Lot Depth	<p>Maximum: 27.0 m Minimum: 24.0 m</p> <p><sup>4</sup>A lot depth maximum variation may be considered in the following situations:</p> <ul style="list-style-type: none"> <li>• When lot configuration is impacted by natural features;</li> <li>• When lot configuration is impacted by road design; and</li> <li>• When a lot transitions into another land use district.</li> </ul>
Landscaped Area Minimum	30% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	<sup>5</sup> 324 m <sup>2</sup>
Lot Frontage Minimum	<sup>6</sup> 12.0m
<sup>7</sup> Garage	<ul style="list-style-type: none"> <li>• The width of the front attached garage cannot be greater than 60% of the entire front face exposure</li> </ul>

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

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

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

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

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

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

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

	<p>of the dwelling unit (live and garage portion combined).</p> <ul style="list-style-type: none"><li>• Notwithstanding the proportion noted above, the width of the front attached garage may be expanded up to 67% of the entire front face exposure of the dwelling unit (live and garage portion combined) provided the dwelling includes developed floor space over a minimum 40% of the front attached garage floor area</li><li>• Garage doors shall face the street and contain window panels</li><li>• The width of the front driveway shall not exceed the front face width of the garage portion of the dwelling unit</li></ul>
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(b) <sup>1</sup>DELETED

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

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

**4.2 R1A Residential (Semi-Detached Dwelling) District**



**General Purpose**

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

**1. R1A Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
<b>(i)</b>	Accessory building subject to sections 3.5 and 4.7(3).
<b>(ii)</b>	Detached dwelling unit.
<b>(iii)</b>	Home music instructor/instruction (two students), subject to section 4.7(10).
<b>(iv)</b>	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
<b>(v)</b>	<sup>1</sup> DELETED
<b>(vi)</b>	<sup>2</sup> Semi-detached dwelling unit, except in the West Park Overlay district where such use shall be discretionary, subject to sub-section (3).
<b>(vii)</b>	<sup>3</sup> Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
<b>(b) Discretionary Uses</b>	
<b>(i)</b>	Amateur radio tower.
<b>(ii)</b>	Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
<b>(iii)</b>	<sup>4</sup> Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.
<b>(iv)</b>	<sup>5</sup> Building Sign, for uses described in Section 11.10(1); and
<b>(v)</b>	<sup>6</sup> “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.
<b>(vi)</b>	<sup>7</sup> Freestanding Sign, for uses described in Section 11.13(1).
<b>(vii)</b>	Home music instructor/instruction (six students), subject to section 4.7(10).
<b>(viii)</b>	Home occupations which will generate additional traffic subject to section 4.7(8).
<b>(ix)</b>	Municipal services limited to Police, Emergency Services and/or Utilities.
<b>(x)</b>	<sup>1</sup> Show Home or Raffle Home.

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

<sup>2</sup> 3357/FF-2008

<sup>3</sup> 3357/Z-2009

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

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

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

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

- (xi) <sup>2</sup>Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
- (xii) <sup>3</sup>Secondary Suite in existence in a semi-detached Dwelling Unit on January 1, 2009, subject to section 4.7(9).

**2. R1A Residential (Semi-Detached Dwelling) Regulations**

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

(c) Table 4.2 R1A Regulations

Regulations	Requirements
Floor Area Minimum	Detached dwelling: Frontage in m x 6 m but not less than 72.0 m <sup>2</sup>  Semi-detached dwelling: 72.0 m <sup>2</sup> for each unit
<sup>4</sup> Site Coverage Maximum	40% (includes garage and accessory buildings)
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade
Front Yard Minimum	6.0 m
Side Yard Minimum	Detached dwelling: 1.5 m  Semi-detached dwelling unit (without side entry): 1.5 m Semi-detached dwelling unit (with side entry): 2.4 m Special residential: 3.0 m  Notwithstanding the setbacks noted above, where the building flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m
Landscaped Area	35% of site area
Parking Spaces	Subject to sections 3.1 & 3.2

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

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

<sup>3</sup> 3357/Z-2009

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

<b>Regulations</b>	<b>Requirements</b>
Lot Area Minimum	Detached dwelling 360.0 m <sup>2</sup> Semi-detached dwelling unit: 232.0 m <sup>2</sup> per dwelling unit
Frontage Minimum	Detached dwelling 12.0 m Semi-detached dwelling unit 7.6 m per unit

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

**3. <sup>1</sup>R1A Residential (Semi-Detached Dwelling) West Park Overlay District**

- (a) The West Park Overlay district shall be the area identified on Figure 19.
- (b) In the West Park Overlay District, the discretionary use of a semi-detached dwelling unit may be approved by the Municipal Planning Commission.
- (c) An application for a semi-detached dwelling unit shall be referred to all landowners on sites within a 100 metre radius of the site of the proposed development, for comments on the proposal prior to its presentation to the Municipal Planning Commission.

<sup>1</sup> 3357/FF-2008

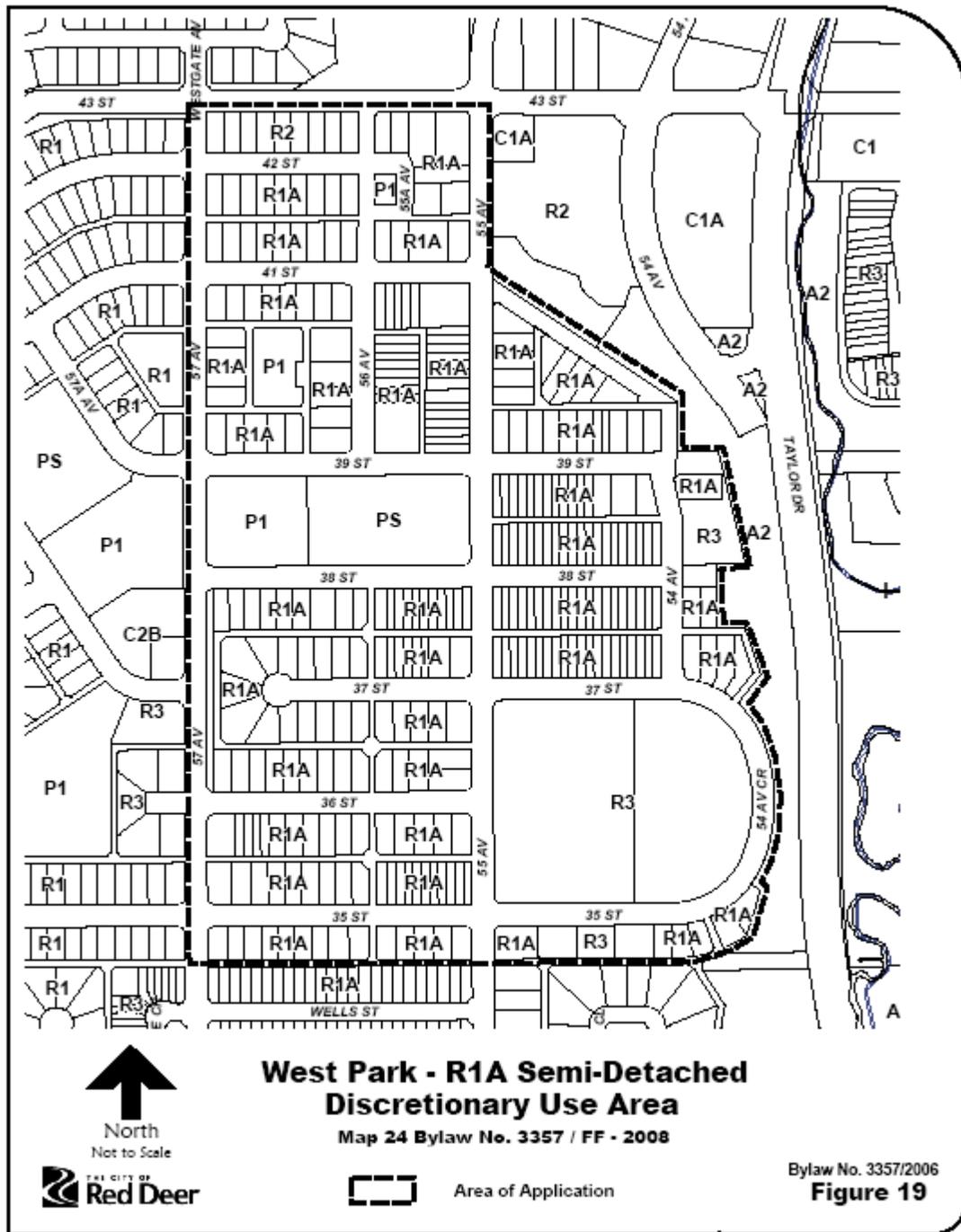


Figure 19 – West Park Overlay District

### 4.3 R1N Residential (Narrow Lot) District



#### General Purpose

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

#### 1. R1N Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>	
(i)	Accessory building subject to sections 3.5 and 4.7(3).
(ii)	Detached dwelling unit.
(iii)	Home music instructor/instruction (two 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)	<sup>1</sup> DELETED
<b>(b) Discretionary Uses</b>	
(i)	Amateur radio tower.
(ii)	Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
(iii)	<sup>2</sup> Building Sign, for uses described in Section 11.10(1); and
(iv)	<sup>3</sup> Freestanding Sign, for uses described in Section 11.13(1).
(v)	Home music instructor/instruction (six students), subject to section 4.7(10).
(vi)	Municipal services limited to Police, Emergency Services and/or Utilities.
(vii)	<sup>4</sup> Show Home or Raffle Home.
(viii)	<sup>5</sup> Secondary Suite in existence on January 1, 2009, subject to section 4.7(9).
(ix)	<sup>6</sup> Home occupations which will generate additional traffic subject to sections 4.3(2)(o) & (p) and 4.7(8).

#### 2. R1N Residential (Narrow Lot) Regulations

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

<sup>1</sup> 3357/B-2018  
<sup>2</sup> 3357/B-2018  
<sup>3</sup> 3357/B-2018  
<sup>4</sup> 3357/T-2015  
<sup>5</sup> 3357/Z-2009  
<sup>6</sup> 3357/F-2014 (Revised Alternative)

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

Regulations	Requirements
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<sup>1</sup> 3357/F-2014 (Revised Alternative)

<sup>2</sup> 3357/A-2012

<sup>3</sup> 3357/F-2014 (Revised Alternative)

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

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

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

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

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

<sup>1</sup> 3357/F-2014 (Revised Alternative)

<sup>2</sup> 3357/F-2014 (Revised Alternative)

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

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

<sup>5</sup> 3357/F-2014 (Revised Alternative)

<sup>6</sup> 3357/F-2014 (Revised Alternative)

### 4.3.1 <sup>1</sup>R1G Residential (Small Lot) District



#### General Purpose

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

#### 1. R1G Permitted and Discretionary Uses Table

<b>(a) Permitted Uses</b>	
(i)	Accessory Building subject to sections 3.5 and 4.7(3).
(ii)	Detached Dwelling Unit.
(iii)	Home Music Instructor/Instruction (two 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)	<sup>2</sup> DELETED
<b>(b) Discretionary Uses</b>	
(i)	Amateur radio tower.
(ii)	Bed & Breakfast, subject to section 4.7(11).
(iii)	Home Music Instructor/Instruction (six students), subject to section 4.7(10).
(iv)	Municipal services limited to Police, Emergency Services and/or Utilities.
<sup>3</sup> (v)	Show Home or Raffle Home.
<sup>4</sup> (vi)	Home occupations which will generate additional traffic subject to section 4.7(8)

#### 2. R1G Residential (Small Lot) Regulations

- (a) All Detached Dwelling Units shall include a front double attached garage.
- (b) Where a Detached Dwelling Units is located on a corner site, the side which abuts a street shall have an architectural treatment similar to the front elevation.
- (c) <sup>5</sup>Side windows of above grade storeys of Detached Dwelling Units shall be arranged to minimize the incidence of windows facing each other. Obscured glass shall be used in any bathroom which faces a window in an adjoining residence.

<sup>1</sup> 3357/J-2011

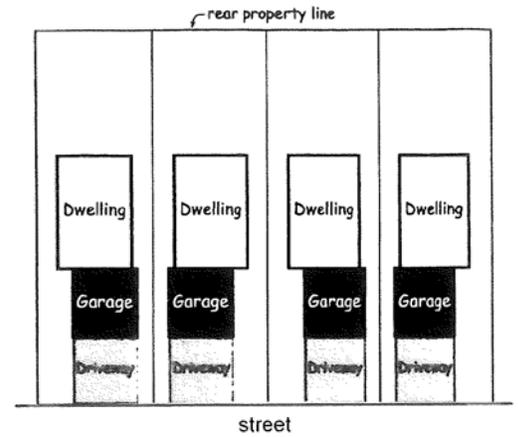
<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/T-2015

<sup>4</sup> 3357/F-2014 (Revised Alternative)

<sup>5</sup> 3357/A-2012

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



Grouping of Garages & Driveways

**(g) Table 4.3(1) R1G Regulations:**

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

<sup>1</sup> 3357/F-2014 (Revised Alternative)

<sup>2</sup> 3357/F-2014 (Revised Alternative)

### **3. R1G Design & Development Criteria**

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

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

**<sup>1</sup>4.3.2 RLW Residential (Live-Work) District**



**General Purpose**

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

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

<b>(a) Permitted Uses</b>	
(i)	Accessory building subject to sections 3.5 and 4.7(3)
(ii)	Live-Work unit subject to section 4.3.2(2)(b)
(iii)	Ground floor commercial uses subject to section 4.3.2(2)(b)
(iv)	Home music instructor/instruction (2 students), subject to section 4.7(10)
(v)	Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(vi)	<sup>2</sup> DELETED
<b>(b) Discretionary Uses</b>	
(i)	<sup>3</sup> Building Sign, for uses described in Section 11.10(1)
(ii)	Day Care Facility
(iii)	Home Occupations which will generate additional traffic, subject to section 4.7(8)
(iv)	Home Music Instructor/Instruction (six students), subject to section 4.7(10).
<sup>4</sup> (v)	Show Home or Raffle Home
(vi)	<sup>5</sup> DELETED

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

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

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

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

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

**2. RLW Residential (Live-Work) Regulations**

(a) Table 4.3.2 RLW Regulations

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

(b) RLW Live-Work Unit Use Provisions

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

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

- (d) office;
  - (e) repair or sales of apparel, crafts, and jewelry that are made on the premises;
  - (f) <sup>1</sup>merchandise sales (excluding Cannabis Retail Sales) and/or rental excluding all motor vehicles, machinery and fuel, and
  - (g) other similar business uses approved by the Development Authority.
- (vi) A Live-Work unit shall not result in a disturbance to the peace and quiet or other amenities of the neighbourhood, nor may it cause the emission of dust, noise, odor, smoke, electronic interference, bright lights or other nuisance.
- (vii) A Live-Work unit shall not be individually separated through any subdivision or condominium plan.
- (viii) Outside storage or display of any kind shall not be permitted.

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

**4.4 R2 Residential (Medium Density) District**



**General Purpose**

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

**1. R2 Permitted and Discretionary Uses Table <sup>1</sup>**

<b>(a) Permitted Uses</b>	
<b>(i)</b>	Accessory building subject to sections 3.5 and 4.7(3)
<b>(ii)</b>	Detached dwelling unit
<b>(iii)</b>	Home music Instructor/Instruction (two students), subject to section 4.7(10)
<b>(iv)</b>	Home Occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
<b>(v)</b>	<sup>2</sup> DELETED
<b>(vi)</b>	Secondary suite legally in existence before April 5, 2004
<b>(i)</b>	<sup>3</sup> Secondary suite in a detached Dwelling Unit, subject to subsections 4.7(9)

<b>(b) Discretionary Uses</b>	
<b>(i)</b>	Accessory residential structure subject to section 4.7(3)
<b>(ii)</b>	Amateur radio tower.
<b>(iii)</b>	<sup>4</sup> Assisted living facility, Day Care Facility, Day Care Adult Facility, Temporary Care Facility or Place of Worship or Assembly on sites within an Area Structure Plan or Area Redevelopment Plan which designates where such uses will be situated: only on site which are designated for the use within the applicable plan.
<b>(iv)</b>	<sup>5</sup> Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites with no approved Area Structure Plan or Area Redevelopment Plan or on sites with no designated location in an Area Structure Plan or Area Redevelopment Plan.
<b>(v)</b>	Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
<b>(vi)</b>	<sup>6</sup> Building Sign, for uses described in Section 11.10(1); and

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

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

<sup>3</sup> 3357/Z-2009

<sup>4</sup> 3357/X-2014

<sup>5</sup> 3357/X-2014

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

- (vii) “Existing Special Residential” (approved prior to December 7, 1998): churches, kindergartens, schools, day care facilities. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall be also deemed to be a Discretionary Use for that site.
- (viii) <sup>1</sup>Freestanding Sign, for uses described in Section 11.13(1)
- (ix) Garden suite subject to section 4.7(13).
- (x) Home music instructor/instruction (six students), subject to section 4.7(10).
- (xi) Home occupations which will generate additional traffic subject to section 4.7(8).
- (xii) Multi-attached dwelling unit building.
- (xiii) <sup>2</sup>Multiple family building up to three storeys
- (xiv) Municipal services limited to police, emergency services and/or utilities.
- (xv) Public and quasi-public buildings.
- (xvi) Semi-detached dwelling unit.
- (xvii) <sup>3</sup>Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
- (xviii) <sup>4</sup>Show Home or Raffle Home.

**2. R2 Residential (Medium Density) Regulations**

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

(e) Table 4.4 R2 Regulations

Regulations	Requirements
Floor Area Minimum	Detached dwelling: Frontage in m x 6.0 m Semi-detached dwelling: 65.0 m <sup>2</sup> for each unit Multi-attached: 60.0 m <sup>2</sup> for each unit
<sup>1</sup> Site Coverage	40% (includes garage and accessory buildings)

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

<sup>2</sup> 3357/I-2013

<sup>3</sup> 3357/Z-2009

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

Regulations	Requirements
Maximum	
Building Height Maximum	<sup>2</sup> 2 storeys with a maximum total height of 10.0 m measured from the average of the lot grade except: <ul style="list-style-type: none"> <li>▪ Multiple family building as per subsection 4.4 (1)(b)(xi)</li> <li>▪ 3 storeys for an Assisted Living Facility</li> </ul>
Front Yard Minimum	6.0 m except multi-family which shall have a 7.5 m minimum

Regulations	Requirements
<sup>3</sup> Side Yard Minimum	<p>Detached dwelling: 1.5 m</p> <p>Semi-detached dwelling unit (without side entry): 1.5 m Semi-detached dwelling unit (with side entry): 2.4 m</p> <p>Special residential: 3.0 m</p> <p>Multi-attached (without side entry): 1.8 m Multi-attached (with side entry): 2.4 m</p> <p>Multiple Family Building, Assisted Living Facility, or Temporary Care Facility: <ul style="list-style-type: none"> <li>• Buildings up to 2 storeys: 3.0m</li> <li>• Buildings of 3 storeys: 4.5m</li> </ul> </p> <p>Notwithstanding the setbacks noted above, where the Multiple Family Building, Assisted Living Facility, or Temporary Care Facility flanks a public roadway, the setback on the flanking side shall be in accordance with Part 3, Figure 2.</p> <p>In all cases the minimum side yard requirement is subject to sections 3.19 and 5.7(2).</p>
Rear Yard Minimum	7.5 m
Lot Depth Minimum	30.0 m
Landscaped Area	35% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Lot Area Minimum	<sup>4</sup> Detached dwelling 360.0 m <sup>2</sup>  Semi-detached: 232.0 m <sup>2</sup> per dwelling unit

<sup>1</sup> 3357/I-2013  
<sup>2</sup> 3357/I-2013  
<sup>3</sup> 3357/D-2016  
<sup>4</sup> 3357/I-2013

	<p>Multi-attached: 185.0 m<sup>2</sup> per dwelling unit</p> <p>Multi-family:</p> <ul style="list-style-type: none"> <li>▪ no separate bedroom: 74.0 m<sup>2</sup> per dwelling unit</li> <li>▪ one bedroom: 111.0 m<sup>2</sup> per dwelling unit</li> <li>▪ more than one bedroom: 139.0 m<sup>2</sup> per dwelling unit</li> </ul>
<p>Frontage Minimum</p>	<p><sup>1</sup>Detached dwelling unit: 12.0 m</p> <p>Semi-detached: 7.6 m per dwelling unit</p> <p>Multi-attached building: 15.0 m except, if all units are side by side town or row housing units: 6.1 m per dwelling unit</p> <p>Multiple family building: 18.0 m</p>

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

**3. R2 Residential (Medium Density) Site Location**

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

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

**<sup>1</sup>4.4.1 R2T Residential (Town House) District**



**General Purpose**

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

**1. R2T Permitted and Discretionary Uses Table**

<b>a) Permitted Uses</b>	
(i)	Accessory building subject to sections 3.5 and 4.7(3)
(ii)	Town or row house or Stacked Town or row house dwelling
(iii)	Home music Instructor/Instruction (two 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)	<sup>2</sup> DELETED
<b>b) Discretionary Uses</b>	
(i)	Home Occupations which will generate additional traffic, subject to section 4.7(8)
(ii)	Home Music Instructor/Instruction (six students), subject to section 4.7(10)
(iii)	<sup>3</sup> Show Home or Raffle Home.

**2. R2T Residential (Town House) District Regulations**

(d) Table 4.4.1 R2T Regulations

<b>Regulations</b>	<b>Requirements</b>
Floor Area Minimum	60.0 m <sup>2</sup> per dwelling unit
Site Coverage Maximum	40% (includes any garage & accessory buildings)
Building Height	Maximum: 2½ storeys with a maximum height of 12.0 m measured from the average of the lot grade Minimum: 2 storeys
<sup>4</sup> Front Yard Minimum	<ul style="list-style-type: none"> <li>▪ Minimum 3.0 m and maximum 4.5 m for the live portion of a dwelling unit, and</li> <li>▪ Minimum 6.0 m for any front attached garage portion</li> </ul>

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

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

<sup>3</sup> 3357/T-2015

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

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

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

## 4.5 R3 Residential (Multiple Family) District



### General Purpose

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

### 1. R3 Permitted and Discretionary Uses Table<sup>1</sup>

#### (a) Permitted Uses

- (i) <sup>2</sup>Building Sign, for uses described in Section 11.10(1).
- (ii) Home music instructor/instruction (two students), subject to section 4.7(10).
- (iii) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8).
- (iv) Multi-attached building up to a maximum density of 35 dwelling units per hectare (D35).
- (v) Multiple family building up to a maximum density of 35 dwelling units per hectare (D35).
- (vi) <sup>3</sup>DELETED

#### (b) Discretionary Uses

- (i) Accessory residential structure subject to section 4.7(3).
- (ii) <sup>4</sup>Assisted living facility, Day Care Facility, Day Care Adult, Temporary Care Facility or Place of Worship or Assembly on sites within an Area Structure Plan or Area Redevelopment Plan which designates where such uses will be situated; only on site which are designated for use within the applicable plan.
- (iii) <sup>5</sup>Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility or Place of Worship or Assembly on sites with no approved Area Structure Plan or Area Redevelopment Plan or on sites with no designated location in an Area Structure Plan or Area Redevelopment Plan.
- (iv) Bed & Breakfast in a detached or semi-detached dwelling, subject to section 4.7(11).
- (v) Detached or semi-detached dwelling unit in existence before January 12, 2004.
- (vi) <sup>6</sup>Existing Special Residential: place of worship, kindergarten, school, and Day Care Facility. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall also be deemed to be a Discretionary Use for that site

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

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

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

<sup>4</sup> 3357/X-2014

<sup>5</sup> 3357/X-2014

<sup>6</sup> 3357/A-2012

**Discretionary Uses Table - Continued**

- (vii) <sup>1</sup>Freestanding Sign, for uses described in Section 11.13(1).
- (viii) Home music instructor/instruction (six students), subject to section 4.7(10).
- (ix) Home occupations which will generate additional traffic subject to section 4.7(8).
- (x) Multi-attached building more than 35 dwelling units per hectare.
- (xi) Multiple family building more than 35 dwelling units per hectare.
- (xii) <sup>2</sup>Municipal Services limited to Police, Emergency Services and/or Utilities
- (xiii) Secondary suite legally in existence before April 5, 2004.
- (xiv) <sup>3</sup>Secondary Suite in a detached Dwelling Unit, subject to section 4.7(9).
- (xv) <sup>4</sup>Show Home or Raffle Home.
- (xvi) Temporary care facility.

**2. R3 Residential (Multiple Family) Regulations**

(a) Table 4.5 R3 Regulations<sup>5</sup>

<b>Regulations</b>	<b>Requirements</b>
Floor Area Minimum	<p>Detached dwelling: Frontage in m x 6.0 m</p> <p>Semi-detached dwelling: 65.0 m<sup>2</sup> for each unit</p> <p>Multi-attached: 60.0 m<sup>2</sup> for each unit</p> <p>Dwelling unit in a multiple family building: 37.0 m<sup>2</sup></p> <p>Unit in assisted living facility: 23.0 m<sup>2</sup></p>
Site Coverage Maximum	40% (includes garage and accessory buildings) except within multi-family, assisted living facility or temporary care facility on sites located within the boundaries of the Greater Downtown Action Plan, where it is 60% (including accessory buildings)
<sup>6</sup> Building Height Maximum	<p>2 storeys with a maximum of 10.0 m measured from the average of the lot grade except:</p> <ul style="list-style-type: none"> <li>▪ 4 storeys for Assisted Living Facility, Temporary Care Facility or Multiple family building unless site is located within the downtown commercial core area in which case there is no specific maximum.</li> </ul>

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

<sup>2</sup> 3357/I-2013

<sup>3</sup> 3357/Z-2009

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

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

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



Regulations	Requirements
	<ul style="list-style-type: none"> <li>▪ no separate bedroom: 55 m<sup>2</sup> per dwelling unit</li> <li>▪ one bedroom: 82.0 m<sup>2</sup> per unit</li> <li>▪ more than one bedroom: 102.0m<sup>2</sup> per dwelling unit</li> </ul>

Regulations	Requirements
<sup>1</sup> 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) <sup>2</sup>Notwithstanding the minimum site area requirements of Table 4.5, when an area has a density designation in accordance with section 7.10(1), the minimum site area is subject to approval of the Commission.
- (b) Notwithstanding the building height maximum, any existing building located outside of the boundaries of the Greater Downtown Action Plan which is greater than four storeys may be structurally altered or replaced by another building provided the number of storeys does not increase.

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

<sup>2</sup> 3357/I-2013

## 4.6 R4 Residential (Manufactured Home) District

**R4**

### 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

<b>(a) Permitted Uses</b>	
(i)	Home music instructor/instruction (two students), subject to section 4.7(10).
(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.
<b>(b) Discretionary Uses</b>	
(i)	<sup>1</sup> Building Sign, for uses described in Section 11.10(1); and
(ii)	<sup>2</sup> Freestanding Sign, for uses described in Section 11.13(1)
(iii)	Garden suite subject to section 4.7(13).
(iv)	Home music instructor/instruction (six students), subject to section 4.7(10).
(v)	Home occupations which will generate additional traffic subject to section 4.7(8).
(vi)	<sup>3</sup> DELETED
(vii)	<sup>4</sup> Accessory building
(viii)	<sup>5</sup> Municipal Services limited to Police, Emergency Services and/or Utilities
(ix)	<sup>6</sup> Show Home or Raffle Home.

### 2. R4 Residential (Manufactured Home) Regulations

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

(b) Table 4.6 R4 Regulations

Regulations	Requirements
Floor Area Minimum	55.0 m <sup>2</sup>
Building Height	1 storey

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

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

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

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

<sup>5</sup> 3357/I-20013

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

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

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

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

**<sup>1</sup>4.6.1 R1E Residential Estate District**



**General Purpose**

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

**1. R1E Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
(i)	Accessory residential structures subject 4.7(3) less than 100.0 m <sup>2</sup>
(ii)	Detached dwelling unit.
(iii)	Home music instructor/instruction (two 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)	<sup>3</sup> DELETED
<b>(b) Discretionary Uses</b>	
(i)	Accessory residential structure subject to section 4.7(3) greater than 100.0 m <sup>2</sup> .
(ii)	Garden suite. Home occupations which, in the opinion of the Development Officer, may generate traffic subject to section 4.7(8).
(iii)	Assisted living residence within a detached dwelling
(iv)	Home music instructor/instruction (six students), subject to section 4.7(10).
(v)	Bed & Breakfast subject to section 4.7 (11).
(vi)	<sup>4</sup> Show Home or Raffle Home.

**2. R1E Estate Residential Regulations**

(e) Table 4.6.1 R1E Regulations

Regulations	Requirements
Floor Area Minimum	Detached dwelling: 162.5 m <sup>2</sup>
Site Coverage Maximum	40% (includes accessory buildings)
Building Height Maximum	2 storeys with a maximum of 10.0 m measured from the average of the lot grade except accessory buildings which shall be one storey maximum
Front Yard Minimum	10.0 m
Side Yard Minimum	3.0 m

<sup>1</sup> 3357/GG-2008

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

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

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

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

**3. Redevelopment within existing subdivision**

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

- (v) Submit as part of the development application documents showing foregoing regulations have been complied with.
- (d) Where a proposed development is to be forwarded to the Municipal Planning Commission for decision, the Development Authority shall notify the local community association with the time and date at which the application will be considered.

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

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

## 4.7 Residential District Regulations

### 1. General Regulations

- (a) Notwithstanding the district regulations, where an approved subdivision plan or a proposed subdivision plan within these use districts, R1, R1A, and R2 comprises of at least 5 sites, the Development Officer shall establish the front yard setbacks required.
- (b) Notwithstanding regulations listed in Tables 4.1, 4.2, and 4.4, in lane less subdivisions, in districts R1, R1A, and R2, one of the side yards for a detached dwelling shall be:
- (i) 1.5 metres where a garage or carport is attached to or is an integral part of the principal building, or
  - (ii) 3.0 metres where a garage or carport is to be provided in the rear yard of the said land, or
  - (iii) 5.0 metres where a garage or carport is to be attached to the principal building at a later date, or
  - (iv) in the event that the front building line of the said lands is 21.0 metres in length or greater, the minimum side yard in one side of the site shall be 10% of such building line. The minimum side yard on the other side of the site in the case subsection (i) hereof applies, 10% of the said building line; in the case subsection (ii) or (iii) applies, 3.0 metres or 5.0 metres respectively as the case may be.
- (c) <sup>1</sup>Notwithstanding regulations listed in Tables 4.1, 4.2, 4.3, 4.4 and 4.6.1, the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in Tables 4.1, 4.2, 4.3, 4.4, and 4.6.1, within the districts R1, R1N, R1A, R2 and R1E namely:
- (i) not less than 90% of the minimum: Front Yard, Side Yard (except within R1N, minimum 1.2 m), Rear Yard, Site Area or Frontage,
  - (ii) not less than 95% of the minimum floor area, and
  - (iii) not less than 98% of the minimum landscaping area.
- (d) In calculating the minimum floor area for an odd and irregular shaped site within districts R1, R1A and R2:
- (i) the frontage of the site shall be the greater of either the width of the site at the building line or the front boundary of the lot, and

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<sup>1</sup> 3357/GG-2008

- (ii) the width of the site at the building line shall be deemed to be the distance between the side boundary lines measured along the alignment of the front or rear wall of the building, whichever is the lesser.
- (e) Within R2 and R3, notwithstanding district regulations stated in Tables 4.4, and 4.5, the site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Development Authority.
- (f) <sup>1</sup>Within R2 and R3 Districts, residential amenity areas of a minimum of 4.5 m<sup>2</sup> per dwelling unit for Multiple Family Building and Multi-Attached Building and a minimum of 15.0 m<sup>2</sup> per unit for an Assisted Living Facility and Temporary Care Facility shall be provided

For the purpose of this section the term “Amenity Area” includes an indoor and/or outdoor space provided for the active or passive recreation and enjoyment of the occupants of residential development for communal use. This term includes, but is not limited to, sitting areas, playgrounds, pools, patios and exercise rooms.

- <sup>2</sup>(g) Notwithstanding the residential district regulations the owner of the land may apply to the Development Authority and the Development Authority may approve a reduction in the minimum front yard setbacks in R1, R1N, and R1A districts when all of the following criteria are met:
  - (i) the lots front on a residential collector roadway with separate sidewalk,
  - (ii) the lots have rear lanes,
  - (iii) the lots do not have front driveways, parking pads or garages located in the front of the site,
  - (iv) a Restrictive Covenant is registered against the title of each lot prohibiting any front driveways, parking pads or garages satisfactory to the City Solicitor,
  - (v) none of the affected lots have been sold prior to the approval of the front yard setback,
  - (vi) the reduction applies to one or both sides of the entire length of the collector roadway within a subdivision and may terminate at the point of intersection with a collector roadway with the same setback reduction or at a point of intersection with a road of a higher classification,
  - (vii) minimum front yard setbacks are reduced to no less than 4 metres.

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<sup>1</sup> 3357/C-2007, 3357/T-2015

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

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

**General Residential Regulations - <sup>1</sup>DELETED**

**Detached Dwelling Regulations (Manufactured Home in R4) - <sup>1</sup>DELETED**

**Multi-Family Dwelling Regulations - <sup>1</sup>DELETED**

**Multi-Attached Dwelling Regulations – <sup>1</sup>DELETED**

**Semi-Detached Dwelling Regulations – <sup>1</sup>DELETED**

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

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

**3. Accessory Residential Structures**

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

**4. Objects Prohibited or Restricted in Yards**

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

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

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

- (4) one non-commercial trailer used to transport snowmobiles, which may be parked on a constructed parking pad in the front yard between the first day of November and the thirtieth day of April in any year.
  - (ii) a motor vehicle used for stock car races, or which has all or part of its superstructure removed, or which is in a dilapidated or unsightly condition to remain or be parked in any yard of a site in a residential district.
  - (iii) a passenger vehicle to be parked in a front yard except on a driveway.
- (c) In any residential district, not more than one trailer shall be parked on any site.
- (d) <sup>1</sup>No person in lawful possession or control of a site shall allow or permit a trailer parked on such site to be used for living or sleeping accommodation except as follows:
- (i) A trailer parked in an approved campground.
  - (ii) A trailer parked in the Westerner Exposition site if their on-site campground is full or if exhibitors require close proximity to on-site facilities.
  - (iii) A self-container trailer parked in the parking lot of a church, school, recreation venue site, community centre or major hotel with conference/convention facilities providing:
    - (1) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;
    - (2) the owner of the site has obtained approval from the Development Authority;
    - (3) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;

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<sup>1</sup> Correction 19

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

## 5. Projections over Yards

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

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

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

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

<sup>2</sup> 3357/I-2013

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

### **5.1 Below-Grade Development**

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

## **6. Corner Sites Restrictions (<sup>1</sup>Site Lines)**

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

## **7. Vehicular Access to Lots from Public Roadways**

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

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

## 8. Home Occupations

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

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

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

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

- (j) The following regulations apply to all home occupations:
- (i) a home occupation shall not be staffed by any person other than a resident of the home,
  - (ii) not more than two adult residents of the home are permitted to work in the home occupation,
  - (iii) no advertising may be posted at the site of a home occupation, nor shall there be any evidence of the home occupation which is noticeable from the exterior of the property, whether visual or otherwise,
  - (iv) a home occupation may not result in a disturbance to the peace and quiet or other amenities of the neighbourhood, nor may it cause the emission of dust, noise, odour, smoke, electronic interference, bright lights, or other nuisance,
  - (v) outside storage of equipment material or goods in connection with a home occupation is prohibited,
  - (vi) not more than one commercial vehicle used in conjunction with the home occupation may be parked on the site or any street adjacent thereto,
  - (vii) there shall be no storage or use of hazardous, noxious or dangerous goods in connection with any home occupation,
  - (viii) a home occupation shall be confined to a maximum of 30.0 m<sup>2</sup> (322.0 square feet) or 20% of the net floor area of the dwelling unit, whichever is less,
  - (ix) a home occupation may be accommodated in a private garage, provided however, that it does not prevent the continued use of the garage for the intended purpose of parking motor vehicles and that the parking requirements of any bylaw continue to be met,
  - (x) an accessory building may not be constructed or used for the sole purpose of a home occupation,
  - (xi) a home occupation which is allowed as a permitted use shall not generate additional traffic subsequent to the date of approval.

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

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

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

### General Purpose

(9.1)(A)

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

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

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

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

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

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

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

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

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

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

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

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

### **Use Provisions**

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

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

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

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

<sup>2</sup> 3357/L-2013

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Discretion of Development Authority**

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

- (a) <sup>1</sup>The design and accessibility of the area surrounding the Site, in consideration of the following:
  - (i) the Site is located in an area that can provide additional on-Street parking options, such as a location within close proximity to a neighbourhood park or open space area, a neighbourhood commercial Site or a community trail/pathway system.
- (b) <sup>2</sup>The density of the area surrounding the Site, in consideration of the following:
  - (i) the developments in the area surrounding the Site consist largely of Detached Dwelling Units,
  - (ii) the residential developments in the area surrounding the Site consist largely of a lot area minimum of 360.0 m<sup>2</sup>,
  - (iii) the number and location of Secondary Suites:
    - 1. within 100 metres of the Site;
    - 2. within the Block;
    - 3. within the Street; and
    - 4. within the Row of Residential Buildings, or
  - (iv) the number and location of Semi-detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.
  - (v) the number and location of Semi-detached Dwelling Units, Multiple Family Buildings, and Multi-attached Buildings in the area surrounding the Site.
- (c) <sup>3</sup>The availability of on-Street parking, in consideration of the

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

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

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

following:

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

### **Discretion of Development Officer**

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

### **Development Regulations**

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

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

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

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

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

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

(d) <sup>2</sup>the Site must meet one of the following requirements:

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

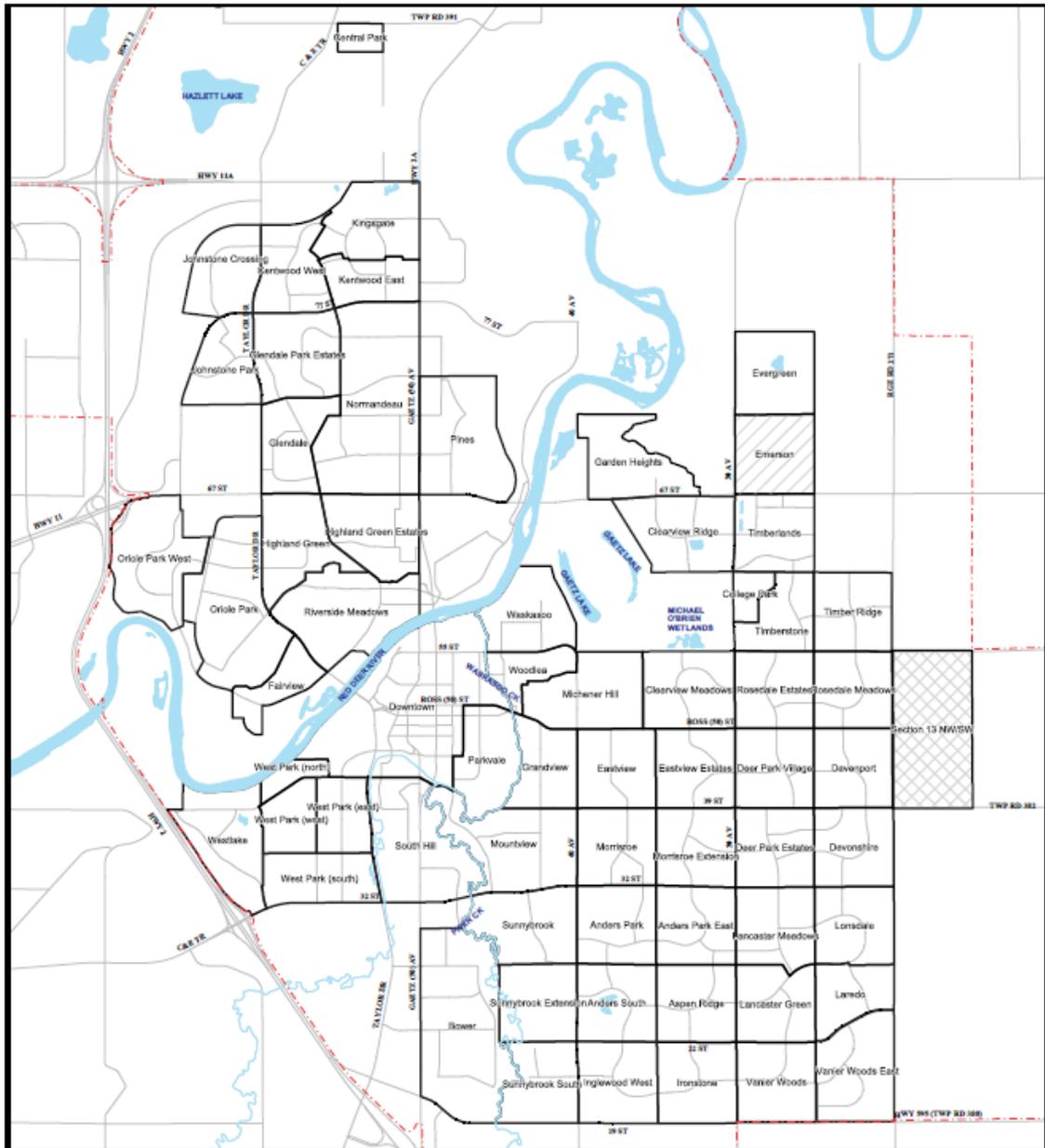
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<sup>1</sup> 3357/E-2014

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

Schedule "A"

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



**Add Secondary Suite Neighbourhood Boundary:**

-  Emerson
-  Section 13 NW/SW

**Proposed Amendment**

Map: 17 / 2018  
 Bylaw: 3357 / N-2018  
 Date: Mar. 13, 2018

## **10. Home Music Instructor/Instruction**

- (a) No person shall undertake home music instruction without being the holder of a valid and subsisting discretionary use development permit and/or a business license.
- (b) “Home music instructor/instruction”, notwithstanding its inclusion in any land use district as a permitted use or as a discretionary use, constitutes a conditional use right, provided that such use must be in accordance with the regulations contained in this section.
- (c) Where home music instructor/instruction is a discretionary use the Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to an application being considered by the Commission.
- (d) The following requirements shall be met:
  - (i) home music instruction which is allowed as a permitted use shall not involve more than two students simultaneously, and home music instruction which is allowed as a discretionary use shall not involve more than six students simultaneously;
  - (ii) advertising may not be posted at the site;
  - (iii) home music instruction shall not be allowed to constitute a principle use on any property;
  - (iv) home music instruction shall not cause excessive vehicular traffic and/or on-street and/or off-street parking that are uncharacteristic to the particular residential neighbourhood, nor shall home music instruction in any other way cause nuisances that interfere with, detract from or disturb the character of the residential neighbourhood;
  - (v) a private garage may not be used for the purpose of home music instruction, unless, to the satisfaction of the Development Authority, alternative provisions have been made for the accommodation of the required minimum two parking spaces for residential properties and adequate provisions have been taken to contain noise;
  - (vi) a home music instructor may hold an annual recital at the site.

## **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) <sup>1</sup>Application 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) <sup>2</sup> Landowners, located within 100m of the site of an application for a bed and breakfast facility, the neighbourhood community association, if one exists, and the Heritage Preservation Committee, when a building or site that appears on The City's inventory list is the application site, shall be notified and provided opportunity to provide comments for the consideration of the Development Authority.
- (e) The Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to the application being considered by the Commission.

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1 3357/W-2015

2 3357/E-2014

- (f) When needed the Development Officer shall review the performance of all approved bed and breakfasts in the City based on any complaints received about any bed and breakfast during the previous year, and take a report to the Development Authority advising of the actions taken with respect to such complaints and proposing any recommendations on additional steps to be taken by The City with respect to relevant contraventions of this Bylaw.
- (g) Anyone may lodge complaints to the Development Authority about any nuisance that a bed and breakfast may be imposing on the neighbourhood or adjacent properties including but not limited to noise, vehicle or pedestrian traffic, parking or social activities.
- (h) The Development Authority may impose conditions of approval on a discretionary use development permit.
- (i) The following additional regulations shall apply to all bed & breakfasts:
  - (i) The property owner or bed & breakfast host shall occupy the subject dwelling as his or her primary residence.
  - (ii) No full time employees outside of the occupant family will be allowed to staff the bed & breakfast or work on the premises. Casual labour may be hired for yard cleaning, repair work, housekeeping services, etc. in the usual manner.
  - (iii) The maximum length of stay for a guest at a bed & breakfast shall be 14 nights in any 30 day period.
  - (iv) The planning, operation and appearance of a bed & breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the curb appearance of a detached or a semi-detached dwelling, including landscaping of a minimum of 20% of the front yard.
  - (v) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, a bed & breakfast may occupy not more than two guestrooms with associated washrooms. The rooms must be established within the principal building and provide direct interior access between the principal building and the guestrooms (additional outside access is optional).

- (vi) Notwithstanding subsection (v), at no time shall more than eight guests be accommodated.
- (vii) Guestrooms shall not be self-contained dwelling units, i.e. there shall not be any cooking facilities available in the guest rooms for the use of guests to prepare meals.
- (viii) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, parking spaces shall be provided on-site to the ratio of one parking space per guestroom, additional to any other parking requirements of this Bylaw. The interior parking stalls in a tandem parking stall set will not be counted towards fulfilling the minimum parking requirements (see definition of “Tandem Parking”). The combined width of parking spaces provided in the rear yard may not exceed 85% of the rear lot width.
- (ix) No meals may be served on the premises of a bed & breakfast, with the exception of breakfast to overnight guests only.
- (x) No other services or retail sales may be offered at or from the same premises than that of a bed & breakfast, and no home occupation is permitted on the premises of a bed & breakfast.
- (xi) There shall be no secondary suite or garden suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.
- (xii) At the discretion of the Development Authority, a bed & breakfast may have one sign (approximately 0.27 m<sup>2</sup> in size) displaying the name of the bed & breakfast, the name of the operator and/or the street address, or any combination of these. The appearance and position of the sign shall be subject to the approval of the Development Officer. Generally, signs must be placed discretely, be unobtrusive and be styled in a manner that is compatible with the appearance of the principal building in terms of colour and material, or with such architectural controls as may be required by the developer of a subdivision. No self-illuminated signs shall be allowed. If lighting of the sign is required, the source shall be spot lighting.

## **12. Temporary Home Stay Accommodations**

- (a) Temporary Home Stay Accommodations are permitted in any residential district but only during such period of time as may be specified in a

declaration issued by the Mayor. The Mayor may issue such a declaration but only where the following has occurred:

- (i) The Red Deer Visitor and Convention Bureau has advised the Mayor that a survey of the hotels, motels and commercial bed & breakfast operations in the Red Deer Area has satisfied the Red Deer Visitor and Convention Bureau that hotels, motels and commercial bed & breakfast operations in the Red Deer area are substantially booked,
  - (ii) An event is being held in the Red Deer area, for which additional overnight accommodation is required and therefore the Visitor and Convention Bureau has requested that the Mayor make the necessary declaration to allow the operation of a temporary home stay accommodation.
- (b) For the purposes of this section, the term ‘Red Deer area’ means the city of Red Deer, County of Red Deer, County of Lacombe and the town and villages therein.

### **13. Garden Suite Building Regulations**

- (a) A Garden Suite shall:
- (i) not be located in the front yard,
  - (ii) not exceed one storey in height,
  - (iii) maintain a minimum side yard of 1.5 m,
  - (iv) maintain a rear yard of:
    - (1) 2.0 m when there is a lane,
    - (2) 2.0 m when there is no lane and the garden suite has a blank wall facing the rear parcel line,
    - (3) 3.0 m when there is no lane and the garden suite has a window opening on the wall facing the rear parcel line,
    - (4) have a minimum separation distance of 2.4 m from the principal building and 1.5 m from all other buildings on the same site,

- (v) not to be located on any site which contains two or more permanent dwelling units.

**(b) Garden Suites:**

- (i) are a temporary use and are subject to annual review,
- (ii) shall not be occupied by any person other than a parent or parents or cognitively impaired adult, of the registered owner of the lot upon which it is situate,
- (iii) shall not, in combination with the principal residence, result in site coverage in excess of 40% of the area of the lot, and
- (iv) shall be located on the lot in a location approved by the Development Authority.

**(c) The registered owner shall remove the Garden Suite from the said lot within 6 months:**

- (i) upon the occupant for whom such dwelling unit was approved ceasing to occupy it, and
- (ii) upon the registered owner ceasing to occupy the principal building on the lot.

**(d) Approval of a Garden Suite shall be subject to an agreement between the registered owner of the lot and The City, satisfactory to The City, to enforce performance of the requirements of this section.**

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

**15. Landscaping Regulations**

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

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1 3357/X-2014  
2 3357/W-2015

**16. <sup>1</sup>Show Home or Dwelling Home**

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

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