

## Part Three: General Regulations Applicable to All Districts

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<sup>1</sup>**Gross Floor Area** means the sum all areas of all plans of a building measured to the glass line, or where there is no glass line to the outside surface of the exterior walls, or where the buildings are separated by firewalls to the center line of the common firewall, and includes all floors totally or partially including basements, mezzanines and upper floors and all mechanical equipment areas.

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

<sup>2</sup>**Health and Medical Services** means a development used for services related to the physical or mental health of individuals on an out-patient basis. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative in nature or may consist of treatment or counselling. Uses may include but are not limited to medical clinics, dental clinics, optometrists, chiropractic and psychiatric or medical counselling services.

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

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

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

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

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

<sup>5</sup>**Industrial Support Service** means a Development whose principal use is to provide support services to industrial clients. Typical uses include, but are not limited to, duplicating, photocopying and blueprinting services, building security, cleaning or maintenance services, engineering (with dangerous goods), industrial drafting, land surveyors, laboratories, oilfield services, project design and management services, construction trade, information technology support services, financial and insurance service outlets and construction contractors, and exclude Offices. Any retail sales,

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

<sup>2</sup> 3357/E-2011

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

<sup>4</sup> 3357/A-2016, 3357/GG-2017

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

employment, telephone answering and similar office support services.

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

**<sup>1</sup>Outdoor Display or Sale of Goods** means the display of goods intended for sale or the sale of goods on any portion of a site, but does not include the sale or display of goods by licensed hawkers.

**<sup>2</sup>Outdoor Storage** means the storage of goods outside the principal building or buildings on a site but does not include the outdoor display or sale of goods nor accessory buildings and garbage enclosures.

**<sup>3</sup>Patio** means an uncovered horizontal structure with a surface height no greater than 0.6 metres above grade at any point and which is adjacent to a residential dwelling, and intended for use as a private outdoor amenity space;

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

**<sup>4</sup>Pet Crematorium** means a facility to conduct cremations of pets or companion animals weighing less than 136 kg.

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

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

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

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

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

**Principal Building** means a building which:

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

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

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

**<sup>5</sup>Public Property** means all lands owned or under the control of The City of Red Deer and includes highways, medians, boulevards, sidewalks and parks.

**<sup>6</sup>Raffle Home** means a Dwelling Unit that constitutes a prize in a raffle or lottery open to the public, and may be used as a venue for selling raffle tickets.

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

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<sup>5</sup> 3357/E-2006

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

<sup>1</sup>**Residential District** means a land use district primarily related to or used for residential housing (for example, a Detached Dwelling Unit, Multi-attached Building).

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

<sup>2</sup>**Secondary Suite** means a self-contained Dwelling Unit that is located within a primary Dwelling Unit, where both Dwelling Units are registered under the same land title.

<sup>3</sup>**Secured Facility** means a facility providing residential accommodation in addition to continuous on-site professional care and supervision to persons whose cognitive or behavioural health needs require increased levels of service and a structure with enhanced safety and security controls such as entrances and exits under the exclusive control of the staff and secured rooms / buildings, fences, and secured windows and doors.

**Semi-detached Dwelling Unit** means a dwelling unit joined side by side to one other dwelling unit with a common wall and

each dwelling unit having at least one separate entrance.

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

<sup>4</sup> **Setbacks from ATCO High Pressure Pipelines** mean a setback of 15.0m from the centre of the right-of-way of the high pressure ATCO pipeline shall be applied to any building except accessory buildings exempt from a development permit under Section 1.2(2)(p). The Development Authority may, at its discretion relax the setback after consultation with ATCO.

<sup>5</sup>**Setbacks from TransCanada Pipeline** mean that a setback of 7.0 m to the principle building shall be applied from the high pressure TransCanada pipeline right-of-way. The Development Authority may, at its discretion, relax the setback after consultation with TransCanada.

<sup>6</sup>**Show Homes** means a Dwelling Unit that is used temporarily to exhibit Dwelling Units for sale or rent, and may be used as a sales office.

**Signs** where any type of sign is referred to in this Bylaw, such sign shall have the definition set forth in the sections 3.3 and 3.4.

**Site** means any lot or parcel of land as defined in the Act, or, in the case of a shopping centre, the total area on which the shopping centre is located, whether divided

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

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

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

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<sup>4</sup> 3557/U-2015

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

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

into several lots or condominium parcels or not.

<sup>1</sup>**Site, Corner** – DELETED

<sup>2</sup>**Site Coverage** means the area of a Site covered by a Structure with a roof. For example, Principal Building(s) and all Buildings on foundations movable sheds, and covered decks.

<sup>3</sup>**Site Plan** means a plan development for a site including but not limited to, the relationship between buildings, structures and open spaces; the provision and architecture of landscaped open space; parking layout; the layout, dimensions and construction standards of interior roads, sidewalks and street lighting; the location of utility rights of way; provision for emergency services, including access by emergency vehicles and fire suppression; the location, dimension and screening of waste containers. In addition, in the case of a residential bare land condominium development, the term “site plan” also means the configuration, size and dimensions of individual bare land condominium units and the setbacks of building locations from the boundaries of such units.

<sup>4</sup>**Stacked Town or Row Housing** means a Multi-attached Building which is constructed such that at least 1 dwelling unit is located totally or partially above another multi-attached dwelling unit.

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

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

<sup>3</sup> 3357/H-2008

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

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

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

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

<sup>5</sup>**Supervised Consumption Services** means a location where, pursuant to an exemption granted for medical purposes by the federal government, a person may consume a controlled substance that was obtained in a manner not authorized under the Controlled Drugs and Substances Act in a supervised and controlled environment.

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

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

<sup>6</sup>**Temporary Care Facility** means a facility providing temporary living accommodation

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

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

and includes such facilities as overnight shelters, halfway houses, short term medical rehabilitation centres, detoxification centres, hospices and other similar uses.

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

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

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

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

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

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

**Warehouse** means a building for the indoor storage of goods or merchandise but does

not include a building the principle use of which is the sale of goods.

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

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

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

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

**<sup>1</sup>Xeriscaping** means a method of landscaping that uses plants that can survive dry periods on their own without reliance on watering, fertilizer or other maintenance.

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

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**A-board** means a self-supporting A-shaped local advertising sign which is set upon the ground and has no external supporting structure.



*A-board sign for illustrative purposes*

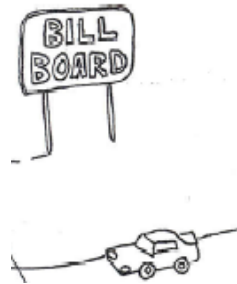
**Accessory Tenants** means businesses, which have leased land or buildings or space within a building from the principal business on a site;

**Awning Sign** means a non-illuminated local advertising sign which is painted on or affixed flat to the surface of an awning.



*Awning sign for illustrative purposes*

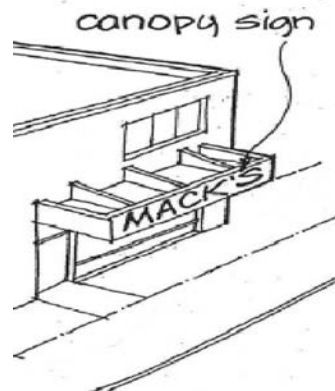
**Billboard Sign** means a permanent Sign that is not attached to a Building or Structure where content is allowed for periodic replacement. Billboard Signs shall contain Third Party Advertising, and do not include a dynamic component or electronic messaging.



*Bill board sign for illustrative purposes*

**Canopy** means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, mouldings, architraves, awnings and pediments.

**Canopy Sign** means a local advertising sign attached to or constructed in or on a face of a canopy or marquee but does not include an under canopy sign;



*Canopy sign for illustrative purposes*

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

**Construction Sign** means a sign located on a site where construction is planned and which contains general information about the intended construction.

**Corner Lot** for the sole purpose of section 3.4 (9) means that portion of any site abutting two streets.

**Directional Sign** means a sign which indicates the distance and/or direction to a place of business or other premises indicated on the sign.

<sup>1</sup>**Dynamic Sign** means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A Dynamic Sign includes any display that incorporates a technology or method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or “digital ink”. A Dynamic Sign does not include a sign whose message or image is changed by physically removing and replacing the sign or its components.

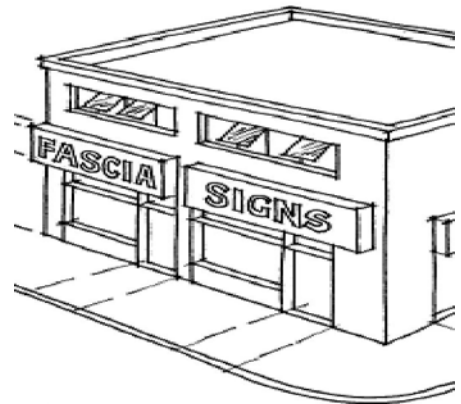
**Election Sign** means any sign used to promote a candidate or party during a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act.

**Electric Sign** means a sign which utilizes an electrical energy source.

<sup>2</sup>**Existing Billboard** ~~DELETED~~

**Façade** means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

**Fascia Sign** means a local advertising attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard, a third-party advertising sign or painted wall sign.



*Fascia sign for illustrative purposes*

**Flashing Sign** means a sign which contains an intermittent or flashing light source.

**Free Standing Sign** means a local advertising sign that is supported independently of a building wall or structure but does not include a temporary sign.



*Free standing sign for illustrative purposes*

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

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

**Frontage** means the minimum straight line distance between the intersection of the side lot lines and the front lot lines.

**Frontage** for the sole purpose of section 3.4 (9) means that portion of any site abutting the street.

**Garage Sale Sign** means a sign advertising any general sale to the public of personal property from a site in any residential district.

<sup>1</sup>**Ground Sign** means a general term to describe Permanent Signs that are not affixed, plastered, etc. on Buildings. Examples of Ground Signs include, but are not limited to Freestanding Signs, or Neighbourhood Identification Signs, but do not include Billboard Signs.

**Height of Sign** means the vertical distance measured from the highest point of the sign or sign structure to grade.

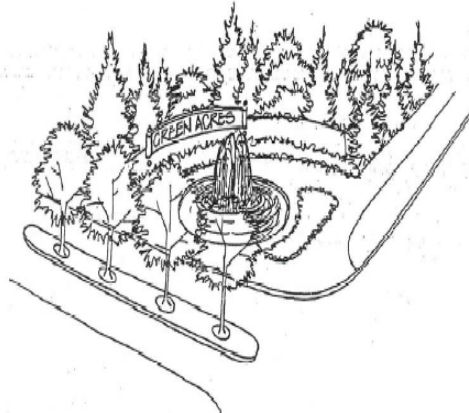
**Identification** means a sign which contains no advertising but is limited to the name, address and number of a building, institution or person.

**Inflatable Sign** means a sign or other advertising device which is designed to be inflated with air or a lighter-than-air gas and to be anchored or affixed to a building or to the ground.

**Local Advertising Sign** means a sign which advertises the business on the property where the sign is located.

**Neighbourhood Identification Sign** means a sign which states the name of a community area and may contain a logo, symbol or map

which is related to the community name.



*Neighbourhood identification sign for illustrative purposes*

**Open House Sign** means a sign advertising an open house for residential property for sale, and may include an A-board sign.

**Owner** means a person, or the authorized agent of such person, in lawful possession or control of a sign.

**Painted Wall Sign** means a sign which is painted directly upon any outside surface or other part of a building advertising products, services, or activities which need not relate to products, services, or activities provided for at the property on which the sign is located and also includes supergraphics.

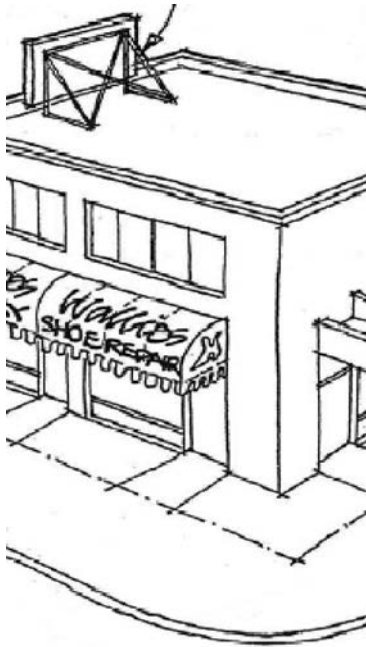


*Painted wall sign for illustrative purposes*

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

**<sup>1</sup>Recreation Sponsorship Sign(s)** means outdoor signage, placed only on sports field fencing and accessory buildings, advertising the sport sponsor(s) businesses, may identify the event and/or team being sponsored and does not permit any dynamic sign component or third party advertising.

**Roof Sign** means a sign or logo which is erected upon or above a roof or parapet of a building but does not include an inflatable sign.



*Roof sign for illustrative purposes*

**Rotating Sign** means a local advertising sign or portion of a local advertising sign which moves in a revolving manner, but does not include a clock.

**<sup>2</sup>Show Home Sign** means a Sign erected on a Site by the owner or agent of the owner of the Site, advertising the Site is a Show

Home but does not include an Inflatable Sign.

**Sign** includes any device used to identify or advertise a place of business or a product, whether words or numbers are used or not.

**<sup>3</sup>Sign Area** means the entire surface area of a Sign on which advertising copy could be placed and includes any frame or embellishment which forms an integral part of the display, but does not include landscaping. In the case of a double-face or multi-face Sign, the average of the total area of all Sign faces, unless otherwise stated.

**Sign Permit** means permission in writing given by the Development Officer to erect or place a sign in accordance with the land use bylaw or any variance thereto.

**Sign Structure** means a structure designed to support a sign and may consist of a single pole or be a wall or an integral part of the building.

**Sponsor** means a corporation or organization that enters into an agreement to pay money to a property owner in exchange for public recognition of the sponsor's contribution, including the right to advertise the name of the sponsor on signage on the property.

**<sup>4</sup>Sponsor Recognition** means the recognition of a corporation, person or other entity which has donated money, goods or services to the owner of the land on which the sign is located or which has entered into an agreement to pay money to the owner of the land in exchange for public recognition of the contribution, which recognition may consist of one or more of the following: an expression of thanks, the sponsor's name, brand, logo, tagline, website information or phone numbers.

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

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

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

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

Reference to land use districts in this section means the respective land use district established in the Land Use Bylaw.

**<sup>1</sup>(2) Sign Regulation Procedures**

- (a) Duties of the Development Officer pursuant to sign regulations,
- (b) The Development Officer may by notice in writing:
  - i. direct the owner to correct the condition of any sign or remove any sign within 30 days of receipt of the notice where, in the opinion of the Development Officer, that condition or sign constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe;
  - ii. order the owner to stop work on a sign if it is proceeding in contravention of this bylaw;
  - iii. order the owner to stop work on a sign if a permit has not been issued.

**<sup>2</sup>(3) Sign Permit and Requirements**

- (a) Except as provided in section 3.3(4), no person shall place, replace, erect or use any sign without first obtaining a sign permit.
- (b) A person who fails to comply with any of the provisions of sections 3.3 and 3.4 shall be guilty of an offence and subject to the penalties set out therein.
- (c) <sup>3</sup>DELETED
- (d) The sign permit shall bear the date on which it is issued and if active work is not commenced within the period of 12 months from the date of its issuance, the sign permit shall expire and become invalid, unless the Development Officer approves an extension of time which must be requested by the owner.
- (e) <sup>4</sup>DELETED
- (f) An application for a sign permit shall include the following:
  - i. the name and address of:

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<sup>1</sup> Correction #29

<sup>2</sup> Correction #29

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

<sup>4</sup> 3357/GG-2017

- (e) Projecting signs installed over or above canopies shall not be supported by the canopy.

**(4) 'Billboard Signs**

**(a) General Regulations for Billboard Signs:**

- (i) The design and size of a Billboard Sign should be compatible with or enhance the design, construction, and general character of the Building on the Site which it is located on and should respect the Immediate Street Context it is located in.
- (ii) A Development Permit for a Billboard Sign that will replace a Billboard Sign approved prior to December 11, 2017, may only be approved if the proposed Billboard Sign will be no larger than the previously approved Billboard Sign, and the proposed Billboard Sign will result in a visual improvement to the Immediate Street Context.
- (iii) Billboard Signs shall not be internally illuminated, or illuminated by light projecting from behind the surface of the Sign face.
- (iv) Billboard Signs that are illuminated shall:
  - (1) be equipped with a shield directing light towards the Sign; and
  - (2) be positioned in a manner that directs the light directly onto the Billboard Sign and minimizes the glare.
- (v) Billboard Signs that are illuminated shall not:
  - (1) shine or reflect light directly onto adjacent properties or in the direction of oncoming traffic;
  - (2) create hazards for pedestrian or vehicle traffic; or
  - (3) be of an intensity or brightness that would interfere with the space, comfort, convenience, and general welfare of residents or occupants of adjacent Sites or with vehicular traffic.
- (vi) Billboard Signs shall not include dynamic or electronic messaging.
- (vii) Where the back of a Billboard Sign is visible to pedestrian or vehicle traffic, the Development Authority may:

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

- (1) require a second face; or
- (2) require the back to be enclosed.

(viii) A Development Permit for a Billboard Sign may only be issued for a period not exceeding 3 years.

**(b) Location Criteria**

(i) Billboard Signs shall only be located along a Boundary adjacent to an Arterial Road, except for those Sites described in subsection (ii) below.

(ii) Billboard Signs are prohibited:

- (1) within the Major Entry Areas Overlay District; and
- (2) within 100.0m radius of a Residential District.

**(c) Siting Criteria**

(i) Not more than 1 Billboard Sign may be located on a Site

(ii) Billboard Signs shall not be placed in or on a required parking space or loading space and shall not be placed so as to reduce the number of required parking stalls or loading spaces, pursuant to this Bylaw of an approved Development Permit.

(iii) Billboard Signs shall be located a minimum of:

- (1) 500.0 m radius from another Billboard Sign. If a 500.0 m radius is drawn around Billboard Signs, none of the 500.0 m radius' shall overlap; and
- (2) 10.0 m from another Ground Sign.

(iv) A Billboard Sign shall be located such that no portion is closer than 3.0 m from any Site Boundary.

(v) If deemed necessary for safety reasons, the Development Authority may require greater distance separations between Signs.

**(d) Billboard Sign Sizes**

(i) The maximum height of a Billboard Sign is 6.1 m;

(ii) The Maximum width of a Billboard Sign is 6.1 m; and



- (iii) The maximum Sign Area of a Billboard Sign shall not exceed 19.0m<sup>2</sup>, and only 1 face of a double sided Billboard Sign may be used to calculate the Sign Area.

(e) No Variances

- (i) The Location Criteria listed in 3.4(4)(b) and the Siting Criteria listed in 3.4(4)(c) shall not be varied by the Development Authority.

**(5) Fascia Signs**

- (a) Fascia signs shall not be located above any portion of a street, or project over public property unless there is a minimum clearance from grade of 2.5 m and a maximum projection of 0.4 m.
  - (i) a fascia sign shall not exceed 15 % of the visible area of the façade of each wall of the building on which it is located;
  - (ii) a fascia may be illuminated.

**(6) Freestanding Signs**

- (a) A freestanding sign may be allowed in a setback area as established in the Land Use Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon 30 days written notice from The City.
- (b) In a PS (Public Service) site of less than 8.0 hectares freestanding signs are subject to the following regulations:
  - (i) one freestanding sign shall be allowed per lot frontage for the purpose of identifying the use or building on that lot;
  - (ii) the sign shall be designed in a manner which is architecturally compatible with the general character of the building and/or the surrounding streetscape, as approved by the Development Authority;
  - (iii) the maximum area of the freestanding sign shall not exceed 2.0 m<sup>2</sup>;
  - (iv) the maximum height of the freestanding sign shall not exceed 4.5 m;
  - (v) free standing signs shall not identify any accessory tenants within the principle building;

- (vi) <sup>1</sup>the sign may be illuminated, but shall not have flashing or intermittent lights or device or mechanism that creates the impression of flashing or intermittent lights.
  - (vii) the bottom of the freestanding sign shall be at grade, except where the sign is located in an entrance or exit and obstructs sight lines, in which case section 3.4(6)(j) is to apply, unless varied by the Development Authority;
  - (viii) at the discretion of the Development Authority, landscaping may be required at the base of the sign.
- (c) In PS (Public Service) sites of 8.0 – 17.0 hectares, freestanding signs are subject to the following regulations:
- (i) one sign may be allowed per lot frontage for the purpose of identifying the said use or building;
  - (ii) the sign shall be designed in a manner which is architecturally compatible with the general character of the building and/or the surrounding streetscape, as approved by the Development Authority;
  - (iii) the maximum sign area shall not exceed 8.0 m<sup>2</sup> for the first 15.0 m of frontage plus 0.3 m<sup>2</sup> for each additional 10.0 m of frontage to a maximum sign area of 9.2 m<sup>2</sup>;
  - (iv) the maximum height of a sign shall not exceed 9.0 m;
  - (v) up to 25% of the sign area may be allowed for the purpose of identifying any accessory tenants within the principal building;
  - (vi) <sup>2</sup>the sign may be illuminated, but shall not have flashing or intermittent lights or device or mechanism that creates the impression of flashing or intermittent lights.
  - (vii) the bottom of the freestanding sign shall be at grade, except where the sign is located in an entrance or exit and obstructs sight lines, in which case 3.4(6)(j) is to apply, unless varied by the Development Authority;
  - (viii) at the discretion of the Development Authority, landscaping at the base of the sign may be required.

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

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

- (d) On Public Service (PS) sites greater than 17.0 hectares, a freestanding sign with sponsor recognition is permitted for so long as the site remains greater than 17.0 hectares in size and subject to the following regulations:
- (i) one sign may be allowed per lot frontage for the purpose of identifying the said use or building;
  - (ii) the sign shall be designed in a manner which is architecturally compatible with the general character of the building and/or the surrounding streetscape, as approved by the Development Authority;
  - (iii) at the discretion of the Development Authority, a sign area greater than 18.5m<sup>2</sup>;
  - (iv) the maximum height of a sign shall not exceed 9.0 m;
  - (v) <sup>1</sup>of the whole area of a sign, the entire area of the Dynamic Sign portion may be used for the announcement of any activities or events on the site on which the sign is located, for third party advertising, accessory tenants within the principal building or for the use of a Sponsor Recognition; provided that where Sponsor Recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors”
  - (vi) <sup>2</sup>in addition to subsection (v), 50% of the total area of the static portion of a sign, may be used for identification of any accessory tenants within the principal building, for the announcement of any activities or events on the site on which the sign is located, for third party advertising or for the use of sponsor recognition; provided that where sponsor recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors.”
  - (vii) the sign may be illuminated, but shall not have flashing or intermittent lights or device or mechanism that creates the impression of flashing or intermittent lights.
  - (viii) the bottom of the freestanding sign shall be at grade, except where the sign is located in an entrance or exit and obstructs sight lines, in which case section 3.4(6)(j) is to apply, unless varied by the Development Authority;

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

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

- (ix) at the discretion of the Development Authority, landscaping at the base of the sign may be required.
- (e) In a C2A (Regional Shopping Centre) District, freestanding signs are subject to the following regulations:
  - (i) one sign up to a maximum area of 40.0 m<sup>2</sup> may be allowed per site for the purpose of identifying the said centre and the tenants collectively; or
  - (ii) for the purpose of identifying the said centre and the tenants collectively, one sign not exceeding 25.0 m<sup>2</sup> in area may be allowed per arterial road frontage;
  - (iii) provided that in either case the maximum height of sign shall be 9.0 m.
- (f) In a C2B (District Shopping Centre) district, freestanding signs are subject to the following regulations:
  - (i) only one sign may be allowed for the purpose of identifying the said centre and the tenants collectively, except that an additional auxiliary sign may be allowed for a gas bar which auxiliary sign shall not exceed 2.0 m<sup>2</sup>;
  - (ii) <sup>1</sup>the maximum sign area shall be 12.0 m<sup>2</sup>;
  - (iii) the maximum height of a sign shall be 9.0 m for signs abutting an arterial street and 7.5 m for signs abutting any other street, and where signs are located at the corner of an arterial and any other street, the lower maximum limit shall apply.
- (g) A minimum separation distance of 50.0 m shall be maintained between freestanding signs located on the same site.
  - (i) Distance requirements between freestanding signs shall not apply to entrance or exit signs used for the purpose of directing traffic, providing:
  - (ii) those signs do not display any advertising message, excluding a logo; and
    - (1) the sign area does not exceed 2.0 m<sup>2</sup>.
  - (iii) <sup>2</sup>In the C1, C1A, C4, and the Riverlands Districts there shall be a maximum of two Signs per Site.

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

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

(iv) Notwithstanding section 3.4(6) (g) (iii) where the site is at the corner of two or more arterial roads, one additional sign may be allowed on the site.

(h) The maximum area of a freestanding sign:

(i) in the A1, P1 and R1 Districts is 2.0 m<sup>2</sup>;

(ii) in the C3 District is 5.0 m<sup>2</sup>;

(iii) <sup>1</sup>in the C1, C1A, I1, I2 and the Riverlands Districts is 12.0m<sup>2</sup>

(iv) in the C4 and DC(2) Districts is 18.5 m<sup>2</sup> where the site is adjacent to an arterial road; where there is a service road between the site and the arterial road, a 25.0 m<sup>2</sup> free-standing sign may be allowed.

(i) The maximum height of a freestanding sign:

(i) in the A1, P1, R1 and C3 Districts is 4.5 m;

(ii) <sup>2</sup>in the C1, C2A, C2B, C1A, I1, I2, DC(2) and the Riverlands Districts is 9.0m

(iii) in the C4 District is 12.0 m.

(j) The bottom of freestanding signs:

(i) in C3 Districts shall be a minimum of 2.8 m above grade; and

(ii) <sup>3</sup>in all other Districts where such signs are allowed, shall be a minimum of 3.6 m above grade, unless a lesser distance is approved by the Development Officer, and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

## **(7) Neighbourhood Identification Signs**

(a) A neighbourhood identification sign may be erected by a developer at the entrances to a subdivision, subject to the developer entering into a Development Agreement to the satisfaction of Engineering Services and dealing with the precise location, number, size, design and character of the sign and making provision for the perpetual maintenance and care of the sign.

(b) Neighborhood identification signs shall:

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<sup>1</sup> 3357/I-2013, 3357/Q-2016

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

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

- (i) be for neighbourhood identification purposes only;
- (ii) display no advertising; and
- (iii) be constructed of maintenance free material wherever possible.

(c) A neighborhood identification sign shall not:

- (i) encroach upon a utility right-of-way; or
- (ii) affect traffic safety.

**(8) Painted Wall Signs**

- (a) A painted wall sign shall not exceed 3.1 m in height and 9.14 m in length.
- (b) Only one sign per wall is permitted.
- (c) Notwithstanding section 3.4(8) (b), a super graphic may be the entire length of an exterior wall providing the design has been approved by the Municipal Planning Commission.

**(9) Portable, Temporary, Inflatable Signs and Banners**

(a) Intent:

- (i) portable signs are intended for temporary on site advertising relating to the commercial activities of the landowner or tenants. Third party advertising is not permitted on portable signs with the exception only of promotions of not for profit organizations;
- (ii) the portable sign owner or licensee, not The City will determine which tenant(s) shall have the benefit of the portable sign; and
- (iii) a portable sign being used to advertise activities or events with the exception of not for profit organizations may only be located on a site where the event or activity is taking place.

(b) Districts in which Portable Signs are allowed:

- (i) Subject to the provisions of this part, portable signs are a permitted use in C1, C1A, C3, C4, I1, I2 and discretionary in all other Districts except residential districts, in which they are neither permitted nor discretionary.

(c) Specific locations in which Portable Signs are allowed:

- (i) no portable sign is allowed on any site which contains an A-board;

- (ii) the landowner or a lessee with the consent of the landowner of a site for which a portable sign is proposed may apply for a portable sign permit;
- (iii) an application for portable sign permit must include a site plan showing the proposed location of the portable sign, all dimensions of the sign including height and face area of the sign, the design of the sign including a photograph of same, the type of construction, material and finish of the sign, the manner of stability and support of the sign, the distance from curb lines, property lines and driveway locations;
- (iv) notwithstanding (iii) herein, a portable sign must be wholly located on the property of the landowner who has been granted a permit;
- (v) notwithstanding (i), (ii), (iii), or (iv) above, no portable sign shall be located closer than 100 linear metres to any other portable sign; and
- (vi) a portable sign may only be located at the specific location for which a permit is granted.

**(d) Portable Sign Standards:**

- (i) a portable sign shall be installed, serviced, removed, and accessed from within the property on which the sign is located;
- (ii) a portable sign shall not exceed 4.0m<sup>2</sup> per face, nor shall any such sign exceed 3.0m in height from grade;
- (iii) no portable sign shall be illuminated or employ any flashing or sequential lights or any mechanical or electronic device to produce or simulate motion;
- (iv) a portable sign shall not interfere with pedestrian and/or vehicular traffic;
- (v) notwithstanding (iv) above, no portable sign shall be located closer than 1.5 m to a property line or within 3.0 m of any access/egress to/from a property or within 10.0 m of any intersection;
- (vi) a portable sign must be stabilized but shall not use unsightly or potentially hazardous methods. The means by which stability is to be provided shall be included as part of the permit application. An inflatable sign may, however, use guy wires;

- (vii) a portable sign shall be removed immediately on ceasing to be in use; and
- (viii) a portable sign in use shall at all times be maintained in good condition and, specifically, shall contain lettering and signage which is secure and complete. Any damaged or missing signage must be repaired within 24 hours of knowledge of same coming to the attention of the permit holder.

**(e) Permit <sup>1</sup>Requirements**

- (i) <sup>2</sup>no portable sign shall be erected without a permit and if applicable, a validating marker or ID tag from The City of Red Deer Inspections and Licensing Manager;
- (ii) an applicant for a portable sign permit shall provide all of the information required by these provisions, and include such other information as the Inspections and Licensing Manager may reasonably require;
- (iii) no portable sign may be placed other than at a location approved by the Inspections and Licensing Manager and shown on a site plan forming part of the permit application;
- (iv) the maximum length of a permit is 60 days. The maximum duration of display at one location for each portable sign shall be 60 days twice a year, provided, however, that no portable sign shall remain at one location for more than 60 consecutive days at a time. A site shall remain free of portable signs for a minimum of 60 consecutive days before a further permit for such site can be issued. No permit may be applied for more than 7 days in advance of the date of placement;
- (v) portable signs shall be removed on or before the date on which the permit expires; and

**(f) Short Term Seasonal Activity Portable Signs:**

- (i) <sup>3</sup>on application the Inspections and Licensing Manager may in his/her sole discretion permit the placement of a portable sign for short term seasonal activities but in any event for a period not exceeding 30 days.

**(g) Inflatable Signs:**

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

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

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



- (i) except as enumerated herein, all provisions applicable to portable signs generally shall apply to inflatable signs;
- (ii) an inflatable sign shall be tethered or anchored and shall be touching the surface to which it is anchored;
- (iii) an inflatable sign shall not exceed the maximum free standing sign height allowable for the district;
- (iv) there shall be a maximum of 1 inflatable sign per site, but no inflatable sign shall be permitted on the site containing any other portable sign;
- (v) an inflatable sign may be placed on a site twice within a calendar year, but for not more than 30 days at a time; and
- (vi) an inflatable sign may not be located on the roof of a structure.

**(h) Banners:**

- (i) a banner shall not be displayed at any one site for longer than 90 consecutive days and for no more than 180 days within a calendar year;
- (ii) the application for a permit respecting a banner shall indicate the location and the area the banner will cover but in no circumstance will a banner be permitted on anything other than a permanent building;
- (iii) notwithstanding the above, a banner size shall not exceed 10% of the gross area of the face of the structure to which it is attached;
- (iv) a banner shall be maintained in good condition and promptly removed if damaged; and
- (v) except as enumerated herein, all provisions applicable to portable signs generally shall apply to Banners.

**(i) Exception:**

- (i) These provisions do not apply to portable signs including banners erected by The City or the RCMP as warning signs in connection with traffic speed or safety.

**(10) Projecting Signs**

- (a) <sup>1</sup>No projecting sign shall be erected so that the bottom thereof is less than 2.8 m above the sidewalk; provided however, where traffic lights may be obscured in the opinion of the Development Officer, the minimum requirement for the bottom of the projecting sign may be increased to a height of 3.6 m or more above the sidewalk.
- (b) All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The *Electrical Protection Act*.
- (c) The maximum area of a projecting sign shall be 4.5 m<sup>2</sup>.
- (d) The nearest edge of a projecting sign shall not be set off more than 0.3 m from the building face.

**(11) <sup>2</sup>Wall Signs**

- (a) Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.
  - (i) The maximum horizontal dimension of a wall sign shall be 6.1 m.

**(12) <sup>3</sup>Election Signs**

- (a) Election signs may be placed on private or public property (with the approval of the owner/public authority).
  - (i) Election signs are permitted on municipal property only as designated by the City Council.
  - (ii) Election signs must be located at least 3.0 m from the back of sidewalk or if there is no sidewalk, the back of curb.
  - (iii) Election signs on public property may not exceed 3.0 m<sup>2</sup> in size nor 3.6 m in height.
  - (iv) <sup>4</sup>Only one Election Sign per candidate, per designated sign location approved by Council resolution, is permitted.
  - (v) If a candidate fails to remove his or her election signs within 48 hours after the voting stations close on election day, the Designated Officers may remove them and the candidate shall be liable for the cost of removal.

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

<sup>2</sup> Correction 29

<sup>3</sup> Correction 29

<sup>4</sup> 3357/M-2017

- (vi) When an election sign interferes with work being carried out by City work crews or contractors doing work on behalf of The City, the crews may remove and dispose of such signs.
- (vii) Designated Officers employed by The City may remove any election signs which have been erected, affixed, posted or placed on any City property in contravention of this bylaw.
- (viii) A candidate whose name appears on an election sign which is in contravention of this bylaw shall be guilty of an offence under this bylaw.

**(13) Offensive Signage**

- (a) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.
- (b) No billboard, wall sign, or painted wall sign, including supergraphics or portable sign shall be allowed to advertise adult entertainment or services which feature nudity.

**(14) <sup>1</sup>Dynamic Sign Regulations**

- (a) A Dynamic Sign may display Public Service Announcements, but shall not include Third Party Advertising or Sponsor Recognition except when it is located on a Site in a PS district which is over 17.0 hectares;
- (b) Messages shall be displayed for a minimum time period of 3 seconds;
- (c) A Dynamic Sign must have an adjustable brightness level and the level of brightness of a Dynamic Sign shall be to the reasonable satisfaction of the Development Officer; and
- (d) Dynamic Signs shall meet the following regulations which may be varied by the Development Authority:
  - (i) not be located within 30.0m radius of a residential District;
  - (ii) when the Site of a proposed Dynamic Sign is adjacent to a residential District notification will be sent by the City to property owners within a 100.0m radius of the proposed Site;
  - (iii) be limited to one Dynamic Sign per Building or Site, with the exception of PS Sites over 17ha which will be limited to two Dynamic Signs provided that one of the Dynamic Signs must be a Fascia Sign and the other Dynamic Sign must be a portion of a

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<sup>1</sup> 3357/F-2009, 3357/G-2016

Free Standing Sign, and further provided that the two Dynamic Signs must be at least 50.0m apart;

- (iv) not be located on a Site within a 50.0m radius of the Boundary of a Site containing an existing Dynamic Sign; and
- (v) comprise not more than 25% of the total freestanding or fascia sign area.

**(15) <sup>1</sup>Recreation Sponsorship Signage Regulations**

- (a) Recreation Sponsorship Signage may be placed on sports field fencing around sports fields. Recreation Sponsorship Signage is also permitted on accessory buildings or structures such as, but not limited to, dugouts, bleachers, media towers and storage sheds;
- (b) To ensure that the proposed signage does not have adverse impacts in relation to the overall amenity of the site, all signage must be produced/manufactured by a sign company;
- (c) All signage placed on field fencing must be non-illuminated and the total signage shall not cover more than 50% of the linear circumference of the fence, must not cover gates or access points and must not extend past the side edges of the fence or above or below the fence and any proposed sign shall not exceed a maximum of 1.2 m by 1.8 m per sign;
- (d) All signage shall be securely fastened to the fence and it is the Applicant's responsibility to ensure the fence is structurally sound enough to support the proposed signage in all weather and anticipated use conditions;
- (e) All signage placed on accessory buildings or structures must be non-illuminated and the total signage shall not cover more than 10% of the building face or side to which it is attached, must not extend past the edges of the building or structure and any proposed individual sign shall not exceed a maximum of 1.2 m by 1.8 m;
- (f) Signage in the form of stickers (adhesive attachment) is not permitted; and
- (g) The sign(s) shall be designed and placed so that structural support elements appear as an integral part of the overall sign design ensuring that no guide wires, no angle iron bracing or similar support structure elements are visible from a public street or other public right-of-way.

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

### 3.5 Accessory Building Regulations

- (1) An accessory building:
  - (a) shall not be erected or placed on the rear yard of a site closer to the side boundary which is a common boundary with a street than the minimum side yard for the site; and
  - (b) may not be erected or placed over a gas line if the accessory building is on a permanent foundation.
- (2) <sup>1</sup>No Accessory Building or Buildings designed or intended to be used for a workshop shall be erected on a Site in a C1 District or the Riverlands Districts if the ground floor area of such Accessory Building or Buildings exceeds 40% of the ground floor area of the Principal Building on the Site.
- (3) Where an accessory building is allowed to be located over a sewer or water line it shall be a condition of such approval that:
  - (h) the owner provides at his expense an agreement registered by caveat on the title to the site, releasing The City from, and agreeing to indemnify The City for, any damage to such service lines or buildings on or adjacent to the site, and
  - (i) an accessory building shall not enclose the service valves or shut off valves of that line.
- (4) A private garage, or carport, in addition to the other provisions of this section and section 3.11 shall comply with the following:
  - (a) where the vehicle entrance to the garage or carport face a lane, the building setback shall be either 6.0 m or 0.9 m from the lane, except in those cases where an easement has been placed along the rear property line, in which event the building setback shall be either 6.0 m or the width of the easement plus 0.5 m from the lane,
  - (b) where the vehicle entrance to the garage or carport face the side boundary of the site which is not a common boundary with a street, the building shall be not less than 6.0 m from the side boundary which the entrance faces. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,
  - (c) where the vehicle entrance to the garage or carport face the side boundary of the site which is a common boundary with the street, the building shall be not less than 6.0 m from the nearest edge of the sidewalk abutting such

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

side boundary and where there is no sidewalk, not less than 2.4 m from such side boundary of the site. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,

- (d) notwithstanding section 3.5(4)(a),(b), and (c), a garage which is within the following tolerances of the requirements therein stated shall be deemed to comply with those subsections namely: The distance: not less than 90% or more than 10% of the required distance, provided the garage does not encroach on an easement.
- (5) <sup>1</sup>Accessory Buildings in all Residential Districts and Riverlands Districts shall be similar to, and complement, the Principal Building in exterior material, colour, and appearance.

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<sup>1</sup> 3357/A-2016, 3357/Q-2016

### 3.6 Landscaping Regulations

- (1) The Developer shall submit detailed landscape design plans with the application for development for approval by the Development Authority in compliance with the Landscaping Regulations specified herein, which shall include the lands proposed for development as well as all adjacent boulevards and municipal reserves.
- (2) In addition to the requirements section 2.4, the landscape design plan shall include the following additional information:
  - (a) common botanical names;
  - (b) planting standards - excavation for all plantings shall be 50% larger volume than the soil ball and filled with acceptable topsoil. The minimum planting excavation will be 0.6 m x 0.6 m; and
  - (c) number of trees and shrubs.
- (3) <sup>1</sup>The landscape design plans shall include details, specifying the mixture of coniferous and deciduous trees and shrubs designed to provide landscape enhancement for year round effect as well as any water conservation methods or strategies employed. Any proposed landscaping plan with a naturescaping component for new development or redeveloped site shall be subject to Development Authority approval.
- (4) Landscape details shall consist of not less than the following standards:
  - (a) deciduous trees - minimum calliper 60.0 millimetres (measured 450.0 millimetres from ground level),
  - (b) coniferous trees - minimum height 2.5 m,
  - (c) deciduous shrubs – minimum #2 container class,
  - (d) coniferous shrubs – minimum #2 container class.
- (5) <sup>2</sup>Refer to Section 7.15 Major Entry Areas Overlay District, Subsection (7) for Major Entry Areas Regulations for Landscaping.

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

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

- (6) <sup>1</sup>In all areas other than Major Entryways Areas the following minimum standards shall be met:
- (a) One tree is required for each 60.0m<sup>2</sup> of landscaped area;
  - (b) One shrub is required for each 30.0m<sup>2</sup> of landscaped area;
  - (c) The proportion of deciduous to coniferous trees or shrubs shall be approximately 2:1.
- (7) The use of landscaping is required adjacent to exterior walls which are visible from adjacent public roads, other than lands, to minimize the perceived mass of the building and to create visual interest.
- (8) The landscaping of boulevard and front yards shall include a mixture of coniferous/deciduous tree and shrubs.
- (9) Where off street parking for 25 or more vehicles is required and is being provided at grade, dispersed landscaped areas shall be provided within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells.
- (10) The landscaping treatment shall be in the form of landscaped islands, particularly at the termini of long rows of parking; tree lines separating facing rows of parking stalls, or some other form or combination of landscaping treatments.
- (11) The location, extent and type of plantings and other landscaping treatments shall be to the satisfaction of the Development Authority.
- (12) The applicant shall, as a condition of Development Permit approval, provide an Irrevocable Letter of Credit to The City equal to 100% of the estimated landscaping costs, with the conditions of the security being that:
- (a) if the landscaping is not completed in accordance with the provisions of this Bylaw and the approved landscaping plan within one growing season after the completion of the development, then the amount specified in the Irrevocable Letter of Credit shall be paid to The City on demand for its use absolutely, and
  - (b) Engineering Services shall not release the Irrevocable Letter of Credit until an inspection of the site has demonstrated that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping. This inspection will be performed at the discretion of the Development Authority within four weeks from the

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



date of receiving a written request for the applicant to perform said inspection.

- <sup>1</sup>**(13)** The parking of vehicles, the outdoor display or sale of goods and outdoor storage are all prohibited on any portion of a site which has been approved for landscaping (including the natural display of grass, plants or other landscaping features) unless approved by the Development Authority.
- <sup>2</sup>**(14)** A minimum of 15% of all Landscaped Area of developments requiring a landscaping plan shall consist of Naturescaping.
- <sup>3</sup>**(15)** The Developer is responsible for landscaping boulevards and roadway berms adjacent to the lot or development site.
- <sup>4</sup>**(16)** In addition to subsection (15), with the exception of mixed use district areas, in the case of non-residential lots adjacent to residential lots, landscaping shall provide a visual buffer between the residential and non-residential uses.
- <sup>5</sup>**(17)** 25% of all front yards of detached, semi-detached and multi-attached dwelling units shall consist of landscaped area.

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

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

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

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

<sup>5</sup> 3357/T-2009

### **3.7 Loading Spaces**

- (1) The minimum required number of loading spaces:
- (a) In C1, C1A, C2A, C2B, C3 and C4 Districts, one loading space opposite each loading door with a minimum of one shall be provided.
  - (b) In I1 and I2 Districts, one loading space opposite each loading door with a minimum of one for each 1,858.0 m<sup>2</sup> of floor space shall be provided.
- (2) Loading Space Standard:
- (a) A loading space shall be located on the same site as the building or use in respect of which it is required.
  - (b) A loading space situated within a setback distance from a street or lane shall not be counted for the purposes of this section.
  - (c) A loading space shall be designed, located and constructed so that:
    - (i) it is reasonably accessible to any vehicle intended to be accommodated there;
    - (ii) it can be properly maintained; and
    - (iii) it is satisfactory to the Development Authority in size, shape, location and construction.
  - (d) <sup>1</sup>A loading space shall be at least 2.7m wide, having an area of at least 29.0 m<sup>2</sup>, and have an overhead clearance of at least 3.6 m.
  - (e) A loading space and the driveway which provides access thereto shall be surfaced as directed by the Development Authority and be properly maintained.

### **3.8 Deleted**

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

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

### **3.9 Projection Over Yards**

- (1) 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.
- (2) On a site in any district, an exterior fire escape not more than 1.2 m wide, provided that in commercial districts an exterior fire escape must be constructed at least 3.6 m above grade.

### **3.10 Number of Buildings per Site**

- (1) Not more than one principal building shall be erected on a lot unless an overall site plan, which provides for one or more groups of buildings, has been approved by the Development Authority.

### **3.11 Restrictions on Corner Site Lines**

- (1) No person shall erect, place, allow or permit any building, fence, vehicle or trailer, screening material or object, and no person shall plant or permit to grow any hedges, trees or vegetation which exceeds 0.9 m in height on a portion of a corner site determined as follows:
  - (a) where the corner site is at the intersection of two lanes or two streets, within a triangular area two sides of which shall be a minimum of 4.5 m long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect the points so determined on each such boundary (for illustrative purposes see Part 3, Figure 2), or
  - (b) in the case of a site which is at the intersection of a lane and a street, within a triangular area two sides of which shall be a minimum of 3.0 m long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect points so determined on each such boundary (for illustrative purposes see Part 3, Figure 2).
- (2) 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 m of the intersection of a driveway or lane and a road. (for illustrative purposes see Part 3, Figure 2).

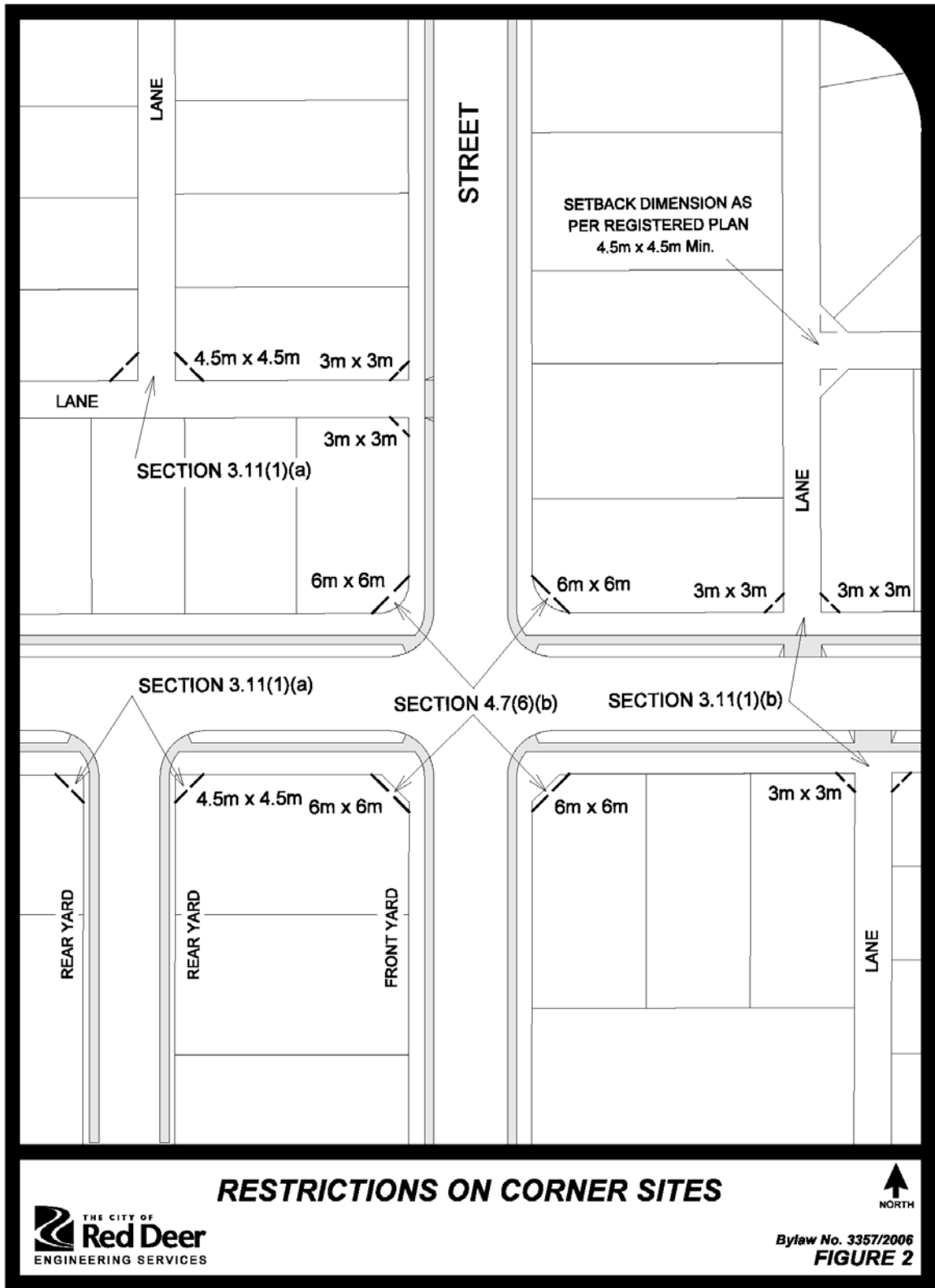


Figure 2-Restrictions on Corner Sites

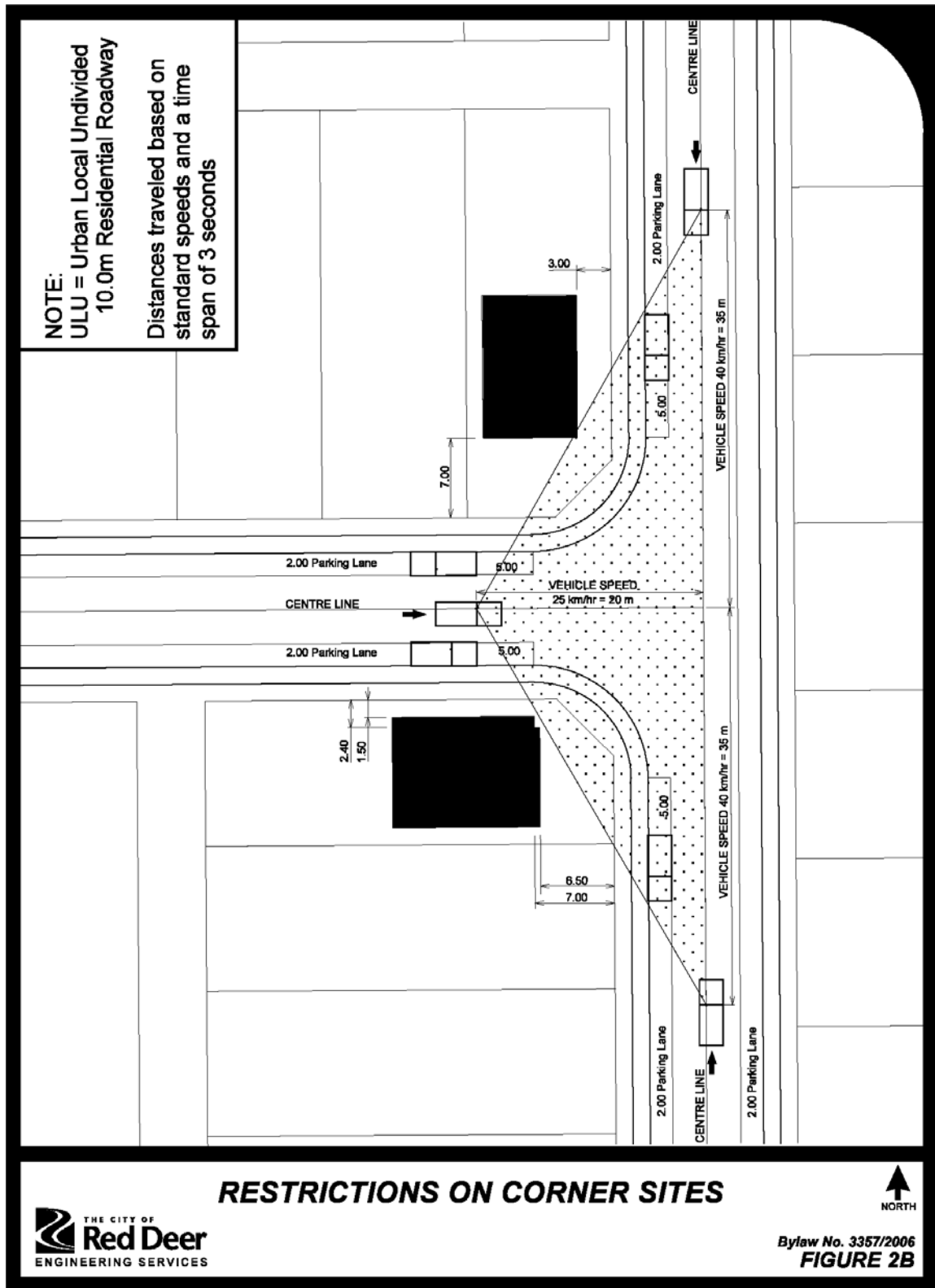


Figure 2B-Restrictions on Corner Sites

**<sup>1</sup>3.12 - DELETED**

**<sup>2</sup>Figure 3-Major Entry Areas - DELETED**

**3.13 Roof Drainage**

- (1) All roof drainage shall be directed onto the site or as specified by the Development Authority.

**3.14 Similar Use Permit**

- (1) The list of discretionary uses for any land use district shall be deemed to include any use which is, in the opinion of the Commission, consistent with the overall intent of the land use district and similar to a listed permitted or discretionary use.

**3.15 Building Heights**

- (1) The height of a building is the vertical distance measured from the average grade to the highest point of the building.
- (2) The highest point of a building shall be determined without considering an elevator housing, roof stairway entrance, water tank, ventilating fan, skylight, steeple, chimney, smokestack, fire wall, parapet wall, roof sign, aerial array, flag pole or similar device or feature not structurally essential to the building.

**3.16<sup>3</sup> DELETED**

**3.17 Satellite Dish Antennas**

- (1) No satellite dish antenna:
  - (a) shall be located in a front or side yard abutting a street,
  - (b) shall be illuminated, or
  - (c) shall exhibit or display any advertising.

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

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

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

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

### **3.18 Utility Regulation Stations**

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

### **3.19 Electrical Overhead Wiring Separation Distance**

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

### **3.20 Fence Regulations**

- (1) No person shall erect or cause to be erected or shall have or maintain on any property located in the City of which he is the owner, occupant, tenant or lessee:
  - (a) any barbed wire fence or other barbed wire structure or any fence which is surmounted by nails, sharpened spikes, broken glass or other dangerous objects or materials; or

- (b) any electrified fence.
- (2) Subsection (1)(a) shall not apply:
  - (a) where barbed wire is placed on a fence at a height of not less than 1.83 m above the level of ground on a fence in a non-residential district;
  - (b) where the fence is located on land designated A-1 Future Urban Development District under this land use bylaw.
- (3) A fence in a residential district or other district in which the principle use is residential, must meet the following requirements:
  - (a) the portion of a fence which is located between the front of the building and the rear property line or along the rear property line may not exceed 2.0 m in height;
  - (b) the portion of a fence which is located between the front of the building and the front property line may not exceed 0.9 m in height.
- (4) For the purpose of subsection (3) the height of a fence is measured from ground level to the top of the fence, except where the fence is located on a retaining wall, in which case the height of the fence shall include the height of the retaining wall.
- (5) The Development Authority may grant a relaxation to the height requirement set out in subsection 3.20 (3).
- (6) No development permit is required for a fence in a residential district or other district in which the primary use is residential except unless a height relaxation under section 3.30 (5) is requested.
- (7) No development permit is required for a fence in a non-residential district.
- (8) <sup>1</sup>No person shall construct, allow or permit a fence to be located on City property, including a road or lane right-of-way, City boulevard, utility lot or municipal reserve lot, without the expressed written permission of The City.

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<sup>1</sup> 3357/A-2012



### **3.21 Cremation Regulations**

- (1) The use of a crematorium, retort or cremation chamber must not result in any noise, odor, smoke or other nuisance which emanates beyond the boundaries of the premises on which the use takes place.

### **3.22 Public Property Regulations**

- (1) No person shall park or leave a vehicle, or any part of a vehicle, on or over any public property.
- (2) The prohibition in subsection (1) does not apply to a vehicle which is parked:
  - (a) in a designated parking stall or designated parking areas;
  - (b) on any carriageway intended for the passage of vehicles and where not otherwise prohibited;
  - (c) on public property in accordance with a license from or the express approval of The City.
- (3) Where one or more vehicles are parked or left on public property contrary to subsection (1), it shall be a separate offence for each day that such vehicle(s) is so parked or displayed.
- (4) No person shall store, display or sell goods on any public property, except in accordance with the terms of a valid City business license or other lawful authority granted by The City.
- (5) Subsection (4) does not prohibit occasional sidewalk sales provided that such sales do not impede pedestrian traffic on the sidewalk.

### **3.23 Objects Prohibited or Restricted in Yards**

- (1) 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:
  - (a) A trailer parked in an approved campground.
  - (b) 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.

- (c) 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:
- (i) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;
  - (ii) the owner of the site has obtained approval from the Development Authority;
  - (iii) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;
  - (iv) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;
  - (v) no fees shall be charged for overnight parking;
  - (vi) 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.
- (d) 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:
- (i) the owner of the site obtains approval from the Development Authority;
  - (ii) no rent or fees are paid for the use of the site or facilities;
  - (iii) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.

### **3.24 <sup>1</sup>DELETED**

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<sup>1</sup> 3357/L-2009, 3357/Q-2015

### **3.25 <sup>1</sup>Community Gardens**

Community Gardens are discretionary use in all districts and subject to approval by the Development Authority.

### **3.26 <sup>2</sup>Temporary Buildings**

(1) A temporary building may not be erected without the permission of the Development Authority which may be granted as follows:

(a) any district other than a residential district subject to the owner agreeing to remove such a building in accordance with the terms and conditions stipulated by the Development Authority.

(b) a residential land use district provided that:

(i) no such temporary building shall have a floor area exceeding 16.5 square metres, be more than 3.0 metres in height or be set back less than 1.2 metres from the side of the property line; and

(ii) the owner enters into an agreement to remove such a building in accordance with the terms and conditions stipulated by the Development Authority;

(iii) there shall be no more than one temporary building per site;

(iv) a temporary building being used as a garage must be placed in the rear yard only;

(v) in the case of a pre-manufactured temporary building, the elevations shall be subject to the approval of the Development Authority;

(vi) the temporary building must be set back at least 1.2 metres from the property line; and

(vii) the permit for the temporary building shall expire at the end of 24 months unless extended by the Development Authority.

(c) <sup>3</sup>Through a Special Event Permit

(2) If an owner fails to comply with the terms and conditions of a temporary building permit, the Development Authority may remove or cause to be removed such building as the case may be, the costs of which shall be charged against the lands

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

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

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

upon which the temporary building is situated and shall be payable by the owner to The City on demand.

(3) A temporary building may not be used as a dwelling

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



General Purpose

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

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

<b>(a) Permitted Uses</b>	
<b>(i)</b>	Commercial recreation facility.
<b>(ii)</b>	Commercial service facility.
<b>(iii)</b>	Dwelling units above the ground floor.
<b>(iv)</b>	Hotel or motel
<b>(v)</b>	Restaurant
<b>(vi)</b>	Merchandise sales and/or rental, excluding agricultural and industrial motor vehicles or machinery.
<b>(vii)</b>	Office.
<b>(viii)</b>	Service and repair of goods traded in the C1 district, excluding motor vehicles.
<b>(ix)</b>	Signs (subject to section 3.3 and 3.4):
<b>(1)</b>	a-board signs,
<b>(2)</b>	awning and canopy signs,
<b>(3)</b>	under canopy signs,
<b>(4)</b>	fascia signs,
<b>(5)</b>	free standing signs,
<b>(6)</b>	neighbourhood identification signs,
<b>(7)</b>	projecting sign, and
<b>(8)</b>	<sup>1</sup> DELETED
<b>(b) Discretionary Uses</b>	
<b>(i)</b>	Above ground storage tanks for motor fuel products including propane and used oil.
<b>(ii)</b>	Accessory building or use subject to section 3.5.
<b>(iii)</b>	<sup>2</sup> Assisted living facility
<b>(iv)</b>	Commercial entertainment facility.
<b>(v)</b>	Dangerous goods occupancy.
<b>(vi)</b>	Detached dwellings and their accessory buildings existing legally at the time of adoption of this Bylaw.
<b>(vii)</b>	Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
<b>(viii)</b>	Drinking establishment (adult entertainment permitted and subject to section

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

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

- (b) The minimum side yard setback of 1.5 m required under section 5.1(2)(a) Table 5.1, shall not apply to a lot in respect of which the owner has transferred title to The City of the land that would otherwise be required as additional setback, provided that, where the setback or any portion of it is occupied by a building, the owner has also entered into a License to Occupy agreement with The City.

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



**General Purpose**

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

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

<b>(a) Permitted Uses</b>	
(i)	Commercial service facility.
(ii)	Merchandise sales and/or rental excluding all motor vehicles, machinery and fuel – maximum building size of 1500 m <sup>2</sup> (16,146 sq ft.).
(iii)	Office.
(iv)	Restaurant.
(v)	Signs (subject to section 3.3 and 3.4):
(1)	a-board signs,
(2)	awning and canopy signs,
(3)	under canopy signs,
(4)	fascia signs,
(5)	free standing signs,
(6)	neighbourhood identification signs,
(7)	projecting sign, and
(8)	<sup>1</sup> DELETED

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

**5.6 C4 Commercial (Major Arterial) District**



**General Purpose**

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

**1. C4 Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
<ul style="list-style-type: none"> <li>(i) Commercial recreation facility.</li> <li>(ii) Commercial service facility.</li> <li>(iii) Merchandise sales and/or rental (minimum floor area for a building or a comprehensively designed group of buildings – 929.0 m<sup>2</sup> (there is no minimum floor area for the units within the building(s)).</li> <li>(iv) Restaurant.</li> <li>(v) Service and repair of goods traded in the C4 District.</li> <li>(vi) Signs (subject to section 3.3 and 3.4):             <ul style="list-style-type: none"> <li>(1) awning and canopy signs,</li> <li>(2) fascia signs,</li> <li>(3) free standing signs</li> <li>(4) projecting signs,</li> <li>(5) painted wall signs, and</li> <li>(6) <sup>1</sup>DELETED</li> </ul> </li> </ul>	
<b>(b) Discretionary Uses</b>	
<ul style="list-style-type: none"> <li>(i) Above ground storage tanks for motor fuel products including propane and used oil.</li> <li>(ii) Accessory building or use subject to section 3.5.</li> <li>(iii) Dangerous goods occupancy.</li> <li>(iv) Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).</li> <li>(v) Drinking establishment (adult entertainment permitted and subject to section 5.7(8)).</li> <li>(vi) Funeral Home.</li> <li>(vii) <sup>2</sup>Health and Medical Services</li> <li>(viii) Hotel, motel or hostel.</li> <li>(ix) Merchandise sales and/or rental (no minimum floor area for a building or a unit within the building).</li> <li>(x) <sup>3</sup>Outdoor display or sale of goods.</li> </ul>	

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

<sup>2</sup> 3357E/2011

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

**8.8 Direct Control District No. 8 DC (8) (See Map L12)**



**General Purpose**

This District is created to allow an apartment/hotel on the west portion of Lots 2B and 3C, Plan 842-1872 while allowing commercial use on the remainder of the site.

**1. DC (8) Permitted and Discretionary Uses Table**

<b>(a) Permitted Uses</b>	
(i)	Any permitted use listed in the C4 Commercial (Major Arterial) District provided it is not located in the multiple family building.
(ii)	Hotel units as the only commercial use in the multiple family building.
(iii)	One multiple family building.
<b>(b) Discretionary Uses</b>	
(i)	<sup>1</sup> Any discretionary use listed in the C4 Commercial (Major Arterial) District provided it is not located in the Multiple Family Building, with the exception of Warehouse, Outdoor Display or Sale of Goods, Drinking Establishment (Adult Entertainment Permitted), Gaming or Gaming Establishment, Dangerous Goods Occupancy, and Billboard Signs.
(ii)	A drinking establishment (adult entertainment prohibited, subject to section 5.7(8)) or gaming establishment as an ancillary use provided that the development includes measures taken, to the satisfaction of the Development Authority to ensure that noise or visual impacts from a drinking establishment (adult entertainment prohibited) or gaming establishment will not negatively impact the adjacent residential use.
(iii)	Restaurant.
(iv)	<sup>2</sup> Show Home or Raffle Home

**2. Direct Control District No. 8 Regulations**

- (a) The C4 and R3 District will be used as a guide for the Municipal Planning Commission.
- (b) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Commission.

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

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