Bylaw NO. 3357/2024

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

WHEREAS pursuant to the authority granted to it by the Municipal Government Act, the Municipal Council of the City of Red Deer must, by bylaw, adopt a land use bylaw; and

WHEREAS Council considers it desirable to replace the existing land use bylaw for the City of Red Deer with a new land use bylaw;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act, RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Red Deer duly assembled enact as follows:

1. The bylaw, entitled “Zoning Bylaw 3357/2024” attached as Schedule “A” hereto is hereby adopted as the land use bylaw for the City of Red Deer.
2. The previous land use bylaw for the City of Red Deer, Bylaw 3357/2006, as amended, is hereby repealed.
3. This Bylaw will come into full force and effect 30 days after third reading.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2024.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2024.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2024.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2024.

MAYOR

CITY CLERK

THE CITY OF Red Deer

Zoning Bylaw

3357/2024

Schedule A

Adopted	May 13, 2024
Last Amended	February 24, 2026

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Part 1 Overview & Definitions

1.10 Title

1.10.1 This Bylaw will be known as the “Zoning Bylaw”.

1.20 Overview of this Bylaw

1.20.1 This Bylaw:

1.20.1.1 divides the City into Zones;

1.20.1.2 prescribes and regulates for each Zone, the purpose for which the land and Buildings may be used and the Permitted Uses and Discretionary Uses that may be allowed;

1.20.1.3 establishes the roles of the Development Authorities;

1.20.1.4 establishes the method of making decisions on applications for land use redesignations and Development Permits, and issuing Development Permits; and

1.20.1.5 prescribes the procedures to notify landowners, residents, and citizens who may be affected by the issuance of a Development Permit or Bylaw amendment.

1.30 Transition

1.30.1 Development Permit applications must be evaluated under the regulations of this Bylaw as of the effective date, even if the application was received before this date.

1.40 Interpretation

1.40.1 Header text forms part of the Bylaw text.

1.40.2 The follow items do not form part of this Bylaw and may be changed without an amendment:

1.40.2.1 title page;

1.40.2.2 page numbers;

1.40.2.3 Table of Contents;

1.40.2.4 List of Figures; and

1.40.2.5 List of Appendices.

1.40.3 Provisions of the Bylaw must be interpreted and applied as follows:

1.40.3.1 "must" means required; and

1.40.3.2 "should" or "may" means encouraged.

1.40.4 Words and terms used in the Bylaw have the same meaning as given to them in the Act unless defined in Part 1.

1.40.5 Words that are not capitalized should be given their plain and ordinary meaning as the context requires.

1.40.6 Text boxes are for convenience, clarification, and reference only; they do not form part of this Bylaw and must not be used in the interpretation of this Bylaw.

This is a text box. It helps to explain concepts in plain language or provide examples of things that might not be familiar to the reader. The wording in text boxes is not part of the Bylaw.

1.40.7 The term "Zone" may be used interchangeably with "district".

1.40.8 References to specific Road classifications such as collector, arterial, and lane, have the same meaning as described within the Engineering Design Guidelines.

1.40.9 Where in conflict, numerical metrics or text will take precedence over graphics. Graphics are to support the intent of the Bylaw.

1.40.10 Where a part, section, or subsection is cross-referenced the cross-reference will apply to the identified part, section, or subsection and any sections or subsections within it, unless explicitly stated otherwise.

1.50 General Definitions

1.50.1 Where examples are used in definitions, they are meant to explain the definition and are not meant to limit the scope of the definition in any way.

1.50.2 In this Bylaw, unless context otherwise requires:

Abut or Abutting means physically touching or sharing a common border such as a Boundary;

Act means the Municipal Government Act;

Active Commercial Main Floor means Main Floor Commercial uses which create pedestrian activity at the Movement Corridor or Road level such as a coffee shop, an art gallery, or boutique, as identified in the Capstone Area Redevelopment Plan;

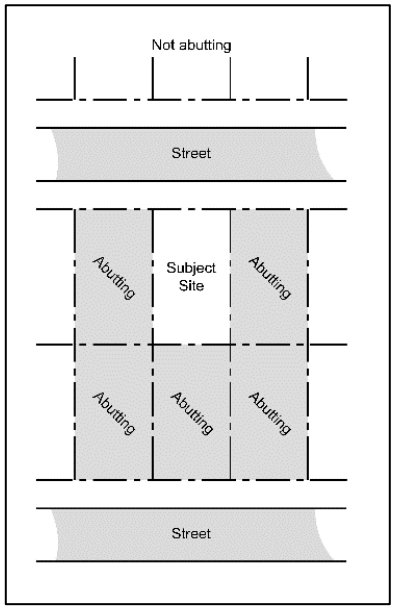
Adjacent means lands that Abut or would be next to a Site if not for an easement, right of way, railway, Road, lane, river, or stream;

Amenity Space means an indoor or outdoor space designed for active or passive recreation, and enjoyment, provided as common or private spaces or a combination of both;

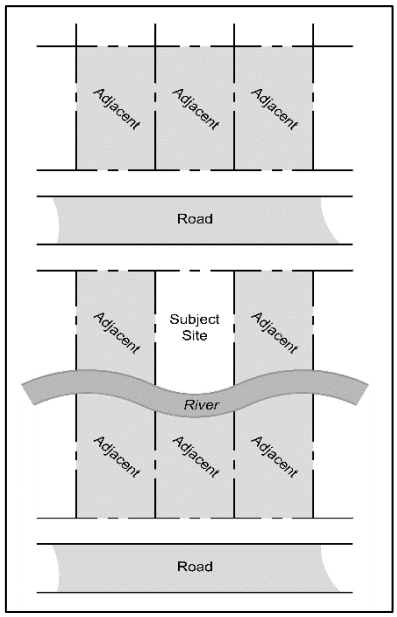
Bed and Breakfast means a Dwelling Unit where temporary sleeping accommodations, with meals, are provided for remuneration to members of the public;

Bicycle Storage means a space designed for parking a bike in an orderly and secure manner, and can be designed to secure a bike horizontally or vertically;

Boundary means the registered property line of a Site;



Example of *Abut* or *Abutting*



Example of *Adjacent*

Examples of *Amenity Space* can include sitting areas, playgrounds, pools, patios, balconies, Decks, and exercise rooms.

Building means anything constructed or placed on, in, over or under land, but does not include a highway or Road or a bridge that forms part of a highway or Road;

A *Building* may include a structure, but also includes examples such as fencing, Freestanding Signs, and light posts.

Building Footprint means the area of a Building measured from the outer surface of the exterior of the Building at Grade level;

Building Height means the vertical distance between the Grade of a Building and the highest point of the Building, without considering any device or feature not structurally essential to the Building;

Examples of elements excluded from *Building Height* measurements include roof stairways, chimneys, skylights, and water tanks.

Bylaw or **the Bylaw** or **this Bylaw** refers to Zoning Bylaw 3357/2024, unless explicitly stated otherwise;

Bylaw Officer means a person authorized by the City to enforce City bylaws;

Cannabis is as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time;

Cannabis Accessory is as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time;

Capstone Zones mean the Capstone Taylor Drive Zone (CAP-TD), the Capstone Commercial Zone (CAP-C), and the Capstone Primarily Residential Zone (CAP-PR);

Character Statement defines the design elements of a specific geographic area that makes it different from another geographic area;

City or **The City** means the City of Red Deer;

Commercial means a use of land primarily related to or used for the buying and selling of goods and services to the public;

Commercial Zone means a Zone primarily related to or used for Commercial uses;

Common Amenity Space means an Amenity Space provided for communal use which must be accessible by all occupants of a Development;

Container Class means the container standard as it relates to pot sizes referenced in the Canadian Nursery and Landscape Association's current publication entitled "Canadian Standards for Nursery Stock" as may be amended from time to time;

Contract Specifications means a publication produced by the City's Engineering Services which provides a basic method for the execution of constructing City

infrastructure, the City's expectations of safety, site conditions, workmanship, and technical information of products acceptable to meet City standards;

Corner Site means a Site which has at least 2 Boundaries that Abut the intersection of 2 Roads, 2 lanes, or a lane and a Road.

Crest means the break between the slope face and the generally flat area located above the escarpment;

[1]**Deck** means a horizontal structure with a surface height greater than 0.6m above Grade at any point;

Development means:

an excavation, borehole, or stockpile and the creation of either of them;

a Building or an addition to, or replacement or repair of a Building and the construction or placing in, on, over or under land of any of them;

a change of use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change in the use of the land or Building; or

a change in the intensity of use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change in the intensity of use of the land or Building;

Development Authority includes:

a person designated as a Development Officer under this Bylaw;

the Municipal Planning Commission; or

City Council where so identified in a Direct Control Zone;

Development Officer means a person designated by the City Manager responsible to administer the provisions of this Bylaw.

Development Permit means a document or permit, which may include attachments, issued pursuant to this Bylaw authorizing a Development;

Discretionary Use means the use of land or Building in a Zone for which a Development Permit may be issued, with or without conditions, by the Development Authority;

[1] 3357/QQ-2024

Driveway means an area that provides access for vehicles from a Road or private roadway to a Site;

Dwelling Unit means a self-contained Building, or a part of a Building, usually containing cooking, eating, living, sleeping and sanitary facilities and used, or designed to be used as a permanent residence by a household;

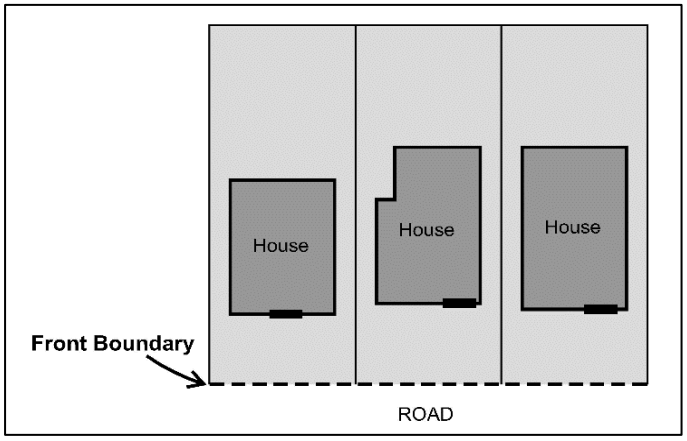
Edge Zone means the Setback between a Building and the Abutting Road, Movement Corridor, or Public Space;

Engineering Design Guidelines means a publication produced by the City's Engineering Services which provides technical information required for construction of a Development;

Entrance Lighting means exterior lighting that is located above or Adjacent to the primary and secondary entrances of a Building;

Exterior Side Setback means the minimum distance that Development must be placed from a Side Boundary facing a Road or lane;

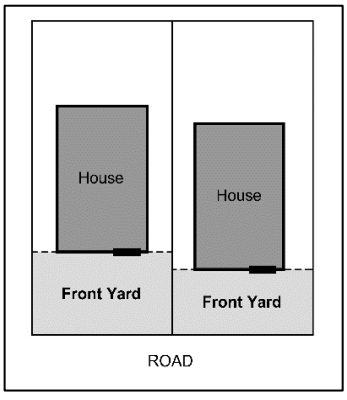
Frontage means the linear distance of the Front Boundary;



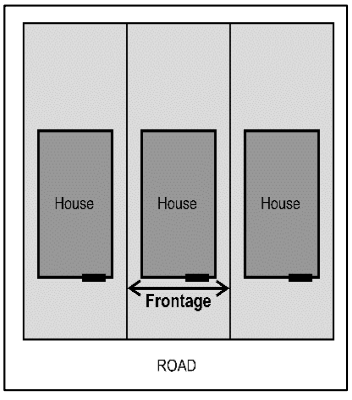
Example of *Front Boundary*

Front Boundary means the shortest Boundary of a Site Adjacent to a Road, except on Corner Sites where the Development Authority will determine which Boundary is the Front Boundary;

Front Yard means that part of a Site which extends across the full width of a Site between the Front Boundary and the nearest wall or Projection of a Building;



Example of *Front Yard*



Example of *Frontage*

Garage means a Building or part of a Building which is designed and used for the storage, Parking, or the maintenance of vehicles;

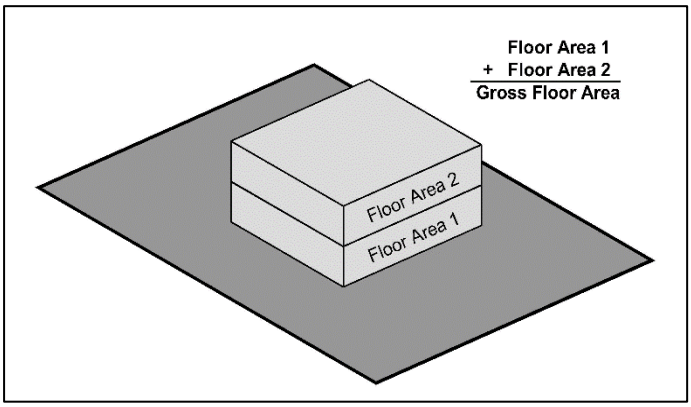
[2]**Garage Sale** means the selling of used or unwanted items from a private residence for a temporary period of time, and includes variations such as yard sale;

Grade means the average finished ground level Adjacent to the walls of a Principal Building;

Green Building Materials means Building materials that are salvaged, refurbished, or recycled;

Gross Floor Area means the total floor area of each floor of a Building measured from the outside surface of the exterior wall, and includes all floors except Parking levels;

Gross Leasable Floor Area is the amount of floor area available to be rented in a Commercial property. Specifically, Gross Leasable Floor Area is the total floor area designed for tenant occupancy and exclusive use;



Example of *Gross Floor Area*

Immediate Road Context refers to existing Development along the same Road Frontage, on both sides of the Road, as the proposed Development and within the same block;

Industrial means Development involved in at least 1 of the following:

the processing of raw materials;

the making, manufacturing, or assembling of semi-finished or finished goods, products or equipment;

the cleaning, servicing, repairing, or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial Zones;

the storage or transferring of materials, goods and equipment;

the distribution and sale of materials, goods and equipment to institutions or industrial and Commercial businesses for their direct use; or

[2] 3357/SS-2024

Agriculture related Developments satisfying 1 or more of the above;

Industrial Zone means a Zone primarily related to or used for Industrial uses;

Interior Side Setback means the minimum distance that Development must be placed from a Side Boundary that does not face a Road or lane;

Landfill means a Landfill as defined in the Matters Related to Subdivision and Development Regulation, as amended;

Landfill or Wastewater Treatment Plant Setback means the area in proximity of a Landfill or Wastewater Treatment Plant as established by the Matters Related to Subdivision and Development Regulation, as amended;

Landscaped Area means the parts of a Site planted with trees, shrubs or other vegetation including soil, landscape rocks, or bedding material areas associated with plantings;

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

Live Portion means the areas of a Dwelling Unit not contained in an attached Garage, including covered spaces such as verandahs and porches;

Main Floor means the floor of the Building that is closest to the Grade;

Major Corridors means an area of 20m measured from the Site Boundary that is Adjacent to:

Gaetz (50) Avenue from the southern boundary of the City to 22 Street or Boyce Street;

Gaetz (50) Avenue from the northern boundary of the City to Kingston Drive or 80 Street;

Taylor Drive from the southern boundary of the City to 22 Street;

67 Street or Highway 11 from the western boundary of the City to Taylor Drive;

Highway 11A from the western boundary of the City to Taylor Drive; or

Highway 2 within the City;

Manufactured Home Lot means the space allotted for the installation of 1 Manufactured Home in a Manufactured Home Park;

Movement Corridor means corridors that facilitate movement of all users as shown in the Capstone Area Redevelopment Plan;

Net Floor Area means the part of the Gross Floor Area which excludes mechanical rooms, utility rooms, public washrooms, stairwells, elevators, escalators, common Walkways, and non-leasable basement space;

Overlay means additional Development regulations superimposed on specific areas of the Zoning Bylaw map, which add to the Development regulations of the underlying, or prevail in the event of a conflict;

Parapet Wall means a low wall or barrier which is a vertical extension of the wall at the edge of a roof, terrace, balcony, Walkway, or other structure, or an architectural feature to screen mechanical equipment;

Parking means the space used for motor vehicle parking;

Parking Pad means an area designed for the parking of motor vehicles on a Site, where a Garage, Parking lot or other Parking facilities may or may not be otherwise provided;

In this Bylaw, *Parking* (capitalized) refers to the area for motor vehicles to be parked. *parking* (lowercase) refers to the action of moving a vehicle into an area to be parked.

Permitted Use means the use of land or Building in a Zone for which a Development Permit must be issued, with or without conditions, by the Development Authority if the Development conforms to this Bylaw;

Principal Building means a Building in which a Principal Use of a Site occurs;

Principal Use means the primary use, or intended use, of a Site or Development;

Private Amenity Space means an Amenity Space provided for the exclusive use of the occupants of only 1 unit and is directly accessible from the unit;

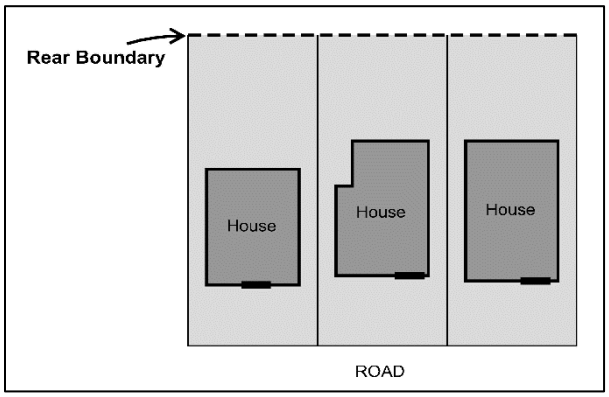
Projection means any horizontal structural or architectural element, Building feature or other object that:

overhangs, protrudes, or encroaches into the prescribed Setback; and

is permanent in nature or not movable by hand;

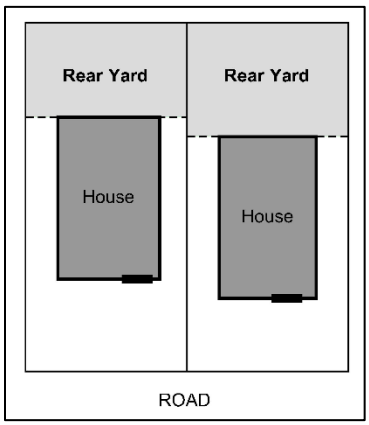
Public Property means all lands owned or under the control of The City;

Rear Boundary means the Boundary of a Site lying opposite the Front Boundary;



Example of *Rear Boundary*

Rear Yard means that part of a Site which extends across the full width of a Site between the Rear Boundary and the nearest wall or Projection of a Principal Building;



Example of *Rear Yard*

Recreational Vehicle means a vehicle or portable Building designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, which provides temporary living accommodation for travel or recreational purposes;

Examples of *Recreational Vehicle* includes campers, tent trailers, and motor homes.

Report means a professional technical assessment;

Some examples of *Report* include a geotechnical assessment, a real property report, or a parking assessment.

Residential means a use of land primarily related to or used for housing;

Residential Building means a Building which is designed or used exclusively for 1 or more Dwelling Units;

Residential Zone means a land use Zone primarily used for Residential housing;

Road means land identified as Road on a legal plan of survey or land used as a public roadway but does not include a lane;

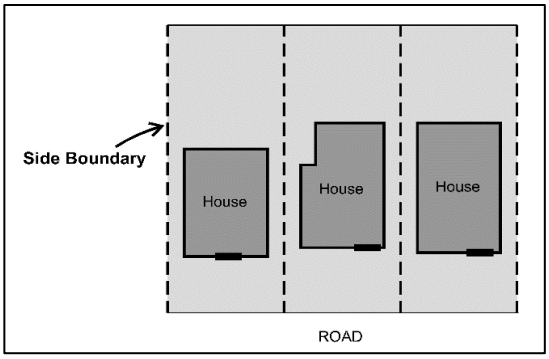
Roof Terrace means a raised flat surface on which people can gather, that is on top of a roof or partially recessed within the roof of a Building, does not project beyond any façade of the storey below, is surrounded by guardrails, Parapet Walls, or a similar feature, and is intended for use as an Amenity Space;

Screened means landscaping, fences, or berms which serve to visually separate areas, functions, Sites, or uses;

Setback means the distance that Development must be placed from a Boundary;

Shipping Container means a container designed for the intermodal transport of goods;

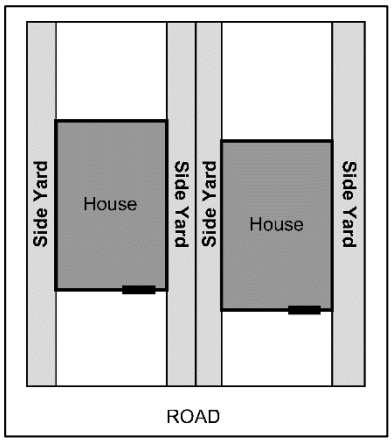
Side Boundary means the Boundaries of a Site connecting the Front Boundary with the Rear Boundary;



Example of *Side Boundary*

Sidewalk means a hard surfaced public Infrastructure path for pedestrians within the Road right of way and part of Public Property;

Side Yard means that part of a Site which extends from a Front Boundary to the Rear Boundary between the Side Boundary of a Site and the nearest wall or Projection of a Principal Building;

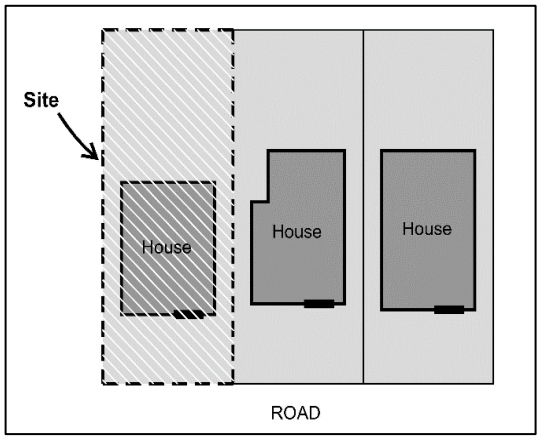


Example of *Side Yard*

Similar Use means a use of a Site or Building, in a Zone, which in the opinion of a Development Authority is similar in character and purpose to a Permitted Use or a Discretionary Use in that Zone, and conforms with the applicable general purpose of the Zone, but does not include a use that is a Permitted Use or a Discretionary Use in any other Zone, excluding Direct Control (DC) Zones.

Site means any lot or parcel of land, as defined in Part 17 of the Act, or, in the case of a Shopping Centre, the total area on which the Shopping Centre is located, whether divided into several lots or condominium parcels or not;

Site Area means the area contained within the boundaries of a Site.



Example of *Site*

Site Coverage means the area of a Site covered by Buildings above Grade with a permanent foundation, excluding covered Decks;

Site Plan means a plan of a Site submitted in support of a Development Permit application;

Subdivision Authority means the Subdivision Officer or the Municipal Planning Commission;

Sustainable Landscaping means a method of landscaping that promotes little to no use of potable water and plant material suitable for Canada Zones 1-3 that will require less watering, mechanical maintenance, and use of fertilizers and pesticides;

Tandem Parking means 2 Parking spaces, 1 behind the other, with 1 point of access. Tandem Parking is not the same as parallel Parking;

Trailer means an unpowered vehicle towed by another motor vehicle used to transport property, Household goods, tools, equipment, supplies, motor vehicles, off-road vehicles, or watercraft;

Trail Lighting means a system of light fixtures or poles providing lighting for Walkways and gathering areas;

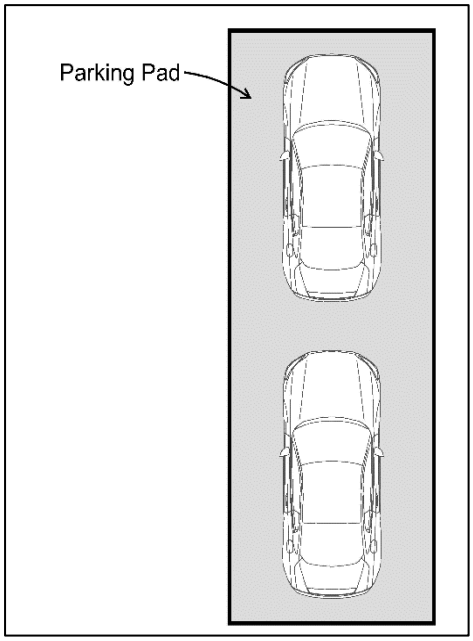
Vertical Greening means all plant material such as climbing vines or cascading ground cover that grow up, down or from the façade of a Building, privacy screen or other freestanding structure, whether rooted at the base of the Building, in intermediate planters, on rooftops or into the wall itself;

Walkway means a passage or path for pedestrians on private land;

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

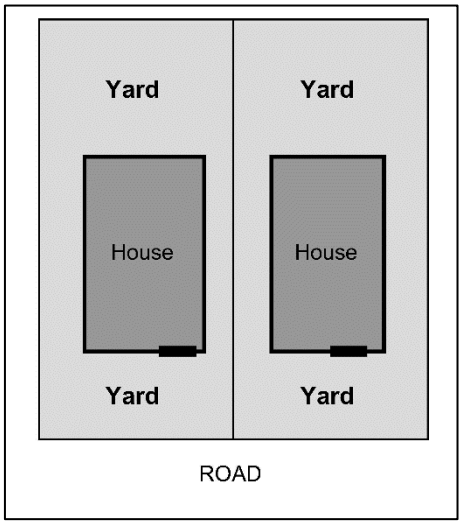
Yard means the part of a Site unoccupied by any part of a structure;

Zero Lot Line means a Development where 1 Side Yard Setback is reduced to 0.0m and each principal Dwelling Unit is developed on its own Site;



Example of *Tandem Parking*

Some examples of *Trailer* include flatbed Trailers, cargo Trailers, car haulers, or utility Trailers.



Example of *Yard*

Zone means a land use Zone established under this Bylaw;

1.60 Use Definitions

Per subsection 1.110.3, If a use is defined, it cannot be included in another defined use. For example, Merchandise Sales and Rentals does not include the sale of Cannabis related products, as that is included in Cannabis Retail Sales.

1.60.1 Where examples are used in definitions, they are meant to explain the definition and are not meant to limit the scope of the definition in any way.

1.60.2 In this Bylaw, unless context otherwise requires:

Above Ground Storage Tank means a use for handling petroleum products in bulk quantities and includes supplementary tanker vehicle storage;

Accessory Building means a use where a partially or fully enclosed Building is subordinate and normally or naturally incidental to that of the Principal Building on the same Site, and may include Temporary Buildings;

Accessory Use means a use which is subordinate and normally or naturally incidental to that of the Principal Use on the Site;

Adult Entertainment means a use where products or services of a sexual nature are provided and shows or displays of nudity with an erotic or sexually explicit intent are performed and may include:

adult mini-theatres, which are any use where live performances, film or video or other electronic or photographic reproductions are performed and shown;

erotic dance clubs or strip clubs; or

services of which a principal feature or characteristic is the nudity or partial nudity of any person;

Agriculture means a use for the primary production of farm products such as:

grains, vegetables, or other field crops;

intensively grown trees and shrubs;

livestock; or

dairy products.

Agriculture may include stands for the sale of items grown or produced on the Site;

Alternative or Renewable Energy Facility means a use that either generates energy using natural or renewable resources or produces low emissions energy;

Animal Services means a use for the treatment, boarding, or training of animals and includes ancillary retail sales of associated products;

Typical examples of *Animal Service* can include veterinary clinics, boarding and breeding kennels, and impounding and quarantining facilities.

[3]**Apartment** means a use where a Building contains 3 or more Dwelling Units arranged in any horizontal or vertical configuration with a shared entrance through a common vestibule for some or all of the Dwelling Units. This use may also include separate entrances at Grade;

Auction Mart means a use where goods and equipment are auctioned and includes the temporary storage of such goods and equipment;

Backyard Suite means a use where an Accessory Building contains a Dwelling Unit that is located separate from the principal Dwelling Unit that is a House or a Manufactured Home;

Business Incubator means a use accommodating leasable Commercial space with communal washrooms and a shared reception area.

Business Support Services means a use used to provide support services to businesses which are characterized by 1 or more of the following features:

Typical examples of *Business Support Services* can include printing establishments, janitorial firms, and office equipment sales and repair establishments.

the use of mechanical equipment for printing, duplicating, binding or photographic processing;

providing office maintenance or custodial services;

providing office security;

the sale, rental, repair or servicing of office equipment, furniture, and machines; and

the support offered is to another business with the same Zoning.

Campground means a use intended to allow temporary camping, including the erection of tents or the parking of Recreational Vehicles, either of which may be used for short-term sleeping or living accommodations;

Cannabis Production Facility means a use where commercial Cannabis-related activities permitted by federal legislation may be conducted, such as the growing,

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production, labelling, packaging, storing and transporting of Cannabis, but excludes the growing of Cannabis by an individual for their personal use and consumption;

Cannabis Retail Sales means a use for a retail store that is licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend at the Site;

Capstone Existing Building means a use where a Building within 1 of the Capstone Zones existed at the time of passing of Bylaw 3357/Q-2016 on December 5, 2016, and amendments thereto;

Cemetery means a use where land is used as a place for the burial of deceased persons or animals;

Commercial Entertainment Facility means a use in a Building that is specifically built or adapted to provide entertainment to the public;

Typical examples of *Commercial Entertainment Facility* can include movie theatres, comedy clubs, and live theatres.

Commercial School means a use which provides instruction, training, or certification in a specific trade, service, skill, or artistic endeavour;

Typical examples of *Commercial School* can include trade, dance, music, business, and beauty schools.

Commercial Service Facility means a use in which Commercial services related to the day-to-day needs of customers are provided. This use may include small animal clinics and small animal grooming;

Communication Facility means a use where radio, television, motion pictures, or audio performances are produced, recorded, or broadcasted;

Community Garden means a use for a garden plot, or multiple garden plots, gardened collectively by a group of people;

Courtyard means a use for an enclosed, or partially enclosed, semi-private outdoor space on a Site. A Courtyard facilitates access to greenspace that is sheltered from wind and noise and may provide a closed off area for children to play;

Crematorium means a use where deceased persons, pets, or companion animals are incinerated, and the ashes of the deceased are collected;

Cultural Facility means a use for the display, storage, restoration, or events related to art, literature, music, history, or science;

Typical examples of *Cultural Facility* can include art galleries, libraries, and museums.

Dangerous Goods Occupancy means a use that, unless otherwise determined by the Development Authority after consultation with the Fire Chief, includes, but is not limited to, any occupancy where dangerous goods as defined by the National Fire Code - Alberta Edition, are unloaded, loaded, stored, processed, or otherwise handled in quantities in excess of the small quantities exemptions set forth in the National Fire Code – Alberta Edition;

Data Processing Centre means a use to house computer systems and associated components for processing data;

Typical examples of *Data Processing Centre* can include server farms or blockchain processing centres.

Day Care Facility means a use in which the Principal Use is providing care or supervision for children for less than 24 consecutive hours in a day. Day Care Facility may include day cares, kindergarten or out-of-school care;

Detention and Correction Services means a use for the purpose of holding or confining and treating or rehabilitating persons;

Typical examples of *Detention and Correction Services* can include prisons, mental institutions, and corrections centres.

Drinking Establishment (Adult Entertainment Permitted) means a use where the Principal Use is the sale of alcoholic beverages for consumption on the Site and an Accessory Use may include Adult Entertainment;

Drinking Establishment (Adult Entertainment Prohibited) means a use where the Principal Use is the sale of alcoholic beverages for consumption on the Site;

Drive-Through means an Accessory Use where services are provided to patrons who are in a motor vehicle;

Duplex means a use where a Residential Building consists of 2 separate Dwelling Units, each with their own separate outdoor entrance where:

1 unit is placed over the other in whole or part; or

the units are joined side by side or back-to-back and separated by a common party wall extending from the foundation to the roof;

Eco Industrial Waste Production or Consumption means a use in the Eco Industrial Park Overlay that either:

produces waste materials, outputs, or by-products that may be used as inputs for another industrial operation in the Eco Industrial Park Overlay; or

consumes waste material, outputs, or by-products that are produced by another industrial operation in the Eco Industrial Park Overlay;

Educational Institution - Primary and Secondary means a use for which the Principal Use is to provide academic and technical instruction for grades K to 12. This use includes publicly or privately supported institutions or a combination thereof;

Educational Institution – Post Secondary means a use for which the Principal Use is to provide publicly funded education, training or instruction for post-secondary students and includes programs of study in line with the Post-Secondary Learning Act. This includes typical Accessory Uses for post secondary educational institutions including student services, student organizations, and student and faculty housing. This use may include a Commercial School or Commercial Service Facility as an Accessory Use;

Emergency Services means a use providing police, fire protection, or ambulance services;

Emergency Shelter means a use that provides accommodation for people in need of immediate shelter or short-term accommodation. An Emergency Shelter may offer health, education, and other programs and services to clients but does not provide Residential treatment programs;

A typical example of *Emergency Shelter* includes an overnight shelter.

Funeral Home means a use which provides for the arrangement of funerals, the holding of funeral services, and the preparation of deceased persons for burial or cremation.

Gaming or Gambling Establishment means a use where games of chance or percentage are the Principal Use of the Site.

Typical examples of *Gaming or Gambling Establishment* includes bingo halls and casinos.

General Contractor Services means a use used for providing Building construction, land Development, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, Road construction, sewer or similar services of a construction nature which require Site storage space for materials, construction equipment or vehicles normally associated with the contractor service. This use may include Accessory Uses such as a show room, office space, or retail sales to the Principal Use;

Government Services means a use for which the Principal Use is to provide municipal, provincial or federal government services to the public;

Typical examples of *Government Services* include taxation and employment offices, courthouses, and post offices.

Greenhouse means a use in a Building for the propagation, storage and sale of plants, and may include the sale of products used for landscaping purposes;

Health and Medical Services means a use that provides services that are regulated under the Health Professions Act, related to the physical or mental health and well-being of individuals;

Home Occupation Major means a use where a business is located on a Residential Site that may have more than 1 business associated visit at a time. The business must be secondary to the Residential use of the Site and must be operated by a resident of the Site. The business may be used as a workplace by non-residents. This use includes a Bed and Breakfast;

Home Occupation Minor means a use where a business is located on a Residential Site that does not have more than 1 business associated visit at a time. The business must be secondary to the Residential use of the Site and must be operated by a resident of the Site. The business may not be used as a workplace by non-residents;

Hospital means a use for both inpatient and outpatient medical care that may include long-term and short-term care, overnight stays, diagnostic, laboratory, and surgical services for the treatment of human illness, injury, and disease;

Hostel means a use for short term lodging for travellers, consisting mainly of dorm style accommodations, shared kitchens and common areas;

Hotel means a use providing temporary sleeping accommodation in rooms or suites, other than Dwelling Units;

House means a use where a free-standing Residential Building is constructed on the Site on a permanent foundation and contains 1 Dwelling Unit, or a Dwelling Unit and a House Suite;

[4]**House Suite** means a use consisting of a Dwelling Unit located within, and accessory to, a principal Dwelling Unit in the same Building;

Indoor Recreation Facility means a use in which a Building is used for athletic, recreation, or leisure activities. This use may include outdoor sports fields on the same Site;

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Industrial Operations means a use for which the Principal Use is 1 of the following:

processing of raw or finished materials;

manufacturing or assembling of any article;

servicing or repair of any Industrial article;

distribution of articles to institutions, or industrial and commercial business for their direct use;

rental of Industrial equipment;

Industrial or Commercial Training Facility means a use that provides the training of personnel in Commercial businesses or Industrial Operations;

Information Service Provider means a use where services, expertise, or access to information is provided to the general public without appointment;

A typical example of *Information Service Provider* includes a tourism information centre.

Late Night Club means a use where the primary purpose of which is to host late night events;

Lease Bay Building means a use where an individual Building is designed to allow multiple businesses, each occupying 1 or more bays in a condominium or leasehold tenure arrangement;

Liquor, Beer, and Wine Sales means a use where prepackaged alcoholic beverages are sold for consumption off the Site and that is licensed by the Alberta Gaming and Liquor Commission;

Typical examples of *Liquor, Beer, and Wine Sales* include specialty wine stores, liquor stores, or off-sale outlets.

Low Impact Commercial Use means a use conducting Merchandise Sales and Rentals, a Commercial Service Facility, Commercial services, or the operation of an Office from a House in a Residential Zone in a manner which does not adversely affect Adjacent Residential uses;

Machinery Sales means a use for the retail sale, service, and rental of new or used commercial, industrial, and agricultural vehicles and equipment;

Manufactured Home means a use where a Building containing 1 Dwelling Unit suitable for long-term occupancy, designed to be moveable, and arriving at a Site ready for occupancy except for incidental operations such as placement on foundation supports and connection to Utilities;

Manufactured Home Park means a use where a Site under 1 title which is divided into Manufactured Home Lots;

Manufacture Home Sales means a use for which the Principal Use is the sale of Manufactured Homes;

Merchandise Sales and Rentals means a use for the sale, rental, service, repair or combination thereof of goods within a Building for use or consumption by the public;

Microbrewery means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place and includes distribution, retail or wholesale, on or off the Site, and includes at least 1 of the following: tasting room, Drinking Establishment or Restaurant;

A typical example of *Microbrewery* includes a micro-distillery.

Mixed-Use Building means a use where a Building contains Dwelling Units and Commercial uses;

Motor Vehicle Sales, Service, or Repair means a use for the sales, servicing and repair of motor vehicles, Recreational Vehicles, or Trailers, including car washes;

Off Leash Dog Park means a use where public space is marked by Signs or other methods where dogs are allowed to exercise or play without leash, but under supervision.

Oilfield Support Services means a use that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or transhipping of such materials, goods and equipment, including petrochemical products and supplies;

Typical examples of *Oilfield Support Services* include seismic and surveying, well servicing, oilfield haulers, pipeline contractors, and welding operations.

Open Space means a use where picnic areas, facilities, and playgrounds or tot lots are available for use by the public;

Outdoor Display or Sale of Goods means a use for the display of goods for sale, but does not include the sale or display of goods by licensed hawkers;

Outdoor Recreation Facility means a use providing sports and culture facilities which are available to the public for sports and active recreation conducted outdoors;

Typical examples of *Outdoor Recreation Facility* include golf courses, ski hills, sports fields, boating facilities, outdoor swimming pools, riding stables, and fitness trails.

Outdoor Storage means a use for the storage of goods or materials outside of a Principal Building on the Site or, where there is no Principal Building, the Site is used as a storage Yard;

Parking Lot means a use where an area is dedicated for motor vehicles to be parked that may be accessory to, or independent of, another use on the same Site;

Parking Structure means a use for Parking in a multi-tiered Building that may be accessory to, or independent of, any other use on the same Site;

Professional Office means a use that provides professional, managerial, administrative, business support or consulting services. This use may have minimal retail activity incidental to the Principal Use;

Public Assembly means a use for public gatherings and assemblies. This use includes assembly areas used for religious, community, or social activities;

Typical examples of *Public Assembly* include places of worship, community centres, auditoriums, and convention centres.

Recycling Depot means a use for the collection and temporary storage of recyclable material including bottles, cans, newspapers, and similar Household goods. A Recycling Depot may include the supplementary production and sale of by-products or materials;

Restaurant means a use where the primary use of the facility is the sale of prepared foods and beverages to the public, for consumption within the Site or off the Site. A Restaurant typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family Restaurants;

Secured Facility means a use providing Residential accommodation which require increased levels of service and a Building with enhanced safety and security controls;

Security Suite means a Dwelling Unit provided as an Accessory Use for the purpose of providing surveillance for the maintenance and safety of the Development on the Site;

Self-Storage Facility means a use where separate, secured indoor storage units are designed for the public to have private storage of personal items;

Service Organization means a nonprofit or not-for-profit organization related to an Educational Institution - Post Secondary's programs, or serving its students, faculty, or staff;

Service Station means a use where flammable or combustible liquids are put into the fuel tanks of vehicles, and includes self-service outlets, electric, or alternate energy charging for vehicles;

Shopping Centre means a Commercial multi-unit Development comprised of multiple Buildings on a single Site. This use may include a mix of single occupant Buildings and Lease Bay Buildings;

Show Home means a use where a Building or part of a Building is temporarily used to exhibit a space for sale, rent, or a prize in a raffle or lottery, and may be used as a sales office;

Specialty Food Services means use where limited types of prepared foods and beverages are offered for sale to the public, for consumption within the Site or off the Site. Specialty Food Services may include packaging, bottling, or shipping of the products made as part of the use.

Typical examples of *Specialty Food Services* include cafes, bakeries, and butcher shops.

Supervised Consumption Services means a use 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;

Supporting Sales means a use where the sale of product produced and packaged on the Site is accessory to the Principal Use on the Site;

Supportive Living Accommodation means a use that is intended for the permanent Residential living where an operator also provides or arranges for on the Site services to assist residents to live independently or to assist residents requiring full-time care;

Targeted Grazing means a use for the temporary placement of livestock on a Site as a form of low impact vegetation control. This use may include temporary fencing;

Temporary Building means a use where a Building without any foundation below Grade is used on a temporary basis, and may include a Shipping Container;

Temporary Care Facility means a use providing temporary living accommodations in addition to services for professional care, supervision, and health treatment.

Typical examples of *Temporary Care Facility* include short-term rehabilitation centres for substance abuse, and detoxification centres.

Temporary Use means a use which may remain in place for a limited time, conforms to the general purpose of the Zone, does not unduly interfere with amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;

[5]**Townhouse** means a Residential Building containing 3 or more Dwelling Units arranged in any horizontal or vertical configuration, each with their own separate entrance to Grade. This use includes row houses, stacked row houses, triplexes, and fourplexes;

Transportation Services means a use using vehicles to transport people, currency, documents, and packages;

Typical examples of *Transportation Services* include bus lines, transit services, taxicabs, limousine services, and courier services.

Utilities means public utilities as defined in Part 17 of the Act, with the exceptions of a waste management and telecommunications;

Utility Facility means a use for the operation, maintenance or administration of water, gas, waste, electrical services or energy transmission, or a facility within a railway right of way. This use may include an Alternate or Renewable Energy Facility;

Warehouse means a use for the indoor storage of goods or merchandise;

Waste Management Facility means a use for the storage, processing, treatment, and disposal of solid waste;

Typical examples of *Waste Management Facility* include sanitary Landfills, waste transfer and compacting stations, waste-to-energy stations, facilities for the recycling of materials, and snow dump sites.

Wastewater Treatment Plant means a Wastewater Treatment Plant as defined in the Matters Related to Subdivision and Development Regulation, as amended.

[5] 3357/SS-2024

1.70 Sign Definitions

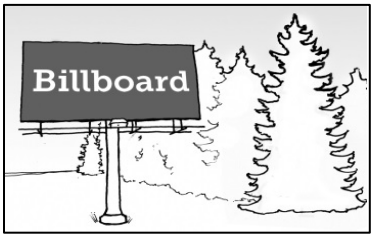
1.70.1 Where examples or graphics are used in definitions, they are meant to explain the definition and are not meant to limit the scope of the definition in any way.

1.70.2 In this Bylaw, unless context otherwise requires:

Accessory Tenant is a business that uses land, a Building, or part of a Building from the principal business on a Site;

Architectural Feature is an exterior characteristic of a Building including brackets, columns, pilasters, doors, window and door surrounds, Projections, cornices, pediments and balustrade, architectural hardware, or similar features, as well as paints, finishes and colours;

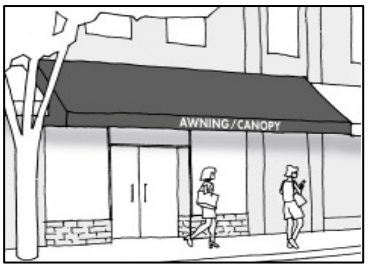
Billboard Sign means a Permanent Sign that is not attached to another Building where content is allowed for periodic replacement. Billboard Signs can contain Third Party Advertising and do not include a dynamic component or electronic messaging;



Example of a *Billboard Sign*

Building Sign is a Sign attached to or connected to, inscribed, marked, or painted onto the Façade or outside surface, including windows, of a Building. Building Signs must not include a Dynamic or an Electronic Message. The following Signs are types of Building Signs:

Awning or Canopy Sign is a lightweight Sign that is entirely supported from a Building by a fixed or retractable frame;



Example of an *Awning or Canopy Sign*

Fascia Sign is a Sign that runs parallel to the Building Façade where it is displayed or attached, but does not include a Painted Wall Sign or a Permanent Window Sign;

Identification Sign is a Sign that identifies, by name or symbol, the Building or Site where the Sign is placed. Information may include the name, address, and number of the Building;

Painted Wall Sign is a Sign that is painted, inscribed, or marked directly on a Building Façade;

Permanent Window Sign is a Sign which is permanently posted, painted on, attached to, or placed in or on a window or otherwise exposed so it is visible from the outside of the Building;

Projecting Sign is a Sign which projects or hangs from a Building. It may be perpendicular or parallel to a Façade;



Example of a *Fascia Sign*



Example of a *Painted Wall Sign*



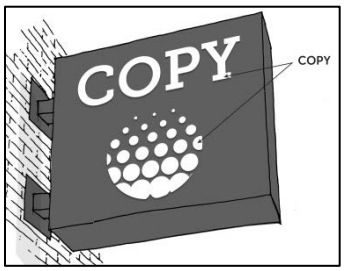
Example of a *Permanent Window Sign*



Example of a *Projecting Sign*

Community Bulletin Board Sign is a Sign used to post community information and event notices;

Copy means all logos, letters, numbers, graphics or characters on a Sign;



Example of *Copy*

Copy Area means the area, measured in square metres, that encompasses all the Copy on a Sign, excluding the structure that supports the Sign;

Developing Community means land, undergoing a transition from a rural use to an urban use or redevelopment by way of, but not limited to, the installation of new Utilities, Roads, public amenities, allocation of Residential, Commercial, or Industrial land uses until such time the land is developed, as determined by the Development Authority;

Dynamic means components of a Sign that move or appear to move or change, and includes any display that incorporates a technology or method allowing the image on the Copy Area to change such as rotating panels, LED lights manipulated through digital input, laser projection, or digital ink;



Example of a *Dynamic Fascia Sign*

Dynamic Fascia Sign is a Fascia Sign with features that move or appear to move or change and includes any display that incorporates a technology or method allowing the image on the Sign Area to change such as rotating panels, LED lights manipulated through digital input, or digital ink. Dynamic Fascia Signs must not display videos;

Dynamic Freestanding Sign is a Freestanding Sign with features that move or appear to move or change and includes any display that incorporates a technology or method allowing the image on the Copy Area to change such as rotating panels, LED lights manipulated through digital input, or digital ink. Dynamic Freestanding Signs must not display videos;

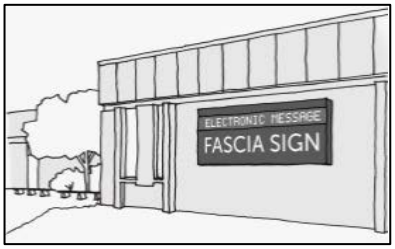


Example of a *Dynamic Freestanding Sign*

Dynamic Sign is a general term to describe Dynamic Fascia Signs and Dynamic Freestanding Signs;

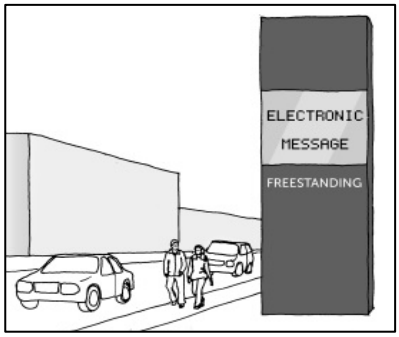
Electronic Message means alpha-numeric text, scrolling text, or characters that change through electronically controlled changing lights or digital programming. Electronic Messages must not have any other Dynamic components, or display videos or images;

Electronic Message Fascia Sign is a Fascia Sign with a part of it that displays text, scrolling text, or characters, through electronically controlled changing lights or digital programming. Electronic Message Fascia Signs must not display videos;



Example of an *Electronic Message Fascia Sign*

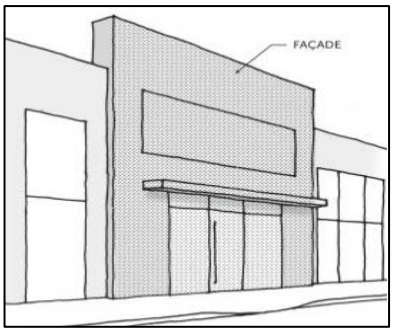
Electronic Message Freestanding Sign is a Freestanding Sign with a part that displays text, scrolling text, or characters, through electronically controlled changing lights or digital programming. Electronic Message Freestanding Signs must not display videos;



Example of an *Electronic Message Freestanding Sign*

Electronic Message Sign is a general term to describe Electronic Message Fascia Signs and Electronic Message Freestanding Sign;

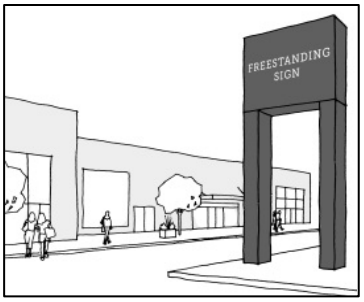
Façade means the side of a Building below the eaves, generally on the side of a Building facing a Road exposed to public view;



Example of a *Façade*

First Party Advertising means Copy that promotes goods, services, or activities available on the Site where the Sign is located;

Freestanding Sign is a Sign that has independent supports placed in the ground that is not part of another Building;



Example of a *Freestanding Sign*

Ground Sign means a general term to describe Permanent Signs that are not affixed, plastered, etc. on Buildings. Examples of Ground Signs include Freestanding Signs, or Neighbourhood Identification Signs;

Identification Sign is a Sign that identifies the occupant, business or the Site by name, symbol, or logo. It may include the name, number, and address of the Building, institution, or person, but may not include any additional advertising content;

Illumination or Illuminated means the use of artificial light to:

reflect off the surface of a Sign (external Illumination); or

project through the surface of a Sign (internal Illumination); or

project from behind the surface of a Sign (backlit).

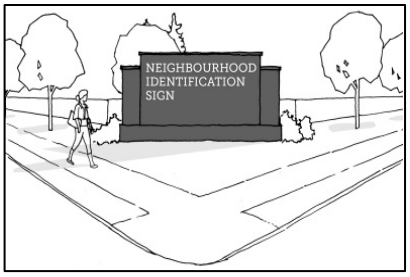
Incidental Sign is a Sign, typically inside the Site, used to inform the public about facilities or services on the Site. Incidental Signs may include Signs for restrooms, hours of operation (including open and closed Signs), acceptable credit cards, and advertising on gas pumps or recycling containers;

Interpretive Sign means a Sign used to inform and educate the public of a Site's heritage, cultural, or environmental significance;

Multi-Tenant means 2 or more businesses or Residential units within a complex that either share a common Parking area, or that occupy a single Building or separate Buildings that are physically or functionally related;

Mural is a piece of art that is painted or otherwise applied to the Façade or other integral part of a Building. A Mural is not a Sign because it is for public display only and may not include advertising;

Neighbourhood Identification Sign means a Sign that identifies the name of a neighbourhood and may contain a logo, symbol or map which is related to the community name;



Example of a *Neighbourhood Identification Sign*

Permanent Directional Sign is a Sign used to identify the distance or direction to a place of business or other Sites indicated on the Sign;

Permanent Sign is a Sign that is permanently fastened to a Building or ground and intended to exist indefinitely at the Site;

Property Management Sign is a Sign that identifies the party or agent responsible for the management of the Site and any sales, leasing, or rental information;

Recreation Sponsor Sign means a Sign on sports field fencing, an Accessory Building, or a structure such as dugouts, bleachers, or media towers, that advertises the sponsor's business, or the event or team being sponsored;

Sign is a visual tool, including its structure that communicates using words, numbers, pictures, graphics, or logos to:

attract attention or convey information; or

provide direction; or

promote a product, business, activity, service, or idea.

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;

Sign Depth is the thickness of the Sign Area or Projection measured from the front of the Sign to the back or backing of the Sign;

Sign Height is the vertical height of the Sign measured from the ground to the top of the Sign;

Sign Structure is the supporting structure of a Sign, such as a single pole, Sign frame, or Façade, or an integral part of a Building;

Sign Width is the width of the Sign, including any frame or embellishment which forms an integral part of the display, measured from 1 side of the Sign to the other at the point of greatest horizontal distance;

Sponsor Recognition means the recognition of a corporation, person or other entity which has donated money, goods or services related to the Site where the Sign is located or which has entered into an agreement to pay money in exchange for public recognition of the contribution, which recognition may consist of 1 or more of the following on the Sign: an expression of thanks, the sponsor's name, brand, logo, tagline, website information or phone numbers;

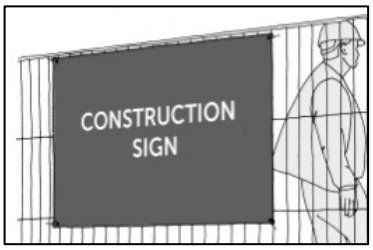
Temporary Sign is a Sign that is not intended to be permanent and is allowed for a limited time by the applicable regulations. The following are Temporary Signs:

Banner Sign is a Sign made out of lightweight material, which may be enclosed in a rigid frame and secured or mounted to allow movement caused by the wind;



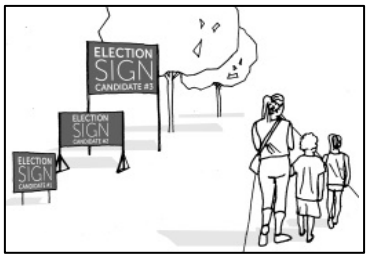
Example of a *Banner Sign*

Construction Sign is a Sign used to identify a construction project, owner, general contractor, sub-trades, architect, engineers, and others associated with the design, planning, and Development of a project under construction;



Example of a *Construction Sign*

Election Sign is a Sign used to promote a candidate, position, or party during a municipal, school board, provincial or federal election or a referendum or plebiscite;



Example of an *Election Sign*

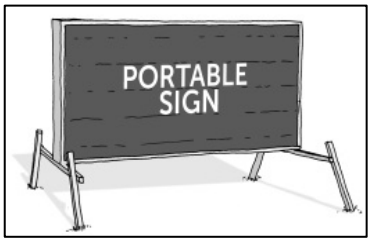
Flag Sign is a Sign that is made of lightweight, flexible material attached to a freestanding pole or to a structure placed in or on the ground. It may have 1 or 2 sides of Copy;



Example of a *Flag Sign*

Future Development Sign is a Sign used to identify a new community identified in a Neighbourhood Area Structure Plan, and the developers or builders associated with the project. It may include information on the amenities, design, staging, and timing of the proposed Development;

Portable Sign is a flat, easily movable Sign with independent supports. It may have 1 or 2 sides of Copy;



Example of a *Portable Sign*

Real Estate Sign is a Sign that advertises real estate that is "for sale", "for lease", "for rent", or "sold", or an "open house";

Show Home Sign is a Sign that advertises the Building as a Show Home or a prize in a raffle or contest;

[6]**Sidewalk Sign** is a small self-supporting sign set on or in the ground and includes A-shaped or sandwich board Signs and signs advertising Garage Sales;



Example of a *Sidewalk Sign*

Special Event Sign is a Sign that advertises a temporary event, like the farmers market, exhibition, fair, carnival, festival, a recreational competition, or other similar event or activity for which a Special Events permit is issued by The City;

Temporary Directional Sign is a temporary Sign used to identify the location of a Show Home, Developing Community, or provide a means to reach a destination;

Temporary Window Sign is a Sign temporarily posted, painted on, attached to, or placed in or on a window or otherwise exposed so it is visible from the outside of the Building;

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Third Party Advertising means Copy that promotes goods, products, services, or activities not sold, produced, or offered on the Site where the Sign is located. This does not include the name of a sponsor on Signs on a Building;

Window Area includes all contiguous panels of glass, including panes of glass that would be contiguous if not separated by mullions (the bars between panes of glass).

1.80 Establishment of Zones

1.80.1 The land use Zones within The City include the following:

Short Code	Zone Name
A-1	Future Urban Development Zone
A-2	Environmental Preservation Zone
C-1	City Centre Commercial Zone
C-1A	City Centre West Commercial Zone
C-2	Multi-Neighbourhood Commercial Zone
C-3	Neighbourhood Commercial Zone
C-4	Major Arterial Commercial Zone
C-5	Mixed-Use Commercial Zone
CAP-C	Capstone Commercial Zone
CAP-PR	Capstone Primarily Residential Zone
CAP-TD	Capstone Taylor Drive Zone
DC	Direct Control Zone
I-1	Industrial Business Service Zone
I-2	Heavy Industrial Zone
I-C	Industrial Commercial (Mixed-Use) Zone
P-1	Parks and Recreation Zone
PS	Public Service (Institutional or Government) Zone
PS-I	Post-Secondary Institution Zone
PS-R	Public Service Residential Zone
R-A	Residential Acreage Zone
R-D	Residential Duplex Zone
R-H	Residential High-Density Zone
R-L	Residential Low-Density Zone

R-M	Residential Medium-Density Zone
R-MH	Residential Manufactured Home Zone
R-N	Residential Narrow Lot Zone
R-SMU	Residential Small-Scale Mixed-Use Zone
R-W	Residential Wide Zone

1.80.2 The following zoning modifiers may qualify, or limit uses or regulations in a land use Zone:

Short Code	Zoning Modifier Name
D	Density Zoning Modifier
HP	Historical Preservation Zoning Modifier
HS	Historical Significance Zoning Modifier
V	Vertical Height Zoning Modifier

1.90 Establishment of Direct Control Zones

1.90.1 Direct Control Zones are established to allow for Developments which require specific regulations unavailable in other land use Zones.

1.90.2 Council may delegate approval authority

1.100 Land Use Zone Boundaries

1.100.1 Zone boundaries are shown in the Land Use Zone Maps in Appendix "A".

1.100.2 For Sites on or Adjacent to an escarpment area with more than 1 applicable Zone, the Boundary between the 1 Zones will be the Crest of the escarpment.

1.110 Land Uses in Zones

1.110.1 Development within a Zone will be subject to the regulations set out in this Bylaw for that Zone.

1.110.2 Permitted Uses and Discretionary Uses for a Site are subject to the limitations and restrictions contained in any statutory plan, such as an area structure plan or an area redevelopment plan, that applies to the Site.

1.110.3 Uses are mutually exclusive, meaning the Development Authority must determine what use definition applies to a particular use.

1.110.4 Despite subsection 1.110.3, uses listed in Direct Control (DC) Zones or under Part 13 Site Exceptions do not create new use categories that would affect use definitions applicable in other Zones.

Part 2 Development Process & Administration

2.10 Development Officer

2.10.1 The City Manager must appoint 1 or more Development Officers.

2.10.2 The Municipal Planning Commission may act in place of a Development Officer.

2.20 Permission Required for Development

2.20.1 Except as outlined in subsection 2.30.1, no Development will commence unless a Development Permit was issued.

2.20.2 No clearing or grading on a Site larger than 1 hectare will occur without:

2.20.2.1 a clearing and grading permit issued by the Development Authority; or

2.20.2.2 a signed development agreement with The City affecting the Site and containing provisions on the Site's preparation.

2.20.3 Clearing and grading operations must conform with The City's Engineering Design Guidelines, as amended.

2.20.4 Except for Sites under DC(32) (Direct Control Zone No. 32), applications for Development in an escarpment area, as identified in the Land Use Constraints Maps in Appendix A, must be considered per section 2.70.

2.30 Developments Not Needing a Development Permit

2.30.1 The following Developments, provided they otherwise comply with this Bylaw and are not located within an escarpment area or under Direct Control Zone No. 32 (DC(32)) Zoning, do not require a Development Permit:

2.30.1.1 the Temporary Use of a Building in connection with a federal, provincial, or municipal election, census, or referendum;

2.30.1.2 the demolition or relocation of a Building, where a Development Permit was issued for a new Development on the same Site and the demolition or relocation of the existing Building or structure is implicit in that Development Permit;

2.30.1.3 the construction and maintenance of transit shelters, Roads, lanes, or parks;

2.30.1.4 Temporary Buildings erected in connection with the construction, marketing, or alteration of an approved Development;

2.30.1.5 Temporary Buildings erected pursuant to an approved special event permit as identified on said permit;

2.30.1.6 Temporary Buildings erected for 7 days or less;

2.30.1.7 the temporary storage of construction material on a Site near or Adjacent to a Site upon which a Building is being erected or altered;

2.30.1.8 the construction of patios and Decks provided they are not covered by a roof;

2.30.1.9 the construction of a fence in a Residential Zone;

2.30.1.10 landscaping, where the existing Grade and natural surface drainage pattern is not materially altered, except where the landscaping forms part of a Development requiring a Development Permit;

2.30.1.11 outdoor recreation amenities that are devoted to the communal use of residents living on the Site, including but not limited to above ground pools, hot tubs, backyard skating rinks, play structures, putting greens, or tennis courts;

2.30.1.12 internal alterations and maintenance, or repair to any Building provided the use, intensity, height, or floor area of the Building does not change;

2.30.1.13 Site grading in accordance with an executed development agreement;

2.30.1.14 minor structures not exceeding 1.8m in height which are accessory to Residential uses, such as barbeques, tents for camping, dog houses, lawn sculptures, bird feeders, or raised planting beds;

2.30.1.15 Accessory Buildings within a Residential Zone with a Floor Area of 10.0m^2 or less and a height of 2.8m or less, including garden sheds workshops, and potting sheds, provided they are movable and comply with the regulations in this Bylaw;

2.30.1.16 the basement Development of any Residential Dwelling Unit in respect of which a Development Permit has been issued including, but not limited to, the number or placement of basement windows. This excludes House Suites;

2.30.1.17 a Home Occupation Minor that does not generate any business associated visits, such as a drop-offs, pick-ups, deliveries, and visits from customers or consultants;

2.30.1.18 the Outdoor Display or Sale of Goods where the area:

2.30.1.18.1 does not extend further than 4.5m from the front of a Building;

2.30.1.18.2 is on private property in a C-1, C-1A, C-2, C-4, and C-5 Commercial Zone, or on an approved DC Site;

2.30.1.18.3 contains goods displayed:

2.30.1.18.3.1 in an orderly fashion; and

2.30.1.18.3.2 in a way that does not impede pedestrian or vehicle traffic;

2.30.1.19 Development undertaken by The City for repairs and general upkeep on Public Property in the P-1 and A-2 Zones, including picnic areas, play structures, outdoor furniture, playgrounds, or tot lots, but not including any Development requiring tree removal;

2.30.1.20 Targeted Grazing on City owned lands, including lands within an escarpment area or Direct Control Zone No. 32 (DC(32)), which is carried on by, or on behalf of, The City;

2.30.1.21 except for Dwelling Units in the C-1 Zone, a change of use of a Building or part of a Building from a Permitted Use to another Permitted Use with the same Zoning, where the uses are similar, there is no increase in the intensity of the use of a Site or a Building, and the use does not require a variance;

2.30.1.22 Signs as outlined in section 5.30;

2.30.1.23 minor exterior renovations to a Residential Building including changes in material, the addition of windows or doors, or changes to existing windows or doors;

2.30.1.24 solar panels that are on the roof of a Building only and do not project beyond the eaves of the Building.

2.30.1.25 [7]covered Decks provided that all other regulations required under the Bylaw are met.

2.30.1.26 [8]Day Cares caring for six or less children operating in conjunction with a residential use.

2.40 Development Permit Applications

2.40.1 Development Permit applications must be made on an application form prescribed by the City Manager and completed to the Development Officer's satisfaction.

2.40.2 An application is complete if the Development Officer determines that it contains the documents and other information necessary to review the application as outlined in section 2.40.

2.40.3 The Development Officer determines the number of paper, electronic copies, or both required for a complete application.

2.40.4 Despite subsection 2.50.5, an incomplete application may be accepted if the Development Officer is satisfied that a decision can be made without all of the documentation and information required in subsection 2.40.5.

2.40.5 A Development Permit application must include:

2.40.5.1 signed authorization of the landowner of the Site;

2.40.5.2 at the discretion of the Development Officer, a copy of the Certificate of Title for the subject Site dated within 30 days of the application date, and copies of any caveats or instruments registered in favour of The City;

2.40.5.3 the appropriate fees;

2.40.5.4 for a Principal Building:

2.40.5.4.1 a comprehensive Site Plan which must include:

2.40.5.4.1.1 the legal description and civic address of the Site;

2.40.5.4.1.2 North arrow, scale, revision history and date of drawing, dimensions shown in metric of Site and measurements to the

[7] 3357/SS-2024
[8] 3357/SS-2024

Boundary for all existing and proposed Buildings and changes;

2.40.5.4.1.3 easements and right of ways affecting the Site;

2.40.5.4.1.4 proposed improvements to all parts of the Site, including loading facilities, Parking, fences, Walkways, screening, retaining walls, waste and recycling containers;

2.40.5.4.1.5 Abutting streets, lanes, highways and Roads, right of ways, and any existing or future access to the Development;

2.40.5.4.1.6 existing and proposed Utilities, Sidewalks, trails, and curbs;

2.40.5.4.1.7 proposed Site Grades, with contours;

2.40.5.4.1.8 all water bodies, drainage courses, and flood risk areas on or Abutting the Site as well as high water marks and arrows indicating the direction of water flow;

2.40.5.4.1.9 active or suspended oil or gas Development on or within 25.0m of the Site Boundary; and

2.40.5.4.1.10 unless previously submitted to the Development Authority or Subdivision Authority during the last 12 months for any proposed Building or addition greater than 47.0m^2, information from the Alberta Energy Regulator identifying the locations of, or confirming the absence of, any abandoned oil or gas wells on or within 25.0m of the Site Boundary.

2.40.5.4.2 a landscaping plan, except for Residential Developments of 5-units or less, with:

2.40.5.4.2.1 the name of the project or applicant;

2.40.5.4.2.2 the name and endorsement stamp of a landscape professional;

2.40.5.4.2.3 a north arrow, plan scale, and the legal and civic address;

2.40.5.4.2.4 identification of any existing and proposed surface Parking, Outdoor Storage areas, Driveways, and Buildings;

2.40.5.4.2.5 all other physical features existing or proposed, including but not limited to berms, walls, fences, Signs, outdoor furnishings, decorative paving, streetlights, and hydrants;

2.40.5.4.2.6 location of existing and proposed Utilities, easements, and right of ways. If landscaping is proposed within Utility right of ways, the plan must also be endorsed by all utility companies that have access to the right of ways, indicating their approval;

2.40.5.4.2.7 location of existing plant materials and indication as to whether they are to be removed or retained;

2.40.5.4.2.8 location of new plant materials scaled accurately to mature size;

2.40.5.4.2.9 location of any planting beds and identification of the bedding material;

2.40.5.4.2.10 a table indicating the Landscaped Area in square meters, percentage of the Site Area proposed as Landscaped Area, an outline of the minimum number of trees and shrubs required to be provided, the total number of trees and shrubs provided, and the ratio of proposed coniferous to deciduous;

2.40.5.4.2.11 a list of plant material including the plant key or symbol, botanical name,

common name, quantity, planted size and any special conditions for each species;

2.40.5.4.2.12 a list of proposed variances, if any; and

2.40.5.4.2.13 any water conservation methods or strategies employed.

2.40.5.4.3 a Building plan which must include:

2.40.5.4.3.1 floor plans showing proposed uses;

2.40.5.4.3.2 total dimensions of the Site and Site Buildings coverage calculations;

2.40.5.4.3.3 where required to determine Parking requirements, the allocation of floor space for different uses;

2.40.5.4.3.4 patios, steps, porches, Decks, playgrounds, Amenity Space and Open Space areas, and other similar features;

2.40.5.4.3.5 for a Manufactured Home Park or multiple unit projects, proposed unit locations, number of units, and Amenity Space in the overall Development area;

2.40.5.4.3.6 cross sections; and

2.40.5.4.3.7 foundation plans.

2.40.5.4.4 a Building elevation plan which must include:

2.40.5.4.4.1 colour renderings of each facade of the Buildings;

2.40.5.4.4.2 description of exterior finishing materials;

2.40.5.4.4.3 Building Height and number of storeys; and

2.40.5.4.4.4 For applications in Capstone, the Building elevation plan must also include the layout, features, and materials of the Edge Zones.

2.40.5.5 for a Temporary Use, a Site Plan that includes the same requirements as identified in subsection 2.40.5.4.1;

2.40.5.6 for an Accessory Building:

2.40.5.6.1 a Site Plan that includes the same requirements as identified in subsection 2.40.5.4.1;

2.40.5.6.2 a Building elevation plan that includes the same requirements as identified in subsection 2.40.5.4.4.

2.40.5.7 for a change of use:

2.40.5.7.1 a comprehensive Site Plan that includes the same requirements as identified in subsection 2.40.5.4.1;

2.40.5.7.2 a Building elevation plan that includes the same requirements as identified in subsection 2.40.5.4.4;

2.40.5.7.3 a floor plan showing the location of the proposed use.

2.40.5.8 in addition to the foregoing, for Townhouses, Apartments, Manufactured Homes, Commercial Developments, and Industrial Developments:

2.40.5.8.1 proposed on the Site Parking and loading facilities including location and dimensions of all aisles, the dimensions and number of all Parking spaces, identification of accessible Parking, pedestrian access and Walkways, and curbing and location of any lighting;

2.40.5.8.2 location and elevations for proposed waste and recycling containers, as well as collection routes;

2.40.5.8.3 location of existing and proposed transit stops;

2.40.5.8.4 in the case of the Development of a Site with multiple uses, a master plan and preliminary engineering plan for the entire Site;

2.40.5.8.5 a lighting plan for all outdoor Parking showing location of all light poles, Illumination levels, aiming direction and angle of light source;

2.40.5.8.6 for a large-scale Development, unless sufficient information is otherwise provided, a traffic impact analysis stamped by a professional engineer, or a

registered professional technologist accredited by the Association of Professional Engineers and Geoscientists of Alberta (APEGA).

2.40.5.8.7 for the purpose of subsection 2.40.5.8.6, a large-scale Development is one that:

2.40.5.8.7.1 regularly generates more than 100 trips in the peak hour; or

2.40.5.8.7.2 because of its nature or unique circumstances may have unusual impact on traffic in the area.

2.40.5.9 in addition, every application for a Development Permit:

2.40.5.9.1 if in a Historical Preservation Overlay or Historical Significance Overlay, will receive a recommendation from the City, or the Minister responsible for the Historical Resources Act, as the case may be;

2.40.5.9.2 if Abutting a Historical Preservation Overlay or Historical Significance Overlay, will be accompanied by a recommendation from The City;

2.40.5.9.3 if in an area subject to a Character Statement:

2.40.5.9.3.1 must include a letter of intent addressing how the proposed redevelopment is compatible with the Immediate Road Context as identified in the Character Statement; and

2.40.5.9.3.2 a tree preservation plan, if required.

2.40.5.9.4 in an area subject to the Developed Areas Regulations requirements:

2.40.5.9.4.1 in addition to the landscaping plan requirements in subsection 2.40.5.4.2, includes identification of the location of all existing Adjacent City owned trees and shrubs.

2.40.5.9.5 if the proposed Development is for Lot 1, Block 1, Plan 012 0303 and the remainder of Section 5, Township 38,

Range 27, West of the 4th Meridian (known as Red Deer College):

2.40.5.9.5.1 must include a letter of intent addressing how the proposed Development will meet the specific general purpose for the Site, as prescribed in subsections 9.50.1 and 9.50.2 of the PS-I Post-Secondary Institution Zone.

2.40.5.10 and such additional information as may be required by the Development Authority to assess or evaluate the proposed Development, including:

2.40.5.10.1 a real property Report;

2.40.5.10.2 a geotechnical Report;

2.40.5.10.3 a Parking assessment;

2.40.5.10.4 a biophysical or environmental Site assessment;

2.40.5.10.5 a groundwater Report;

2.40.5.10.6 a flood hazard mapping study;

2.40.5.10.7 a noise attenuation study;

2.40.5.10.8 a reclamation plan;

2.40.5.10.9 a wetland conservation plan;

2.40.5.10.10 a tree preservation plan;

2.40.5.10.11 a walkability study;

2.40.5.10.12 a landscape plan;

2.40.5.10.13 a topographical survey;

2.40.5.10.14 a Site grading or drainage plan;

2.40.5.10.15 a Site servicing plan;

2.40.5.10.16 a risk assessment Report;

2.40.5.10.17 an erosion or sediment control plan; and

2.40.5.10.18 any other Report, study, plan, or information.

2.40.5.11 in addition to the foregoing, a Development Permit application for a Cannabis Retail Sales use must include:

2.40.5.11.1 a Site Plan illustrating the location and separation distances from the proposed Cannabis Retail Sales use to those uses identified in subsection 4.60.4;

2.40.5.11.2 a Site Plan illustrating compliance with applicable provincial Setbacks; and

2.40.5.11.3 written confirmation from the Alberta Gaming and Liquor Commission the applicant has satisfied Alberta Gaming and Liquor Commission eligibility requirements to sell Cannabis in Alberta.

2.40.5.12 in addition to the foregoing, a Development Permit application for a Home Occupation Minor or a Home Occupation Major must include:

2.40.5.12.1 a description of the business;

2.40.5.12.2 hours of operation;

2.40.5.12.3 the anticipated number of daily business associated visits, such as drop-offs, pick-ups, deliveries, and visits from customers or consultants; and

2.40.5.12.4 indication if more than 1 business associated visit will occur at a time.

2.40.5.13 in addition to the foregoing, a Development Permit application for a Home Occupation Major must include Parking details.

2.40.6 All Development Permit applications within Developed Areas must be accompanied by the following:

2.40.6.1 a sketch or photograph showing the location of side windows of the Dwelling Units on Abutting side Sites;

2.40.6.2 proposed Building demolition, if applicable; and

2.40.6.3 a drawing displaying utility and grading information in accordance with the Engineering Design Guidelines.

2.40.7 An application for a Development Permit to redevelop in a Character Statement area must include a letter of intent addressing how the proposal is sensitive to the Immediate Road Context.

2.40.8 An application for a Development Permit for Development subject to the Eco Industrial Park Overlay must be accompanied by the following information specifically related to eco-Industrial Development:

2.40.8.1 in-house recycling and composting letter;

2.40.8.2 Green Building Materials list; and

2.40.8.3 any additional information as prescribed by the Development Authority.

2.40.9 An application for a site-specific exception or site-specific exemption to the uses or regulations of a Zone must, as part of the application for the exception, submit a written statement indicating why, in the applicant's opinion:

2.40.9.1 an exception is necessary, and the proposed Development cannot proceed without an exception;

2.40.9.2 rezoning to another Zone cannot achieve the same result, with or without variances of this Bylaw; or

2.40.9.3 the exception cannot be addressed by conditions imposed by the Subdivision Authority or Development Authority.

2.40.10 Prior to an application being considered, the Development Authority may require the applicant to host a public meeting to ensure information and an opportunity to comment about the application is provided to the public at large, where:

2.40.10.1 notice of the meeting will be provided by The City, at the applicant's cost, to all landowners within 100m of the Boundary of the Site.

2.40.10.2 the applicant must provide to the Development Authority a Report summarizing the nature of the consultation process and the responses received, identifying any issues raised and discuss how the applicant proposes to address these issues.

2.40.11 The Development Authority will approve:

2.40.11.1 the Site Plan;

2.40.11.2 the relationship between Buildings and open space;

2.40.11.3 architectural treatment of Buildings;

2.40.11.4 architecture and amount of landscaped open space; and

2.40.11.5 Parking layout.

2.50 Notice of Complete or Incomplete Development Permit Applications

2.50.1 Within 20 days after receiving an application for a Development Permit, the Development Officer must determine if the application is complete in that it contains the documentation and other information necessary to review the application.

2.50.2 The time period referred to in subsection 2.50.1 may be extended by an agreement in writing between the applicant and the Development Officer.

2.50.3 If the Development Officer does not make a determination on completeness within the time required in subsections 2.50.1 or 2.50.2, the application is deemed to be complete.

2.50.4 If the Development Officer determines that the application is complete, they must issue a written acknowledgment to the applicant advising that the application is complete.

2.50.5 If the Development Officer determines that the application is incomplete, they must issue a written notice to the applicant advising that the application is incomplete. The notice must list the documentation and information required for the application to be considered complete and specify a date by which they must be submitted to the Development Officer.

2.50.6 The applicant and the Development Officer may agree, in writing, to a date later than that provided for in subsection 2.50.5.

2.50.7 Upon receipt of the required documentation and information by the date set in the notice issued under subsection 2.50.5 or by written agreement under subsection 2.50.6, the Development Officer must issue a written acknowledgment to the applicant advising that the application is complete.

2.50.8 Where the required documentation and information is not provided on or before the set in the notice issued under subsection 2.50.5 or by written agreement under subsection 2.50.6, the application is deemed to be refused. The Development Officer must issue a written notice to the applicant stating that the application is refused and the reasons for the refusal.

2.50.9 Despite the issuance of a written acknowledgment under subsections 2.50.4 or 2.50.7 that an application is complete, the Development Authority may request from the applicant additional information or documentation that the Development Authority considers necessary to review the application.

2.50.10 A decision must be made on a Development Permit application within 40 days after the applicant receives acknowledgement that the application is complete under subsections 2.50.4 or 2.50.7, or after the application is deemed complete under subsection 2.50.3.

2.50.11 The applicant and the development officer may agree, in writing, to extend the time required under subsection 2.50.10.

2.50.12 If no decision is made on a Development Permit application within 40 days after the applicant receives the acknowledgment that the application is complete, or within any extension of that period under subsection 2.50.11, the application is, at the option of the applicant, deemed to be refused.

2.60 Crime Prevention Through Environmental Design

2.60.1 Applicants are encouraged to include, in Site Plans for commercial Buildings, school Buildings, recreational Buildings, places of worship, Residential Buildings consisting of 3 or more storeys, and parkades, the following design elements that incorporate Crime Prevention Through Environmental Design:

2.60.1.1 principles of:

2.60.1.1.1 natural surveillance – design the Site and Buildings, including the use of lighting and the placing and selection of landscaping elements, to promote natural observation and maximize opportunities for people to observe and be observed from Adjacent space;

2.60.1.1.2 access control – design the Site and Buildings, including the placing and selection of landscaping elements, to create a perception of risk physically or subtly to discourage unauthorized access, clearly indicate public routes and discourage access to private areas and structural elements; and

2.60.1.1.3 territorial reinforcements – design landscaping elements, Sidewalks, lighting, fencing, and Building

features to clearly identify and distinguish between public and private spaces.

2.70 Applications In Escarpment Areas

2.70.1 For any application for subdivision or Development in an escarpment area, the Subdivision Authority or Development Authority may impose conditions in consideration of the purpose of the intended application and the uniqueness of the Site, including, but not limited to:

2.70.1.1 the applicant providing a Real Property Report during preliminary construction showing the location of any Development relative to the Crest of the escarpment;

2.70.1.2 slope stability measures, including recommendations from a Report or requirements specified in a restrictive covenant;

2.70.1.3 providing emergency access;

2.70.1.4 ongoing monitoring programs and related access;

2.70.1.5 stormwater, drainage and erosion control measures;

2.70.1.6 Development be designed and constructed using materials, processes, or techniques intended to minimize slope risks or instability;

2.70.1.7 the applicant and any current or future landowner of the Site entering into an Indemnity Agreement with the City respecting environmental risks, including but not limited to slope stability;

2.70.1.8 providing a post-construction certificate or Report from a relevant professional confirming:

2.70.1.8.1 Development is located and constructed in accordance with any Site Plan or Report accepted by the Subdivision Authority or Development Authority; and

2.70.1.8.2 compliance with an accepted professional lot grading plan;

2.70.1.9 ensuring the applicant enter into and comply with an agreement with the City respecting those matters set out in sections 650, 651 and 655 of the Act.

2.80 Land Titles

2.80.1 The Development Authority is not required to examine the title to any land or to investigate whether the Development is affected by any City bylaw or any federal or provincial legislation or with any condition of any easement, covenant, building scheme or agreement.

2.80.2 An applicant whose Development is approved and for which a Development Permit has been issued remains responsible to ensure the Development conforms to all applicable laws and regulations.

2.90 Development Authority Powers, Duties, and Discretion

2.90.1 When applying this Bylaw, the Development Authority must use the Bylaw in conjunction with relevant policies and procedures as adopted and amended by the City or Council from time to time.

2.90.2 If, in the Development Authority's opinion, a particular use does not conform to any of the use definitions; or if a particular use appears to conform to 2 or more definitions, the particular use may be considered to conform to the definition which, in the Development Authority's opinion, is most appropriate.

2.100 Development Officer's Decision on Permit Applications

2.100.1 The Development Officer:

2.100.1.1 will review each application to determine the use that is being applied for;

2.100.1.2 may refer an application to any City department, provincial, federal or inter-jurisdictional body, or other agency;

2.100.1.3 [9]in respect of Discretionary Use applications and Permitted Use applications where a variance is required, may notify landowners within 100m of the Boundary of the Site that an application was received and request their comments, unless the application is for a Backyard Suite, in which case the Development Authority must circulate the aforementioned notice to landowners within 100m of the Boundary of the Site and request their comments.

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2.100.1.4 will not accept an application for a Development that:

2.100.1.4.1 is for a use that is neither a Permitted Use nor a Discretionary Use in the applicable Zone;

2.100.1.4.2 Is for a use prohibited in this Bylaw;

2.100.1.5 must refuse an application from which a Development Authority is precluded from approving under the Matters Related to Subdivision and Development Regulation or the Act;

2.100.1.6 will approve an application for a Permitted Use which complies with this Bylaw:

2.100.1.6.1 without conditions; or

2.100.1.6.2 subject to conditions if the power to do so is set out in this Bylaw;

2.100.1.7 may, in respect of an application for a Discretionary Use:

2.100.1.7.1 approve the application with or without conditions;

2.100.1.7.2 refuse the application and provide written reasons; or

2.100.1.7.3 refer the application to the Municipal Planning Commission;

2.100.1.8 may approve an application for a Permitted Use or a Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, if in the Development Officer's opinion:

2.100.1.8.1 the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring land; and

2.100.1.8.2 the proposed Development conforms with the use prescribed for that land in the Bylaw.

2.100.1.9 may, where the test set out in subsection 2.100.1.8 is met, approve, with or without conditions, a variance which:

2.100.1.9.1 is consistent with the purpose of the Zone and the intended scale and form of the Development;

2.100.1.9.2 results in a Development that aligns with the City's Municipal Development Plan and other statutory plans;

2.100.1.9.3 addresses a physical constraint or other function specific to the Site; or

2.100.1.9.4 rectifies an error in the situating of a Building that would otherwise create unnecessary hardship to the landowner in trying to correct.

2.100.1.10 will refer to the Municipal Planning Commission or Council all applications requiring the specific approval of the Municipal Planning Commission or Council under this Bylaw and may refer to the Municipal Planning Commission any application the Development Officer determines is advisable;

2.100.1.11 the Development Officer must issue the Development Permit when all conditions of the approval under section 2.130, except those of a continuing nature, have been fulfilled.

2.110 Municipal Planning Commission Decisions on Permit Applications

2.110.1 The Municipal Planning Commission will approve an application for a Permitted Use which requires no variance;

2.110.1.1 without conditions; or

2.110.1.2 subject to conditions if the power to do so is set out in this Bylaw.

2.110.2 The Municipal Planning Commission may, in respect of an application for a Discretionary Use:

2.110.2.1 approve with or without conditions; or

2.110.2.2 refuse, providing reasons.

2.110.3 Except for applications in DC(32), the Municipal Planning Commission may approve an application for a Permitted Use or Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the Municipal Planning Commission's opinion:

2.110.3.1 the proposed Development would not unduly interfere with the amenities of the neighbourhood;

2.110.3.2 the proposed Development would not materially interfere with or affect the use, enjoyment, or value of neighbouring land; and

2.110.3.3 the proposed Development conforms with the use prescribed for that land in the Bylaw .

2.120 Notice of Decision

2.120.1 On the same day the Development Authority makes a decision to approve an application for a Development Permit, they must give or send the applicant a written notice specifying the date of the decision and advise that a Development Permit will not be issued until after any appeal from the decision is pending, or until the time for filing an appeal has expired.

2.120.2 On the same day the Development Authority makes a decision to refuse a Development Permit application, they must give or send the applicant written notice specifying the date of the decision and reasons for the refusal.

2.120.3 Within 14 days of a decision for a Discretionary Use, or for a Permitted Use where the applicable regulations of this Bylaw were varied by the Development Authority, the Development Authority must publish a notice in a local newspaper and publicly accessible web page which includes the legal description or civic address of the Site in question, the nature of the approved Development and rights of appeal.

2.120.4 No notice is required to be given for a decision to approve an application for a Permitted Use for which no variance was granted.

2.120.5 Notwithstanding subsection 2.100.1.11, no Development Permit shall be issued while a decision about a Development Permit application is pending, or an appeal from the decision is pending, or until the time for filing an appeal of the decision has expired.

2.120.6 A person applying for a Development Permit may appeal the decision of the Development Officer to the Subdivision and Development Appeal Board by filing a written notice of appeal within 21 days after the date the decision was given.

2.120.7 A person applying for a Development Permit may file a written notice of appeal with the Subdivision and Development Appeal Board if a Development Permit application is deemed to be refused in accordance with subsection 2.50.12.

2.120.8 A person affected by a decision of the Development Officer about a Development Permit application may appeal the decision to the Subdivision and Development Appeal Board by filing a written notice of appeal within 21 days after the notice of the decision regarding the application was given.

2.130 Conditions of Issuing a Development Permit

2.130.1 The Development Authority may impose conditions limiting the duration of a Development Permit for a Discretionary Use, a Permitted Use requiring a variance, or a Development that is intended to be temporary or is inherently temporary.

2.130.2 As a condition of approving a Development Permit for a Permitted Use that meets the applicable regulations of this Bylaw, the Development Authority may:

2.130.2.1 require the applicant to make arrangements for the supply of water, electric power, sewer service, vehicle and pedestrian access, or any of them, including payment of the costs of installation or constructing any such Utility or facility by the applicant;

2.130.2.2 require the applicant to:

2.130.2.2.1 submit information such as an environmental Site assessment or risk assessment, confirming the Site is suited for all Developments in the application;

2.130.2.2.2 provide phasing of the Development;

2.130.2.2.3 undertake Site design measures to mitigate the environmental hazards or risks inherent to or affecting the Site;

2.130.2.2.4 repair or reinstate, or to pay for repair or reinstatement, to original condition, any Public Property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by The City damaged, destroyed or otherwise harmed by Development or construction on the Site;

2.130.2.2.5 where the application is for a Building that encroaches on City property, mitigate the impact of the encroachment, including compensation, indemnities,

insurance, and a duty to remove the encroaching Building when notified by the City.

2.130.2.3 where a Site has a Zero Lot Line, require the applicant to obtain an easement agreement for private maintenance and access with the Site Abutting the Zero Lot Line, and ensure the easement is registered against both Sites.

2.130.3 As a condition of issuing a Development Permit for a Permitted Use where a variance is granted, the Development Authority may:

2.130.3.1 impose any of the conditions listed in subsection 2.130.1 or subsection 2.130.2; or

2.130.3.2 impose conditions they consider appropriate to address any planning concerns that arise as a result of a variance.

2.130.4 The Development Authority may, as a condition of issuing a Development Permit for a Discretionary Use, impose conditions in respect of:

2.130.4.1 any reason addressed in subsections 2.130.1, 2.130.2, or 2.130.3;

2.130.4.2 the construction or maintenance of the proposed Development in accordance with the approved plans;

2.130.4.3 the appropriate performance of a use;

2.130.4.4 an environmental site assessment;

2.130.4.5 the time or times a use may be carried out;

2.130.4.6 limits imposed on the Development; or

2.130.4.7 the furtherance of sound planning principles.

2.130.5 The Development Authority may include conditions in Development Permits for Buildings and land uses listed in subsection 2.60.1 to ensure adherence to Crime Prevention Through Environmental Design principles.

2.130.6 As a condition of issuing a Development Permit for a Development in a Direct Control Zone, the Development Authority may impose such conditions as they consider appropriate, having regard to the regulations of the Bylaw and any statutory plan.

2.130.7 The Development Authority may, as a condition of issuing any Development Permit, require the applicant to enter into an agreement with The City to do any or all of the following:

2.130.7.1 construct or pay for the construction of:

2.130.7.1.1 a road required to give access to the Development;

2.130.7.1.2 a pedestrian walkway system to serve the Development; or

2.130.7.1.3 pedestrian walkways to connect the pedestrian walkway system serving the Development with a pedestrian walkway system that serves, or is proposed to serve, an Adjacent Development, or both.

2.130.7.2 to install or pay for the installation of Utilities, on or off the Site, that are necessary to serve the Development;

2.130.7.3 to construct or pay for the construction of:

2.130.7.3.1 off-street or other parking facilities; or

2.130.7.3.2 loading and unloading facilities.

2.130.7.4 to pay an off-site levy or redevelopment levy;

2.130.7.5 to give security to ensure the terms of the agreement under subsection 2.130.7 are carried out;

2.130.8 Where a Development is to occur in multiple phases, the Development Authority may require as a condition that landscaping of the undeveloped areas occur using an approved ground cover.

2.130.9 To allow for electrical wiring and equipment, the Development Authority may require registration of an easement or right of way as a Development Permit condition.

2.140 Cancellation of Development Permit

2.140.1 The Development Officer may cancel a Development Permit if:

2.140.1.1 the Development Permit was issued in error; or

2.140.1.2 the Development Permit was issued based on incorrect information.

2.150 Limit on Frequency of Development Permit Applications

2.150.1 When an application for a Development Permit for a Discretionary Use or Building is refused, another Development Permit application on the same

Site and for the same or similar use of land must not be accepted within 6 months of the date of refusal.

2.150.2 Limitations on frequency of applications do not apply to applications that are considered refused under subsection 2.50.3.

2.160 Requirement to Commence Development

2.160.1 A Development Permit expires 12 months after the date it was issued unless the applicant has commenced Development or the Development Authority grants an extension of time, except as outlined in subsection 2.160.3.

2.160.2 The Development Authority may grant an extension on a Development Permit for not more than 2 consecutive 1 year extensions beyond the expiry date of the initial Development Permit, provided the proposed Development still otherwise complies with this Bylaw. If the applicant does not commence Development in the extended period, the Development Permit expires.

2.160.3 Once work is initiated connected to an approved Development Permit, the Development Permit remains valid until work is completed, provided the project is substantially completed within 2 years of the date the Development Permit was issued or the date that any extension of the Development Permit was granted. If work is not substantially completed in that time, the Development Permit will be considered expired.

2.170 Failure to Complete Development

2.170.1 A Development must be substantially completed to municipal standards within 2 years of the start of work, failing which the Development Officer may direct the Site be returned to its original condition or to a state acceptable to the Development Officer.

2.180 Notice of Appeal Hearings

2.180.1 The Subdivision and Development Appeal Board will give written notice of the hearing of a Development appeal to:

2.180.1.1 the parties specified in the Act;

2.180.1.2 the applicant for the Development Permit, if such applicant is not the appellant;

2.180.1.3 the landowner of the Site which is the subject of the Development application, if such landowner is not the appellant;

2.180.1.4 the Development Authority whose order, decision, or Development Permit is the subject of the appeal;

2.180.1.5 the landowners of all Sites within 100.0m of the Site; and

2.180.1.6 any other person that the Subdivision and Development Appeal Board considers to be affected by the appeal and should be notified.

2.190 Zoning Bylaw Amendment Application

2.190.1 Applications to amend this Bylaw must be submitted in writing to the Development Authority.

2.190.2 Where an application affects particular Sites rather than the municipality as a whole, the application must be accompanied by:

2.190.2.1 a letter from the registered landowners and any other person beneficially interested in the Sites;

2.190.2.2 a written statement from the applicant containing reasons in support of the application;

2.190.2.3 traffic, market, land use or feasibility studies and neighbourhood surveys required by The City;

2.190.2.4 payment of all costs of advertising and holding any public meeting required by The City; and

2.190.2.5 copies of any maps, documents, or other material.

2.190.3 At the discretion of The City, the following additional material may be required, where appropriate:

2.190.3.1 drawings done on standard drafting material, fully dimensioned, accurately figured, explicit and complete; or

2.190.3.2 a Neighbourhood Area Structure Plan or Area Redevelopment Plan, including the affected area and showing a level of detail acceptable to The City.

2.190.4 Subsections 2.190.1 and 2.190.2 apply to Bylaw amendments initiated by The City, except that no undertaking to pay the costs of public information meetings is required and no letter from registered landowners is required.

2.190.5 The Development Authority will forward a copy of the application to all relevant City departments for comment. The Development Authority will confirm to the applicant the application was received and will advise the applicant of the time and date Council will consider the application.

2.190.6 If the Development Authority determines that a public meeting or other means of public consultation is required regarding any application, all landowners of Sites within 100m of the Site Boundaries will receive notice of the proposed amendment.

2.200 Limits on Frequency of Applications for Amendments

2.200.1 When an application for a change in zoning is refused by Council, another application for a similar change in zoning on the same Site must not be accepted within 6 months of the date of refusal.

2.200.2 When an application for a text amendment is refused by Council, another application for a text amendment where the effects of the proposed amendment would be the same must not be accepted within 6 months of the date of refusal.

2.210 Guidelines

2.210.1 The City is authorized to establish and implement planning guidelines, standards, and procedures in accordance with the Council's Planning and Development Policy. These guidelines outline the procedure to be followed or factors to be considered by the Development Authority with respect to types of Development, including but not limited to communications towers and redevelopment in existing neighbourhoods.

2.220 Subdivision Approval Applications

2.220.1 Correspondence between the Subdivision Authority and an applicant may be in writing, or electronic form if the applicant has agreed that correspondence may occur electronically.

2.220.2 The Subdivision Authority must, within 20 calendar days after receiving an application under section 653(1) of the Act, determine whether the application is complete.

2.220.3 An application is complete if, in the Subdivision Authority's opinion, the application contains the documents and other information necessary to review the application.

2.220.4 The period referred to in subsection 2.220.2 may be extended by an agreement in writing between the applicant and the Subdivision Authority.

2.220.5 If the Subdivision Authority does not make a determination referred to in Subsection 2.220.2 within 20 calendar days, or within the extended period agreed between the applicant and the Subdivision Authority, the application is deemed to be complete.

2.220.6 If the Subdivision Authority determines an application is complete the Subdivision Authority must issue to the applicant acknowledgement the application is complete in writing or electronically.

2.220.7 If the Subdivision Authority determines an application is incomplete, the Subdivision Authority must issue the applicant written notice the application is incomplete, identify the outstanding documents and information that must be provided for the application to be complete and a date by which the information must be received in order for the application to be considered complete. The applicant and the Subdivision Authority may agree, in writing, to an alternate date the information is to be provided.

2.220.8 If the Subdivision Authority determines the required information and documents, identified in the notice issued per subsection 2.220.7, have been submitted, the Subdivision Authority must issue a written acknowledgement to the applicant that the application is complete.

2.220.9 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in the notice or the extended time agreed between the applicant and the Subdivision Authority, the application is deemed to be refused.

2.220.10 If an application is deemed refused under subsection 2.220.9, the Subdivision Authority must issue written notice to the applicant that the application has been refused and the reason for the refusal.

2.220.11 Despite the Subdivision Authority issuing an acknowledgement under subsection 2.220.6 or 2.220.8, while reviewing an application, the

Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.

2.230 Enforcement

2.230.1 A designated officer may carry out inspections to determine compliance with this Bylaw, a Development Permit, or the Act.

2.230.2 For the purposes of enforcing this Bylaw and the Act, the following are considered designated officers:

2.230.2.1 a Bylaw Officer;

2.230.2.2 a Development Officer or any City employee designated by a Development Officer; or

2.230.2.3 a compliance officer.

2.230.3 Notice of an inspection by the designated officer must be given in accordance with the Act.

2.240 General Regulations for Offences and Penalties

2.240.1 No person will:

2.240.1.1 fail to comply with a Development Permit, subdivision approval, or the conditions forming part thereof;

2.240.1.2 fail to comply with an order issued under sections 545, 546, 551, 645 of the Act;

2.240.1.3 fail to comply with a decision of the Subdivision and Development Appeal Board;

2.240.1.4 obstruct or hinder any person in the exercising their powers under this Bylaw; or

2.240.1.5 use land contrary to this Bylaw.

2.240.2 A person who violates or fails to comply with any regulation of this Bylaw is guilty of an offence and liable upon summary conviction to the specified penalty set out in section 2.250, or:

2.240.2.1 if there is no specified penalty set out in section 2.250, the penalty will be set to a fine of $250.00 for a first offence, $500.00 for a

second offence and $1,000.00 for a third or subsequent offence, and in default of payment of any penalty, to imprisonment for up to 6 months.

2.240.3 Where a Bylaw Officer reasonably believes that a person has violated any regulation of this Bylaw, the Bylaw Officer may, in addition to any other remedy at law, serve upon the person a violation ticket, in the form used by the City, allowing payment of the penalty as set out in subsection 2.240.2.1 for the particular offence, which payment will be accepted by the City in lieu of prosecution for the offence, or a Bylaw Officer may issue a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, allowing a voluntary payment of the penalty as set out in subsection 2.240.2.1, or, requiring a person to appear in court without the alternative of making a voluntary payment. The recording of the payment of a penalty made to the City or the Alberta Court of Justice will constitute an acceptance of a guilty plea and conviction for the offence.

2.240.4 Any person who violates the same regulation within 12 months after the date of the first contravention, is liable to the specified penalty for such second, third or subsequent offence in the amount set out in the corresponding columns of section 2.250, or as set out in subsection 2.240.2.1.

2.240.5 Section 2.240 will not prevent any Bylaw Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the Provincial Offences Procedures Act, or from issuing a warning in lieu of issuing a violation ticket.

2.240.6 Where 1 or more vehicles are parked or left on Public Property in a prohibited manner, each day or part of a day on which it continues constitutes a separate offence.

2.240.7 A Bylaw Officer who believes on reasonable grounds a Sign is not authorized pursuant to the Bylaw may remove and impound the Sign:

2.240.7.1 if a Sign permit is issued, after 7 days notice to the permit holder, delivered to the address shown on the Sign permit; or

2.240.7.2 if no Sign permit was issued, without prior notice.

2.240.8 Despite subsection 2.240.7, a Bylaw Officer may not remove a Sign in, upon, or affixed to a Building without either the consent of the owner of the Building, the consent of the owner of the Sign, or a court order.

2.240.9 Following the impounding and removal of a Sign, the Bylaw Officer for The City will send notice to the owner of the Sign (if known) or to the landowner of the Site where the Sign was removed, advising of the removal. The owner of the Sign may secure release from impound upon payment in full of all applicable impounding and storage charges at the rates specified in section 2.260 of this Bylaw.

2.240.10 An impounded Sign not redeemed within 60 days of the date notice was served may be disposed of by The City without further notice.

2.250 Specified Penalties for Offences

Offence	Section	First Offence	Second Offence	Third or More Offence
Failure to comply with a Development Permit or associated conditions	-	$500.00	$1000.00	$5000.00
Displaying an Election Sign, a [10]Garage Sale Sign, a Real Estate Sign, or Show Home Sign in contravention of this Bylaw	-	$100.00	$250.00	$500.00
Commencing Development, excluding Temporary Buildings, without a Development Permit	2.20.1	$500.00	$1000.00	$5000.00
Outdoor Display or Sale of Goods and Outdoor Storage on Public Property	3.10.1	$500.00	$1000.00	$5000.00
Failure to comply with Restrictions of Corner Site Lines regulations	3.120	$150.00	$250.00	$500.00
Parking of vehicles, Outdoor Display or Sale of Goods, and Outdoor Storage on Landscaped Areas	3.130.1.3	$500.00	$1000.00	$5000.00
Parking of a vehicle, or part of a vehicle, on Public Property	3.250.1	$500.00	$1000.00	$5000.00
Failure to comply with Objects Prohibited in Yards regulations	3.330	$150.00	$250.00	$500.00
Failure to comply with Accessory Building regulations	4.30	$150.00	$250.00	$500.00
Failure to comply with Backyard Suite regulations	4.50	$500.00	$1000.00	$5000.00
Failure to comply with House Suite regulations	4.140	$500.00	$1000.00	$5000.00
Constructing a Temporary Building without a Development Permit or failure to comply with the Temporary Building regulations	4.280	$200.00	$400.00	$600.00

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2.260 Impounding and Storage Charges

2.260.1 The impounding and storage of Signs seized in violation of this Bylaw will incur a financial penalty to be paid off prior to the release of the Sign at the following rates:

2.260.1.1 impounding of Signs will incur a penalty of $100.00 per Sign;

2.260.1.2 storage of Signs at or smaller than 1.5m2 will incur a penalty of $3.00 per Sign per day;

2.260.1.3 storage of Signs greater than 1.5m2 will incur a penalty of $5.00 per Sign per day.

Part 3 General Regulations

3.10 Use of Public Property

3.10.1 No storage, display or selling of goods on any Public Property is allowed without approval granted by The City.

3.20 Number of Principal Buildings Per Site

3.20.1 No more than 1 Principal Building will be built on a Site unless an overall Site Plan that provides for 1 or more groups of Buildings is approved by the Development Authority.

3.30 Main Floor Minimum Height Measurements

3.30.1 The height of a Main Floor must be a minimum 1.7m above Grade, unless otherwise stated.

3.40 Frontage

3.40.1 Frontage will be calculated at the Front Yard Setback of the Principal Building. If there is no Principal Building on the Site, Frontage is measured at the minimum required Front Yard Setback.

3.40.2 On pie-shaped Sites, Frontage is measured perpendicular to the tangent of the middle of the Front Boundary.

3.40.3 On Corner Sites, Frontage is measured perpendicular to the interior Side Boundary.

3.50 Yard Measurements

3.50.1 In determining Yard measurements, the shortest horizontal distance from the respective Boundary will be used.

3.60 Development Over Gas Lines

3.60.1 A Building may not be placed over a gas line if it is on a permanent foundation, unless prior approval has been granted by the City or the applicable gas company.

3.70 Utility Regulation Stations

3.70.1 The Development Authority may approve gas, electricity or waterworks pumping, regulating, transformer, storage Buildings, or equipment on a Site, regardless of if it conforms to the surrounding area or meets the Side Yard regulations of this Bylaw.

3.80 Electrical Overhead Wiring Separation Distance

3.80.1 No Building at or over 4.4m in height may be constructed so any part is closer than 4.3m to a Boundary Adjacent to existing overhead wiring.

3.80.2 No Building less than 4.4m in height may be constructed so any part is closer than 2.5m to a Boundary Adjacent to existing overhead wiring.

3.80.3 Despite any other section of this Bylaw, where a Setback regulation differs between section 3.80 and one required by another section, the Setback will be the larger distance.

3.90 AltaLink Consultation and Potential Constraints Area

3.90.1 A constraints area exists for 100.0m extending from a high voltage transmission line in each direction and affects any Site partially or fully in the area.

3.90.2 Development applications in constraint areas may be sent, at the discretion of the Development Authority, to AltaLink Management Limited to determine if there are any concerns.

3.90.3 Conditions or restraints for a Development may be placed on a Development Permit to address the constraints area or concerns from AltaLink Management Limited.

3.100 Setbacks from ATCO High Pressure Pipelines

3.100.1 A 15.0m Setback will apply to any Building except Accessory Buildings exempt from a Development Permit. The Development Authority may vary the Setback after consulting with ATCO.

3.100.2 Setbacks from high pressure ATCO pipelines will be measured from the centre of the pipeline right of way.

3.110 Setbacks from TransCanada Pipelines

3.110.1 A 7.0m Setback will apply to any habitable Building. The Development Authority may vary the Setback after consulting with TransCanada Pipeline.

3.110.2 Setbacks will be measured from the TransCanada Pipeline right of way edges to any habitable Building.

3.120 Restrictions on Corner Site Lines

3.120.1 Any Building, object, or vegetation more than 0.9m in height must not be placed or maintained on the part of a Corner Site as follows:

3.120.1.1 where the Corner Site Abuts the intersection of 2 lanes or 2 Roads, in a triangular area with the 2 sides Adjacent to the lanes or Roads a minimum of 4.5m in length, measured from the corner of the Corner Site along the Boundaries of the Site which meet at the intersection, and the third side by drawing a straight line connecting the end points of the other 2 sides (for illustrative purposes see Figure 3.120-1); or

3.120.1.2 if a Site which Abuts the intersection of a lane and a Road, in a triangular area where the 2 sides Adjacent to the Road and lane will be a minimum of 3.0m long, measured from the corner of the Corner Site along the Boundaries of the Site which meet at the intersection, and the third side by drawing a straight line connecting the end points of the other 2 sides (for illustrative purposes see Figure 3.120-1).

3.120.1.3 in the Front Yard of a Residential Zone, fences or hedges taller than 0.9m are not allowed within 6.0m of the intersection of a Driveway or lane and a Road.

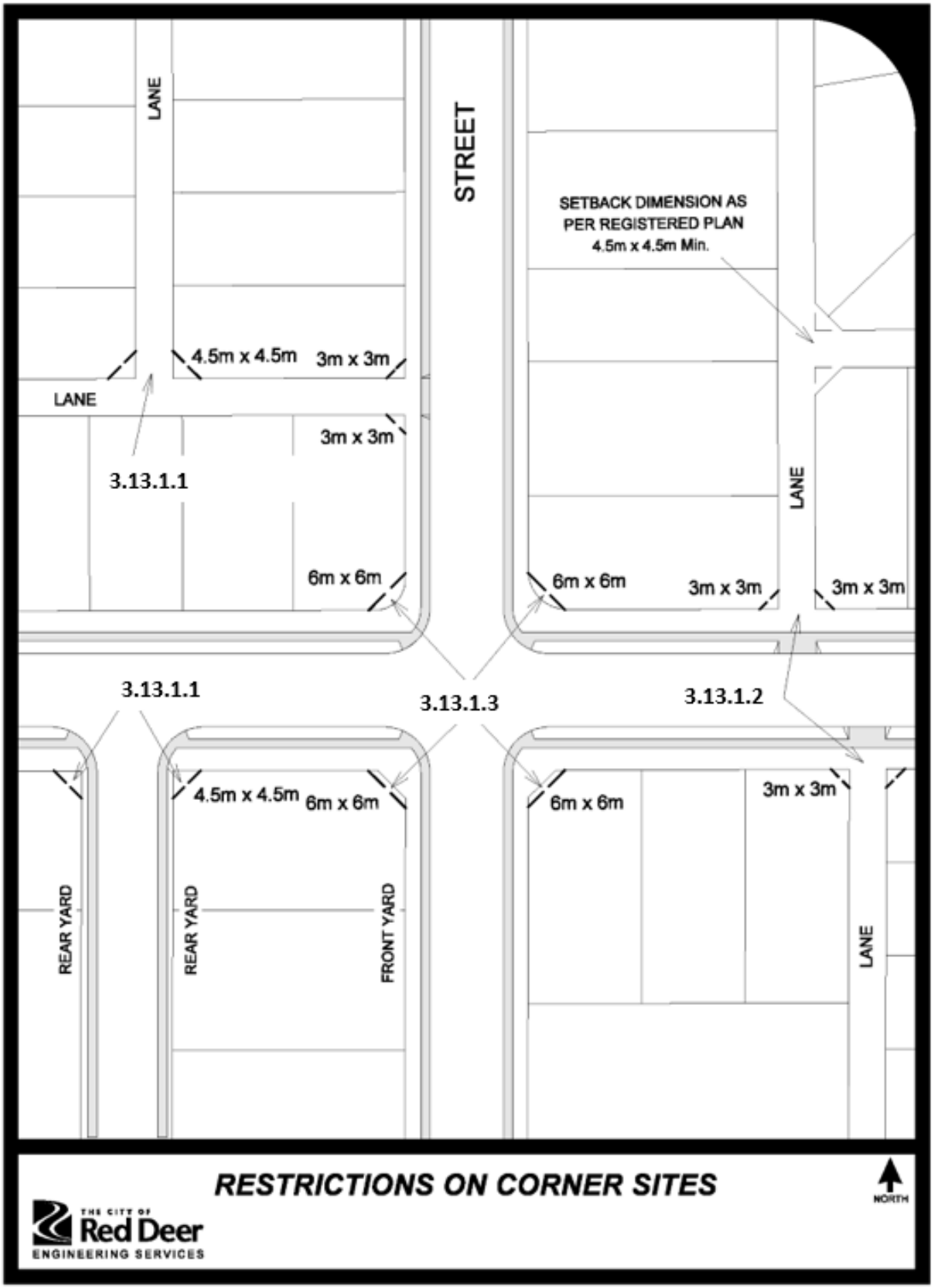


Figure 3.120-1: Restrictions on Corner Sites

3.130 Landscaping Regulations

3.130.1 General Landscaping Regulations

3.130.1.1 Landscape specifications must follow the Contract Specifications planting requirements.

3.130.1.2 For Apartment Buildings, Commercial Zones and Industrial Zones, landscaping is required Adjacent to exterior walls and fences which are visible from Adjacent public Roads to minimize the perceived mass and to create visual interest. Landscaping along the fence line must be positioned to the Road side of the fence when Adjacent to a public Road.

3.130.1.3 The parking of vehicles, the Outdoor Display or Sale of Goods, and Outdoor Storage are prohibited on any part of a Site approved for landscaping, including the natural display of grass, plants, or other landscaping features, unless approved by the Development Authority.

3.130.1.4 Landscaping must provide a visual buffer along the Abutting Boundary between Residential and non-Residential uses, except in mixed-use Zones.

3.130.1.5 For a phased Development, an overall landscaping plan must be approved prior to the first phase of Development.

3.130.1.6 The landscaping of Front Yards must include a mixture of coniferous or deciduous tree and shrubs that add value throughout all seasons.

3.130.1.7 The following minimums must be met unless the Site is in the Major Entry Areas Overlay or contains a House:

3.130.1.7.1 1 tree for every 60.0m² of Landscaped Area;

3.130.1.7.2 1 shrub for every 30.0m² of Landscaped Area; and

3.130.1.7.3 the ratio of deciduous trees to coniferous trees or shrubs must be approximately 2:1.

3.130.2 Residential Landscaping Regulations

3.130.2.1 A landowner of a Residential Site must ensure landscaping is completed within 2 years of the date the Building is occupied.

3.130.2.2 For subsection 3.130.2.1 completion means, at minimum, the Landscaped Area is covered by the acceptable landscaping materials.

3.130.2.3 Landscaping removed for the purposes of Development must be replaced in accordance with the Development Permit by the first growing season after renovations are completed.

3.130.3 Landscaped Islands in Parking Areas

3.130.3.1 Where Parking of 25 or more motor vehicles on a Site is required at ground level, landscaped islands must be provided in the interior of the Parking area to provide visual relief and break up large areas into smaller cells.

3.130.3.2 Landscaped islands should be placed at the following locations in the Parking area:

3.130.3.2.1 at the ends of long rows of Parking;

3.130.3.2.2 between rows of facing Parking stalls;

3.130.3.2.3 mid-aisle of long rows of Parking stalls; or

3.130.3.2.4 another form or combination of landscaping treatments to the satisfaction of the Development Authority.

3.130.4 Landscaped islands must consist of a minimum of 1 deciduous tree well-suited to survive in a high traffic environment, or shrubs the Development Authority deems equivalent to a tree.

3.140 Fence Regulations

3.140.1 The following fences are prohibited in The City:

3.140.1.1 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;

3.140.1.2 any electrified fence;

3.140.1.3 any fence made of pallets, cloth, tarps, plastic that is non-weather resistant, or materials which may deteriorate quickly in inclement weather, or those which are considered unsightly by the Development Authority because of their haphazard construction,

evidence of decay, unstable condition or use of perishable materials.

3.140.2 Subsection 3.140.1.1 will not apply:

3.140.2.1 where barbed wire is placed on a fence at or higher than 1.83m above the level of ground in a non-Residential Site; or

3.140.2.2 where barbed wire is used for fencing on a Site designated A-1 Future Urban Development Zone.

3.140.3 Where the Site is Zoned for Residential or the Principal Use of a Site is Residential, a fence must meet the following:

3.140.3.1 the part of a fence between the front of the Building and the rear Boundary or along the rear Boundary must be a maximum 2.0m in height;

3.140.3.2 the part of a fence between the front of the Building and the front Boundary of the Site must be a maximum 0.9m in height.

3.140.4 The height of a fence is measured from ground level to the top of the fence except where the fence is on a retaining wall, where the height of the retaining wall will be included in the measurement.

3.140.5 No Development Permit is required for a fence in a Residential Zone or other Zone in which the Principal Use is Residential unless a height variance is requested.

3.140.6 No Development Permit is required for a fence in a non-Residential Zone.

3.140.7 No fence is allowed on Public Property without obtaining written permission from the City.

3.140.8 All fencing must consider surrounding Developments and be compatible in its design.

3.150 Roof Drainage

3.150.1 All roof drainage will be directed onto the Site or as specified by the Development Authority.

3.160 Amenity Space Regulations

3.160.1 In non-Capstone Zones, the following amount of Common Amenity Space must be provided for the following uses:

3.160.1.1 a minimum of 4.5m² per Dwelling Unit for Apartments, Townhouses, and Mixed-Use Buildings; or

3.160.1.2 a minimum of 15.0m² per unit for Supportive Living Accommodations and Temporary Care Facilities.

3.160.2 The following amount of Private Amenity Space must be provided within all Residential Zones where there is a Backyard Suite:

3.160.2.1 an outdoor space Abutting an exterior wall of the Backyard Suite, with a minimum of 7.5m² with no dimension less than 1.5m

3.160.3 In Commercial Zones, Residential and mixed-use Developments must include outdoor Amenity Space for residents of the Building, except when:

3.160.3.1 the Development Authority may vary subsection 3.160.3 if the proposed Development is Adjacent to a public park.

3.160.4 The following amount of Common Amenity Space, Private Amenity Space, or a combination thereof must be provided within the Capstone Zones:

3.160.4.1 a minimum of 4.5m² per Dwelling Unit for Apartments, Townhouses, and Mixed-Use Buildings; or

3.160.4.2 a minimum of 15.0m² per unit for Supportive Living Accommodations and Temporary Care Facilities;

3.160.4.3 Private Amenity Spaces must have no dimension less than 1.8m; and

3.160.4.4 Common Amenity Spaces must have a minimum area of 50.0m² with no dimension less than 6.0m.

3.170 Exterior Fire Escapes

3.170.1 [11]Exterior fire escapes are allowed to project into Yards in any Zone, provided the width and projection are not more than 1.2m wide.

3.170.2 For Commercial Zones, the exterior fire escape must be constructed no less than 3.6m above grade.

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3.180 General Regulations for Residential Zones

3.180.1 General Residential Regulations

3.180.1.1 There must only be 1 House or Duplex per Site except for bare land condominiums. This cannot be varied by the Development Authority.

3.180.1.2 There must only be 1 Manufactured Home, or 1 Manufactured Home plus another Manufactured Home used as a Backyard Suite, per Site. This cannot be varied by the Development Authority, except:

3.180.1.2.1 despite subsection 3.180.1.2, bare land condominiums and Manufactured Home Parks are excepted from the limitation.

3.180.1.3 Mechanical or operational elements such as air conditioning units, electrical equipment, service areas, and waste containers must be Screened from public view.

3.180.2 Below Grade Development

3.180.2.1 No below-Grade Development may occur within 0.6m of the Boundary of a Residential Site.

3.180.3 Projections over Yards

3.180.3.1 Projections on a Principal Building in a Residential Zone must not project into a minimum Yard Setback, except as outlined in subsections 3.180.3.2 to 3.180.3.4.

3.180.3.2 **Front Yard**

3.180.3.2.1 A Deck, unenclosed porch, barrier-free ramp, bay window, bow window, or chimney must:

3.180.3.2.1.1 not project more than 1.5m over or on a minimum Front Yard; and

3.180.3.2.1.2 be at least 3.0m from the Front Boundary.

3.180.3.3 **Rear Yard**

3.180.3.3.1 A canopy, eaves, chimney, or steps must not project more than 1.5m over or on a minimum Rear Yard.

3.180.3.3.2 An unenclosed porch, Deck, or barrier-free ramp must not project more than 3.0m over or on a minimum Rear Yard. Steps extending beyond an unenclosed porch or Deck into a minimum Rear Yard may project up to an additional 1.5m.

3.180.3.4 **Side Yard**

3.180.3.4.1 A canopy, eaves, or chimney must not project more than ½ of the minimum Side Yard required for the Site.

3.180.3.4.2 Unenclosed steps, including landing, not more than 0.6m above Grade, must not project more than 0.9m into the minimum Side Yard.

3.180.3.4.3 On the Sites with no rear lane, no steps, landings, or Decks shall project into the minimum Side Yard of 3.0m except if there is rear access for a Garage or vehicles.

3.180.3.5 Projections over a utility or road right of way are not allowed.

3.190 Developed Areas Regulations

3.190.1 Developed Areas Regulations apply to:

3.190.1.1 Residential Sites, except in the R-H Zone and R-MH Zone, as shown in Figure 3.190-1; and

3.190.1.2 Developments where proposed is:

3.190.1.2.1 Buildings that contain a Dwelling Unit;

3.190.1.2.2 construction of new Dwelling Units; or

3.190.1.2.3 enclosed structural additions to existing Dwelling Units, except for sunrooms projecting from the rear of the Dwelling Unit.

3.190.2 Developed Areas Regulations are in addition to and prevail over the Zone regulations and General Regulations for Residential Zones where conflict occurs.

3.190.3 Character Statements are in addition to and prevail over the Developed Areas Regulations where conflict occurs.

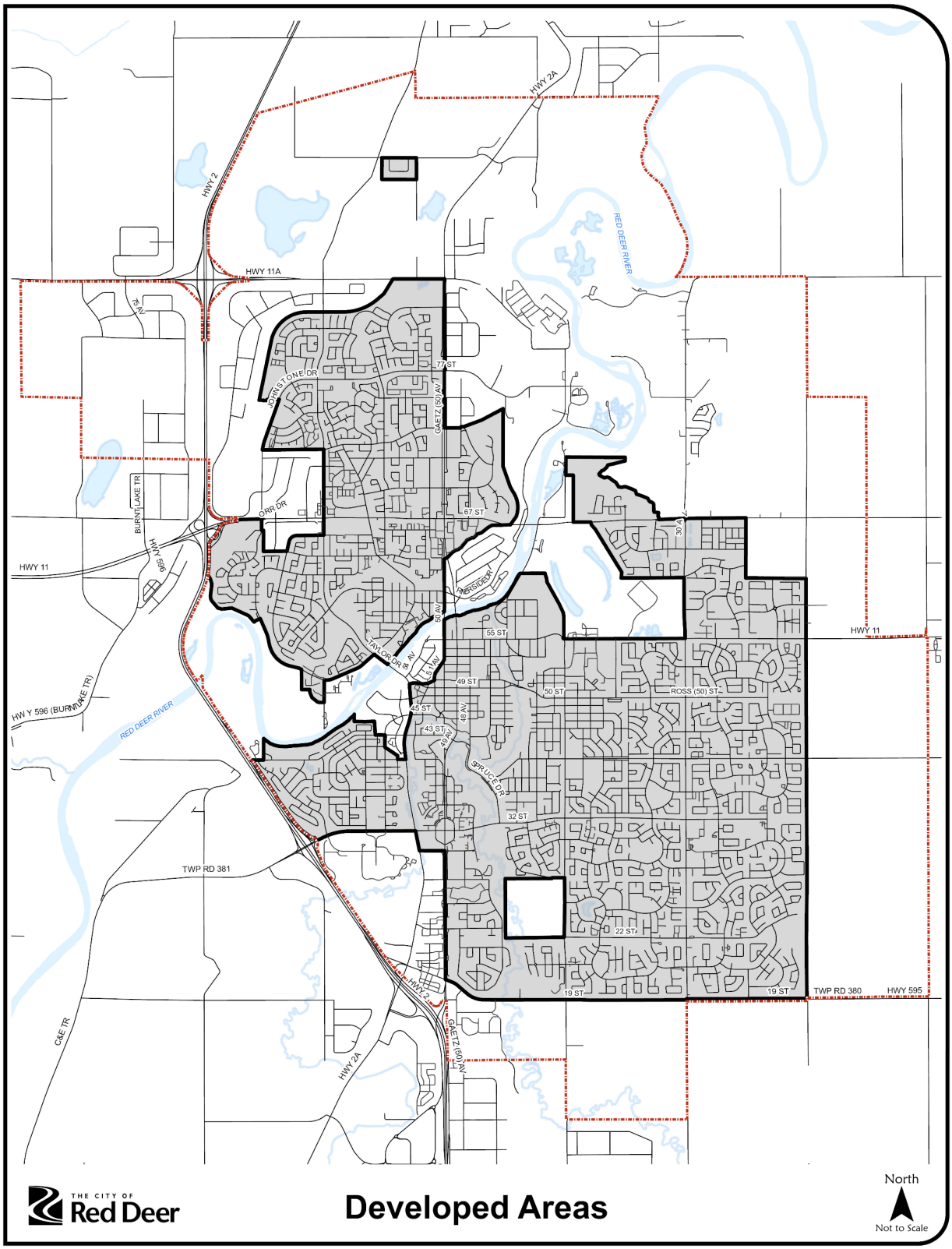


Figure 3.190-1: Developed Areas

3.190.4 **Site Design**

3.190.4.1 **Yards**

3.190.4.1.1 Front Yard Setbacks must be within 1.2m of the average existing Front Yard Setback of Principal Buildings in the Immediate Road Context.

3.190.4.1.2 Rear Yards must minimize overlook into the Rear Yard and Side Yard of Abutting Sites by using a combination of fencing, Screening, or landscaping.

3.190.4.1.3 New Front Yard vehicle access on the Sites Abutting a lane will only be allowed if:

3.190.4.1.3.1 there is existing Front Yard vehicle access in 50% or more of Dwelling Units in the Immediate Road Context; or

3.190.4.1.3.2 features such as mature trees in the Rear Yard or an irregular shaped Site make it difficult to access from the Side Yard or Rear Yard.

3.190.4.2 **Front-attached Garages (where allowed)**

3.190.4.2.1 If 50% or more of Dwelling Units in the Immediate Road Context have existing front-attached Garages, new front-attached Garages must:

3.190.4.2.1.1 not protrude beyond the Live Portion of the Dwelling Unit further than existing front-attached Garages; and

3.190.4.2.1.2 have a maximum width similar to existing front-attached Garages in the Immediate Road Context.

3.190.4.2.2 If less than 50% of Dwelling Units in the Immediate Road Context have existing front-attached Garages, and the Site has a unique feature that makes vehicle access from the Rear Yard or Side Yard difficult, then front-attached Garages are allowed only if they:

3.190.4.2.2.1 do not protrude more than 3.5m from the Live Portion of the Dwelling Unit;

3.190.4.2.2.2 meet the minimum Front Yard Setback; and

3.190.4.2.2.3 are a maximum 40% of the front Façade of the Building.

3.190.5 **Grade and Vegetation**

3.190.5.1 Development must minimize disruption to existing topography and vegetation.

3.190.5.2 City owned trees and shrubs must not be disturbed or removed to construct or service a Dwelling Unit unless approved on the Site Plan by the Development Authority through an issued permit.

3.190.5.3 Changing of Grades should be avoided for the construction of a new Dwelling Unit or structural enclosed addition.

3.190.6 **Design Criteria**

3.190.6.1 The front Façade of a Dwelling Unit facing a Road must have projections or recesses give visual variety.

3.190.6.2 The maximum Building Height must be within 1 storey of the existing Principal Building with the least number of storeys on an Abutting Residential Zone Site, except if the Abutting Site with the least number of storeys is within the R-H Zone, then the Zone regulations for maximum Building Height applies.

3.190.6.3 Despite any other section in this Bylaw, the overall Building Height of a House or Duplex in a Developed Area must not exceed 12.5m measured from Grade.

3.190.6.4 Building design must place Side Yard windows to minimize overlook into living spaces and Rear Yards of Abutting Sites by:

3.190.6.4.1 reducing direct line of sight into windows of the Dwelling Unit on an Abutting side Site by using obscured glass, staggered window location, raised windows, or privacy screening; and

3.190.6.4.2 not locating Side Yard windows beyond the rear Façade on an Abutting side Site unless:

3.190.6.4.2.1 the window is completely below the second storey; or

3.190.6.4.2.2 the glass in the window is entirely obscured; or

3.190.6.4.2.3 there is a minimum distance of 1.5m between the finished floor and the bottom of the windowsill and the window does not extend beyond the storey it is placed on.

3.190.6.5 The threshold of Rear Yard and Side Yard doors, and walking surfaces of Decks, balconies, patios, and other similar access points, should be less than 1.0m above Grade to maintain privacy of Abutting Sites.

3.190.6.6 Fencing, screening, or landscaping must be used to protect the privacy of Abutting Sites.

3.190.6.7 Principal Building façade that face a Road may only have horizontal or vertical walls longer than 5.0m if they are broken up by features such as porches, Projections, terracing, gables, windows, different exterior finishing materials, or variations in rooflines.

3.190.7 Houses and Duplexes

3.190.7.1 Primary entrances to Dwelling Units must face the Front Boundary of the Site with a direct Walkway to the Sidewalk or to the Road if there is no Sidewalk, unless:

3.190.7.1.1 the Dwelling Unit is on a Corner Site, it may face the Side Boundary closest to the Road if other Dwelling Units on Corner Sites within the Immediate Road Context face the Side Boundary.

3.190.7.2 Dwelling Units must not be identical to or mirror the front façade of an Abutting side Site.

3.190.8 Every Townhouse unit at Grade that faces a Road must have a direct Walkway from its primary entrance to the Sidewalk or to the Road if there is no Sidewalk.

3.200 General Regulations for Commercial Zones

3.200.1 Projections over Yards

3.200.1.1 A canopy may project over a minimum Yard if:

3.200.1.1.1 It is at least 3.0m above Grade; and

3.200.1.1.2 There are no supports or posts built under the part projecting over a minimum Yard.

3.200.2 Design Criteria

3.200.2.1 Storage Areas

3.200.2.1.1 Storage areas must be placed in the Rear Yard or Side Yards of the Principal Building; and

3.200.2.1.2 Storage areas must be Screened from view from any Adjacent Sites or public Roads.

3.200.2.2 Street façades of Buildings

3.200.2.2.1 Building Façades on Road and Corner Sites must have high-quality architectural treatments.

3.200.2.2.2 Buildings must have a strong presence along the public Road Front Boundary and an inviting entrance and appearance on the Sidewalk and Road.

3.200.2.3 Developments that include 1 or more Buildings must create variety, character, comfortable scale, and visual interest by incorporating a variety of Building styles.

3.200.2.4 Developers must create pedestrian linkages with Adjacent Sites and to Sidewalks along Roads.

3.200.2.5 Buildings must transition seamlessly between ground floor Commercial Development and the Sidewalk.

3.200.2.6 Underground parking ramps must be at the Rear Yard or Side Yards of the Building and not on the front Road.

3.200.3 Additional Setbacks for Front- and Side-Yard Setbacks of Sites Abutting Roads

3.200.3.1 The minimum Front Yard and Side Yard Setbacks of Sites Abutting the identified Roads shown in Figure 3.200-1 must increase by 2.13m on each side of the original 20.12m-wide Road right of way. The Development Authority:

3.200.3.1.1 must not vary the requirement for this additional Setback in areas shown with a solid heavy line.

3.200.3.1.2 may reduce or eliminate the additional Setback on a case-by-case basis in the area shown with a dashed heavy line for pedestrian improvements that are:

3.200.3.1.2.1 non-structural;

3.200.3.1.2.2 amenities such as Walkways, Sidewalks, bicycle routes, green spaces and landscaping, urban sculptures, and benches or other street furniture;

3.200.3.1.2.3 special design elements such as unique Building entrances or Façades, non-structural columns, canopies, porches and balconies, special lighting, or Road-oriented Signs;

3.200.3.1.2.4 Development based on the character of an area or applicable neighbourhood design guidelines; or

3.200.3.1.2.5 Development made visually interesting and compatible with the Road and adjoining Buildings and offers a continuous pedestrian streetscape or pedestrian or public amenity such as an outdoor café, Courtyard, or garden.

3.200.3.2 Subsection 3.200.3.1 does not apply to the areas below, which have specific minimum Setbacks set out on each figure:

3.200.3.2.1 Figure 3.200-2, Figure 3.200-3, Figure 3.200-4: 55 Street (Gaetz Avenue to 42A Avenue)

3.200.3.2.2 Figure 3.200-5, Figure 3.200-6, Figure 3.200-7: Ross Street (45 Avenue to west Boundary of N.E. 15-38-27-4)

3.200.3.2.3 Figure 3.200-8, Figure 3.200-9: 40 Avenue (44 Street to 52 Street)

3.200.3.2.4 Figure 3.200-10: 45 Street (Taylor Drive to 51 Avenue)

3.200.3.3 Subsection 3.200.3.1 does not apply to a Site where:

3.200.3.3.1 the landowner transferred title to The City on the land that would otherwise be required as additional Setback; and

3.200.3.3.2 the Setback or any part of it is occupied by a Building and the landowner has a License to Occupy Agreement with the City.

3.200.3.4 The minimum Front Yard and Side Yard Setbacks in Figure 3.200-1 do not apply to:

3.200.3.4.1 any historical Building under the Historical Significance Zoning Modifier or the Historical Preservation Zoning Modifier; or

3.200.3.4.2 new construction approved by the Development Authority as a historical “echo” or “replica” Building.

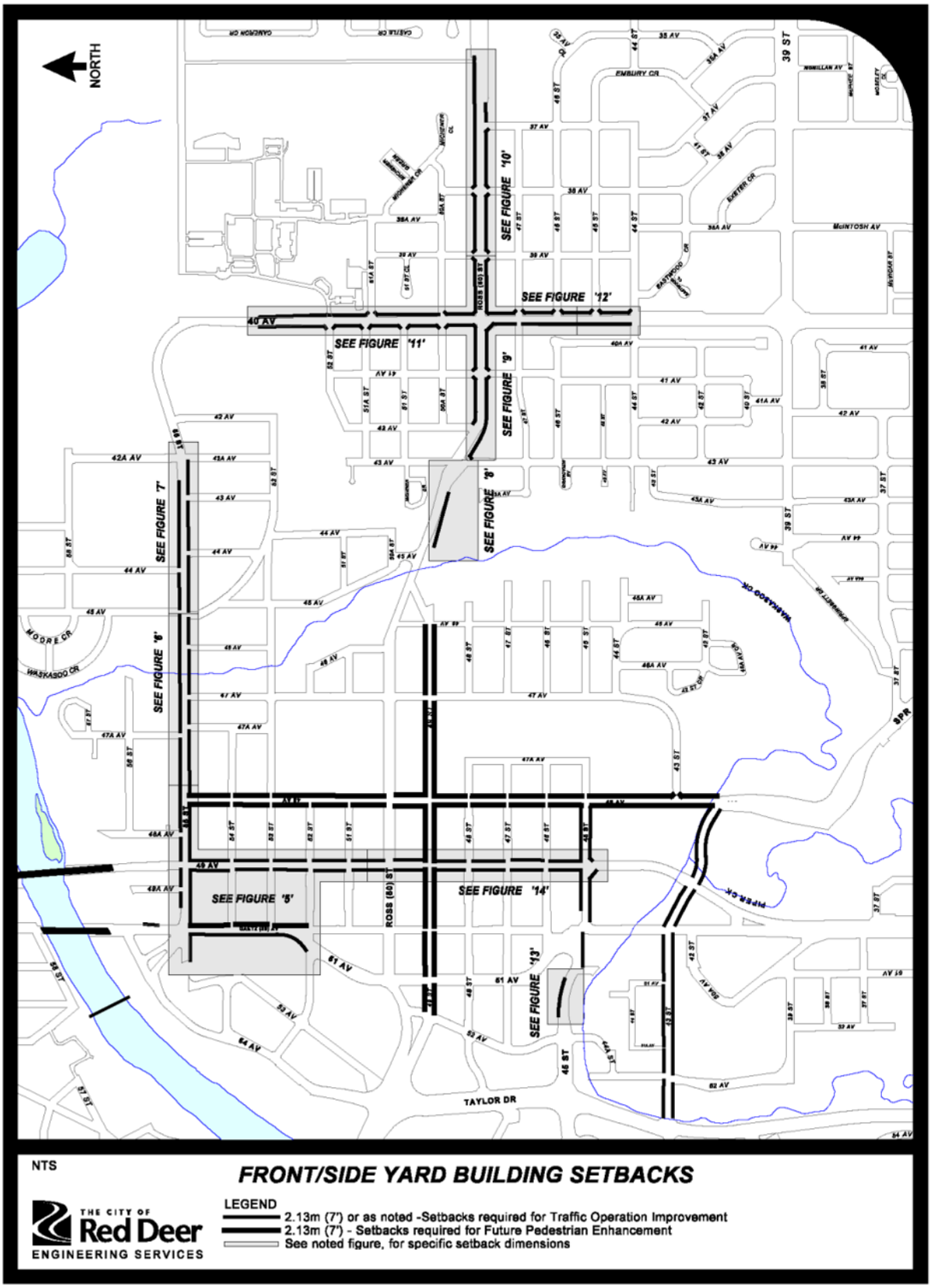


Figure 3.200-1: Front and Side Yard Building Setbacks

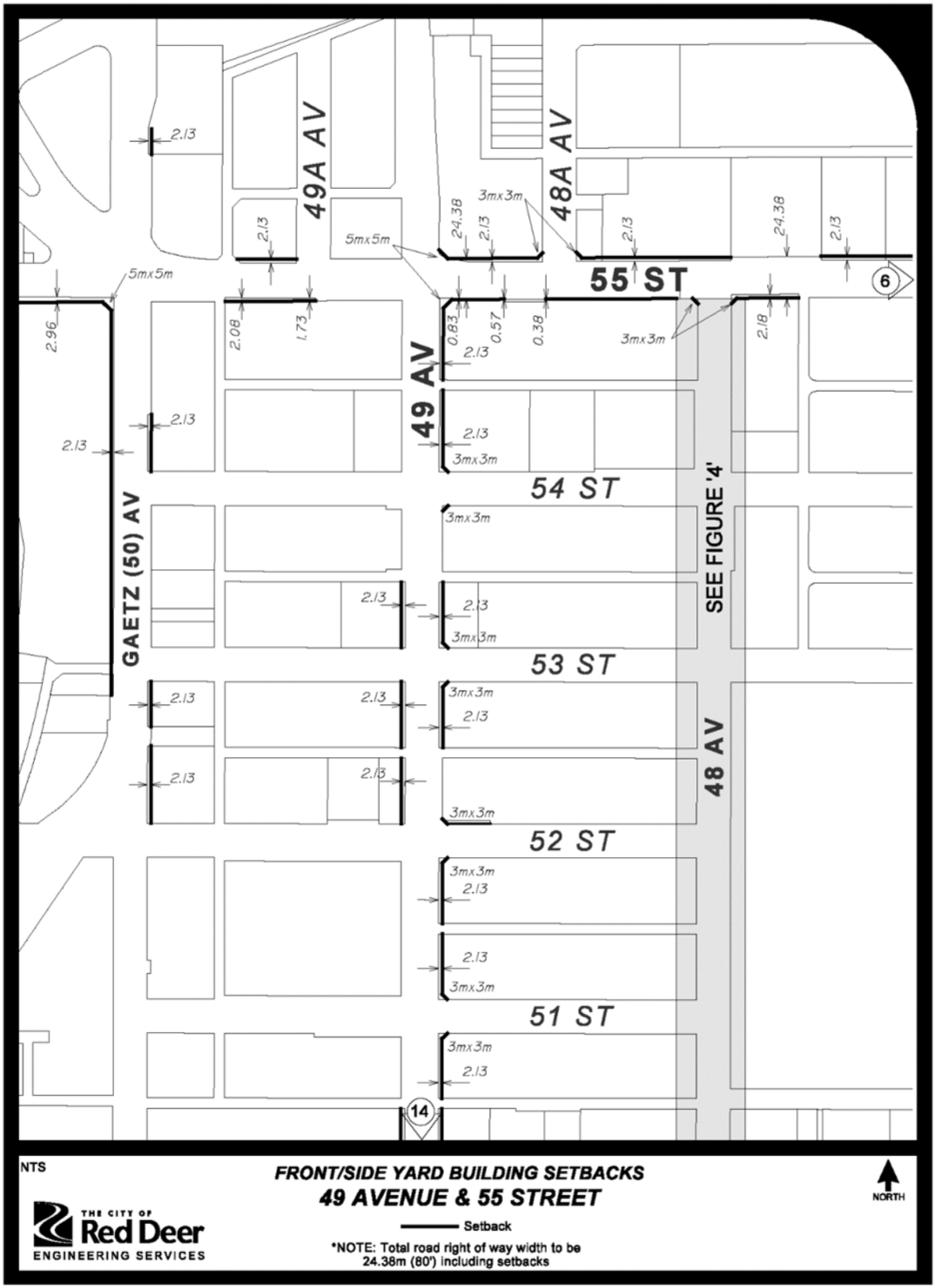


Figure 3.200-2: Front and Side Yard Building Setbacks - 49 Avenue & 55 Street

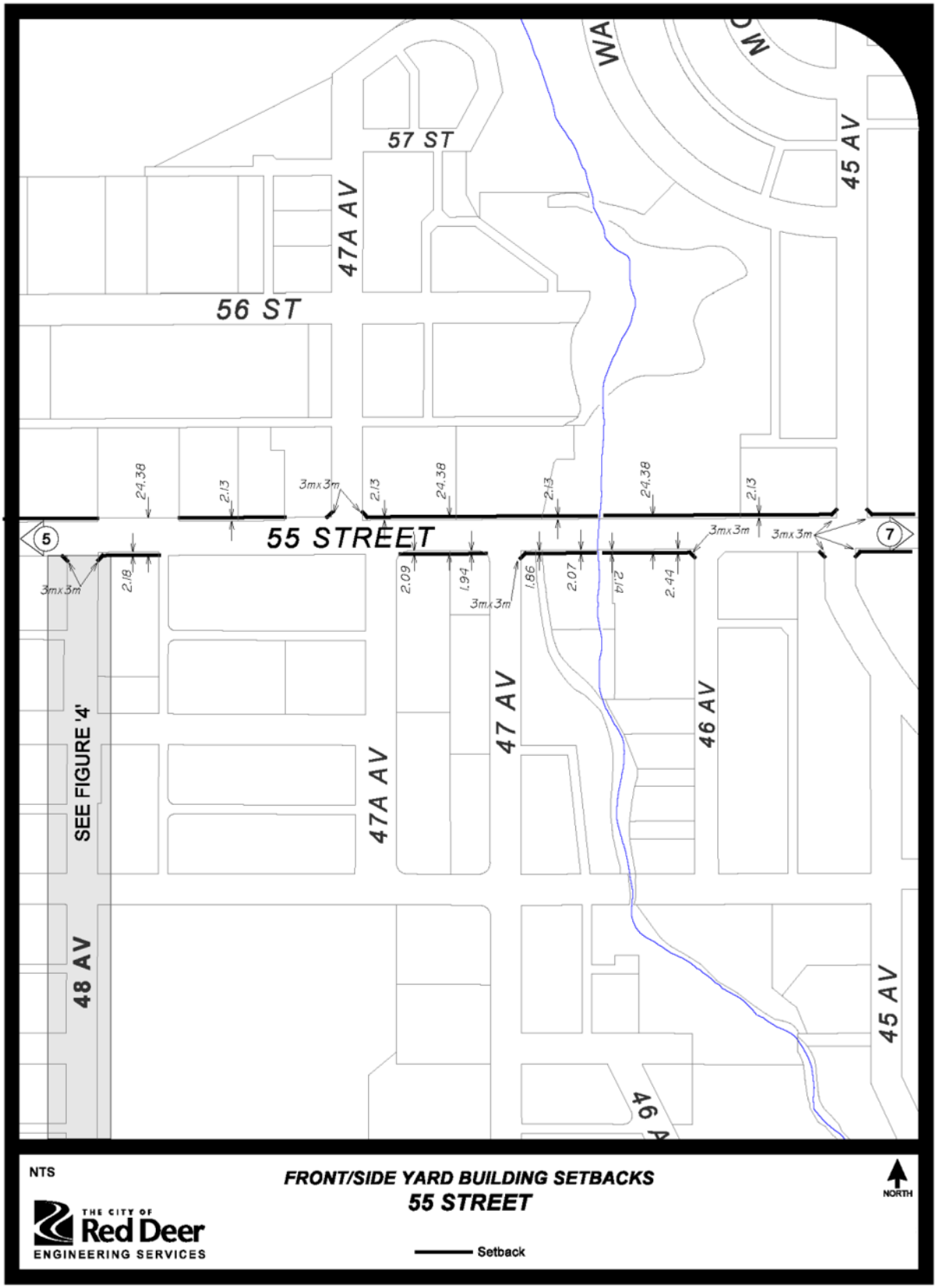


Figure 3.200-3: Front and Side Yard Building Setbacks - 55 St (1)

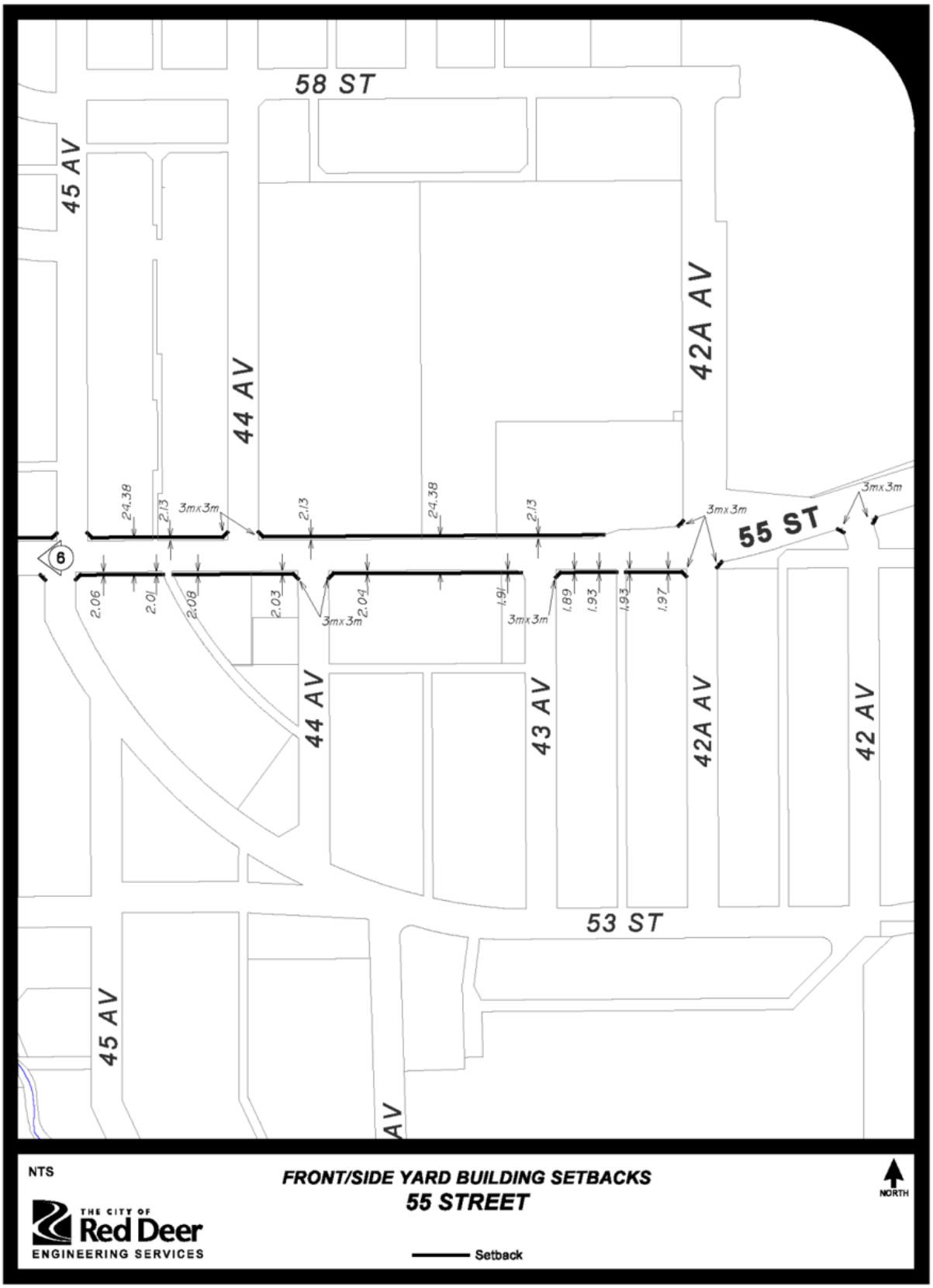


Figure 3.200-4: Front and Side Yard Building Setbacks - 55 St (2)

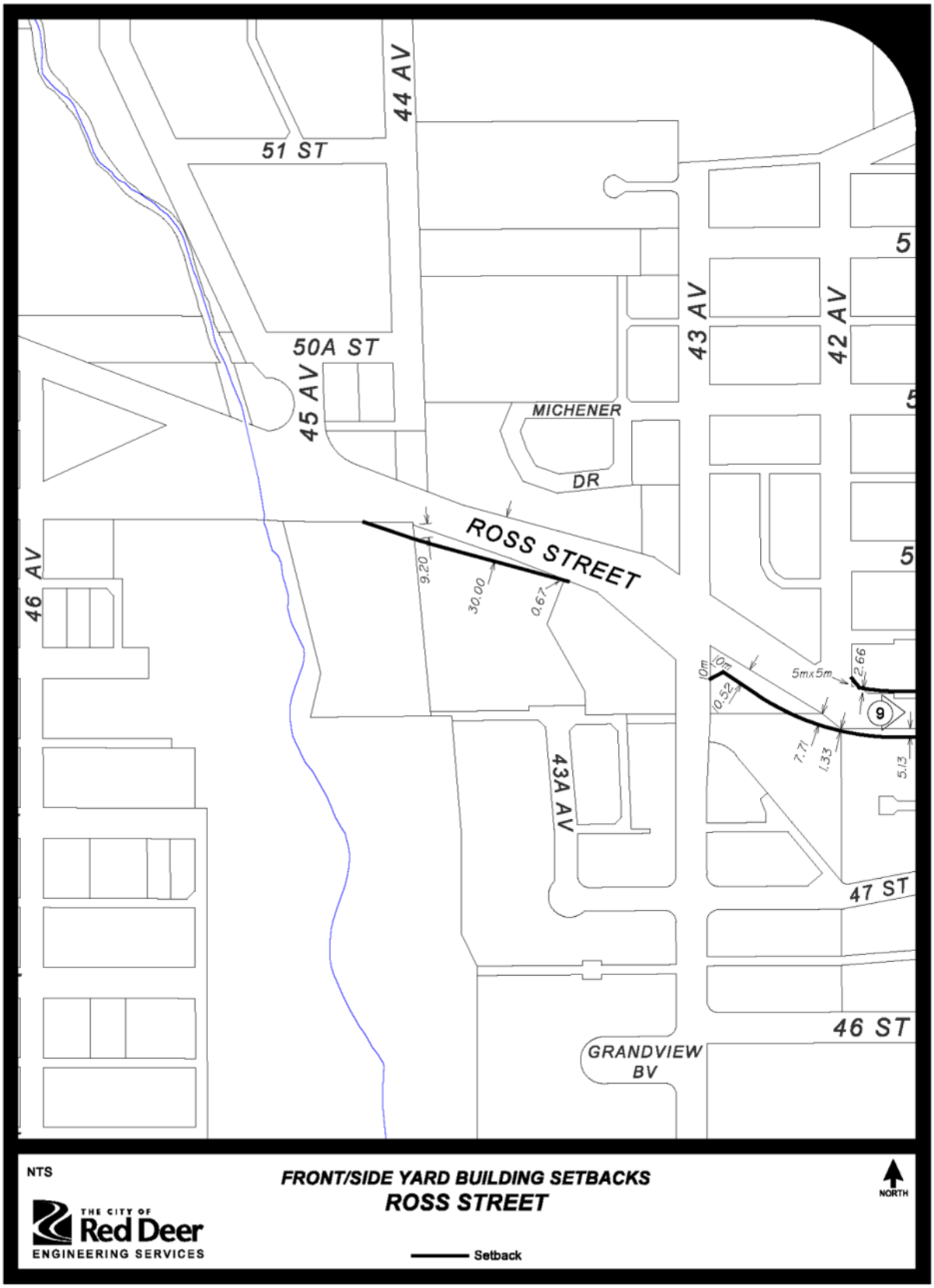


Figure 3.200-5: Front and Side Yard Building Setbacks - Ross St (1)

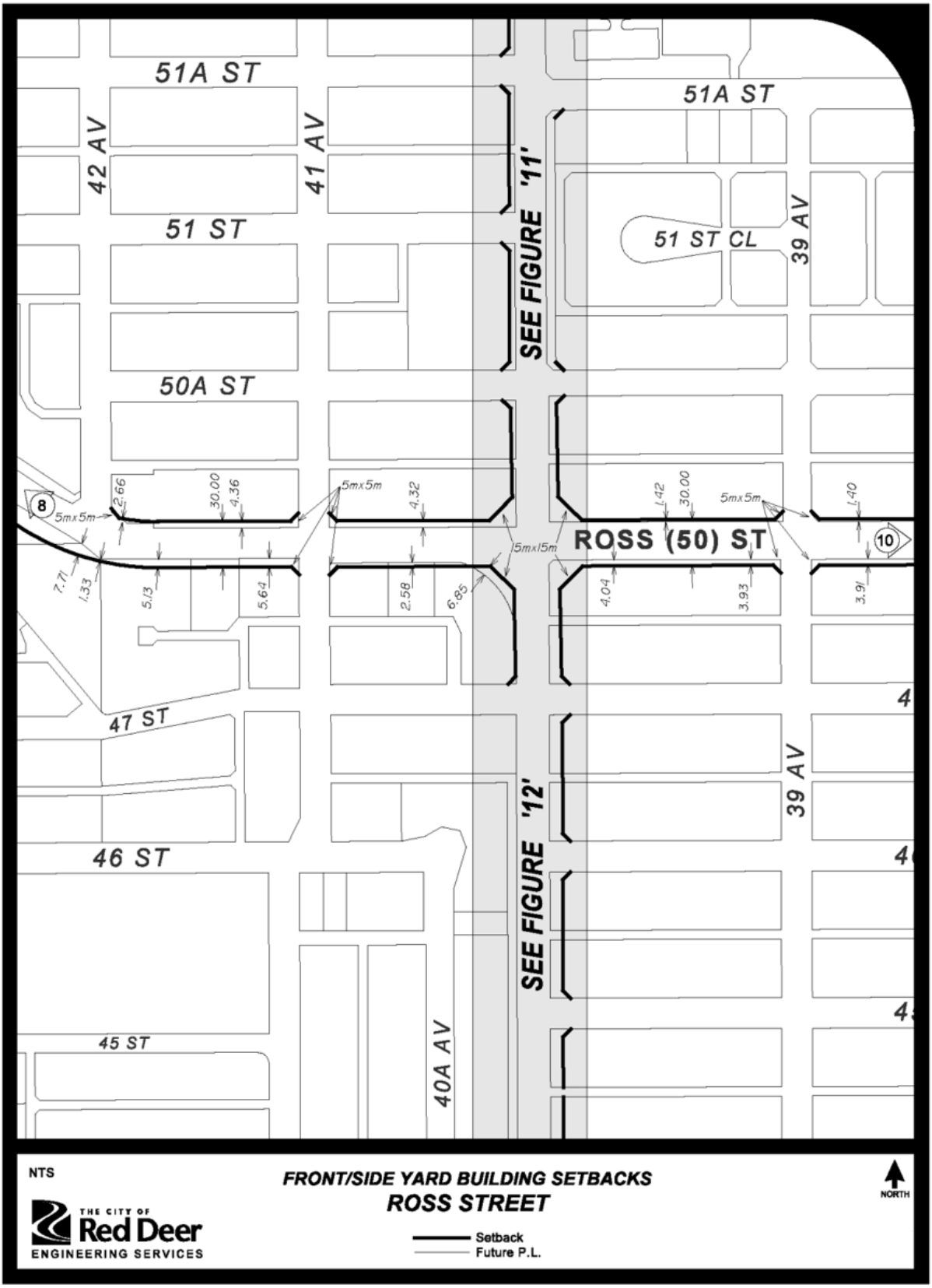


Figure 3.200-6: Front and Side Yard Building Setbacks - Ross St (2)

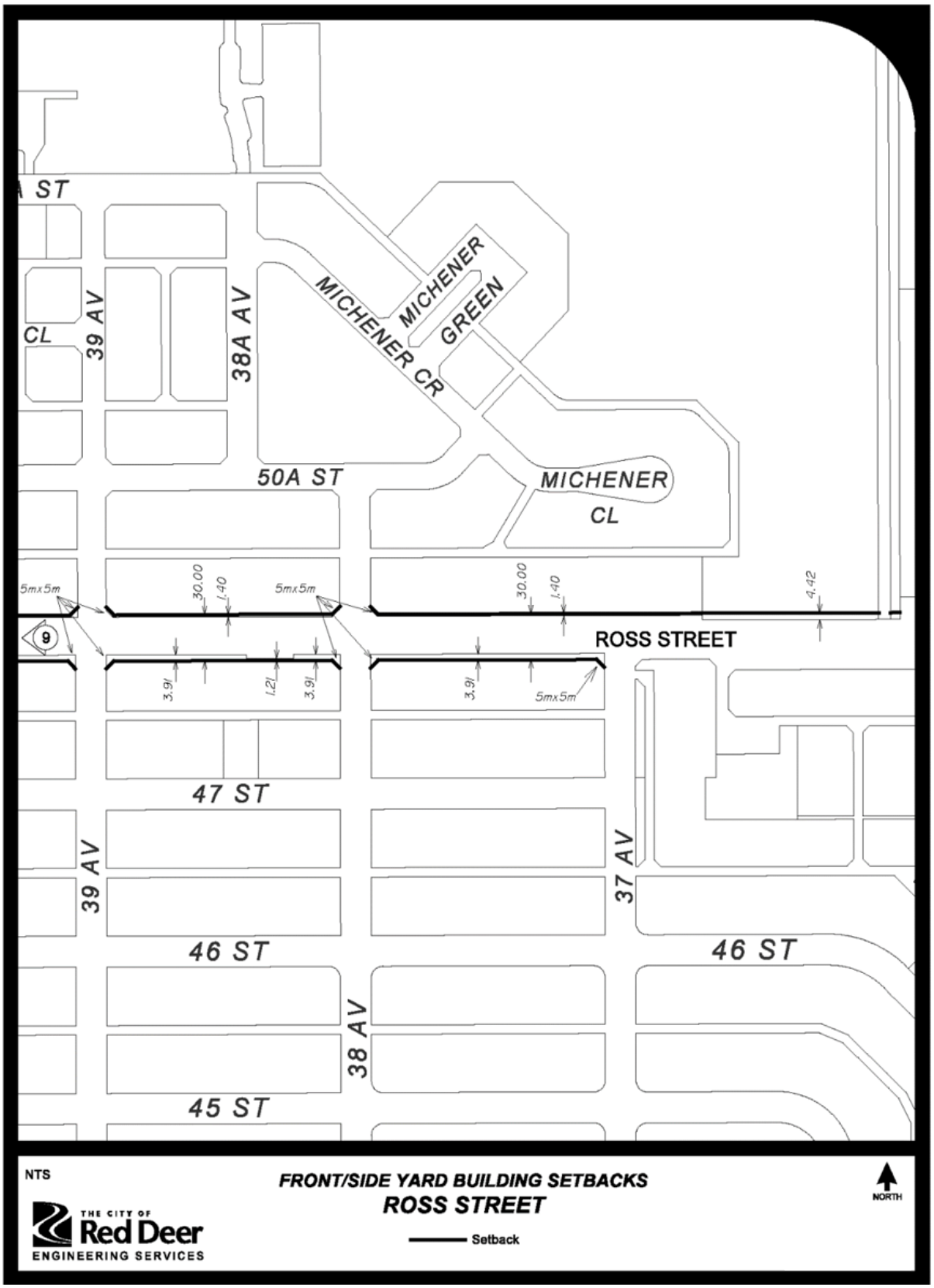


Figure 3.200-7: Front and Side Yard Building Setbacks - Ross St (3)

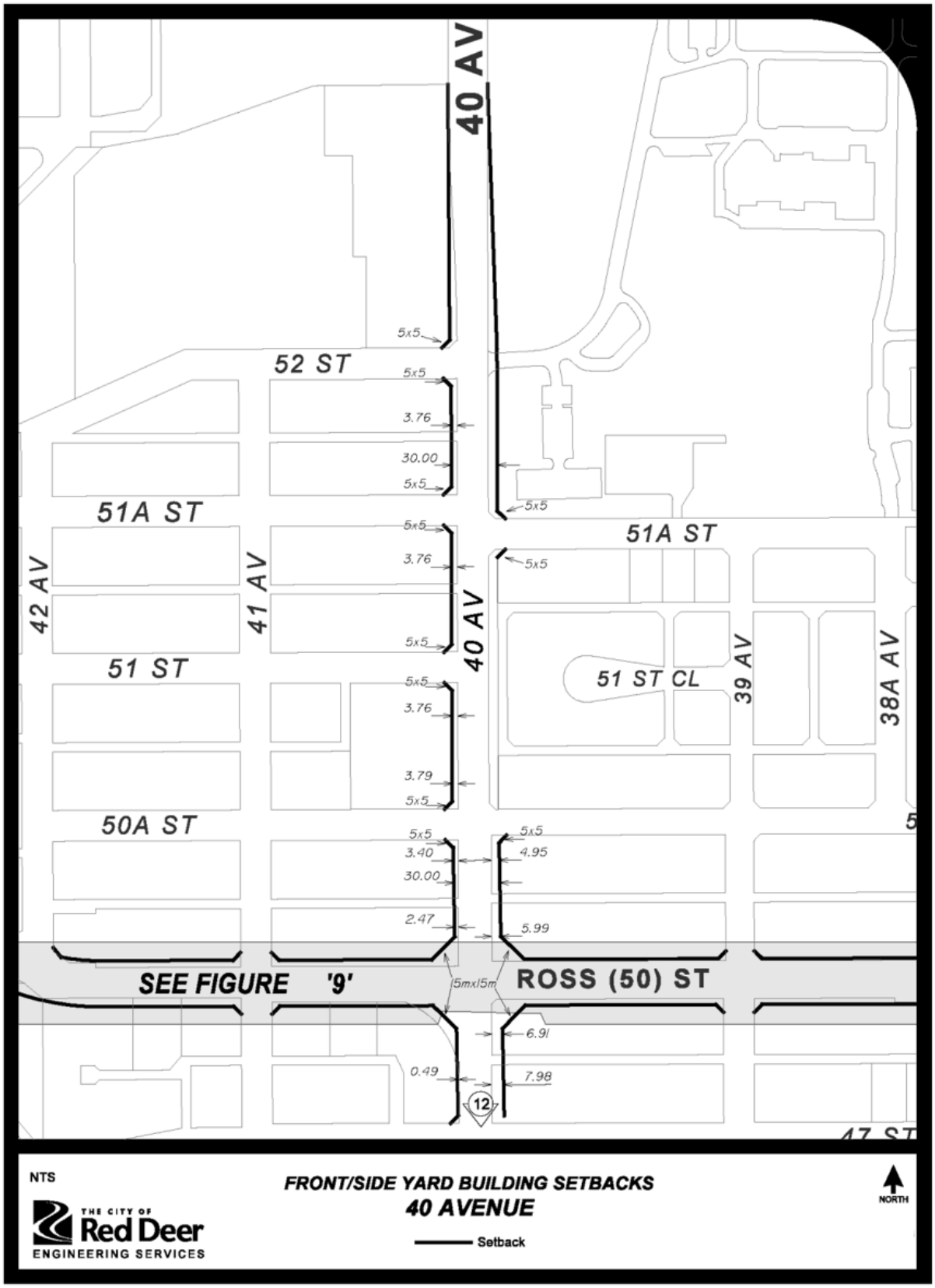


Figure 3.200-8: Front and Side Yard Building Setbacks - 40 Avenue (1)

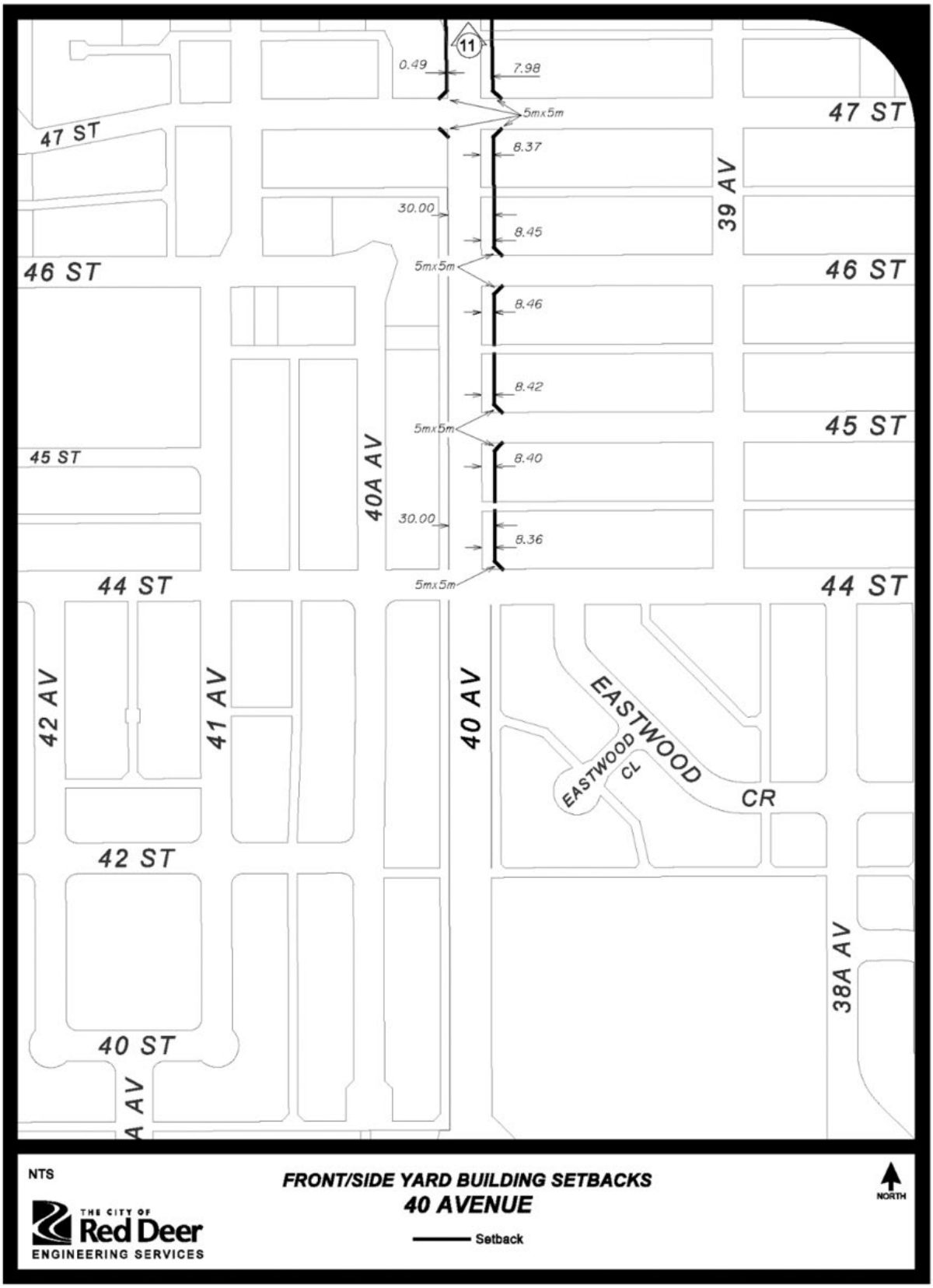


Figure 3.200-9: Front and Side Yard Building Setbacks - 40 Avenue (2)

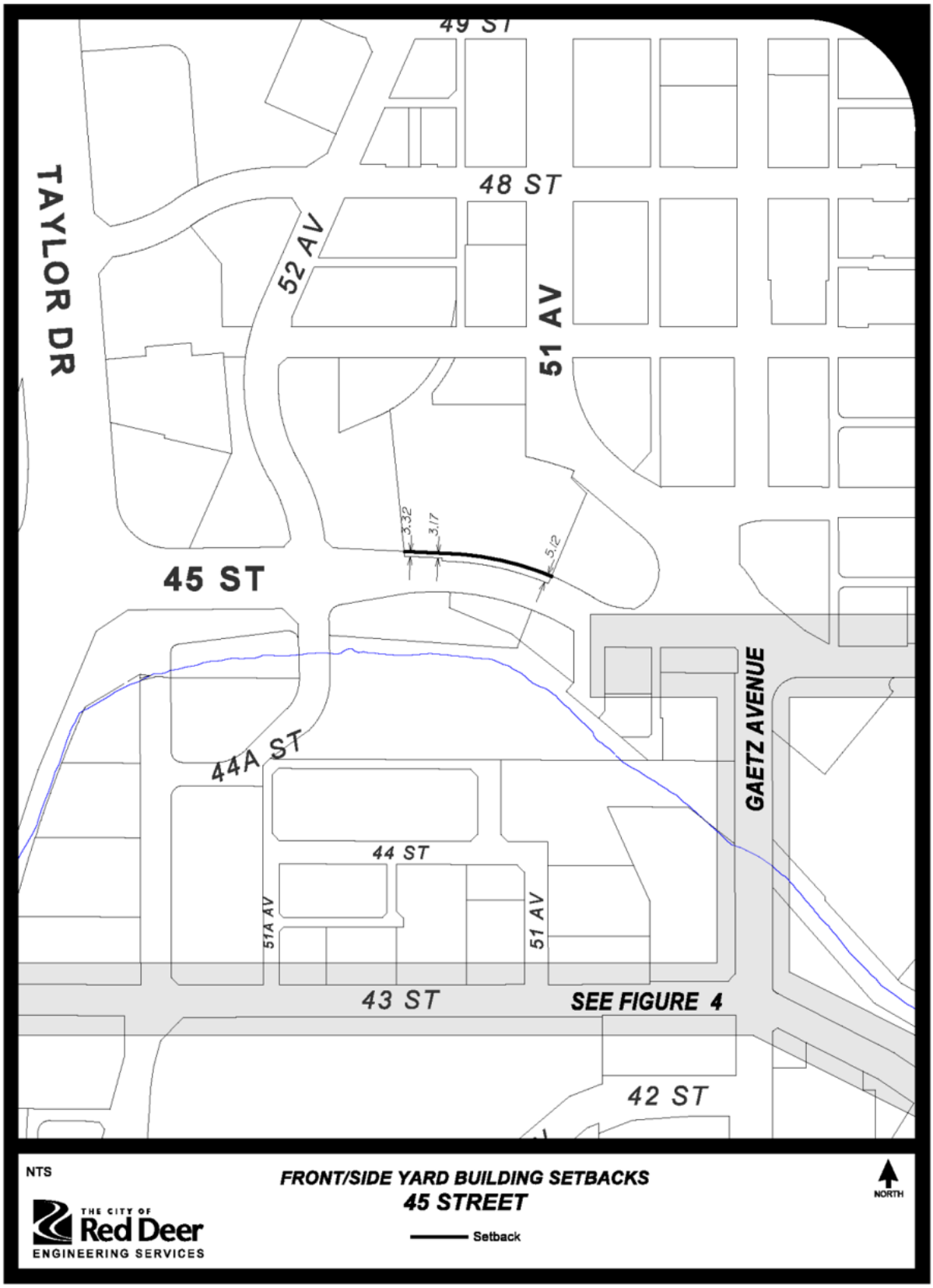


Figure 3.200-10: Front and Side Yard Building Setbacks - 45 St

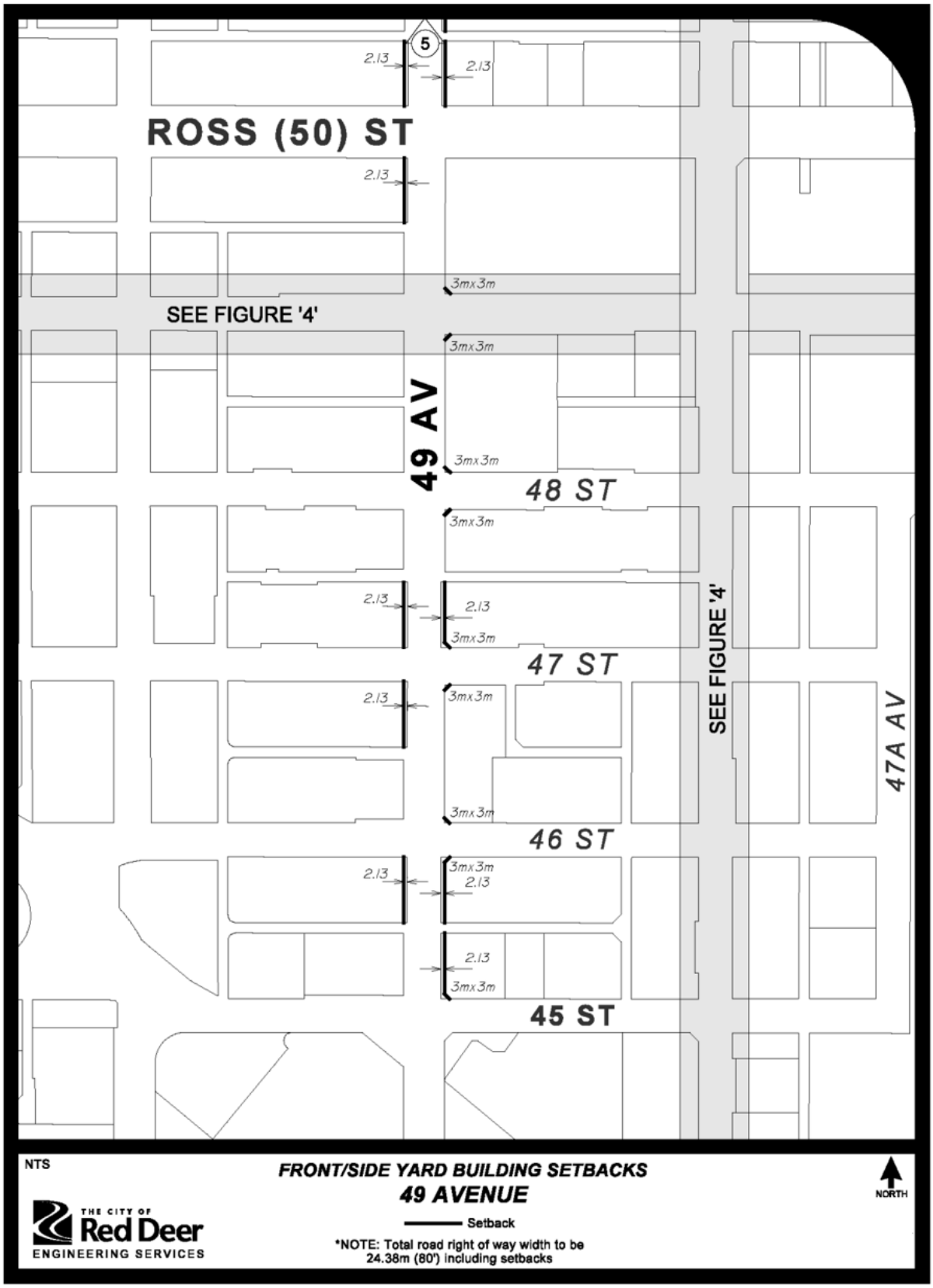


Figure 3.200-11: Front and Side Yard Building Setbacks - 49 Avenue

3.210 General Regulations for Industrial Zones

3.210.1 All parts of an Industrial Front Yard must, to the satisfaction of the Development Authority:

3.210.1.1 be paved or gravelled and maintained in neat, dust-free condition;

3.210.1.2 be suitably landscaped and maintained free of weeds.

3.210.2 If a Road Adjacent to an I-1 or I-2 Zoned Industrial Site is not paved and not landscaped at the time of Development, the Site may remain unpaved with no landscaping until The City completes this work and notifies the landowner.

3.210.3 The landowner of the Site must enter into an agreement in writing satisfactory to The City acknowledging the conditions outlined in subsection 3.210.2 and has up to 12 months to pave and landscape the Site in compliance with the Bylaw after receiving notice from the City the Adjacent Road work is complete.

3.210.4 The City may register a caveat on the title to the Site to protect the agreement.

3.210.5 Industrial Standards

3.210.5.1 Industrial Standard I is any Industrial Operation that does not:

3.210.5.1.1 emit audible Industrial production noise at any location on the Boundary of the Site on which the operation takes place;

3.210.5.1.2 emit smoke, except waste disposal incinerators approved by the Development Authority;

3.210.5.1.3 emit dust, flying ash, or other particulate material;

3.210.5.1.4 emit odour or gas;

3.210.5.1.5 emit toxic gases or toxic substances;

3.210.5.1.6 produce glare or heat noticeable beyond the Boundary of the Site;

3.210.5.1.7 discharge waste into sewers if the waste does not meet Utility Bylaw standards.

3.210.5.2 Industrial Standard II means an Industrial Operation which produces noxious emissions but does not create a noticeable nuisance beyond the Boundary of the Site.

3.210.6 **Projection Over Yards**

3.210.6.1 A canopy may project over a minimum Yard if:

3.210.6.1.1 it is at least 3.6m above Grade; and

3.210.6.1.2 no supports or posts are constructed under the part projecting over the minimum Yard.

3.210.7 **Vehicle Access to Sites from Public Roadways**

3.210.7.1 A minimum of 10.0m of the Driveway must be paved if:

3.210.7.1.1 the Adjacent public Road is paved; and

3.210.7.1.2 the Driveway transitions onto a gravel part of the Site.

3.220 Vehicle Access to Sites from Public Roads

3.220.1 The location and number of proposed accesses for a Development must conform to the Engineering Design Guidelines.

3.230 Parking Spaces and Areas

3.230.1 If changes are made to a Site use that requires increased Parking above what is currently provided, the additional Parking must be provided.

3.230.2 When a Development requires a minimum number of Parking spaces, those spaces may not be used for any other use, and access to the stalls must be unobstructed.

3.230.3 Unless otherwise determined by the Development Authority, Parking spaces must be on the Site.

3.230.4 Parking spaces on the Site must be provided for according to Table 3.240, unless otherwise stated, and any fractional number of required Parking stalls will be rounded down to the next whole number.

3.230.5 The Development Authority has discretion to determine the Parking requirement for any use not specified in Table 3.240 and may decide based on the Parking requirements for similar uses.

3.230.6 [12]Deleted.

3.230.7 Where a Building or Site, other than a Lease Bay Building or Shopping Centre, contains multiple uses, the minimum number of Parking spaces is the sum of the requirement for each use.

3.230.8 The Development Authority may grant a variance on Parking space requirements for a Building or Site if multiple uses are expected to share parking spaces without conflict.

3.230.9 Where there are multiple uses on a Site inside a Shopping Centre or Lease Bay Building, Parking spaces are calculated for the entire Shopping Centre or Lease Bay Building, not for each individual use.

[12] 3357/SS-2024

3.240 Required Parking Spaces Table

Use	Required Parking Spaces
Above Ground Storage Tank	0.0
Accessory Building	0.0
Accessory Use	Same as if it were a Principal Use
Adult Entertainment	1.0 per 3.0 seats, with a minimum of 1.0 space for each individual viewing area containing 3.0 seating spaces or less
Alternative or Renewable Energy Facility	1.0 per on the Site employee on duty
Animal Services	2.0 per 93.0m^2 of Gross Floor Area
Apartment	1.0 per studio or 1 bedroom unit; 1.5 per 2 bedroom unit; 2.0 per 3 bedroom unit; and 1.0 space for every 5.0 units which must be clearly identified as guest Parking
Auction Mart	1.5 per 93.0m^2 of Gross Floor Area
Backyard Suite	1.0 per suite with 2 or fewer bedrooms; 2.0 per suite with more than 2 bedrooms
Business Incubator	1.0 per 93.0m^2 Gross Floor Area
Business Support Service	2.0 per 93.0m^2 Gross Floor Area
Campground	1.0 per camping space, which may be part of the camping space itself if sufficient space is provided
Cannabis Production Facility	1.0 per on the Site employee on duty
Cannabis Retail Sales	2.5 per 93.0m^2 of Gross Floor Area
Capstone Existing Building	As was approved at the passing of Bylaw 3357/Q-2016 on December 5, 2016
Cemetery	0.0
Commercial Entertainment Facility	1.0 per 5.0 seats
Commercial School	1.0 per 8 students, based on maximum enrollment

Commercial Service Facility	2.5 per 93.0m^2 of Gross Floor Area
Communication Facility	1.0 per on the Site employee on duty
Community Garden	0.0
Courtyard	0.0
Crematorium	1.0 per 93.0m^2 of Gross Floor Area
Cultural Facility	2.5 per 93.0m^2 of Gross Floor Area
Dangerous Goods Occupancy	0.0
Data Processing Centre	1.0 per 93.0m^2 of Gross Floor Area but not less than 4.0 spaces per tenant
Day Care Facility	1.0 per 2 employees or 1.0 per 10 children (based on maximum enrollment), whichever is greater
Detention and Correction Services	1.0 per 93.0m^2 of Gross Floor Area
Drinking Establishment (Adult Entertainment Permitted)	1.0 per 4.0 seats
Drinking Establishment (Adult Entertainment Prohibited)	1.0 per 4.0 seats
Drive-Through	0.0
Duplex	2.0 per unit fronting onto a public Road; 2.0 per unit fronting onto a private Road plus an additional 1.0 spaces per every 5.0 units provided as guest Parking
Eco Industrial Waste Production or Consumption	3.0 per 93.0m^2, but no less than 4.0 spaces per tenant or establishment
Educational Institution – Primary and Secondary	1.0 for each classroom in a primary educational institution 1.0 per 3.3 students, based on maximum occupancy in a secondary educational institution
Educational Institution – Post-Secondary	1.0 per 10 students, based on maximum enrollment; and 1.0 per 20.0m^2 for community use components; and 2.0 per 93.0m^2 for office components
Emergency Services	2.5 per 93.0m^2 of Gross Floor Area

Emergency Shelter	2.0 per 93.0m^2 of office components
Funeral Homes	1.0 per 5.0 seats
Gaming or Gambling Establishment	1.0 space per 2.3 seats
General Contractor Services	2.0 per 93.0m^2 of Gross Floor Area
Government Services	2.0 per 93.0m^2 of Gross Floor Area
Greenhouse	1.5 per 93.0m^2 of Gross Floor Area
Health and Medical Services	2.5 per 93.0m^2 of Gross Floor Area
Home Occupation Major, Bed and Breakfast only	1.0 per guestroom, this is in addition to the principal Dwelling Unit Parking requirements
Home Occupation Major, except Bed and Breakfast	1.0 for each non-resident employee on duty plus 1.0 for business Parking. This is in addition to the principal Dwelling Unit Parking requirements
Home Occupation Minor	0.0, this is in addition to the principal Dwelling Unit Parking requirements
Hospital	1.0 per 93.0m^2 of Gross Floor Area
Hostel	1.0 per guest room
Hotel	1.0 per guest room
House	2.0 per unit fronting onto a public Road 2.0 per unit plus 1.0 for every 5.0 units provided as guest Parking when fronting onto a private Road
House Suite	1.0 per suite with 2 or fewer bedrooms 2.0 per suite with more than 2 bedrooms
Indoor Recreation Facility	5.0 stalls specific to employee Parking; and • 6.0 per curling rink lane • 1.0 per 10m^2 Gross Floor Area of health and fitness areas • 1.0 per 5.0m^2 of hockey rink or pool or water surface • 3.0 per racket sport court • 5.0 per bowling alley • 1.0 per 5 seats in a fixed seating area

Industrial Operations	3.0 per 93.0m^2, but no less than 4.0 spaces per tenant or establishment
Industrial or Commercial Training Facility	1.0 per 5 students, based on maximum enrollment
Information Service Provider	2.0 per 93.0m^2 of Gross Floor Area
Late Night Club	1.0 per 4.0 seats
Lease Bay Building	3.0 per 93.0m^2 of Gross Leasable Floor Area
Liquor, Beer, and Wine Sales	5.1 per 93.0m^2 of Gross Floor Area
Low Impact Commercial Use	In addition to those required for the Dwelling Unit, the following will be satisfied for each type of Commercial use on the Site: • Office – 2.0 per on the Site employee on duty • Health and Medical Service – 2.0 per personal consultation cubicle • Commercial Service Facility – 2.5 per 93.0m^2 Gross Floor Area • Merchandise Sales and Rentals – 5.1 per 93.0m^2 Gross Floor Area
Machinery Sales	5.1 per 93.0m^2 of Gross Floor Area
Manufactured Home	2.0 per unit fronting onto a public Road 2.0 per unit plus 1.0 for every 5.0 units provided as guest Parking when fronting onto a private Road
Manufactured Home Park	Same as Manufactured Home
Manufactured Home Sales	2.0 per 93.0m^2 of Gross Floor Area
Manufactured Sales	5.1 per 93.0m^2 of Gross Floor Area
Merchandise Sales and Rentals	5.1 per 93.0m^2 of Gross Floor Area
Microbrewery	11.0 per 93.0m^2 of seating area, plus 3.0 for employee Parking

Mixed-Use Building	In addition to those required for the principal Dwelling Unit, each Commercial use on the Site will provide Parking based on the underlying use except in the R-SMU Zone where no Parking is required for Commercial uses
Motor Vehicle Sales, Service, or Repair	2.0 per 93.0m^2 of Gross Floor Area
Off Leash Dog Park	0.0
Oilfield Support Services	2.0 per 93.0m^2 of Gross Floor Area
Open Space	0.0
Outdoor Display or Sale of Goods	5.1 per 93.0m^2 of space dedicated to this use
Outdoor Recreation Facility	As required by the Development Authority
Outdoor Storage	1.0 per 93.0m^2 of dedicated Outdoor Storage area but no less than 4.0 spaces per tenant or establishment when it is a Principal Use on a Site 0.0 spaces when it is not a Principal Use on a Site
Parking Lot	As required by the Development Authority
Parking Structure	As required by the Development Authority
Professional Office	2.0 per 93.0m^2 of Gross Floor Area
Public Assembly	8.0 per 93.0m^2 of Gross Floor Area or 1.0 per 6.0 seats, as determined by the Development Authority
Recycling Depot	1.0 per 93.0m^2 of Gross Floor Area
Restaurant	1.0 per 4.0 seats
Secured Facility	1.0 per 93.0m^2 of Gross Floor Area
Security Suite	1.0 per Dwelling Unit
Self-Storage Facility	4.0 per 93.0m^2 of Gross Floor Area
Service Organization	2.0 per 93.0m^2 of Gross Floor Area
Service Station	2.0 per 93.0m^2 of Gross Floor Area
Shopping Centre	3.0 per 93.0m^2 of Gross Leasable Floor Area
Show Home	2.0 per Dwelling Unit
Specialty Food Services	11.0 per 93.0m^2 of seating area plus 3.0 for employee Parking

Supervised Consumption Services	1.0 per 93.0m^2 of Gross Floor Area
Supporting Sales	5.1 per 93.0m^2 of floor area
Supportive Living Accommodation	0.4 per unit with a minimum of 3 spaces
Targeted Grazing	0.0
Temporary Building	Parking must meet the requirements for use occurring inside the Building
Temporary Care Facility	1.0 per 93.0m^2 of Gross Floor Area
Temporary Use	As required by the Development Authority
Townhouse	[13]1.0 per studio or 1 bedroom unit; 1.5 per 2 bedroom unit; 2.0 per 3 bedroom unit; and 1.0 space for every 5.0 units which must be provided for guest Parking.
Transportation Services	1.0 per employee
Utilities	0.0
Utility Facility	1.0 per employee
Warehouse	1.0 per 93.0m^2 Gross Floor Area but not less than 4.0 spaces per tenant or establishment
Waste Management Facility	1.0 per employee
Wastewater Treatment Plant	1.0 per employee

3.241 [14]Parking Exceptions

3.241.1 Downtown Parking Exceptions

3.241.1.1 Despite the requirements outlined in 3.240, Residential uses within the Greater Downtown area identified in Figure 3.241-1 require:

3.241.1.1.1 a minimum 1.0 stall per residential unit; and

[13] 3357/SS-2024
[14] 3357/SS-2024

3.241.1.1.2 clearly identified guest parking stalls provided at 1.0 per 5.0 units, when 5.0 or more residential units are on site.

3.241.1.2 Non-Residential Uses in the C-1 Zone do not require minimum Parking spaces. Residential uses in the C-1 Zone will adhere to the exceptions outlined in 3.241.1.1.

3.241.1.3 Residential uses in Capstone Zones will meet the requirements of 3.241.1.1.1, but not be required to meet the requirements of 3.241.1.1.2.

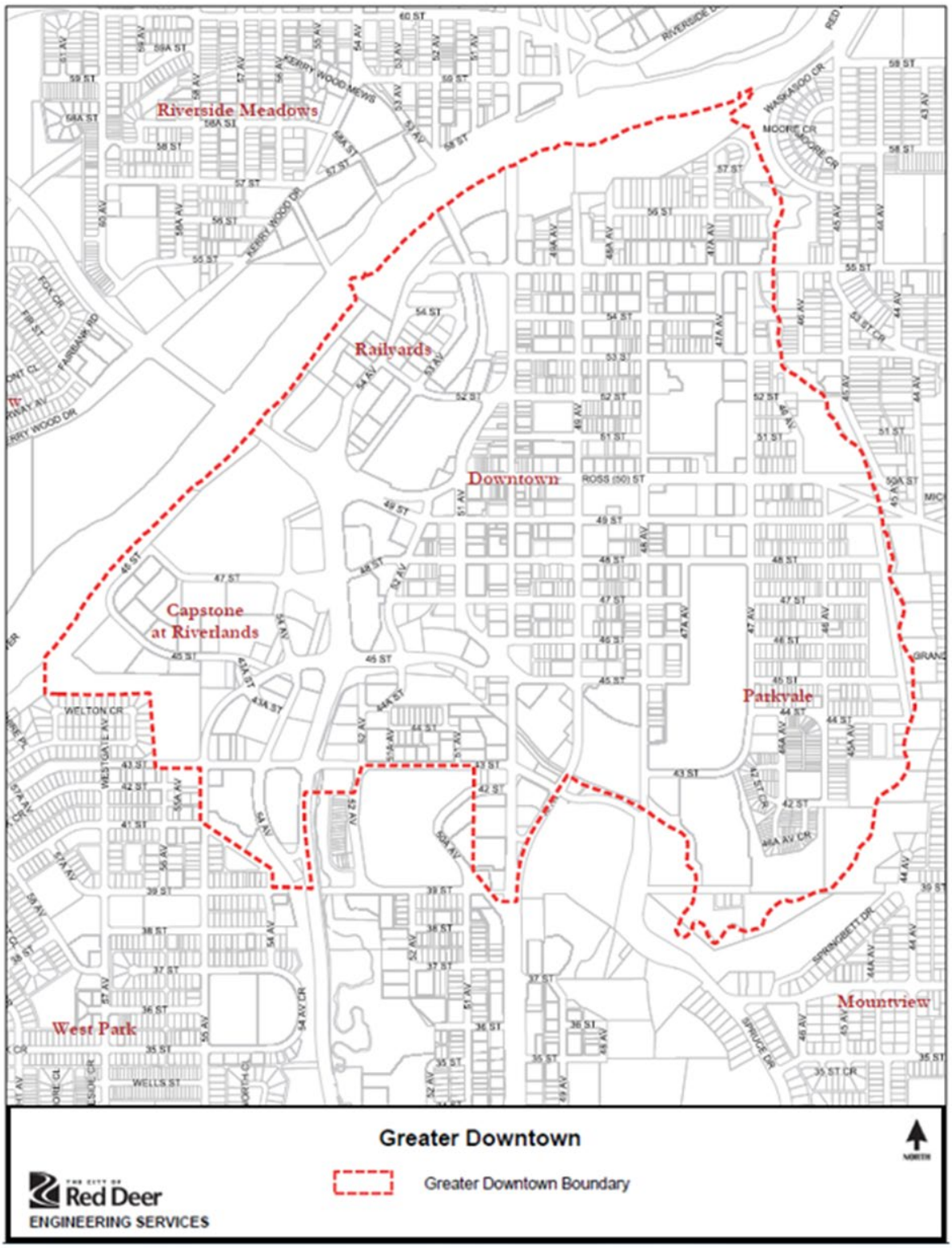


Figure 3.241-1: Greater Downtown Boundary

3.250 Parking on Public Property

3.250.1 A vehicle, or any part of a vehicle, will not be left on or over any Public Property unless it is:

3.250.1.1 in a designated Parking stall or designated Parking areas;

3.250.1.2 on any roadway or travel lane intended for the passage of vehicles and where not otherwise prohibited; or

3.250.1.3 on Public Property in accordance with a license from, or the express approval of, the City.

3.260 General Parking Regulations

3.260.1 General Parking Regulations apply to on the Site Parking in all Zones including, but not limited to, Parking Lots, Parking Structures, Parking Pads, Driveways, and other areas used for Parking.

3.260.2 All Parking areas must have clear driving aisles for easy access to individual Parking spaces.

3.260.3 All Parking areas, except those approved on a temporary basis, must be paved or finished with a hard surface.

3.260.4 Where a Front Yard Parking Pad or Driveway is accessed from a hard surfaced Road, the Parking Pad or Driveway must have a hard surface.

Typical examples of hard surfacing for Parking areas, Parking Pads, and Driveways can include concrete, asphalt, and pavers.

3.260.5 Parking Pads or Driveways will not be placed such that, in the Development Authority's opinion, they interfere with intentional pedestrian crossings such as intersections, crosswalks, or other similar pedestrian crossing areas.

3.260.6 The Development Authority has discretion to require curbs, concrete bumpers, fences, or curb stops in any Parking area.

3.260.7 Parking areas must be physically separated from any Landscaped Areas using curb stops or any other means satisfactory to the Development Authority.

3.260.8 Parking spaces, excluding those in Parking Lots and Parking Structures, will satisfy the following minimum requirements:

Parking Stall Regulation	Minimum Requirement

Width	2.7m
Length (angled or perpendicular)	5.5m
Length (parallel)	6.7m

3.260.9 Parking spaces in Parking Lots and Parking Structures will satisfy the following minimum requirements:

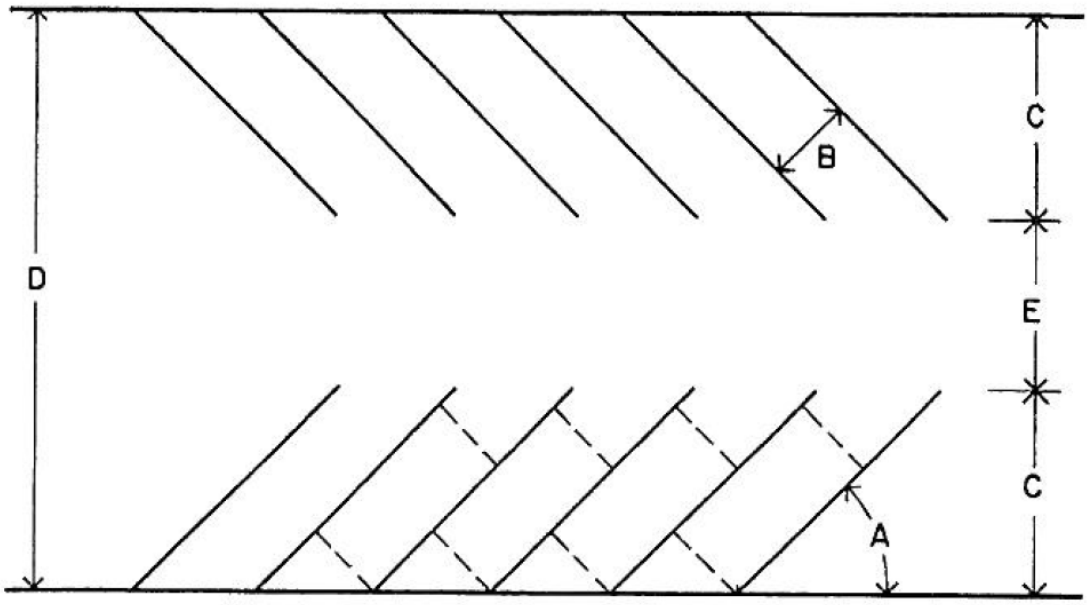


Figure 3.260-1: Parking Space Dimensions

A	B	C	D	E
Parking Angle	Stall Width	Parking Aisle Depth	Overall Depth	Driving Aisle
0°	2.9m	2.9m	9.3m	3.5m (one-way)
30°	2.7m	5.0m	13.5m	3.5m (one-way)
45°	2.7m	5.7m	15.4m	4.0m (one-way)
60°	2.7m	6.0m	17.5m	5.5m (one-way)
90°	2.7m	5.5m	18.0m	7.0 m (two-way)

3.270 Parking Regulations for Commercial and Industrial Developments, Townhouses, and Apartments

3.270.1 Parking spaces may be on another Site, but not more than 100.0m away from the Building or use they serve.

3.270.2 When Parking is provided on a separate Site, the Development Authority may require the landowner to permanently secure the Parking by a restrictive covenant or other title obligation enforceable by the City.

3.270.3 Parking aisles must be a maximum 105.0m in length.

3.270.4 Parking aisles must have curbed islands at each end, no less than 1.0m in width.

3.270.5 Parking Lots with more than 200 Parking spaces must be configured into smaller cells by use of interior landscaping, drive lanes, and Walkways.

3.270.6 Walkways in Parking lots with more than 200 Parking spaces must be at least 1.2m wide, oriented for safe pedestrian flow and integrated with nearby trail systems or Sidewalks.

3.270.7 Walkways are required:

3.270.7.1 from Commercial and publicly-serving Developments to any Abutting transit stops and Sidewalks;

3.270.7.2 from Apartments or Mixed-Use Buildings to the nearest Sidewalk;

3.270.7.3 between all Principal Buildings in multiple Building Developments.

3.270.8 Wheel stops must be provided a minimum of 0.6m from the front the of a Parking stall for all Parking spaces Adjacent to a Walkway or in front of a Building, but does not apply if the Walkway is barrier-free, at least 1.2m in width, and is wider than the City's minimum required Sidewalk.

3.270.9 Commercial Developments must have sufficient stacking and queuing lanes for vehicles to prevent traffic hazards or disruptions on public Roads.

3.270.10 Except for Capstone Zones, Parking for each use must be near the entrance of the corresponding Building.

3.280 Parking Regulations for Areas in the Greater Downtown

3.280.1 Despite sections 3.260 and 3.270, Parking areas in the boundaries defined in the Greater Downtown Action Plan and illustrated in Figure 3.280-1 will meet the regulations of section 3.280 instead.

3.280.2 Parking areas must have concrete curb stops around the area perimeter, where the perimeter abuts the narrow edge of a Parking space.

3.280.3 When a stormwater sewer is Adjacent to a Parking area, the Development Authority may require on the Site catch basins or connections to the City's stormwater sewer system.

3.280.4 The Development Authority may require waste containers.

3.280.5 Lighting is provided to a standard such that:

3.280.5.1 ground-oriented pedestrian scale lighting identifying pedestrian routes and Illuminating the Site is required;

3.280.5.2 lighting must be placed and arranged to avoid:

3.280.5.2.1 directing light at Abutting Sites;

3.280.5.2.2 interfering with traffic control devices.

3.280.6 Landscaping is provided to a standard such that:

3.280.6.1 a 1.5m wide Landscaped Area must be installed between a curb or Sidewalk and a Parking area, incorporating trees, shrubs, sod, and decorative rock; and

3.280.6.2 the Development Authority may require corner island landscaping and planting beds; and

3.280.6.3 City owned trees and shrubs may not be removed or damaged to facilitate construction of a Parking area, without the prior approval of the Development Authority issued through a permit; and

3.280.6.4 all top soiled areas are to be sodded or be decorative rock; and

3.280.6.5 landscaping for Parking areas meets the following landscaping requirements:

PERIMETER LANDSCAPING	
Parking Areas	**Minimum Landscaping Requirement**
Permanent Parking area (dual Road Frontage)	1 tree and 2 shrubs per 7.5 stalls
Permanent Parking area (single Road Frontage)	1 tree and 2 shrubs per 10 stalls
Temporary Parking area (dual Road Frontage)	1 tree and 1 shrub per 10 stalls
Temporary Parking area (single Road Frontage)	1 tree and 1 shrub per 12.5 stalls
Parking areas of 10 Parking stalls or more supporting an existing Development	1 tree and 1 shrub per 10 stalls
Above ground Parking Structures	Subject to Development Authority discretion
INTERIOR LANDSCAPING	
Parking Areas	**Minimum Landscaping Requirement**
Permanent Parking of 100 Parking stalls or more	1 interior tree per 15 stalls All interior trees will be contained in underground pre-cast planter boxes.

3.280.6.6 deciduous trees have a minimum caliper measurement of 0.06m, measured 0.45m from ground level; and

3.280.6.7 coniferous trees will have a minimum height of 2.5m; and

3.280.6.8 deciduous and coniferous shrubs will be of #2 Container Class;

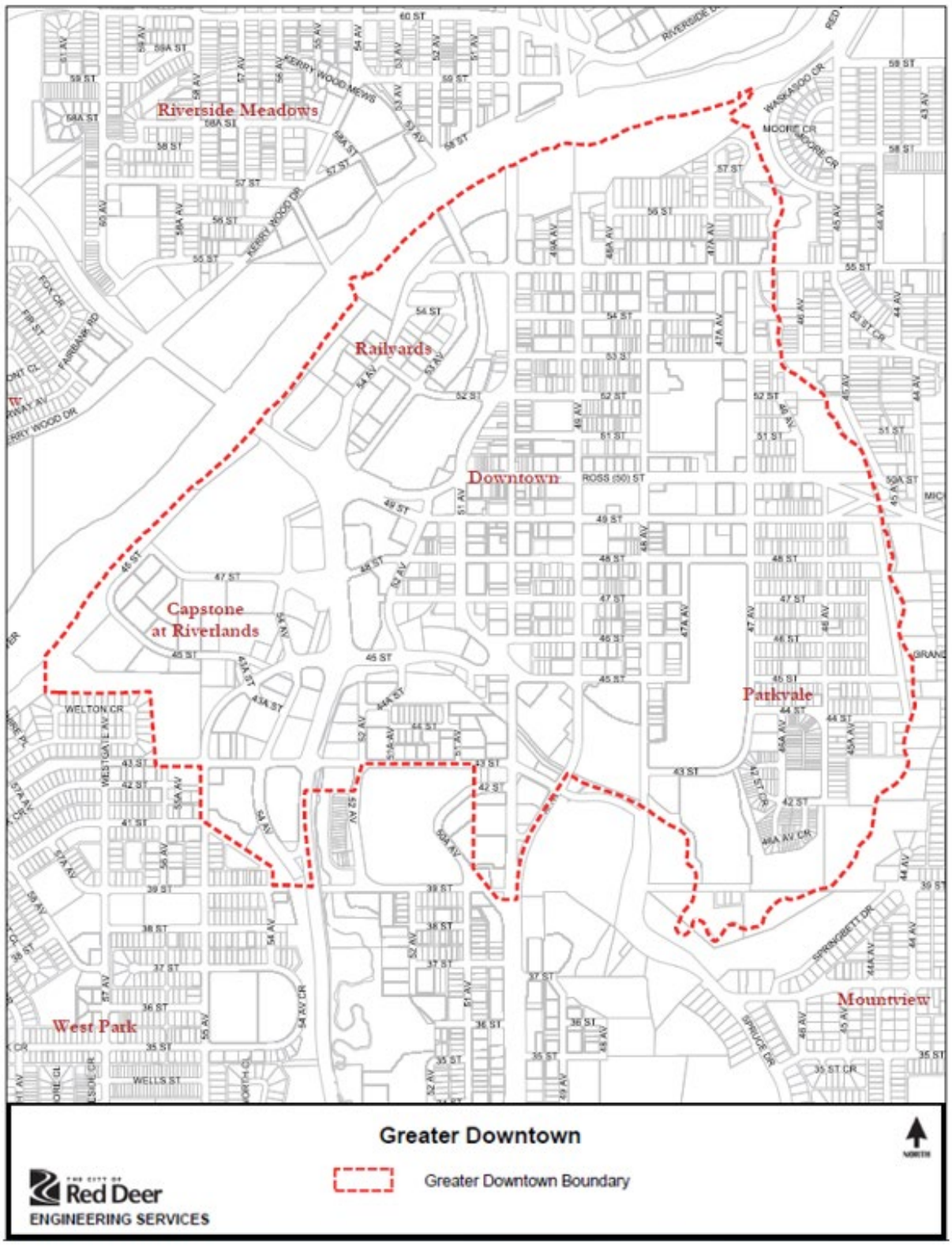


Figure 3.280-1: Greater Downtown Boundary

3.290 Driveways and Parking Pads in Residential Zones

3.290.1 Section 3.290 applies to all Houses, Duplexes, and Townhouses with Front Boundary access in Residential Zones.

3.290.2 Side-by-side Sites with front Driveways, Parking Pads, or both must group them in pairs as shown in Figure 3.290-1.

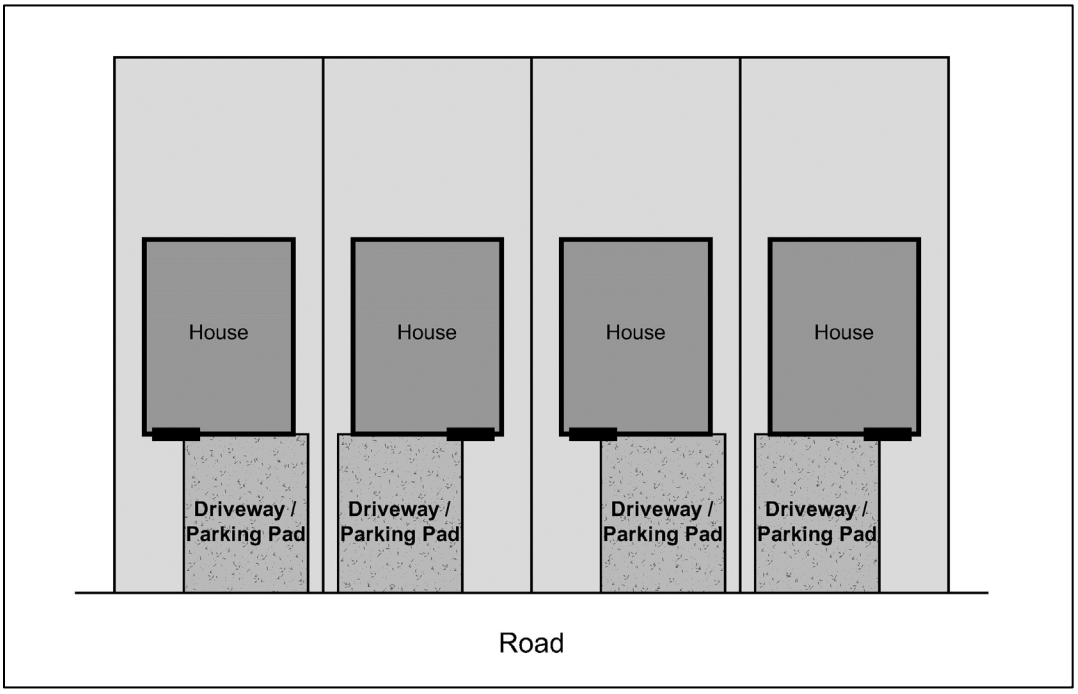


Figure 3.290-1: Side-by-Side Parking Layout

3.290.3 Exceptions

3.290.3.1 If there are an odd number of Abutting Sites, the Side Yard Driveway or Parking Pad must be set back a minimum of 3.15m on the unpaired side. This cannot be varied by the Development Authority.

3.290.3.2 The Side Yard Driveway or Parking Pad of a proposed Dwelling Unit must be set back a minimum of 3.15m if:

3.290.3.2.1 it is in a Developed Area; and

3.290.3.2.2 it shares a Side Boundary with an existing Dwelling Unit;

3.300 Fire Hydrant Clearance Requirements

3.300.1 Where a fire hydrant is located on, or adjacent to, a Site, the landowner of the Site must:

3.300.1.1 maintain a minimum 1.0m clearance on each side of the fire hydrant;

3.300.1.2 not permit anything to be constructed, erected, or placed within the clearance area;

3.300.1.3 not permit anything except grass to be planted in the clearance area;

3.300.1.4 maintain visibility of hydrants from the nearest Road or Lane.

3.300.2 Subsection 3.300.1 cannot be varied by the Development Authority.

3.310 Accessible Parking

3.310.1 Requirements for accessible Parking will apply to all Development Permit applications for:

3.310.1.1 Developments in Commercial and public service Zones;

3.310.1.2 Apartment Developments which have a shared or common entrance.

3.310.2 Barrier-free Parking may be supplied as part of, not in addition to, the minimum Parking space requirements in this Bylaw.

3.310.3 Concrete curb stops must be provided for all Parking spaces Adjacent to all Walkways fronting commercial, public service and Apartment Development entrances. Such curb stops will be set back a sufficient distance from the Walkways to prevent vehicles from projecting over the Walkway.

3.310.4 Walkways along the front, rear and side of Commercial Developments, public service Developments and Apartments will be free of obstructions and architectural features that would impede access and travel for persons with mobility challenges.

3.310.5 Ramps will be constructed on Walkways along the front, rear or side of Commercial Developments, public service Developments and Apartments,

wherever required to ensure that such Walkways are accessible to persons with mobility challenges.

3.310.6 Walkways must be provided:

3.310.6.1 from Commercial and public service Developments to any Adjacent transit stops and Sidewalks;

3.310.6.2 from Apartments to the nearest Sidewalk;

3.310.6.3 between all Principal Buildings in multiple Building Developments.

3.310.7 An application for a Development Permit for a Development in a Commercial, public service or Residential Zone allowing for Apartments that is to provide for accessibility is subject to the approval of the Development Authority, which may impose additional specific obligations similar to the foregoing to ensure that Walkways are accessible.

3.310.8 The Development Authority may grant a variance to any of the Section 3.310 regulations if:

3.310.8.1 the Development is a minor change to an existing Commercial Development, publicly serving Development or Apartment, such as an architectural modification, modified Signs, a change in elevations, the installation of a shed or seasonal garden centre, or the construction of a new front entrance;

3.310.8.2 the Development does not include an expansion of, or an amendment to, an approved Site Plan;

3.310.8.3 for Parking space curb stops, if an adjoining Sidewalk is of sufficient width to manage both vehicle overhang and accessibility by persons with mobility challenges.

3.320 Loading Spaces

3.320.1 The minimum required number of loading spaces in:

3.320.1.1 Commercial Zones will be 1 loading space opposite each loading door with a minimum of 1 provided;

3.320.1.2 I-1 and I-2 Zones will be 1 loading space opposite each loading door with a minimum of 1 for each 1,858.0m^2 of floor space provided;

3.320.1.3 I-C Zones will be determined by the Development Authority, based on the makeup of planned uses, whether alignment with the Commercial Zone requirements in subsection 3.320.1.1 or the I-1 and I-2 Zone requirements in subsection 3.320.1.2 are more appropriate.

3.320.2 In the C-3 Zone, a loading space may also double as a Parking space, subject to Development Authority approval.

3.320.3 Loading spaces must be:

3.320.3.1 on the same Site as the Building or use;

3.320.3.2 designed, placed, and constructed so it is:

3.320.3.2.1 reasonably accessible to any vehicle intended to use it;

3.320.3.2.2 properly maintained; and

3.320.3.2.3 satisfactory to the Development Authority in size, shape, location, and construction.

3.320.3.3 at least 2.7m wide, having an area of at least 29.0m^2, and have an overhead clearance of at least 3.6m;

3.320.3.4 including the Driveway providing access to it, surfaced as required by the Development Authority and kept free of obstructions.

3.320.4 Loading spaces situated in a Setback distance from a Road or lane will not be counted for the purposes of section 3.320.

3.330 Objects Prohibited in Yards

3.330.1 Restrictions in Residential Zones

3.330.1.1 A motor vehicle other than a passenger vehicle may only be parked or occupied on a Site for as long as it is necessary to load or unload, except:

3.330.1.1.1 1 Commercial vehicle may be parked in the Rear Yard if its gross vehicle weight rating is less than 4,500 kg;

3.330.1.1.2 only 1 Commercial motor vehicle, Trailer, or Recreational Vehicle may be parked on a Site;

3.330.1.1.3 the following vehicles may be parked or occupied on a Driveway or Parking Pad in the Front Yard between the following dates:

Vehicle type	Dates in any year
Recreational Vehicle	April 1st to October 31st
Non-Commercial Trailer used to transport off-road vehicles (excluding snowmobiles) or watercraft	April 1st to October 31st
Non-Commercial Trailer used to transport snowmobiles	November 1st to April 30th

3.330.1.2 The following must not be parked in any Yard of a Site:

3.330.1.2.1 a motor vehicle used for stock car races;

3.330.1.2.2 a motor vehicle with all or part of the superstructure removed;

3.330.1.2.3 a motor vehicle in dilapidated or unsightly condition.

3.330.1.3 A motor vehicle must not be parked in a Front Yard except on a Driveway or Parking Pad.

3.330.2 Restrictions for Recreational Vehicles

3.330.2.1 A Recreational Vehicle may be used for occupancy if it is placed:

3.330.2.1.1 in an approved Campground;

3.330.2.1.2 at the Westerner Exposition Site (Lot 5, Block 1, Plan 822 2274 and Plan 615LZ) if their Site Campground is full or if exhibitors need to be close to Site facilities;

3.330.2.1.3 in the Parking area of a Public Assembly, Educational Institution – Primary and Secondary, Public Assembly – Post-Secondary, Indoor Recreation Facility, Outdoor Recreation Facility, Commercial School, or Hotel with conference or convention facilities, where the Site meets the regulations of subsections 3.330.2.2 and 3.330.2.3;

3.330.2.1.4 on a Site in a Residential Zone for up to 48 hours between April 1st and October 31st each year if:

3.330.2.1.4.1 no rent or fees are paid to use the Site or facilities; and

3.330.2.1.4.2 the period must not be more than 30 days unless the Development Authority gives prior approval as a Temporary Use.

3.330.2.2 For a Site listed under subsection 3.330.2.1.3 to be used for Recreational Vehicle parking, the landowner of the Site must:

3.330.2.2.1 have given consent and the occupant is attending a function or event on that Site;

3.330.2.2.2 ensure compliance with all City bylaws; and

3.330.2.2.3 not charge a fee for Parking overnight.

3.330.2.3 For a Site listed under subsection 3.330.2.1.3 to be used for Recreational Vehicle parking, overnight parking on the Site will be a maximum of:

3.330.2.3.1 2 consecutive nights without the Development Authority's approval; and

3.330.2.3.2 2 occasions per calendar month without the Development Authority's approval.

Part 4 Regulations for Specific Uses & Activities

4.10 Permitted and Discretionary Uses in All Zones

4.10.1 The following uses are to be considered as Permitted Uses or Discretionary Uses, as applicable, in all Zones except Direct Control Zones as outlined, acting as additional use permissions to those found in the underlying Zone:

4.10.1.1 Permitted Uses in All Zones

4.10.1.1.1	Accessory Use
4.10.1.1.2	Building Sign
4.10.1.1.3	Community Garden
4.10.1.1.4	Freestanding Sign
4.10.1.1.5	Utilities

4.10.1.2 Discretionary Uses in All Zones

4.10.1.2.1	Any Residential Development legally existing at the passing of this Bylaw that is no longer a listed use will continue as a Discretionary Use duly approved by the Development Authority
4.10.1.2.2	Courtyard
4.10.1.2.3	Emergency Services
4.10.1.2.4	Excavation, Stripping, and Grading
4.10.1.2.5	Temporary Building
4.10.1.2.6	Temporary Use
4.10.1.2.7	Utility Facility

4.10.2 Overlays or site exceptions outlining Permitted Uses, Discretionary Uses, or prohibited uses prevail over section 4.10 in the event of a conflict.

4.20 Temporary Uses

4.20.1 A Development Permit for a Temporary Use may be granted with the following considerations:

4.20.1.1 subsection 4.20.1 cannot be varied by the Development Authority.

4.20.1.2 uses or activities deemed by the Development Authority with similar planning impact to any of the categories listed in subsections 4.20.1.3 to 4.20.1.7 will be treated the same as the category they are deemed to be similar to.

4.20.1.3 **Uses Not Considered as a Temporary Use in any Residential Zone**

4.20.1.3.1	Above Ground Storage Tank
4.20.1.3.2	Agriculture
4.20.1.3.3	Alternative or Renewable Energy Facility
4.20.1.3.4	Animal Services
4.20.1.3.5	Auction Mart
4.20.1.3.6	Campground
4.20.1.3.7	Cannabis Production Facility
4.20.1.3.8	Cannabis Retail Sales
4.20.1.3.9	Cemetery
4.20.1.3.10	Crematorium
4.20.1.3.11	Detention or Correction Services
4.20.1.3.12	Drinking Establishment (Adult Entertainment Permitted)
4.20.1.3.13	Eco Industrial Waste Production or Consumption
4.20.1.3.14	General Contractor Services
4.20.1.3.15	Hospital
4.20.1.3.16	Industrial Operations
4.20.1.3.17	Industrial or Commercial Training Facility
4.20.1.3.18	Late Night Club
4.20.1.3.19	Machinery Sales
4.20.1.3.20	Microbrewery
4.20.1.3.21	Oilfield Support Services

	4.20.1.3.22	Outdoor Display or Sale of Goods
	4.20.1.3.23	Outdoor Storage
	4.20.1.3.24	Parking Structure
	4.20.1.3.25	Recycling Depot
	4.20.1.3.26	Security Suite
	4.20.1.3.27	Self-Storage Facility
	4.20.1.3.28	Supervised Consumption Service
	4.20.1.3.29	Supporting Sales
	4.20.1.3.30	Warehouse
	4.20.1.3.31	Waste Management Facility
	4.20.1.3.32	Wastewater Treatment Plant
4.20.1.4	**Uses Not Considered as a Temporary Use in any Commercial Zone, Capstone Zone, PS, PS-I, or PS-R Zone**	
	4.20.1.4.1	Alternative or Renewable Energy Facility, except in the PS-I Zone
	4.20.1.4.2	Cannabis Production Facility
	4.20.1.4.3	Cemetery
	4.20.1.4.4	Crematorium
	4.20.1.4.5	Detention or Correction Services, except in the PS Zone
	4.20.1.4.6	Dwelling Unit of any form, except as a Security Suite or where it is already identified as a Permitted Use or Discretionary Use in the Zone
	4.20.1.4.7	Eco Industrial Waste Production or Consumption
	4.20.1.4.8	Industrial Operations
	4.20.1.4.9	Supervised Consumption Service
	4.20.1.4.10	Waste Management Facility
	4.20.1.4.11	Wastewater Treatment Plant

4.20.1.5	**Uses Not Considered as a Temporary Use in any Industrial Zone**	
	4.20.1.5.1	Cemetery
	4.20.1.5.2	Day Care Facility
	4.20.1.5.3	Dwelling Unit of any form, except Security Suite
	4.20.1.5.4	Hostel
	4.20.1.5.5	Hotel
	4.20.1.5.6	Secured Facility
	4.20.1.5.7	Supervised Consumption Service
	4.20.1.5.8	Supportive Living Accommodation
	4.20.1.5.9	Temporary Care Facility
4.20.1.6	**Uses Not Considered as a Temporary Use in the P-1 Zone**	
	4.20.1.6.1	Auction Mart
	4.20.1.6.2	Cannabis Production Facility
	4.20.1.6.3	Cemetery
	4.20.1.6.4	Crematorium
	4.20.1.6.5	Detention or Correction Services
	4.20.1.6.6	Drive-Through
	4.20.1.6.7	Dwelling Unit of any form, except Security Suite
	4.20.1.6.8	Eco Industrial Waste Production or Consumption
	4.20.1.6.9	Hospital
	4.20.1.6.10	Hostel
	4.20.1.6.11	Hotel
	4.20.1.6.12	Industrial Operations
	4.20.1.6.13	Microbrewery
	4.20.1.6.14	Oilfield Support Services
	4.20.1.6.15	Recycling Depot

	4.20.1.6.16	Secured Facility
	4.20.1.6.17	Supervised Consumption Service
	4.20.1.6.18	Supportive Living Accommodation
	4.20.1.6.19	Temporary Care Facility
4.20.1.7	**Only the Following Uses or Activities are Considered for a Temporary Use in the A-2 Zone**	
	4.20.1.7.1	portable washrooms
	4.20.1.7.2	Indoor Recreation Facility
	4.20.1.7.3	Government Services
	4.20.1.7.4	Public Assembly

4.20.2 A Development Permit for a Temporary Use:

4.20.2.1 may be approved for a maximum of 2 years;

4.20.2.2 must not be approved if, because of previous Development Permits for the same Temporary Use, it would allow a Temporary use to exist on a Site for more than 6 years, except:

A Development Permit for a Temporary Use may only be approved for 2 years at a time. A new permit is required every 2 years, subject to subsection 4.20.2.2.

4.20.2.2.1 Parking Lots, which may not exist on a Site as a Temporary Use for more than 10 years.

4.20.3 A Temporary Use must not impair the Site for future Development of a use listed for the Zone and the Development Authority may require the applicant to:

4.20.3.1 as part of the Development Permit application, to provide a plan to remove the Temporary Use and restore the Site to its original condition; and

4.20.3.2 as a condition on the Development Permit, to provide security to ensure the Temporary Use is removed and the Site is returned to its original.

4.20.4 When compliance with landscaping or hard-surfacing regulations would cause undue hardship for the final build-out of Development of a

permanent nature on the Site, the Development Authority may vary the landscaping and hard-surfacing regulations for the Temporary Use.

4.20.5 The Development Authority has discretion to determine the on the Site Parking requirements for a Temporary Use.

4.20.6 A Temporary Use application may be refused if, in the opinion of the Development Authority, the anticipated noise, odours, dust, fumes, traffic, parking, lights, or other factors created by the Temporary Use would interfere with the use and enjoyment of, or unreasonably disturb people on other Sites in the neighbourhood.

4.30 Accessory Buildings

4.30.1 Where an applicant proposes to have a roofed and heated Accessory Building attached to a Building, it will not be considered as an Accessory Building, but as an extension of the Building, except:

4.30.1.1 if the proposed Accessory Building is a Garage, it will be considered as an extension of the Principal Building if it is attached directly to the Building regardless of if the Garage is heated or not.

4.30.2 An Accessory Building must not:

4.30.2.1 be placed in a Road-facing Side Yard closer to the Boundary than the minimum Site Setback;

4.30.2.2 impede access to Utilities for servicing or shutoffs.

4.30.3 Where the Accessory Building is a detached Garage, the following Setbacks will apply:

4.30.3.1 when accessed from a lane, the detached Garage must be set back from the Boundary Abutting the lane a minimum of 0.9m, or the width of any registered utility right of way or easement plus 0.5m, whichever is larger; or

4.30.3.2 when accessed from a Road, the detached Garage must be set back a minimum 6.0m from the Sidewalk edge. If there is no Sidewalk, Setback must be a minimum of either 2.4m from the Boundary, or the width of any utility right of way or easement plus 0.5m, whichever is larger.

4.30.4 In Residential Zones, Accessory Buildings must not:

4.30.4.1 be more than 1 storey or 5.0m in height;

4.30.4.2 occupy more than ⅔ of the width of the Rear Yard, except in an R-N Zone where it may be ⅔ of the width of the Rear Yard or 7.3m, whichever is greater, provided it otherwise complies with the Side Yard Setback;

4.30.4.3 be in the Front Yard;

4.30.4.4 be placed within 0.9m of the Side or Rear Boundary; except they may sit on or cross over a side Boundary common to 2 Abutting Sites if the Accessory Building serves the 2 Abutting Sites;

4.30.4.5 be used as a dwelling, except for Backyard Suites.

4.40 Adult Entertainment

4.40.1 Where an Adult Entertainment establishment contains an adult mini-theatre, the adult mini-theatre must have a viewing area capacity of less than 20 seats.

4.50 Backyard Suites

A Backyard Suite is a separate living unit in the Backyard of a property. Other common names include carriage home, laneway house, Garage suite, or garden suite.

4.50.1 There may only be 1 Backyard Suite or House Suite per House;

4.50.2 There may only be 1 Backyard Suite per Manufactured Home on the same Site;

4.50.3 A Backyard Suite must not be:

4.50.3.1 converted to a condominium that is separate from the principal Dwelling Unit; or

4.50.3.2 subdivided from the existing Site.

4.50.4 [15]Sections 4.50.1, 4.50.2, and 4.50.3 and 4.50.5 cannot be varied by the Development Authority.

4.50.5 A maximum of 15% of the Houses in a neighbourhood may have either a Backyard Suite or House Suite. Figure 4.50-1 sets out the neighbourhood boundaries that apply.

4.50.6 Despite subsection 4.50.5, there is no maximum number of Backyard Suites in the Timberlands North neighbourhood as outlined in Figure 4.50-1, but a

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maximum of 15% of the Houses in the Timberlands North neighbourhood may have House Suites.

4.50.7 A Backyard Suite must:

4.50.7.1 be placed only in a Side Yard or Rear Yard; and

4.50.7.2 be constructed or placed on a permanent or temporary foundation.

4.50.8 A Backyard Suite must not:

4.50.8.1 co-exist on a Site with a Home Occupation Major unless the Backyard Suite is solely used by the Home Occupation Major for a Bed and Breakfast;

4.50.8.2 co-exist on a Site with a Day Care Facility;

4.50.8.3 be developed on the same Site as a Zero Lot Line; or

4.50.8.4 be constructed on a chassis capable of being fitted with wheels, unless in the R-MH Zone.

4.50.9 A Backyard Suite may:

4.50.9.1 only be on a Corner Site or a Site with a lane; and provided maximum height requirements are still met, be placed at any Grade elevation, including allowance for basement components; and

4.50.9.2 be either:

4.50.9.2.1 incorporated into a detached Garage; or

4.50.9.2.2 constructed as a stand-alone Accessory Building.

4.50.10 [16]**Backyard Suite Dimensions**	
Category	**Regulations**
Site Area	Minimum: 360.0m^2
Site Frontage	[17]As required for the Principal Use the Backyard Suite is accessory to, under the Zone regulations for the Site.

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Building Height	No taller than the principal Dwelling Unit to a maximum of: - 5.5m for Backyard Suites built at Grade; - 7.4m for Backyard Suites built over a Garage.
Floor Area	Maximum: 75% of the Building Footprint of the principal Dwelling Unit, or 75m^2 whichever is lower.
Side Yard Setback	Minimum: Same as Site's Zone regulation
Rear Yard Setback	Minimum: the larger of: • 0.9m, or • the width of any registered easement or right of way plus 0.5m
Separation Distance between Backyard Suite and principal Dwelling Unit	Minimum: 2.5m. This regulation must not be varied by the Development Authority.
Variance Powers	Any regulation in the bylaw relating to Backyard Suites must not be relaxed by the Development Authority by more than 10% in the following neighbourhoods: Parkvale, Waskasoo, Woodlea, Riverside Meadows, and Westpark North, South, East and West.
	The 15% maximum for the number of House Suites plus Backyard Suites set out in sections 4.50.5 and 4.140.5 shall not be varied.

4.50.11 Windows must be placed and sized to minimize overlook into Yards and windows of the nearest Adjacent Rear Yard and Abutting Side Yard spaces by:

4.50.11.1 off-setting windows to limit direct view;

4.50.11.2 placing Accessory Buildings or landscaping strategically; and

4.50.11.3 placing larger windows, such as living room windows, so they face a lane, flanking Road, or the larger of any Side Yard Abutting another Site.

4.50.12 Decks are only allowed if they face a lane, flanking Road, or the principal Dwelling Unit.

4.50.13 Rooftop balconies are not allowed.

4.50.14 [18]In Parkvale, Woodlea, and Waskasoo, Riverside Meadows and Westpark North, South, East and West neighbourhoods, Backyard Suites shall be subject to the applicable neighbourhood Character Statement or Overlay.

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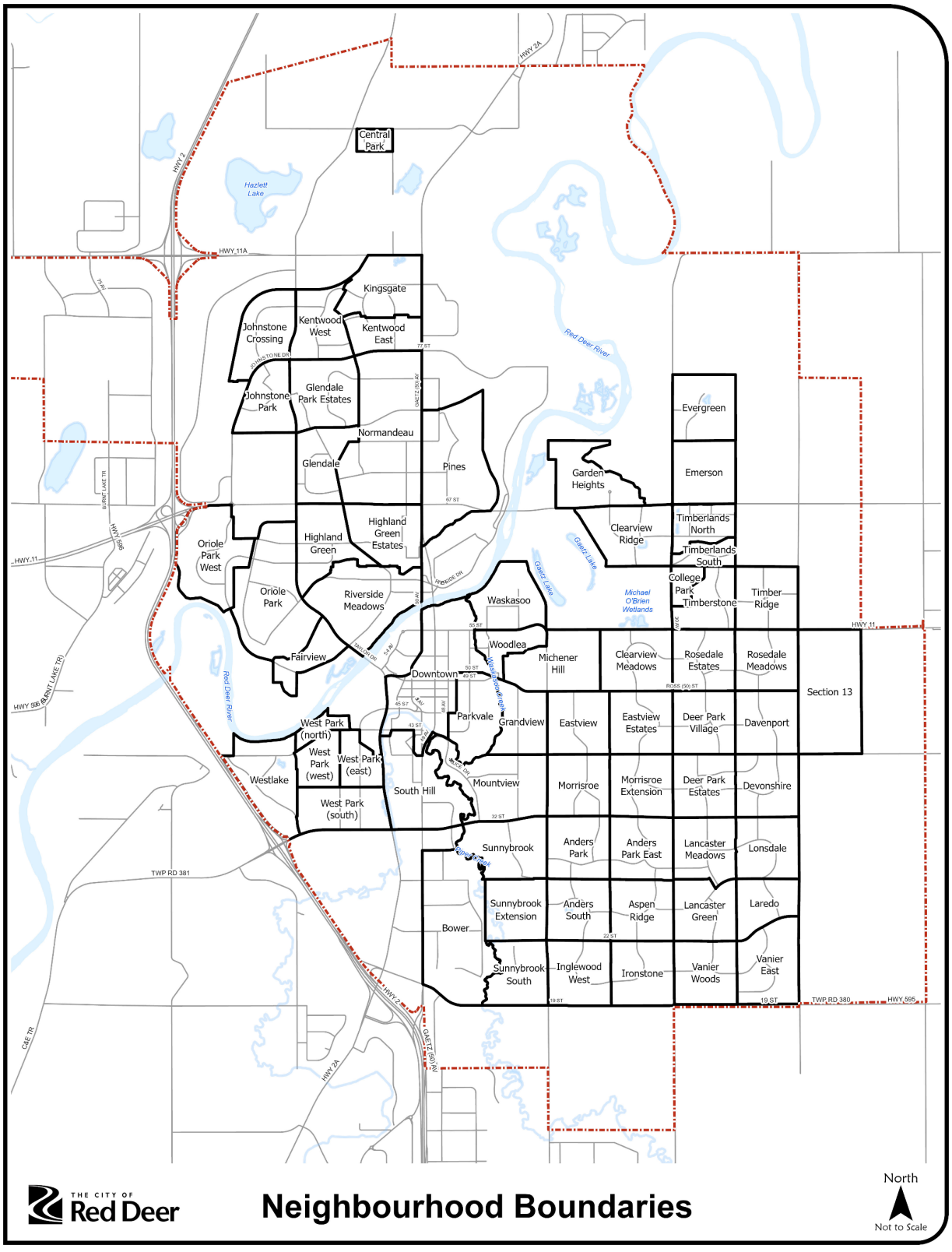


Figure 4.50-1: Neighbourhood Boundaries

4.60 Cannabis Retail Sales

4.60.1 A Cannabis Retail Sales use must:

4.60.1.1 not allow consumption of Cannabis on the Site;

4.60.1.2 not have a Drive-Through;

4.60.1.3 be protected by a professionally installed and supervised alarm system;

4.60.1.4 have a digital camera security system;

4.60.1.5 only operate between 10:00 a.m. and 10:00 p.m.

4.60.2 A unit containing Cannabis Retail Sales must not include another use or allow Accessory Uses in the same unit.

4.60.3 Cannabis Retail Sales must not co-exist on a Site or be Adjacent to a Site with a:

4.60.3.1 retail sale of tobacco or pharmaceuticals;

4.60.3.2 Drinking Establishment (Adult Entertainment Prohibited);

4.60.3.3 Drinking Establishment (Adult Entertainment Permitted);

4.60.3.4 Microbrewery;

4.60.3.5 Liquor, Beer, and Wine Sales.

4.60.4 A Cannabis Retail Sales use must be a minimum 150.0m away from:

4.60.4.1 the Site Boundary of a school operated by the Red Deer Public School District, Red Deer Regional Catholic Schools, or Conseil Scolaire Centre-Nord;

4.60.4.2 the occupied floor area of another Cannabis Retail Sales use;

4.60.4.3 the occupied floor area of a Day Care Facility;

4.60.4.4 the Site Boundary of a City-operated Indoor Recreation Facility;

4.60.4.5 the Site Boundary of an “approved hospital” as defined by the Hospitals Act, including the Red Deer Regional Hospital Centre and the Central Alberta Cancer Centre;

4.60.4.6 the Boundary of a Site designated as school reserve or municipal reserve and planned for use as a school under the Education Act, except for early childhood services programs or homeschool Sites.

4.60.5 The distance requirement of subsection 4.60.4 is measured in a straight line from the occupied floor area of the Cannabis Retail Sales use and cannot be varied by the Development Authority.

4.60.6 The business name must be prominently displayed with Signs at all public access points for the use.

4.60.7 All functions must be fully enclosed inside the Building.

4.60.8 Waste containers, waste material, and loading facilities must be fully enclosed inside the Building.

4.60.9 Outdoor Storage or Outdoor Display areas are not allowed on the Site.

4.60.10 The business must not create odour, noise, light, or other nuisances that negatively impact Adjacent Sites or the surrounding area.

4.70 Crematorium

4.70.1 The use of a Crematorium, retort or cremation chamber must not result in any noise, odor, smoke, or other nuisance which emanates beyond the Boundary of the Site on which the use takes place.

4.80 Day Care Facility in a Residential Zone

4.80.1 Section 4.80 does not apply to facilities providing care or supervision for up to 6 children in a day, not including the operator's own children.

4.80.2 A Day Care Facility must have a Building exterior compatible with the character of the neighbourhood if it is in a Residential Zone.

4.80.3 In a Zone where a Day Care Facility is listed as a Discretionary Use, the Development Officer may consider factors including but not limited to:

4.80.3.1 proximity to other uses that impact traffic and parking;

4.80.3.2 location on the block and in the neighbourhood; or

4.80.3.3 the Road classification.

4.80.4 R-L, R-W, R-N, R-A, R-MH, or R-D Zone Specific Regulations

4.80.4.1 A Day Care Facility must only be on 1 of the following types of Sites:

4.80.4.1.1 a Corner Site; or

4.80.4.1.2 where within the Immediate Road Context there is Parking available on 1 side of the Road; or

4.80.4.1.3 where the Front Boundary or Side Boundary is on the same block as:

4.80.4.1.3.1 a Site zoned PS, P-1, or a municipal reserve Site that is at least 10.0m wide; and

4.80.4.1.3.2 where on-Road parking is allowed.

4.80.4.1.4 a Site where the Side Boundary or Rear Boundary Abuts or is within 10.0m of the Boundary of a Site in a Commercial or Industrial Zone.

4.80.4.2 A Day Care Facility must not co-exist on a Site with a House Suite or a Backyard Suite.

4.90 Day Care Facility in a non-Residential Zone

4.90.1 No part of a Day Care Facility, including the Building bay and on the Site outdoor play space, may be Adjacent to a Building bay with a Development Permit for:

4.90.1.1 Motor Vehicle Sales, Service, or Repair;

4.90.1.2 Funeral Home or Crematorium;

4.90.1.3 General Industrial Uses;

4.90.1.4 Cannabis Retail Sales;

4.90.1.5 Detention and Correction Services;

4.90.1.6 Drinking Establishment (Adult Entertainment Permitted);

4.90.1.7 Temporary Care Facility;

4.90.1.8 Service Station;

4.90.1.9 Supervised Consumption Services.

4.90.2 The Day Care Facility design must be to the satisfaction of the Development Authority. The design of the Building, entrances, play spaces, Landscaped Areas, fencing, or other elements should mitigate Site conditions that could negatively impact the Day Care Facility.

4.90.3 Outdoor play space at ground level:

4.90.3.1 is allowed in any Yard; and

4.90.3.2 must be fenced on all sides; except it does not require fencing where the proposed outdoor play space shares existing play equipment on Sites Zoned P-1 or if an exemption is permitted by the Government of Alberta; and

4.90.3.3 must have self-latching gates.

4.90.4 Outdoor play space above the first level on a Rooftop Terrace, balcony, or similar, must:

4.90.4.1 have a secure perimeter with guard rails, Parapet Walls, or a combination of both that is at least 1.83m high and consistent with the architectural materials and style of the Building; and

4.90.4.2 be designed so any mechanical equipment or exhaust systems will not cause issues such as noise, fumes, or safety; and

4.90.4.3 be designed to the satisfaction of the Development Authority.

4.100 Drinking Establishment

4.100.1 When considering an application for a Drinking Establishment (Adult Entertainment Prohibited) or Drinking Establishment (Adult Entertainment Permitted) as either an Accessory Use or Principal Use, the Development Authority must:

4.100.1.1 refer the application to the RCMP for comment; and

4.100.1.2 if the application is in the boundary of the downtown Business Improvement Area, notify the Downtown Business Association; and

4.100.1.3 require that the applicant provide:

4.100.1.3.1 adequate Parking; and

4.100.1.3.2 adequate outside lighting in the area; and

4.100.1.3.3 an impact statement with a plan to prevent negative effects on the adjoining neighbourhood from noise or visual disruption from the Drinking Establishment.

4.100.2 A Drinking Establishment (Adult Entertainment Permitted) must not:

4.100.2.1 display nudity or partial nudity on the exterior of the Building; or

4.100.2.2 be on a Site within 150.0m of:

4.100.2.2.1 the Boundary of a Residential Site; or

4.100.2.2.2 any Site with an existing Government Service use, Cultural Facility, Educational Institution Primary or Post Secondary, Hospital, Emergency Service use, Public Assembly, or Detention and Correction Services; or

4.100.2.2.3 an Open Space Site.

4.110 Drive-Through

4.110.1 Any Development with a Drive-Through must:

4.110.1.1 have windows serving vehicle patrons placed at the rear or side of the Building;

4.110.1.2 have the location, orientation, and Setback of Drive-Through service windows approved by the Development Authority;

4.110.1.3 minimize on the Site and off the Site traffic impacts;

4.110.1.4 consider safety and the pedestrian environment;

4.110.1.5 meet the City's engineering standards for inbound queueing space requirements for customers lining up at the window.

4.115 [19]Garage Sales

4.115.1 There may not be more than 3 Garage Sale events per year from any 1 Dwelling Unit.

4.120 Home Occupation Major

4.120.1 The Development Officer will review if the intensity of the Home Occupation Major is compatible with the Residential area or if it would be more appropriate in a Commercial or Industrial Zone.

4.120.2 A Home Occupation Major must be operated by a resident of the Dwelling Unit.

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4.120.3 Home Occupation Major may have more than 1 business associated visit at a time to the Site, this includes drop-offs, pick-ups, deliveries, and visits from customers or consultants.

4.120.4 Home Occupation Major includes Bed and Breakfasts, but not short-term rentals.

4.120.5 A Dwelling Unit may only have 1 Home Occupation Major.

4.120.6 A Home Occupation Major must not:

4.120.6.1 have more than 2 non-resident employees or business partners working on the Site at any one time;

4.120.6.2 engage in outdoor business activity that creates nuisances, such as noise, odours, dust, or fumes, beyond the Site Boundary;

4.120.6.3 store materials or equipment outdoors on the Site;

4.120.6.4 have more than 1 commercial vehicle used by the business parked on the Site or any Road Adjacent to the Site;

4.120.6.5 change the principal character or external appearance of the Dwelling Units or Site.

4.120.7 A Home Occupation Major may:

4.120.7.1 be located in a Dwelling Unit, Accessory Building, or a combination of both;

4.120.7.2 engage in business activity outdoors on the Site.

4.120.8 A Home Occupation Major may only have 1 Building Sign, attached to the Façade of the principal Dwelling Unit or Accessory Building. The Sign must not:

4.120.8.1 have a Copy Area larger than 0.27m^2;

4.120.8.2 be Illuminated; or

4.120.8.3 be constructed of any materials which may deteriorate quickly in inclement weather or be considered unsightly by the Development Authority because of its haphazard construction, evidence of decay, unstable conditions, or use of perishable materials.

4.120.9 Bed and Breakfasts

4.120.9.1 **Location**

4.120.9.1.1 A Bed and Breakfast is only allowed in a House or Duplex if it is a Permitted or Discretionary Use in that Zone.

4.120.9.1.2 A Bed and Breakfast is not allowed on the same Site as a Backyard Suite or House Suite, unless the Backyard Suite or House Suite is solely use as a Bed and Breakfast.

4.120.9.2 **Guests and services**

4.120.9.2.1 The following regulations only apply to the Bed and Breakfast part of the Dwelling Unit, not the primary residence:

4.120.9.2.1.1 a maximum of 8 guests is allowed at any time;

4.120.9.2.1.2 any 1 guest may stay no more than 14 nights in a 30-day period;

4.120.9.2.1.3 meals may only be served to overnight guests.

4.120.9.3 **Guestrooms and facilities**

4.120.9.3.1 A maximum of 2 guestrooms are allowed.

4.120.9.3.2 Each guestroom must have access to washroom facilities that are private or shared with other guestrooms or residents.

4.120.9.3.3 There must be internal access to guestrooms. Access to the room from the outside is optional.

4.120.9.3.4 No cooking facilities allowed in guestrooms, except for a kettle, coffee maker, microwave, toaster, toaster oven, and mini refrigerator.

4.130 Home Occupation Minor

4.130.1 The Development Officer must determine if the intensity of the Home Occupation Minor is compatible with the Residential area or if it would be more appropriate in a Commercial or Industrial Zone.

4.130.2 A Home Occupation Minor must be operated by a resident of the Dwelling Unit.

4.130.3 [20]Applications for a Home Occupation Minor, where a Home Occupation Minor or a Home Occupation Major already exists on the same Site, will be considered a Discretionary Use where;

4.130.3.1 [21]Both Home Occupation Minor uses will have customer visits; or

4.130.3.2 [22]There is a Home Occupation Minor with customer visits and a Home Occupation Major on the same Site.

4.130.4 A Home Occupation Minor must not;

4.130.4.1 have more than 1 business associated visit, such as a drop-off, pick-up, delivery, or visit from customers or consultants, at a time on the Site; unless there are multiple Home Occupation Minors on the same Site, then business associated visits may overlap between the businesses;

4.130.4.2 employ any person on the Site, other than a resident of the Dwelling Unit;

4.130.4.3 engage in outdoor business activity that creates nuisances, such as noise, odours, dust, or fumes, beyond the Site Boundary;

4.130.4.4 store materials or equipment outdoors on the Site;

4.130.4.5 have more than 1 commercial vehicle used by the business parked on the Site or any Road Adjacent to the Site; and

4.130.4.6 change the principal character or external appearance of the Dwelling Unit or Site.

4.130.5 A Home Occupation Minor may:

4.130.5.1 be located in a Dwelling Unit, Accessory Building, or a combination of both; and

4.130.5.2 engage in business activity outdoors on the Site.

4.130.6 A Home Occupation Minor may only have 1 Building Sign, attached to the Façade of the principal Dwelling Unit or Accessory Building. The Sign must not:

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4.130.6.1 have a Copy Area larger than 0.15m^2;

4.130.6.2 be Illuminated; or

4.130.6.3 be constructed of any materials which may deteriorate quickly in inclement weather or be considered unsightly by the Development Authority because of its haphazard construction, evidence of decay, unstable conditions, or use of perishable materials.

4.140 [23]House Suites

4.140.1 A House Suite may only be located in a House unless the property is Zoned Direct Control No.35.

4.140.2 There may only be 1 Backyard Suite or House Suite per principal Dwelling Unit;

4.140.3 A House Suite must not be:

4.140.3.1 converted to a condominium that is separate from the principal Dwelling Unit; or

4.140.3.2 Subdivided from the existing Site.

4.140.4 [24]Subsections 4.140.2, 4.140.3, and 4.140.5 cannot be varied by the Development Authority.

4.140.5 A maximum of 15% of the Houses in a neighbourhood may have either a Backyard Suite or House Suite. Figure 4.140-1 sets out the Neighbourhood Boundaries that apply.

4.140.5.1 Despite subsection 4.140.5, there is no maximum number of Backyard Suites in the Timberlands North Neighbourhood, as shown in Figure 4.140-1. House Suites in Timberlands North must be a maximum of 15% of the Houses in the neighbourhood.

4.140.6 A House Suite may only be on a:

4.140.6.1 Road that has more than 1 entrance or exit;

4.140.6.2 Road that has a lane; or

4.140.6.3 Corner Site.

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4.140.7 A House Suite may be placed at any storey within the Building.

4.140.8 A House Suite must not co-exist on a Site with:

4.140.8.1 a Home Occupation Major unless the House Suite is solely used by the Home Occupation Major for a Bed and Breakfast; or

4.140.8.2 a Day Care Facility.

4.140.9 [25]**House Suite Dimensions**	
Category	**Regulations**
Floor Area	The House Suite must be less than the total Floor Area of the principal Dwelling Unit.

4.140.10 A House with a House Suite must look like a single Dwelling Unit.

4.140.11 A House Suite must have its exterior entrance on a side or rear wall of the Building unless the Dwelling Unit and the House Suite share an entrance with a common enclosed landing, where the entrance may be on the front Façade of the Building.

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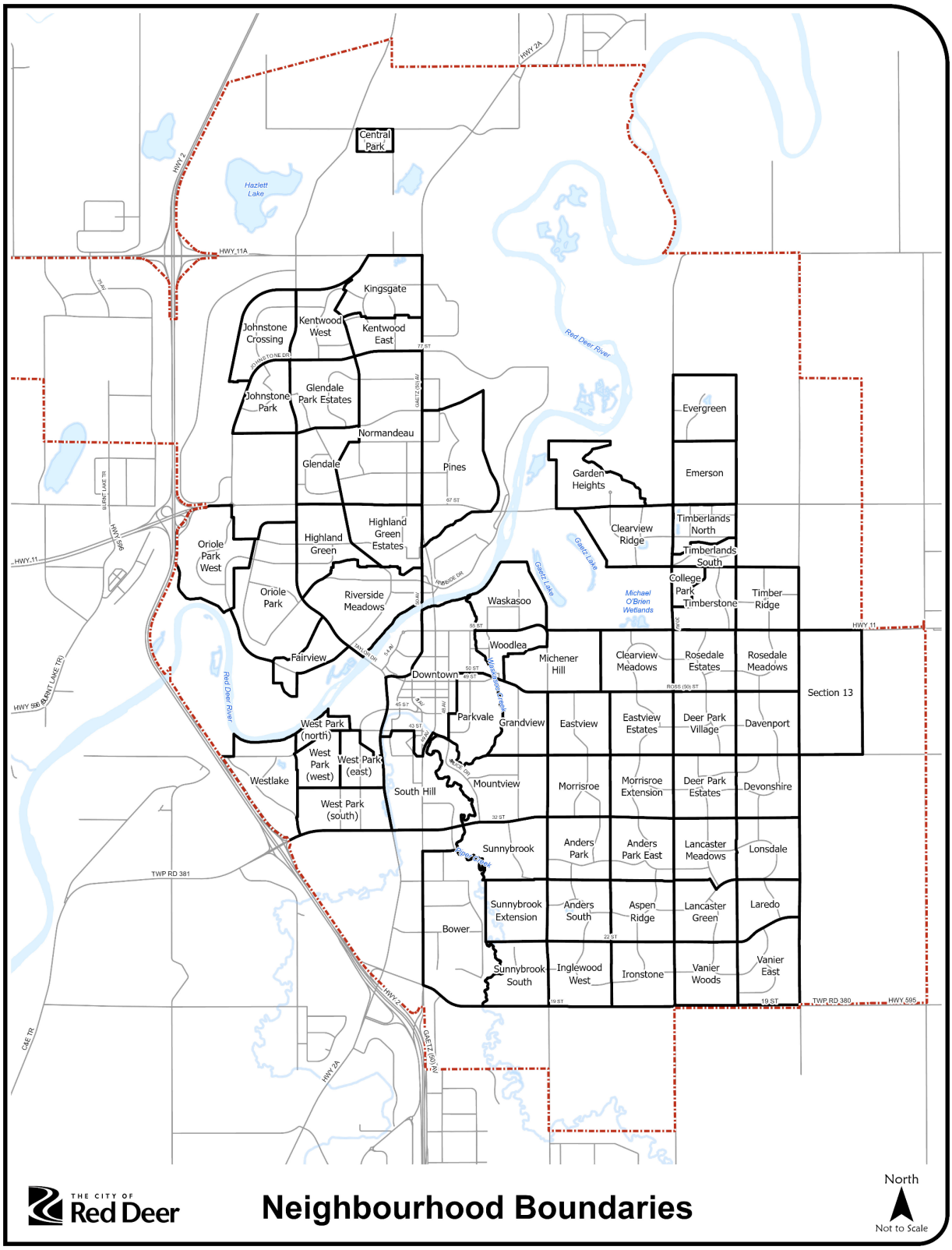


Figure 4.140-1: Neighbourhood Boundaries

4.150 Industrial or Commercial Training Facility

4.150.1 The maximum capacity for an Industrial or Commercial Training Facility is 60 persons, including administrative staff, instructors, and students.

4.160 Late Night Club

4.160.1 When considering an application for a Late Night Club, the Development Authority must obtain and consider a Report from the RCMP.

4.160.2 The Development must supply adequate outside lighting in the area.

4.160.3 The Site Plan must be designed in a way that prevents negative effects from noise or visual disruption to the adjoining neighbourhood.

4.160.4 Alcohol or alcoholic beverages must not be available on the Site for consumption or sale.

4.170 Lease Bay Building

4.170.1 Prior to occupancy of a bay within a Lease Bay Building, the occupant must apply for an individual Development Permit to allow for their intended use.

4.180 Microbrewery

4.180.1 The floor area used for production and packaging must not be larger than 70% of the Gross Floor Area.

4.190 Outdoor Display or Sale of Goods

4.190.1 The Development Authority may approve a Development Permit for the Outdoor Display or Sale of Goods:

4.190.1.1 in any Commercial Zone in which the use is listed;

4.190.1.2 in any Direct Control Zone in which Commercial activity is conducted;

4.190.1.3 permanently, for a specific period, or for limited times during the year; and

4.190.1.4 with conditions to ensure compliance with this Bylaw.

4.190.2 Outdoor display areas must be used to display goods, products, materials, or equipment intended and permitted to be sold or rented on the Site.

4.190.3 Areas used for the Outdoor Display or Sale of Goods must:

4.190.3.1 display merchandise in a neat and organized manner;

4.190.3.2 be an Accessory Use to the Principal Use of the Site;

4.190.3.3 be a maximum 25% of the Gross Floor Area of the related establishment;

4.190.3.4 not occupy the Parking spaces required for the Site or approved by the Development Authority;

4.190.3.5 be designed and landscaped to complement the character of the Development and surrounding Sites; and

4.190.3.6 not obstruct a pedestrian Walkway or vehicle passage.

4.190.4 Unless otherwise directed by the Development Authority, a person who has received a Development Permit for an annual temporary outdoor display or sale of goods may erect the Outdoor Display or sales area every year provided that it is constructed in the manner and for the duration approved by the Development Authority.

4.190.5 The Development Authority will decide the size of an Outdoor Display or storage area associated with a lumber Yard in a Commercial Zone.

4.200 Outdoor Storage in Commercial Zones

4.200.1 Outdoor Storage:

4.200.1.1 must be Screened so no stored goods are visible above the screening and the screening height must be between 2.0m and 2.5m;

4.200.1.2 must be kept neat and orderly at all times;

4.200.1.3 must not reduce the Parking spaces available on the Site below the number of spaces required under the Bylaw or approved by the Development Authority; and

4.200.1.4 may include a Shipping Container if:

4.200.1.4.1 the Development Authority allows it;

4.200.1.4.2 the container is used for shipping or storage purposes accessory to the Principal Use of the Site; and

4.200.1.4.3 the container complies with the Site regulations for Accessory Buildings under the Zone.

4.210 Outdoor Storage in Industrial Zones

4.210.1 Outdoor Storage areas must be fenced or Screened as required by the Development Authority.

4.210.2 Outdoor Storage must:

4.210.2.1 not be in the Front Yard Setback of a Site; and

4.210.2.2 be kept neat and orderly.

4.210.3 Lumber yards approved as an Accessory Use must comply with the Outdoor Display or Sale of Goods regulations.

4.210.4 Outdoor Storage of raw materials, finished or partially finished products, fuel, and salvage material, junk, or waste on a Site must be suitably Screened from Adjacent Sites, Roads, or lanes so they are not visible from up to 2.0m above ground level.

4.220 Public Assembly

A Public Assembly is a Building where people gather, such as a community or convention centre, church, or an auditorium.

4.220.1 The design, location, and Site layout of a Public Assembly must be compatible with or enhance the neighbourhood in:

4.220.1.1 the form and scale of the Building; and

4.220.1.2 how it affects other land use in the area.

4.220.2 A Public Assembly must mitigate negative effects, such as noise, light, traffic, and Parking on Adjacent properties.

4.230 Satellite Dish Antennas

4.230.1 A satellite dish antenna must not:

4.230.1.1 be placed in a Front Yard or Side Yard Abutting a Road;

4.230.1.2 be Illuminated; or

4.230.1.3 display any advertising.

4.230.2 Satellite dish antennas greater than 0.8m in diameter may not be erected in any Residential Zone such that any part is more than 3.0m above Grade, without the approval of the Development Authority.

4.230.3 Satellite dish antennas 0.8m in diameter or less mounted to a Residential Building:

4.230.3.1 must remain completely below the highest point of a pitched roof unless otherwise approved by the Development Authority;

4.230.3.2 may be attached to the Building's fascia or soffit or any lower location when the Building has a flat roof.

4.240 Security Suites

4.240.1 Security Suites must:

4.240.1.1 be inside the Principal Building on the Site;

4.240.1.2 only be approved on a Site where another use is approved; and

4.240.1.3 only be occupied by the landowner of the Site or an employee whose primary responsibility is to provide surveillance, maintenance or security for the Site.

4.240.2 Security Suites must not:

4.240.2.1 be occupied by more than 1 person dwelling in the suite; and

4.240.2.2 contain more than 1 sleeping area.

4.240.3 Development Permits for Security Suites become invalid if the Principal Use on the Site ceases or is removed.

4.250 Show Homes

4.250.1 A Building or part of a Building may be used as a Show Home if a Development Permit specifically allows for it.

4.250.2 A Show Home may operate for a maximum of 24 consecutive months unless a new Development Permit is issued.

4.250.3 Once the Show Home is no longer in use, the Show Home must revert to the use the space was intended for, such as a Dwelling Unit.

4.260 Specialty Food Services

4.260.1 Specialty Food Services must:

4.260.1.1 have a seating area smaller than the area used for preparation;

4.260.1.2 have products for public consumption on or off the Site; and

4.260.1.3 not have a Commercial kitchen.

4.270 Supportive Living Accommodations

4.270.1 All Supportive Living Accommodations must have:

4.270.1.1 at least 6 beds per Site; and

4.270.1.2 a Building exterior compatible with the character of the neighbourhood if it is in a Residential Zone.

Examples of *Supportive Living Accommodations* are senior's living, living accommodations for individuals with developmental disabilities, and hospices.

4.270.2 In R-L, R-W, R-N, R-A, R-MH, or R-D Zones, a Supportive Living Accommodation may contain a maximum 10 beds per Site.

4.270.3 In a Zone where a Supportive Living Accommodation is listed as a Discretionary Use, the Development Officer may consider factors such as:

4.270.3.1 proximity to other uses that impact traffic and Parking;

4.270.3.2 location on the block and in the neighbourhood; and

4.270.3.3 the Road classification.

4.280 Temporary Buildings

4.280.1 A Temporary Building must not be built unless approved by the Development Authority subject to the following:

4.280.1.1 through a Special Event permit; or

4.280.1.2 in Residential Zones:

4.280.1.2.1 a Temporary Building will:

4.280.1.2.1.1 have a maximum floor area of 16.5m^2;

4.280.1.2.1.2 be 3.0m or less in height; and

4.280.1.2.1.3 be set back a minimum 1.2m from all Boundaries;

4.280.1.2.2 there will be no more than 1 Temporary Building per Site;

4.280.1.2.3 a Temporary Building being used as a Garage must be placed in the Rear Yard only;

4.280.1.2.4 in the case of a pre-manufactured Temporary Building, the elevations will be subject to the approval of the Development Authority; and

4.280.1.2.5 the Development Permit for a Temporary Building will expire at the end of 24 months.

4.280.2 A Temporary Building may not be used as a dwelling.

4.290 Temporary Care Facility

The Temporary Care Facility regulations are intended for shelters, drug treatment facilities and detox centres.

4.290.1 Temporary Care Facilities must have:

4.290.1.1 at least 6 beds per Site; and

4.290.1.2 a Building exterior compatible with the character of the neighbourhood if it is in a Residential Zone.

4.290.2 In R-L, R-W, R-N, R-A, R-MH, or R-D Zones, a Temporary Care Facility may contain a maximum 10 beds per Site.

4.290.3 In a Zone where a Temporary Care Facility is listed as a Discretionary Use, the Development Officer may consider factors such as:

4.290.3.1 proximity to other uses that impact traffic and Parking;

4.290.3.2 location on the block and in the neighbourhood; and

4.290.3.3 the Road classification.

4.300 Townhouses and Apartments

4.300.1 Each Dwelling Unit in a Townhouse must be separated by a party wall.

4.300.2 There must be Walkways to allow pedestrians to move and connect to Buildings and Sidewalks. Walkways must be:

4.300.2.1 hard surfaced; and

4.300.2.2 provided to all entrances.

4.300.3 Walkways that intersect with Roads must have:

4.300.3.1 accessible curb ramps at the corner of any intersection to provide barrier-free access; and

4.300.3.2 clearly painted or marked lines where Walkways cross over a Driveway or vehicle maneuvering aisle.

4.300.4 The Development Authority must set the Walkway crossing width in each case, based on use.

Part 5 Sign Regulations

5.10 Purpose

5.10.1 Part 5 regulates the location, size, number, type, form, appearance, construction, alteration repair, and maintenance of Signs to:

5.10.1.1 balance the Commercial need for Signs with safety and aesthetics;

5.10.1.2 support local advertising needs by identifying businesses and wayfinding;

5.10.1.3 ensure and maintain public safety;

5.10.1.4 regulate design, size, and type of a Sign in relation to the Building and character of the neighbourhood where the Sign is located;

5.10.1.5 prevent too many Signs and visual clutter to ensure the Signs are effective; and

5.10.1.6 allow a flexible and responsive approach that may adapt to changes in Sign technologies and trends.

5.20 Applicability

5.20.1 The regulations in Part 5 apply to all Signs in The City except for Signs:

5.20.1.1 inside a Building not visible from the exterior of the Building;

5.20.1.2 operating as street and traffic Signs; and

5.20.1.3 required to be displayed:

5.20.1.3.1 under federal, provincial, or municipal legislation;

5.20.1.3.2 by or on behalf of the federal, provincial, or municipal government; or

5.20.1.3.3 on behalf of a department, commission, board, committee, or an official of the federal, provincial, or municipal government.

5.30 Signs That Do Not Require a Development Permit

5.30.1 The following Signs do not require a Development Permit if they comply with this Bylaw. Signs that do not comply with these Development regulations require a Development Permit with a variance:

5.30.1.1 Signs displayed in or on buses, bus shelters, bus stop seats or on waste or recycling containers on streets under an agreement with The City, provided they do not include a Dynamic component. Signs with Electronic Messages are allowed;

5.30.1.2 the name or address of a Building when it is sculptured or formed out of the fabric of the Building Façade;

5.30.1.3 street numbers or letters displayed on a Site where the total combined Sign Area does not exceed 1.2m²;

5.30.1.4 the re-erection of a Sign taken down to maintain or repair the Building Façade or the Sign, provided the Sign is re-erected within 30 days and not materially altered;

5.30.1.5 an Electronic Message on Signs providing information on the price of gas and diesel;

5.30.1.6 Community Bulletin Board Signs;

5.30.1.7 Permanent Directional Signs;

5.30.1.8 Identification Sign, provided total Sign Area does not exceed 0.28m²;

5.30.1.9 Incidental Sign;

5.30.1.10 Interpretative Sign;

5.30.1.11 Neighbourhood Identification Sign, if part of a Development Agreement or License to Occupy Agreement;

5.30.1.12 Murals;

5.30.1.13 Property Management Sign in a Residential Zone, if the Copy Area does not exceed 1.0m²;

5.30.1.14 Property Management Sign in a non-Residential Zone, provided total Sign Area does not exceed 6.0m²;

5.30.1.15 Recreation Sponsor Sign if the owner of the Sign has a contract with the City;

5.30.1.16 Temporary Signs;

5.30.1.17 Election Signs only during the following time frames, provided they comply with this Bylaw:

5.30.1.17.1 Between nomination day of an election year and the date of the election, in the case of an election under the Local Authorities Election Act;

5.30.1.17.2 Between the date the election is officially called and the date of the election, in the case of elections for federal and provincial public office;

5.30.1.18 Permanent Window Signs;

5.30.1.19 notices or Signs guiding, warning, or restraining people about the use of the Site, provided the total Sign Area does not exceed 2.0m^2; and

5.30.1.20 Signs for a Home Occupation Minor or Home Occupation Major, provided they otherwise adhere to the regulations of this Bylaw.

5.40 Administration and Authorization

5.40.1 A Development Permit is required:

5.40.1.1 to put up a Sign, except for those listed in section 5.30;

5.40.1.2 to relocate, replace or change the size of a Sign; and

5.40.1.3 to add Illumination to an existing Sign.

5.50 Sign Development Permit Regulations

5.50.1 A Development Permit Application for a Sign must be accompanied by the applicable fee and a completed application form including:

5.50.1.1 the signature of the registered landowner or their representative or agent;

5.50.1.2 the name and civic address of:

5.50.1.2.1 the sign company responsible for the Sign;

5.50.1.2.2 the owner of the Sign; and

5.50.1.2.3 the registered landowner of the Site where the Sign is to be located, altered, or replaced.

5.50.1.3 Drawings to scale showing:

5.50.1.3.1 all Sign and Sign structure dimensions including Sign Height, Sign Width, and total Sign Area;

5.50.1.3.2 materials;

5.50.1.3.3 finishes;

5.50.1.3.4 colour schemes;

5.50.1.3.5 letter fonts and sizes;

5.50.1.3.6 graphics;

5.50.1.3.7 logos;

5.50.1.3.8 type of Illumination;

5.50.1.3.9 Building elevations showing all existing and proposed Building Signs; and

5.50.1.3.10 Dynamic or Electronic Messaging component, if applicable.

5.50.1.4 A Site Plan showing:

5.50.1.4.1 compliance with applicable location regulations;

5.50.1.4.2 for any Sign with a minimum separation regulation from another Sign, the location and distance of the next closest Sign subject to the minimum separation regulation, whether on the same Site or not;

5.50.1.4.3 how far the Sign projects from the Building Façade and onto Public Property;

5.50.1.4.4 distance to aerial power lines and other Utilities; and

5.50.1.4.5 the location of the Sign on the Site.

5.50.2 For Signs proposed to be put up on a Site subject to a Character Statement, the Development Permit Application must include a letter of intent containing a statement addressing how the Sign is compatible with the Immediate Road Context, as identified in the Character Statement.

5.50.3 The Development Authority may vary the requirement for a separate Development Permit for a Sign when satisfied that all required information and details pursuant to subsection 5.50.1 are provided with a Development Permit application for a Building or part of a Building.

5.50.4 The Development Authority may consider the following when it reviews applications:

5.50.4.1 scale and design of the area;

5.50.4.2 historical designations;

5.50.4.3 statutory plan regulations;

5.50.4.4 streetscape improvements;

5.50.4.5 scale, form, and massing;

5.50.4.6 infrastructure and safety; and

5.50.4.7 proximity to a Residential Zone.

5.60 Conditions of Development Approval for Signs

5.60.1 In addition to section 2.130 - Conditions of Issuing a Development Permit, the Development Authority may impose the following conditions:

5.60.1.1 For Illuminated Signs, including Signs with Dynamic or Electronic Message components, any condition needed to mitigate the effects of the Illumination on nearby residential developments; or

5.60.1.2 If the Development Authority approves a Permanent Sign on or over Public Property:

5.60.1.2.1 the owner of the Sign must sign an agreement to indemnify and hold the City harmless from any claims, liabilities, damages, or expenses arising from injuries to a person or damage to property from the presence, collapse, or failure of the Sign; and

5.60.1.2.2 the owner of the Sign provides proof of liability insurance for third party bodily injury, personal injury, and property damage for losses related to the Sign for a dollar amount specified by the City, with the City named as an additional insured.

5.70 Variances

5.70.1 Despite variance allowances as may otherwise be outlined in this Bylaw, the Development Authority may only vary the following for Signs:

5.70.1.1 Sign Height, including clearance height;

5.70.1.2 Sign Width;

5.70.1.3 total Sign Area;

5.70.1.4 permitted number of Signs on a Site, except for Billboard Signs which cannot be varied;

5.70.1.5 minimum separation distance between Signs, except for Billboard Signs which cannot be varied;

5.70.1.6 restriction of Dynamic Fascia Signs and Dynamic Freestanding Signs within 100.0m of a Site located in or Adjacent to a Residential Zone, subject to the following:

5.70.1.6.1 without limiting the ability of the Development Officer to refer applications to the Municipal Planning Commission, the Development Officer may approve variances up to and including 10%;

5.70.1.6.2 the Municipal Planning Commission may approve variances up to and including 30%; and

5.70.1.6.3 all variances greater than 30% are prohibited.

5.70.1.7 Setbacks.

5.70.2 In determining if a variance should be granted, the Development Authority may consider, but is not limited to:

5.70.2.1 size and location of the Site;

5.70.2.2 design or construction of a Building or a Sign;

5.70.2.3 Immediate Road Context;

5.70.2.4 if the Sign would unduly interfere with the amenities of the neighbourhood or materially impact the use, enjoyment or value of neighbouring Sites;

5.70.2.5 heritage value of a Sign or Building;

5.70.2.6 topography or configuration of the Site; or

5.70.2.7 all applicable Council policies, guidelines, and statutory plans.

5.70.3 Regardless of any other regulation of this Bylaw, if necessary for safety reasons, the Development Authority may require greater distance separations between Signs and may increase the minimum graphic display time for Dynamic or Electronic Messaging.

5.80 Attaching Conditions to Variances

5.80.1 Any variance approved by the Development Authority may be temporarily approved and may be subject to conditions including, but not limited to:

5.80.1.1 the removal of existing Sign on a Site;

5.80.1.2 restrictions on the location, number, and type of new and existing Signs on a Site;

5.80.1.3 controls on light levels or hours of operation of Illuminated Signs;

5.80.1.4 other upgrades or changes to existing Signs on the Site;

5.80.1.5 safety and construction matters; and

5.80.1.6 conditions that reflect impacts on Adjacent Sites pursuant to section 640(6) of the Act.

5.90 General Regulations for All Signs

5.90.1 Signs must not:

5.90.1.1 obstruct or interfere with the visibility of a traffic control device;

5.90.1.2 obstruct or interfere with the natural lighting, air intake, or ventilation of a Building;

5.90.1.3 emit sound or noise;

5.90.1.4 obstruct or interfere with vehicle or pedestrian traffic; or

5.90.1.5 contain Third Party Advertising.

5.90.2 Where a Development Permit is issued for a Development encompassing more than 1 Site, Signs may be placed as if the Development was on a single Site, as determined by the Development Authority.

5.90.3 Signs must be removed immediately when the corresponding advertised business or operation ceases to exist on the Site, except Freestanding Signs and support structures intended for re-use.

5.100 Sign Location and Placement

5.100.1 Signs must be located a minimum of:

5.100.1.1 1.0m back from an existing or future curb line;

5.100.1.2 0.3m from the inside edge of any Sidewalk;

5.100.1.3 3.0m from any Site access; and

5.100.1.4 1.0m from a Boundary, when on private property.

5.100.2 Signs must comply with Section 3.120 - Restrictions on Corner Site Lines.

5.100.3 Where Signs are required to be located or placed a minimum distance from something else, no part of the Sign may fall within the applicable minimum distance.

5.100.4 All Signs placed on fences must be securely fastened to the fence.

5.100.5 Signs must not be in or on Parking stalls or loading spaces or positioned in a way that reduces the number of Parking stalls or loading spaces required by this Bylaw or an approved Development Permit.

5.110 Sign Height and Projections

5.110.1 Sign Height is measured from the ground to the highest point of the Sign.

5.110.2 All Signs projecting over a Sidewalk or a street must maintain at least 2.8m clearance to the lowest point of the Sign.

5.120 Design

5.120.1 When considering an application for a Sign that is a Discretionary Use, the Development Authority will consider:

5.120.1.1 whether the design, size and type of the Sign is compatible with, or enhances the design and general character of, the Building it will be on;

5.120.1.2 whether the Sign reflects or maintains the Immediate Road Context; and

5.120.1.3 whether the Sign respects the purpose or intent of any Sign Overlay it is located in.

5.120.2 A Sign should not cover or obstruct an Architectural Feature.

5.120.3 Where possible, Signs should be designed or placed on a Building so the body of the Sign conceals the Sign structure and no guide wires, bracing or similar support elements are visible from a street or other public right of way.

5.130 Calculation of Sign Area

5.130.1 Sign with an irregularly shaped frame or border will have area calculated by measuring the smallest rectangle which frames the entire Copy.

5.130.2 For double-faced or multi-faced Signs, the Development Authority will only use 1 face for determining Sign Area.

5.130.3 For a Lease Bay Building or Building with multiples tenants, the Development Authority will calculate the Sign Area based on a percentage of the Building Façade area, by considering the height of the Building and width of the tenant's leased Site.

5.140 Illumination

5.140.1 Signs may be Illuminated.

5.140.2 Illuminated Signs must not:

5.140.2.1 shine or reflect light directly onto Adjacent properties;

5.140.2.2 create hazards for pedestrian or vehicle traffic; or

5.140.2.3 be of an intensity or brightness that interferes with the space, comfort, convenience, and general welfare of residents or occupants in Adjacent Sites, or with vehicle traffic.

5.140.3 Signs with external Illumination must:

5.140.3.1 be equipped with shields directing light toward the Sign; and

5.140.3.2 position the light sources to shine light directly onto the Sign and minimize glare.

5.140.4 Signs with internal Illumination must conceal the light source from direct view.

5.150 Maintenance

5.150.1 Owners of Signs must maintain all Signs in good repair, safe condition, and free of visible deterioration by:

5.150.1.1 ensuring exposed Sign and Sign Structure surfaces are covered with durable, weather resistant, protective finish;

5.150.1.2 repainting or refinishing as often as necessary to prevent peeling or flaking of paint or corrosion, or fading from light exposure;

5.150.1.3 confirming lights, bulbs, tubes, and other forms of Illumination are functioning properly; and

5.150.1.4 keeping Signs intact and operative and preventing them from deteriorating, peeling, breaking, or cracking.

5.160 Signs on Public Property

5.160.1 Signs must not be in a Road right of way if they:

5.160.1.1 create a hazard;

5.160.1.2 span across a street or lane;

5.160.1.3 obstruct or interfere with Road maintenance; or

5.160.1.4 impede access to Utilities, Sidewalks, or bus stops.

5.160.2 Signs that are allowed in Road right of ways:

5.160.2.1 may require a valid License to Occupy Agreement with The City;

5.160.2.2 must meet any Road right of way guidelines set by The City; and

5.160.2.3 may be subject to the Special Event Bylaw.

5.160.3 No Sign may be placed on Public Property that has a land use Zone attributed to it without the consent of the City.

5.160.4 Signs located or placed on Public Property with a land use Zone attributed to it may be subject to the Special Event Bylaw.

5.170 Sign Overlays

5.170.1 The Development regulations in section 5.170 take precedence over other regulations in Part 5 if there is conflict.

5.170.2 Downtown Sign Overlay

5.170.2.1 The Downtown Sign Overlay includes all Sites identified in the Zone boundary shown in Figure 5.170-1.

5.170.2.2 The purpose of the Downtown Sign Overlay is to maintain the character of the downtown and improve pedestrians' experience by:

5.170.2.2.1 supporting Commercial activity through appropriate identification of businesses and directional Signs;

5.170.2.2.2 regulating Signs for public safety; and

5.170.2.2.3 ensuring the design, size, and type of a Sign respects the design of the Building and character of the neighbourhood where the Sign is located.

5.170.2.3 The following Signs are not allowed in the Downtown Sign Overlay, except as outlined in subsection 5.170.2.4:

5.170.2.3.1 Billboards;

5.170.2.3.2 Dynamic Fascia Signs;

5.170.2.3.3 Dynamic Freestanding Signs;

5.170.2.3.4 Electronic Message Fascia Signs; and

5.170.2.3.5 Electronic Message Freestanding Signs.

5.170.2.4 Dynamic Fascia Signs and Dynamic Freestanding Signs are Discretionary Uses on those Sites Adjacent to Taylor Drive as shown in red in Figure 5.170-1, provided the Dynamic Fascia Signs or Dynamic Freestanding Signs are placed on a Building Façade or a part of a Yard in the following Zones:

5.170.2.4.1 Capstone Taylor Drive (CAP-TD);

5.170.2.4.2 City Centre Commercial (C-1); and

5.170.2.4.3 DC(6), DC(9), or DC(28);

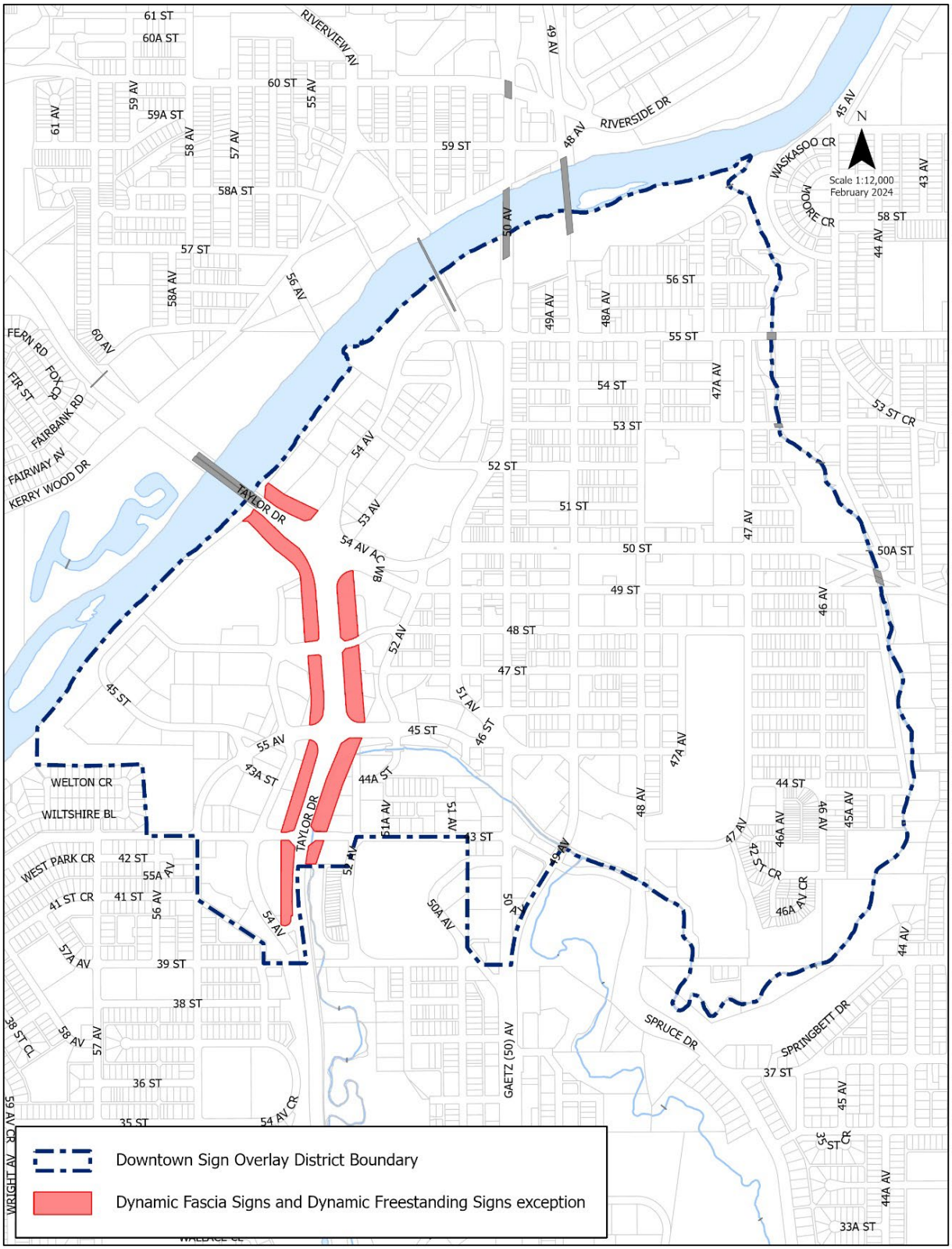


Figure 5.170-1: Downtown Sign Overlay

5.170.3 Residential Proximity Sign Overlay

5.170.3.1 The Residential Proximity Sign Overlay prohibits Billboard Signs, Dynamic Fascia Signs, and Dynamic Freestanding Signs within 100.0m of a Site located in or Adjacent to a Residential Zone. The intent of the Residential Proximity Sign Overlay is to ensure the design, size, and type of allowable Signs located near Residential Zones support Commercial and public service activity while being sensitive to the Residential context.

5.170.3.2 The Development Authority may allow a variance to the 100.0m prohibition for Dynamic Signs in accordance with subsection 5.70.1.6.

5.170.3.3 This Overlay applies to Signs that are allowed within 100.0m of a Site located in or Adjacent to a Residential Zone.

5.170.3.4 Signs in the Residential Proximity Sign Overlay must adhere to the following regulations:

5.170.3.4.1 only external spot lighting is allowed unless the Sign faces a street or is an Electronic Message Signs or Dynamic Signs;

5.170.3.4.2 Electronic Message Fascia Signs and Electronic Message Freestanding Signs must not be Illuminated between 10:00 p.m. and 6:00 a.m.;

5.170.3.4.3 Sign Area must not face a Residential Zone; and

5.170.3.4.4 maximum Sign Height must be 7.5m, unless otherwise specified in Part 5.

5.170.4 Developing Community Sign Overlay

5.170.4.1 subsection 5.170.4 sets out the regulations applicable to Developing Communities.

5.170.4.2 The intent of the Developing Community Sign Overlay is to allow for Signs that market and advertise new communities and their Developments.

5.170.4.3 Temporary Directional Signs in Residential Zones in this Overlay must adhere to the following:

5.170.4.3.1 only 2 Temporary Directional Signs are allowed per Site, unless a need for additional Temporary Directional

signs is demonstrated by the applicant to the satisfaction of the Development Authority;

5.170.4.3.2 maximum Sign Height is 0.9m;

5.170.4.3.3 maximum Sign Width is 0.6m; and

5.170.4.3.4 Sign Area must not exceed 0.6m².

5.170.4.4 Temporary Directional Signs in all non-residential Zones in this Overlay must adhere to the following:

5.170.4.4.1 only 4 Temporary Directional Signs are allowed per Site;

5.170.4.4.2 additional Temporary Directional Signs may be allowed, at the discretion of the Development Authority, where the need for the requested additional Temporary Directional Signs is demonstrated by the applicant;

5.170.4.4.3 maximum Sign Height is 1.5m;

5.170.4.4.4 maximum Sign Width is 0.9m; and

5.170.4.4.5 maximum Sign Area must not exceed 1.4m².

5.170.4.5 Flag Signs:

5.170.4.5.1 must comply with subsection 5.350, unless otherwise stated in subsection 5.170.4.5.

5.170.4.5.2 used with a Show Home must be Ground Signs and are limited to:

5.170.4.5.2.1 3 Flag Signs on a Site less than 0.25 hectares and with a Frontage of 30.0m or less;

5.170.4.5.2.2 4 Flag Signs on a Site less than 0.25 hectares and with a Frontage greater than 30.0m;

5.170.4.5.2.3 5 Flag Signs on a Site greater than 0.25 hectares and less than 1.0 hectares; or

5.170.4.5.2.4 6 Flag Signs on a Site greater than 1.0 hectares.

5.170.4.5.3 have a maximum Sign Height of 6.0m;

5.170.4.5.4 have a maximum Sign Area of 5.0m².

5.170.4.5.5 are not included in calculating the total Sign Area for Show Home Signs on a Site.

5.170.4.5.6 used with a Show Home must be removed when whichever of the following occurs first:

5.170.4.5.6.1 the Show Home it advertises for ceases to exist;

5.170.4.5.6.2 the Show Home it advertises is occupied; or

5.170.4.5.6.3 3 years pass from the date of the Development Permit for the Show Home.

5.170.4.6 Future Development Signs:

5.170.4.6.1 may be placed on a Site at the discretion of the Development Authority if a permit is approved for a Development or an agreement is entered into with The City;

5.170.4.6.2 maximum Sign Areas:

5.170.4.6.2.1 must not exceed 12.0m²; or

5.170.4.6.2.2 If the Sign is located more than 100.0m from a street, must not exceed 19.0m².

5.180 Billboard Signs

5.180.1 General Regulations for Billboard Signs

5.180.1.1 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 on and should respect the Immediate Road Context it is located in.

5.180.1.2 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 Road Context.

5.180.1.3 Billboard Signs must not be internally Illuminated or Illuminated by light projecting from behind the surface of the Sign face.

5.180.1.4 Billboard Signs that are Illuminated must:

5.180.1.4.1 be equipped with a shield directing light towards the Sign; and

5.180.1.4.2 be positioned in a manner that directs the light directly onto the Billboard Sign and minimizes the glare.

5.180.1.5 Billboard Signs that are Illuminated must not:

5.180.1.5.1 shine or reflect light directly onto Adjacent properties or in the direction of oncoming traffic;

5.180.1.5.2 create hazards for pedestrian or vehicle traffic; or

5.180.1.5.3 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 vehicle traffic.

5.180.1.6 Billboard Signs must not include Dynamic or Electronic Messaging.

5.180.1.7 Where the back of a Billboard Sign is visible to pedestrian or vehicle traffic, the Development Authority may:

5.180.1.7.1 require a second face; or

5.180.1.7.2 require the back to be enclosed.

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

5.180.2 Location Criteria

5.180.2.1 Billboard Signs may only be located along a Boundary Adjacent to an arterial Road, unless such a location also meets any of the following criteria, where they will remain prohibited:

5.180.2.1.1 in the Major Entry Areas Overlay;

5.180.2.1.2 within 100.0m radius of a Residential Zone; or

5.180.2.1.3 facing a Major Corridor.

5.180.2.2 Location criteria will not be varied by the Development Authority.

5.180.3 Siting Criteria

5.180.3.1 Not more than 1 Billboard Sign may be on a Site.

5.180.3.2 Billboard Signs must not be placed in or on a required Parking space or loading space and must not be placed as to reduce the number of required Parking stalls or loading spaces, required pursuant to a Development Permit.

5.180.3.3 Billboard Signs must be located a minimum of:

5.180.3.3.1 500.0m radius from another Billboard Sign.

5.180.3.3.2 10.0m from another Ground Sign.

5.180.3.4 A Billboard Sign must be located such that no part is closer than 3.0m from any Site Boundary.

5.180.3.5 If considered necessary for safety reasons, the Development Authority may require greater distance separations between Signs.

5.180.3.6 Subsection 5.180.3 will not be varied by the Development Authority.

5.180.4 Billboard Sign Sizes

5.180.4.1 The maximum height of a Billboard Sign is 6.1m;

5.180.4.2 The maximum width of a Billboard Sign is 6.1m; and

5.180.4.3 The maximum Sign Area of a Billboard Sign must not exceed 19.0m^2.

5.190 Building Sign Regulations

5.190.1 Building Signs in Residential Zones may be considered on Sites with the following Principal Uses:

5.190.1.1 Supportive Living Accommodations;

5.190.1.2 Day Care Facility;

5.190.1.3 Apartment;

5.190.1.4 Emergency Services;

5.190.1.5 Utilities;

5.190.1.6 Public Assembly;

5.190.1.7 Temporary Care Facility; or

5.190.1.8 Low Impact Commercial Use

5.190.2 The following regulations apply to all Building Signs, unless otherwise stated:

5.190.2.1 Sign Height must not exceed the height of the Principal Building on the Site, or the average overall height of the Principal Building where the height of the Principal Building is not uniform; and

5.190.2.2 the maximum Sign Area must not exceed 15% of the area of the Building Façade on which it is located.

5.200 Awning or Canopy Sign Regulations



Example of an Awning or Canopy Sign

5.200.1 Awning or Canopy Signs may be attached to the sides and front of an awning or canopy, and may extend the entire length and width of the awning or canopy;

5.200.2 Copy must be on the valance part of Awning or Canopy Sign;

5.200.3 Signs under an awning or canopy may be hung provided such Signs will:

5.200.3.1 not extend beyond the sides or front of the awning or canopy;

5.200.3.2 not exceed a vertical dimension of 1.5m; and

5.200.4 Awning or Canopy Signs and any Sign under an awning or canopy must not project more than 3.0m from the structure it is attached to.

5.200.5 The maximum Sign Area of an Awning or Canopy Sign must not exceed 50% of the awning or canopy.

5.210 Fascia Sign Regulations

5.210.1 Fascia Signs may be used to identify the use, business, or occupant of a Building or Commercial unit the Sign is on.

5.210.2 Fascia Signs may consist of individual letters, symbols, or logos that are attached directly to the Building.

5.210.3 Building Signs must not project more than 0.3m from the Building Façade they are attached to.



Example of a Fascia Sign

5.220 Painted Wall Sign Regulations

5.220.1 Painted Wall Signs are limited to 1 per Building.

5.220.2 A Painted Wall Sign may:

5.220.2.1 cover up to 30% of the front of the Building; and

5.220.2.2 cover up to 60% of a secondary Building Façade.



Example of a Painted Wall Sign

5.220.3 Not more than 10% of a Painted Wall Sign may be text that advertises the name of the business, or a logo associated with the business.

5.230 Permanent Window Sign Regulations

5.230.1 Permanent Window Signs may only be placed on the first and second storey windows of a Building.

5.230.2 Maximum Sign Area must not exceed 50% of the Window Area of the Building Façade on which it is located.



Example of a Permanent Window

5.240 Projecting Sign Regulations

5.240.1 Projecting Signs:

5.240.1.1 maximum Sign Height is 1.5m;

5.240.1.2 maximum Sign Width is 1.0m;

5.240.1.3 maximum Sign Area must not exceed 1.5m²; and

5.240.1.4 maximum Projection is 3.0m from the façade of the structure to which it is attached.



Example of a Projecting Sign

5.250 Dynamic Sign and Electronic Message Sign Regulations

5.250.1 General regulations for Dynamic Signs and Electronic Message Signs

5.250.1.1 Dynamic Fascia Signs and Electronic Message Fascia Signs are subject to the Development regulations in section 5.210.

5.250.1.2 Dynamic Freestanding Signs and Electronic Message Freestanding Signs are subject to the regulations in section 5.270, except for the Siting Criteria in subsection 5.270.2 which does not apply.

5.250.1.3 Dynamic Signs and Electronic Message Signs may display public service announcements.

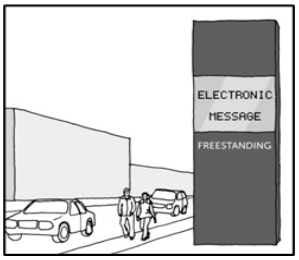
5.250.1.4 Dynamic Signs and Electronic Message Signs must have an adjustable brightness level and must maintain a level of brightness acceptable to the Development Authority.

5.250.1.5 maximum Sign Illumination must be 350 nits between sunset and sunrise.









Examples of Dynamic and Electronic

5.250.2 Location Criteria

5.250.2.1 Dynamic Signs and Electronic Message Signs may only be located along a Boundary that faces an arterial Road or collector Road, excluding Sites:

5.250.2.1.1 in the Major Entry Areas Overlay;

5.250.2.1.2 in the Downtown Sign Overlay, except where allowed under subsection 5.170.2.4;

5.250.2.1.3 in the Residential Proximity Sign Overlay, except Electronic Message Signs and where a variance for a Dynamic Sign is approved by the Development Authority; and

5.250.2.1.4 facing a Major Corridor.

5.250.3 Siting Criteria

5.250.3.1 Dynamic Signs and Electronic Message Signs must direct the Dynamic and Electronic Message parts towards the on-coming traffic on the high-volume street, as determined by the Development Authority.

5.250.3.2 Dynamic Freestanding Signs and Electronic Message Freestanding Signs must be located a minimum of 100.0m from a Freestanding Sign.

5.250.3.3 Dynamic Signs and Electronic Message Signs must be located a minimum of 300.0m from another Dynamic Sign or Electronic Message Sign, despite any other rule in subsection 5.250.3.

5.250.4 Sign Sizes

5.250.4.1 The Dynamic and Electronic Message part of either a Dynamic or Electronic Fascia Sign, or a Dynamic or Electronic Freestanding Sign, must not exceed 9.0m².

5.250.4.2 All other size maximums are determined by subsections 5.190.2 for Building Signs or 5.270.3 for Freestanding Signs.

5.250.5 Display Time and Transitions

5.250.5.1 Dynamic Signs must display messages for a minimum period of 3 seconds.

5.250.5.2 Electronic Message Signs must display messages for a minimum period of 20 seconds.

5.250.5.3 When Copy changes on a Dynamic Sign or Electronic Message Sign, the transition:

5.250.5.3.1 must be instantaneous; and

5.250.5.3.2 must not include effects like motion, dissolving, blinking, flashing or intermittent lights, video, or the illusion of such effects.

5.250.6 PS Sites

5.250.6.1 On PS Public Service (Institutional or Government) Sites over 17.1 hectares in size, the entire Dynamic or Electronic Message Freestanding Sign may display Sponsor Recognition if words to the effect of "Proudly Recognizing our Donors and Sponsors" are displayed on the Sign.

5.250.6.2 On PS Public Service (Institutional or Government) Sites over 13.1 hectares and under 17.0 hectares in size there may only be 1 Dynamic Sign per Principal Building.

5.250.6.3 On PS Public Service (Institutional or Government) Sites under 13.0 hectares in size:

5.250.6.3.1 1 Electronic Message Fascia Sign or Electronic Message Freestanding Sign may be approved, not both, and it must not be lit between 9:00 p.m. and 6:00 a.m.; and

5.250.6.3.2 Dynamic Signs are prohibited.

5.260 Community Bulletin Board Sign Regulations

5.260.1 General regulations for Community Bulletin Board Signs

5.260.1.1 Community Bulletin Board Signs:

5.260.1.1.1 may be located at the entrances into a neighbourhood, subject to the party entering into an agreement with The City;

5.260.1.1.2 must only display neighbourhood information, advertising, and bulletins, announce events, and provide general interest information; and

5.260.1.1.3 must not be internally Illuminated.

5.260.2 Community Bulletin Board Sign Sizes

5.260.2.1 Maximum Sign Height is 2.5m;

5.260.2.2 Maximum Sign Width is 1.5m; and

5.260.2.3 Maximum Sign Area must not exceed 4.0m^2.

5.270 Freestanding Sign Regulations

5.270.1 Freestanding Signs in Residential Zones may be considered on Sites with the following Principal Uses:

5.270.1.1 Supportive Living Accommodation;

5.270.1.2 Day Care Facility;

5.270.1.3 Apartment;

5.270.1.4 Emergency Services;

5.270.1.5 Utilities;

5.270.1.6 Public Assembly;

5.270.1.7 Temporary Care Facility; or

5.270.1.8 Low Impact Commercial Use.

5.270.2 Siting Criteria

5.270.2.1 Freestanding Signs must be located a minimum of 100.0m from any other Freestanding Sign on the same Site.

5.270.3 Freestanding Sign Sizes

5.270.3.1 The maximum Sign Width for Freestanding Signs is:

5.270.3.1.1 2.5m in DC(9), DC(10), DC(16), DC(18), and DC(26) and in Residential Zones on a Site with a Principal Use listed in subsection 5.270.1; and

5.270.3.1.2 4.0m in all other Zones.

5.270.3.2 The maximum Sign Heights and Sign Areas are prescribed in the following Table:

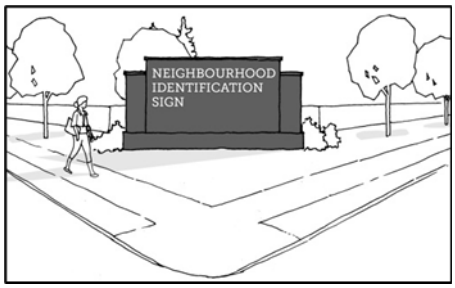
Zones	Maximum Sign Height	Maximum Sign Area
Residential Zones		
Residential Zones, subject to subsection 5.270.1	3.0m	3.0m²
Commercial Zones		
C-1	9.0m	12.0m²

C-1A	9.0m	12.0m²
C-2	9.0m	12.0m²
C-3	4.5m	5.0m²
C-4	9.0m where the Site is Adjacent to an arterial Road, or 25.0m where the Site is Adjacent to a service Road	18.5m² where the Site is Adjacent to an arterial Road, or 25.0m² where the Site is Adjacent to a service Road
C-5	9.0m	12.0m²
Capstone Zones		
CAP-TD, CAP-PR, CAP-C	9.0m	12.0m²
PS Public Service (Institutional or Government) Zones		
Sites 8.0 hectares in size or under	4.5m	5.0m²
Sites 8.1 hectares – 17.1 hectares	9.0m	9.0m²
Sites 17.1 hectares in size or over	9.0m	18.5m²
Direct Control Zones		
DC(1)	9.0m	12.0m²
DC(2)	12.0m where the Site is Adjacent to an arterial Road, or 25.0m where the Site is Adjacent to a service Road	18.5m² where the Site is Adjacent to an arterial Road, or 25.0m² where the Site is Adjacent to a service Road
DC(3)	9.0m	12.0m²
DC(8)	12.0m where the Site is Adjacent to an arterial Road, or 25.0m where the Site is Adjacent to a service Road	18.5m² where the Site is Adjacent to an arterial Road, or 25.0m² where the Site is Adjacent to a service Road
DC(9)	3.0m	3.0m²
DC(10)	3.0m	3.0m²
DC(11)	9.0m	12.0m²
DC(12)	9.0m	12.0m²

DC(15)	9.0m	12.0m²
DC(16)	3.0m	3.0m²
DC(18)	3.0m	3.0m²
DC(19)	9.0m	12.0m²
DC(20)	9.0m	12.0m²
DC(22)	4.5m	5.0m²
DC(25)	9.0m where the Site is Adjacent to an arterial Road, or 25.0m where the Site is Adjacent to a service Road	First Sign: 36.0m², and any additional Signs: 25.0m²
DC(26)	3.0m	3.0m²
DC(27)	12.0m where the Site is Adjacent to an arterial Road, or 25.0m where the Site is Adjacent to a service Road	18.5m² where the Site is Adjacent to an arterial Road, or 25.0m² where the Site is Adjacent to a service Road
DC(28)	9.0m	12.0m²
DC(31)	4.5m	5.0m²
DC(34)	4.5m	5.0m²
Industrial Zones		
I-1	9.0m	12.0m²
I-2	9.0m	12.0m²
I-C	9.0m	12.0m²
Other Zones		
A-1	4.5m	2.0m²
P-1	4.5m	5.0m²

5.280 Neighbourhood Identification Sign Regulations

5.280.1 Neighbourhood Identification Signs may be located at the entrances into a neighbourhood, subject to the party entering into an agreement with The City;



Example of a Neighbourhood Identification Sign

5.280.2 Neighbourhood Identification Signs must be for neighbourhood identification purposes only and contain no advertising other than the name and logo of the developer; and

5.280.3 Neighbourhood Identification Signs must not be internally Illuminated.

5.290 Permanent Directional Sign Regulations

5.290.1 Permanent Directional Signs may only be put up in Commercial Zones and Industrial Zones.

5.290.2 Maximum Sign Area must not exceed 1.4m².

5.300 Recreation Sponsor Sign Regulations

5.300.1 Recreation Sponsor Signs on fences must not cover more than 50% of the fence perimeter, and must not obstruct gates or access points or protrude past the side edges, above, or below the fence.

5.300.2 The maximum Sign Area of a Recreation Sponsor Sign on a Building must not exceed 10% of the area of the Building Façade it is on.

5.310 Temporary Sign Regulations

5.310.1 The following regulations apply to all Temporary Signs:

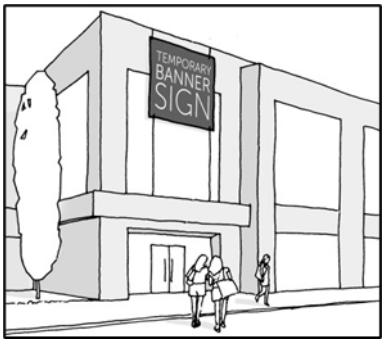
5.310.1.1 3 Temporary Signs may be put up on a Site with Frontage of 30.0m or less; and

5.310.1.2 1 additional Temporary Sign may be put up for every additional 10.0m Frontage, to a maximum of 6 Temporary Signs per Site.

5.310.2 Unless otherwise stated by this Bylaw, or if a Development Permit with a variance authorizing additional time is issued by the Development

Authority, a Temporary Sign may not remain at a Site for longer than 90 consecutive days or for no more than 180 days in a calendar year.

5.320 Banner Sign Regulations



Example of a Banner Sign

5.320.1 General Regulations for Banner Signs

5.320.1.1 Banner Signs may only be put up in the Developing Community Sign Overlay, or Commercial or Industrial Zones.

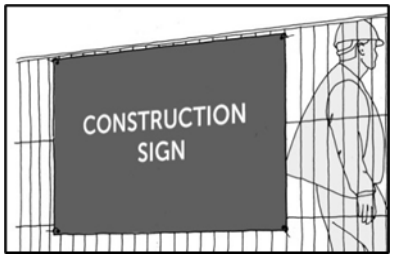
5.320.2 Banner Sign Sizes

5.320.2.1 Maximum Sign Height is 0.9m;

5.320.2.2 Maximum Sign Width is 6.0m; and

5.320.2.3 Maximum Sign Area must not exceed 6.0m².

5.330 Construction Sign Regulations



Example of a Construction Sign

5.330.1 General Regulations for Construction Signs

5.330.1.1 Construction Signs may not be put up before the issuance of a Development Permit and must be taken down within 1 month of completion of construction.

5.330.1.2 Construction Signs will not be placed for more than 18 months.

5.330.2 Construction Sign Sizes in a Residential Zone

5.330.2.1 Maximum Sign Height is 1.83m;

5.330.2.2 Maximum Sign Width is 2.44m; and

5.330.2.3 Maximum Sign Area must not exceed 3.0m².

5.330.3 Construction Signs Sizes in all other Zones

5.330.3.1 Maximum Sign Height is 4.0m;

5.330.3.2 Maximum Sign Width is 4.88m; and

5.330.3.3 Maximum Sign Area must not exceed 12.0m².

5.340 Election Sign Regulations



Example of Election Signs

5.340.1 Election Signs may be placed on private or Public Property, with the approval of the landowner or public authority.

5.340.2 Election Signs are permitted on municipal property only as designated by The City Council.

5.340.3 Election Signs must be located at least 3.0m from the back of Sidewalk or if there is no Sidewalk, the back of curb.

5.340.4 Election Signs on Public Property must be a maximum of 3.0m² in size and not more than 3.6m in height.

5.340.5 Only 1 Election Sign per candidate, per designated Sign location approved by Council resolution, is permitted.

5.340.6 If a candidate fails to remove their Election Signs within 48 hours after the voting stations close on election day, the designated officers may remove them and the candidate will be liable for the cost of removal.

5.340.7 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.

5.340.8 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.

5.340.9 A candidate whose name appears on an Election Sign which is in contravention of this Bylaw will be guilty of an offence under this Bylaw.

5.350 Flag Sign Regulations



Example of a Flag Sign

5.350.1 General Regulations for Flag Signs

5.350.1.1 Flag Signs are only allowed in The Developing Community Sign Overlay, Commercial Zones, Industrial Zones, and in Residential Zones in conjunction with a Principal Use listed in subsection 5.190.1.

5.350.1.2 A Flag Sign may be decorative, celebratory, or used for First Party Advertising.

5.350.2 Flag Sign Sizes

5.350.2.1 Maximum Sign Height:

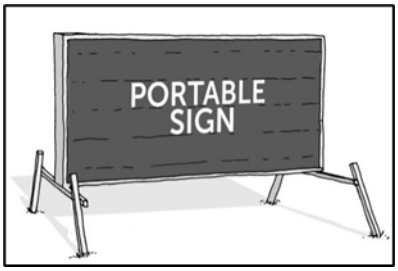
5.350.2.1.1 6.0m for a pole-mounted Flag Sign;

5.350.2.1.2 3.0m from the top of the roof for a roof-mounted Flag Sign;

5.350.2.2 Maximum Sign Width: 0.9m; and

5.350.2.3 Maximum Sign Area: 5.0m².

5.360 Portable Sign Regulations



Example of a Portable Sign

5.360.1 General regulations for Portable Signs

5.360.1.1 In addition to subsection 5.310.2, a Site must remain free of all Portable Signs for a minimum of 30 consecutive days since the last Portable Sign was on the Site before another Portable Sign may be placed at that Site.

5.360.1.2 Portable Signs are only allowed in Residential Zones in conjunction with a Principal Use listed in subsection 5.190.1.

5.360.2 Siting Criteria

5.360.2.1 Portable Signs must be located a minimum of:

5.360.2.1.1 1.5m from any Site Boundary;

5.360.2.1.2 3.0m from any access or egress to or from a Site; and

5.360.2.1.3 100.0m from another Portable Sign.

5.360.3 Portable Sign Sizes

5.360.3.1 Maximum Sign Height: 3.0m;

5.360.3.2 Maximum Sign Width: 2.4m; and

5.360.3.3 Maximum Sign Area: 4.0m².

5.370 Real Estate Sign Regulations

5.370.1 Real Estate Sign Sizes in a Residential Zone

5.370.1.1 Maximum Sign Height: 0.6m;

5.370.1.2 Maximum Sign Width: 0.9m; and

5.370.1.3 Maximum Sign Area: 0.6m².

5.370.2 Real Estate Sign Sizes in all Other Zones

5.370.2.1 Maximum Sign Height: 2.44m;

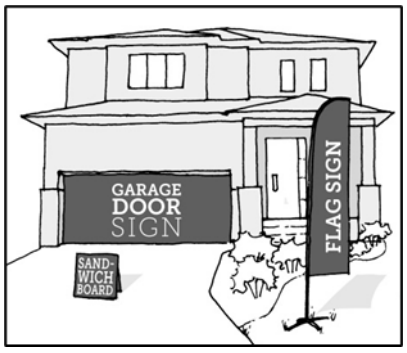
5.370.2.2 Maximum Sign Width: 1.83m; and

5.370.2.3 Maximum Sign Area: 4.5m².

5.380 Show Home Sign Regulations

5.380.1 General Regulations for Show Home Signs

5.380.1.1 A Show Home Sign may be a Banner Sign, Flag Sign, Sidewalk Sign, or similar Sign, but must not be placed above the eaves.



Example of a Show Home Sign setup

5.380.2 Siting Criteria

5.380.2.1 Only 3 Show Home Signs are allowed per Site.

5.380.2.2 Additional Show Home Signs may be allowed, at the discretion of the Development Authority, but only if another Show Home is not in the Immediate Road Context.

5.390 Sidewalk Sign Regulations



Example of a Sidewalk Sign

5.390.1 Sidewalk Signs used to Advertise Businesses

5.390.1.1 Sidewalk Signs may only be displayed during the business hours of the business the Sign is advertising.

5.390.2 Sidewalk Signs used as Real Estate Signs

5.390.2.1 Sidewalk Signs:

5.390.2.1.1 may only include a directional arrow, the phrase "open house" and the name or logo of the real estate company hosting the open house; and

5.390.2.1.2 may be placed no more than 3 hours prior to an open house and no later than 3 hours after an open house.

5.390.3 [26]Sidewalk Signs used for a Garage Sale

5.390.3.1 Sidewalk Signs may be placed no more than 48 hours prior to a Garage Sale;

5.390.3.2 Sidewalk Signs must be removed within 24 hours after the conclusion of the Garage Sale;

5.390.3.3 Sidewalk Signs may be placed for a total of no more than 72 consecutive hours; and

5.390.3.4 [27]Deleted.

5.390.4 Sidewalk Sign Sizes

5.390.4.1 Maximum Sign Height: 1.0m;

5.390.4.2 Maximum Sign Width: 1.0m; and

5.390.4.3 Maximum Sign Area: 1.0m^2.

[26] 3357/SS-2024
[27] 3357/SS-2024

5.400 Special Event Sign Regulations

5.400.1 General regulations for Special Event Signs

5.400.1.1 Special Event Signs are subject to the Special Event Bylaw and must only contain information specific to a special event.

5.400.2 Special Event Sign Sizes

5.400.2.1 Maximum Sign Height: 0.9m;

5.400.2.2 Maximum Sign Width: 0.9m; and

5.400.2.3 Maximum Sign Area: 0.6m².

5.410 Temporary Directional Sign Regulations

5.410.1 Temporary Directional Sign Sizes

5.410.1.1 Maximum Sign Area: 1.4m².

5.420 Temporary Window Sign Regulations

5.420.1 All Temporary Window Signs are subject to same regulations as Permanent Window Signs.

Part 6 Residential Zones

6.10 Residential Low-Density Zone: R-L

Key Information

6.10.1 This Zone allows Development of low-density housing and compatible Non-Residential Uses.

6.10.2 Permitted Uses

6.10.2.1 Accessory Building

6.10.2.2 Backyard Suite in Timberlands North neighbourhood

6.10.2.3 Home Occupation Minor

6.10.2.4 House

6.10.2.5 House Suite

6.10.2.6 Show Home

6.10.3 Discretionary Uses

6.10.3.1 Backyard Suite outside Timberlands North neighbourhood

6.10.3.2 Day Care Facility

6.10.3.3 Duplex

6.10.3.4 Home Occupation Major

6.10.3.5 Public Assembly

6.10.3.6 Supportive Living Accommodation

6.10.3.7 Temporary Care Facility

Regulations

6.10.4 Minimum Dimensions

Use	Site Area	Frontage
House	324.0m^2	12.0m
Duplex	232.0m^2 per Dwelling Unit	7.6m per Dwelling Unit

Public Assembly	800.0m^2	12.0m
All other uses	324.0m^2	12.0m

6.10.5 **Minimum Setbacks**			
Use	**Front Yard**	**Rear Yard**	**Side Yard**
House	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	1.5m
Duplex	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	Boundary with a party wall: 0.0m Interior Side Setback without entrance: 1.5m Interior Side Setback with entrance: 2.4m Exterior Side Setback without entrance: 1.5m Exterior Side Setback with entrance: 2.4m
All other Uses	Building with no front attached Garage or Parking Pad: 3.0m Buildings with front attached Garage or Parking Pad: 6.0m	7.5m	1.5m

6.10.6 Despite any other section in this Bylaw, the Live Portion of the Dwelling Unit of a House with a Backyard Suite that fronts a P-1 Zone must be Setback a minimum of 2.0m and a maximum of 3.0m.

6.10.7 Despite any other section in this Bylaw, on a Site with no lane, a House with a Garage in the Rear Yard must have 1 Side Yard that is at least 3.0m.

6.10.8 Building Height, Site Coverage, and Landscaping	
Category	**Regulations**
Building Height	Maximum: 3 storeys with an overall maximum height of 15.0m measured from Grade
Site Coverage	Maximum: 45%, unless the Site contains a Backyard Suite, then 60%
Landscaped Area	Minimum: 30% of Site Area, and including 20% of the Front Yard for a House or Duplex

6.10.9 Front attached Garages on Sites less than 27.0m deep must meet the following regulations:

6.10.9.1 the front attached Garage must not be closer to the Street than the Live Portion of the Dwelling Unit;

6.10.9.2 the Garage cannot be wider than 67% of the entire front face of the Live Portion of the Dwelling Unit and Garage combined;

6.10.9.3 the width of the front Driveway must not be wider than the front Façade of the Garage.

6.20 Residential Wide Zone: R-W

Key Information

6.20.1 This Zone allows for Development of low-density housing and compatible non-Residential uses on Sites with a narrower Side Yard Setback, resulting in a wider Building Footprint.

6.20.2 Permitted Uses

6.20.2.1 Accessory Building

6.20.2.2 Backyard Suite in the Timberlands North neighbourhood

6.20.2.3 Home Occupation Minor

6.20.2.4 House

6.20.2.5 House Suite

6.20.2.6 Show Home

6.20.3 Discretionary Uses

6.20.3.1 Backyard Suite outside the Timberlands North neighbourhood

6.20.3.2 Day Care Facility

6.20.3.3 Duplex

6.20.3.4 Home Occupation Major

6.20.3.5 Public Assembly

6.20.3.6 Supportive Living Accommodation

6.20.3.7 Temporary Care Facility

Regulations

6.20.4 Minimum Dimensions

Use	Site Area	Frontage
House	324.0m^2	12.0m
Duplex	232.0m^2 per Dwelling Unit	7.6m per Dwelling Unit
Public Assembly	800.0m^2	12.0m

All other Uses	324.0m^2	12.0m

6.20.5 **Minimum Setbacks**			
Use	**Front Yard**	**Rear Yard**	**Side Yard**
House	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	1.25m
Duplex	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	Boundary with a party wall: 0.0m Interior Side Setback without entrance: 1.25m Interior Side Setback with entrance: 2.4m Exterior Side Setback without entrance: 1.25m Exterior Side Setback with entrance: 2.4m
All other uses	Buildings with no front attached Garage: 3.0m Buildings with a front attached Garage: 6.0m	7.5m	1.25m

6.20.6 Despite any other section in this Bylaw, the Live Portion of the Dwelling Unit of a House with a Backyard Suite that fronts a P-1 Zone must be Setback a minimum or 2.0m and a maximum of 3.0m.

6.20.7 Despite any other section in this Bylaw, on a Site with no lane, a House with a Garage in the Rear Yard must have 1 Side Yard at least 3.0m wide

6.20.8 Building Height, Site Coverage, and Landscaping	
Category	**Regulations**
Building Height	Maximum: 3 storeys, with an overall maximum height of 15.0m measured from Grade
Site Coverage	Maximum: 45%, unless the Site contains a Backyard Suite, then 60%
Landscaped Area	Minimum: 30% of Site Area, and including 20% of the Front Yard for a House or Duplex

6.20.9 Front attached Garages on Sites less than 27.0m deep must meet the following regulations:

6.20.9.1 the front attached Garage must not be closer to the street than the Live Portion of the Dwelling Unit;

6.20.9.2 the Garage cannot be wider than 67% of the entire front façade of the Live Portion of the Dwelling Unit and Garage combined;

6.20.9.3 the width of the front Driveway must not be wider than the front Façade of the Garage.

6.30 Residential Narrow Lot Zone: R-N

Key Information

6.30.1 This Zone allows for Houses and compatible non-Residential uses on narrower Sites and Zero Lot Line Developments, creating a higher density than the Residential Low-Density (R-L) Zone.

6.30.2 Permitted Uses

6.30.2.1 Accessory Building

6.30.2.2 Home Occupation Minor

6.30.2.3 House

6.30.2.4 House Suite

6.30.2.5 Show Home

6.30.3 Discretionary Uses

6.30.3.1 Backyard Suite

6.30.3.2 Day Care Facility

6.30.3.3 Home Occupation Major

6.30.3.4 Public Assembly

6.30.3.5 Supportive Living Accommodation

6.30.3.6 Temporary Care Facility

Regulations

6.30.4 Minimum Dimensions

	House with Zero Lot Line	Public Assembly	All Other Uses
Site Area	225.0m^2	800.0m^2	273.0m^2
Frontage	7.5m	9.1m	9.1m

6.30.5 Minimum Setbacks			
Use	**Front Yard**	**Rear Yard**	**Side Yard**
House with Zero Lot Line	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	0.0m on 1 interior Side Setback plus 1.5m on the other Side Yard Setback
House with no Zero Lot Line	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	1.25m
All other uses	Buildings with no front attached Garage: 3.0m Buildings with a front attached Garage: 6.0m	7.5m	1.25m

6.30.6 Building Height, Site Coverage, and Landscaping			
Use	**Maximum Building Height**	**Maximum Site Coverage**	**Minimum Landscaped Area**
House with Zero Lot Line	3 storeys with an overall maximum height of 15.0m measured from Grade	60%	30% of Site Area, and including 20% of the Front Yard
House with no Zero Lot Line	3 storeys with an overall maximum height of 15.0m measured from Grade	45%, unless the Site contains a Backyard Suite, then 60%	30% of Site Area, and including 20% of the Front Yard
All Other Uses	3 storeys with an overall maximum height of 15.0m measured from Grade	45%	30% of Site Area

6.30.7 Zero Lot Line Development

6.30.7.1 Zero Lot Line Developments are only permitted for Houses.

6.30.7.2 The landowners of the Site proposed for Development and the affected Adjacent Site must register the following on both titles:

6.30.7.2.1 a minimum 1.5m private maintenance easement;

6.30.7.2.2 a 0.3m eave encroachment easement specifying that eaves must not be closer than 0.9m to eaves on the Adjacent Site; and

6.30.7.2.3 a 0.6m footing encroachment.

6.40 Residential Duplex Zone: R-D

Key Information

6.40.1 This Zone allows Development of Duplexes and compatible non-Residential uses.

6.40.2	**Permitted Uses**
6.40.2.1	Accessory Building
6.40.2.2	Duplex
6.40.2.3	Home Occupation Minor
6.40.2.4	House
6.40.2.5	House Suite
6.40.2.6	Show Home
6.40.3	**Discretionary Uses**
6.40.3.1	Backyard Suite
6.40.3.2	Day Care Facility
6.40.3.3	Home Occupation Major
6.40.3.4	Public Assembly
6.40.3.5	Supportive Living Accommodation
6.40.3.6	Temporary Care Facility

Regulations

6.40.4 Minimum Dimensions

Uses	Site Area	Frontage
House	324.0m^2	12.0m
Duplex	232.0m^2 per Dwelling Unit	7.6m per Dwelling Unit
Public Assembly	800.0m^2	12.0m
All other uses	324.0m^2	12.0m

6.40.5	Minimum Setbacks		
Uses	**Front Yard**	**Rear Yard**	**Side Yard**
House	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	1.5m
Duplex	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	Boundary with a party wall: 0.0m Interior Side Setback without entrance: 1.25m Interior Side Setback with entrance: 2.4m Exterior Side Setback without entrance: 1.25m Exterior Side Setback with entrance: 2.4m
All other uses	Buildings with no front attached Garage or Parking Pad: 3.0m Buildings with front attached Garage or Parking Pad: 6.0m	7.5m	1.5m

6.40.6 Despite any other section in this Bylaw, the Live Portion of the Dwelling Unit of a House with a Backyard Suite that fronts a P-1 Zone must be Setback a minimum of 2.0m and a maximum of 3.0m.

6.40.7 Despite any other section in this Bylaw, on a Site with no lane, a House with a Garage in the Rear Yard must have 1 Side Yard that is at least 3.0m.

6.40.8 Building Height, Site Coverage, and Landscaping	
Category	**Regulations**
Building Height	Maximum: 3 storeys with an overall maximum height of 15.0m measured from Grade
Site Coverage	Maximum: 45%, unless the Site contains a Backyard Suite, then 60%
Landscaped Area	Minimum: 30% of Site Area, and including 20% of the Front Yard for a House or Duplex

6.40.9 Front attached Garages on Sites less than 27.0m deep must meet the following regulations:

6.40.9.1 the front attached Garage must not be closer to the Street than the Live Portion of the Dwelling Unit;

6.40.9.2 the Garage cannot be wider than 67% of the entire front façade of the Live Portion of the Dwelling Unit and Garage combined;

6.40.9.3 the width of the front Driveway must not be wider than the front Façade of the Garage.

6.50 Residential Medium-Density Zone: R-M

Key Information

6.50.1 This Zone allows for a mix of housing types and suitable non-Residential uses, creating density that is compatible with Adjacent low-density or high-density Zones.

6.50.2	**Permitted Uses**
6.50.2.1	Accessory Building
6.50.2.2	Apartment
6.50.2.3	Duplex
6.50.2.4	Home Occupation Minor
6.50.2.5	Show Home
6.50.2.6	Townhouse
6.50.3	**Discretionary Uses**
6.50.3.1	Backyard Suite
6.50.3.2	Day Care Facility
6.50.3.3	Home Occupation Major
6.50.3.4	House
6.50.3.5	House Suite
6.50.3.6	Public Assembly
6.50.3.7	Supportive Living Accommodation
6.50.3.8	Temporary Care Facility

Regulations

6.50.4 Minimum Dimensions

Use	Site Area	Frontage
House	324.0m^2	12.0m
Duplex	232.0m^2 per Dwelling Unit	7.6m per Dwelling Unit

Townhouse	125.0m^2 per Dwelling Unit	15.0m; or 6.1m per Dwelling Unit if all Dwelling Units are developed at Grade
Apartment	-	18.0m
Public Assembly	800.0m^2	12.0m
All other uses	324.0m^2	12.0m

6.50.5 **Minimum Setbacks**			
Use	**Front Yard**	**Rear Yard**	**Side Yard**
House	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	1.5m
Duplex	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	Boundary with a party wall: 0.0m Interior Side Setback without entrance: 1.5m Interior Side Setback with entrance: 2.4m Exterior Side Setback without entrance: 1.5m Exterior Side Setback with entrance: 2.4m

Townhouse	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	Boundary with a party wall: 0.0m Interior Side Setback without entrance: 1.5m Interior Side Setback with entrance: 2.4m Exterior Side Setback without entrance: 1.5m Exterior Side Setback with entrance: 2.4m
Apartment	4.5m	7.5m	3.0m
All other Uses	Building with no front attached Garage or Parking Pad: 3.0m Buildings with front attached Garage or Parking Pad: 6.0m	7.5m	1.5m

6.50.6 Despite any other section in this Bylaw, on a Site with no lane, a House with a Garage in the Rear Yard must have 1 Side Yard that is at least 3.0m to allow access.

6.50.7 **Building Height, Site Coverage, and Landscaping**			
Use	**Maximum Building Height**	**Maximum Site Coverage**	**Minimum Landscaped Area**
House	3 storeys with an overall maximum height of 15.0m measured from Grade	45%, unless the Site contains a Backyard Suite, then 60%	30% of Site Area, and including 20% of the Front Yard
Duplex	3 storeys with an overall maximum height of 15.0m measured from Grade	45%	30% of Site Area, and including 20% of the Front Yard

Townhouse	3 storeys with an overall maximum height of 15.0m measured from Grade	45%	30% of Site Area, and including 20% of the Front Yard
Apartment	3 storeys	45%	30%
All other Uses	3 storeys	45%	30%

6.60 [28]Residential High-Density Zone: R-H

Key Information

6.60.1 This Zone allows for a mixture of housing types and compatible non-Residential uses at higher densities and Building Heights than other Residential Zones.

6.60.2	**Permitted Uses**
6.60.2.1	Accessory Building
6.60.2.2	Apartment
6.60.2.3	Day Care Facility
6.60.2.4	Home Occupation Minor
6.60.2.5	Show Home
6.60.2.6	Townhouse
6.60.3	**[29]Permitted Uses on the ground floor within a Residential Building**
6.60.3.1	Specialty Food Services without packaging, bottling, or shipping of the products made as part of the use
6.60.4	**Discretionary Uses**
6.60.4.1	Backyard Suite
6.60.4.2	Home Occupation Major
6.60.4.3	House Suite
6.60.4.4	Public Assembly
6.60.4.5	Supportive Living Accommodation
6.60.4.6	Temporary Care Facility
6.60.5	**[30]Discretionary Uses on the ground floor within a Residential Building**
6.60.5.1	Commercial Service Facility, excluding small animal clinics

[28] 3357/QQ-2024
[29] 3357/HH-2024
[30] 3357/HH-2024

	6.60.5.2	Merchandise Sales
	6.60.5.3	Restaurant
	6.60.5.4	Specialty Food Services

Regulations

6.60.6	**Minimum Dimensions**	
Use	**Site Area**	**Frontage**
Townhouse	125.0m^2 per Dwelling Unit	15.0m, or if all Dwelling Units are Developed at Grade: 6.1m per dwelling unit
Apartment	-	18.0m
Public Assembly	800.0m^2	12.0m
All other uses	324.0m^2	12.0m

6.60.7	**Minimum Setbacks**		
Use	**Front Yard**	**Rear Yard**	**Side Yard**
Townhouse	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	Boundary with a party wall: 0.0m Interior Side Setback without entrance: 1.5m Interior Side Setback with entrance: 2.4m Exterior Side Setback without entrance: 1.5m Exterior Side Setback with entrance: 2.4m
All Other Uses	4.5m	7.5m	3.0m

6.60.8	**Building Height, Site Coverage, and Landscaping**

Use	Maximum Building Height	Maximum Site Coverage	Minimum Landscaped Area
Townhouse	3 storeys with an overall maximum height of 15.0m measured from Grade	60%	30% of Site Area, and including 20% of the Front Yard
All other Uses	6 storeys or a maximum height of 30.0m except for Sites within the Downtown core area (Figure 7.10-1), where there is no maximum height	60%	30%
Existing Building of more than 6 storeys outside Greater Downtown Action Plan	May be structurally altered, or replaced with a Building of equal or fewer storeys	60%	30%

6.60.9 [31]The following Commercial uses are limited to the ground floor with a maximum Gross Leasable Floor Area of 300m^2 when co-located within a Residential Building

6.60.9.1 Commercial Service Facility, excluding small animal clinics

6.60.9.2 Merchandise Sales

6.60.9.3 Restaurant; and

6.60.9.4 Specialty Food Services

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6.70 Residential Small-Scale Mixed-Use Zone: R-SMU

Key information

6.70.1 This Zone allows Mixed-Use Buildings with limited Building Heights.

6.70.2 Each Principal Building has ground-level Commercial space, and typically a Townhouse-style Development.

6.70.3 Permitted Uses

- 6.70.3.1 Accessory Building
- 6.70.3.2 Home Occupation Minor
- 6.70.3.3 Mixed-Use Building
- 6.70.3.4 Show Home

6.70.4 Permitted Uses on ground floor in a Mixed-Use Building

- 6.70.4.1 Commercial Service Facility
- 6.70.4.2 Cultural Facility
- 6.70.4.3 Health and Medical Services
- 6.70.4.4 Information Service Provider
- 6.70.4.5 Merchandise Sales and Rentals, excluding all uses where the primary focus is adult oriented merchandise
- 6.70.4.6 Professional Office

6.70.5 Discretionary Uses

- 6.70.5.1 Day Care Facility
- 6.70.5.2 Home Occupation Major
- 6.70.5.3 Supportive Living Accommodation
- 6.70.5.4 Temporary Care Facility

6.70.6 Discretionary Uses on ground floor in a Mixed-Use Building

- 6.70.6.1 Commercial Entertainment Facility
- 6.70.6.2 Indoor Recreation Facility

6.70.6.3	Restaurant
6.70.6.4	Specialty Food Service

Regulations

6.70.7 Minimum Dimensions		
Use	**Site Area**	**Frontage**
All Uses	185.0m^2	6.1m

6.70.8 Minimum Setbacks		
Front Yard	**Rear Yard**	**Side Yard**
3.0m	Building with no rear attached Garage: 1.5m Building with a rear attached Garage: 6.0m	Interior Side Setback: 0.0m Interior Side Setback for Sites Abutting a non-Mixed-Use Building: 1.8m Exterior Side Setback: 1.8m

6.70.9 Building Height	
Minimum Building Height	**Maximum Building Height**
2 storeys	3 storeys with an overall maximum of 15.0m measured from Grade

6.70.10 All Mixed-Use Buildings must meet the following regulations, which cannot be varied:

6.70.10.1 each Building must have Main Floor Commercial uses;

6.70.10.2 each Building must have a minimum of 3 Residential units;

6.70.10.3 each Commercial and Residential unit must have Road level access that is not shared; and

6.70.10.4 the Building must not have a front attached Garage.

6.80 Residential Acreage Zone: R-A

Key Information

6.80.1 This Zone regulates existing acreage Developments annexed by the City.

6.80.2 This Zone does not allow creation of new acreages.

6.80.3 This Zone does not allow for subdividing additional acreages.

The City does not allow new acreages within City limits. These rules only apply to acreages that already existed before the City annexed the land.

6.80.4 Permitted Uses

6.80.4.1 Accessory Building, 100.0m^2 or less

6.80.4.2 Home Occupation Minor

6.80.4.3 House

6.80.4.4 House Suite

6.80.4.5 Show Home

6.80.5 Discretionary Uses

6.80.5.1 Accessory Building greater than 100.0m^2

6.80.5.2 Backyard Suite

6.80.5.3 Day Care Facility

6.80.5.4 Home Occupation Major

6.80.5.5 Public Assembly

6.80.5.6 Supportive Living Accommodation

6.80.5.7 Temporary Care Facility

Regulations

6.80.6 Minimum Dimensions			
Use	**Site Area**	**Frontage**	**Lot Depth**
Public Assembly	800.0m^2	Existing Frontage on date Site was annexed or rezoned, whichever is more recent	Existing lot depth on date Site was annexed or rezoned, whichever is more recent
All other Uses	Existing Site Area on date Site was annexed or rezoned, whichever is more recent	Existing Frontage on date Site was annexed or rezoned, whichever is more recent	Existing lot depth on date Site was annexed or rezoned, whichever is more recent

6.80.7 R-A Zone Regulations	
Category	**Regulations**
Front Yard Setback	Minimum: 10.0m
Rear Yard Setback	Minimum: 7.5m
Side Yard Setback	Minimum: 3.0m
Building Height	Maximum: 3 storeys with an overall maximum height of 15.0m measured from Grade
Site Coverage	Maximum: 45%
Landscaped Area	Minimum: 30% of the Site Area, and including 20% of the Front Yard for a House

6.90 Residential Manufactured Home Zone: R-MH

Key Information

6.90.1 This Zone allows for Manufactured Homes, Manufactured Home Parks, and compatible non-Residential uses.

6.90.2 Permitted Uses

- 6.90.2.1 Accessory Building
- 6.90.2.2 Home Occupation Minor
- 6.90.2.3 Manufactured Home
- 6.90.2.4 Manufactured Home Park
- 6.90.2.5 Show Home

6.90.3 Discretionary Uses

- 6.90.3.1 Backyard Suite
- 6.90.3.2 Day Care Facility
- 6.90.3.3 Home Occupation Major
- 6.90.3.4 House
- 6.90.3.5 House Suite
- 6.90.3.6 Public Assembly
- 6.90.3.7 Supportive Living Accommodation
- 6.90.3.8 Temporary Care Facility

Regulations

6.90.4 Minimum Dimensions

Uses	Site Area	Frontage
Manufactured Home Park	1.0ha	-
Manufactured Home on a Manufactured Home Lot	324.0m^2	10.5m
Manufactured Home on a subdivided Site or condominium Site	324.0m^2	10.5m

Public Assembly	800.0m^2	10.5m
All other uses	324.0m^2	10.5m

6.90.5 Minimum Setbacks			
Use	**Front Yard**	**Rear Yard**	**Side Yard**
Manufactured Home Park	7.5m	7.5m	7.5m
Manufactured Home on a Manufactured Home Lot	3.0m from the Front Boundary	6.0m from the Rear Boundary	2.35m on 1 Interior side Setback plus 1.5m on the other Side Yard Setback
Manufactured Home on subdivided or condominium Site	3.0m	7.5m	1.5m
All other uses	3.0m	7.5m	1.5m

6.90.6 Building Height, Site Coverage, and Landscaping			
Use	**Maximum Building Height**	**Maximum Site Coverage**	**Minimum Landscaped Area**
Manufactured Home Park	-	45%	30%
Manufactured Home on a Manufactured Home Lot	1 storey	45%, unless the Site contains a Backyard Suite, then 60%	30%
Manufactured Home on subdivided Site or condominium Site	1 storey	45%, unless the Site contains a Backyard Suite, then 60%	30% of the Site Area, and including 20% of the Front Yard
All other uses	3 storeys with a maximum height of 15.0m measured from Grade	45%, unless the Site contains a Backyard Suite, then 60%	30%

Part 7 Commercial Zones

7.10 City Centre Commercial Zone: C-1

Key Information

7.10.1 This Zone allows for an active, compact and mixed-use area, creating a focal point for the community with uses that serve the City and region as a whole.

7.10.2 This Zone allows Commercial, high density Residential, offices, institutional, cultural, entertainment, and recreational uses.

7.10.3 Permitted Uses

7.10.3.1	Accessory Building
7.10.3.2	Apartment
7.10.3.3	Business Incubator
7.10.3.4	Business Support Services
7.10.3.5	Commercial Entertainment Facility
7.10.3.6	Commercial School
7.10.3.7	Commercial Service Facility
7.10.3.8	Communication Facility
7.10.3.9	Cultural Facility
7.10.3.10	Day Care Facility
7.10.3.11	Educational Institution – Post-Secondary
7.10.3.12	Educational Institution – Primary and Secondary
7.10.3.13	Funeral Home
7.10.3.14	Government Services
7.10.3.15	Health and Medical Services
7.10.3.16	Home Occupation Minor
7.10.3.17	Hospital
7.10.3.18	Hostel

	7.10.3.19	Hotel
	7.10.3.20	Indoor Recreation Facility
	7.10.3.21	Information Service Provider
	7.10.3.22	Lease Bay Building
	7.10.3.23	Liquor, Beer, and Wine Sales
	7.10.3.24	Merchandise Sales and Rentals
	7.10.3.25	Microbrewery
	7.10.3.26	Mixed-Use Building
	7.10.3.27	Outdoor Display or Sale of Goods
	7.10.3.28	Parking Structure
	7.10.3.29	Professional Office
	7.10.3.30	Public Assembly
	7.10.3.31	Restaurant
	7.10.3.32	Service Organization
	7.10.3.33	Shopping Centre
	7.10.3.34	Show Home
	7.10.3.35	Specialty Food Services
	7.10.3.36	Supportive Living Accommodation
7.10.4	**Discretionary Uses**	
	7.10.4.1	Above-Ground Storage Tanks for motor fuel products including propane and used oil
	7.10.4.2	Cannabis Retail Sales
	7.10.4.3	Dangerous Goods Occupancy
	7.10.4.4	Detention and Correction Services
	7.10.4.5	Drinking Establishment (Adult Entertainment Permitted)
	7.10.4.6	Drinking Establishment (Adult Entertainment Prohibited)
	7.10.4.7	Dynamic Fascia Sign
	7.10.4.8	Dynamic Freestanding Sign

7.10.4.9	Gaming or Gambling Establishment
7.10.4.10	Home Occupation Major
7.10.4.11	Late Night Club
7.10.4.12	Motor Vehicle Sales, Service, or Repair, excluding the sales, servicing, and repair of Recreational Vehicles
7.10.4.13	Open Space
7.10.4.14	Parking Lot
7.10.4.15	Service Station
7.10.4.16	Temporary Care Facility, except within the Gaetz-Ross Heritage Overlay areas
7.10.4.17	Transportation Services

Regulations

7.10.5 **Dimensions**	
Category	**Regulations**
Building Height	Minimum first storey height: 4.5m Minimum Building Height measured from Grade to the cornice (eave) line: 8.5m Maximum: N/A
Site Area	Minimum: 278.0m^2
Front Yard Setback	Commercial minimum: 0.0m, unless subject to subsection 3.200.3. Residential maximum: 3.0m
Side Yard Setback	Minimum: 0.0m, unless subject to subsection 3.200.3. If the Side Yard Abuts a lane, minimum: 1.5m If the Side Yard Abuts an R-L, R-W, or R-N Zoned site, minimum: 3.0m
Rear Yard Setback	Minimum: 1.5m subject to subsection 3.200.3.
Landscaped Area	Subject to regulations listed in subsection 7.10.9.

Frontage	Minimum: 7.5m

7.10.6 Mixed-Use Buildings will be subject to the Commercial regulations set out in subsection 7.10.5

7.10.7 Dwelling Units are not allowed on the Main Floor of any Building in the downtown core area as outlined in Figure 7.10-1.

7.10.8 Development consisting of a Service Station, Parking Lot, Parking Structure, or Utility Facility must include a 1.5m landscaping buffer parallel to and Abutting the Front Boundary, and Corner Sites must have an additional 1.5m landscaping buffer parallel to the flanking Road.

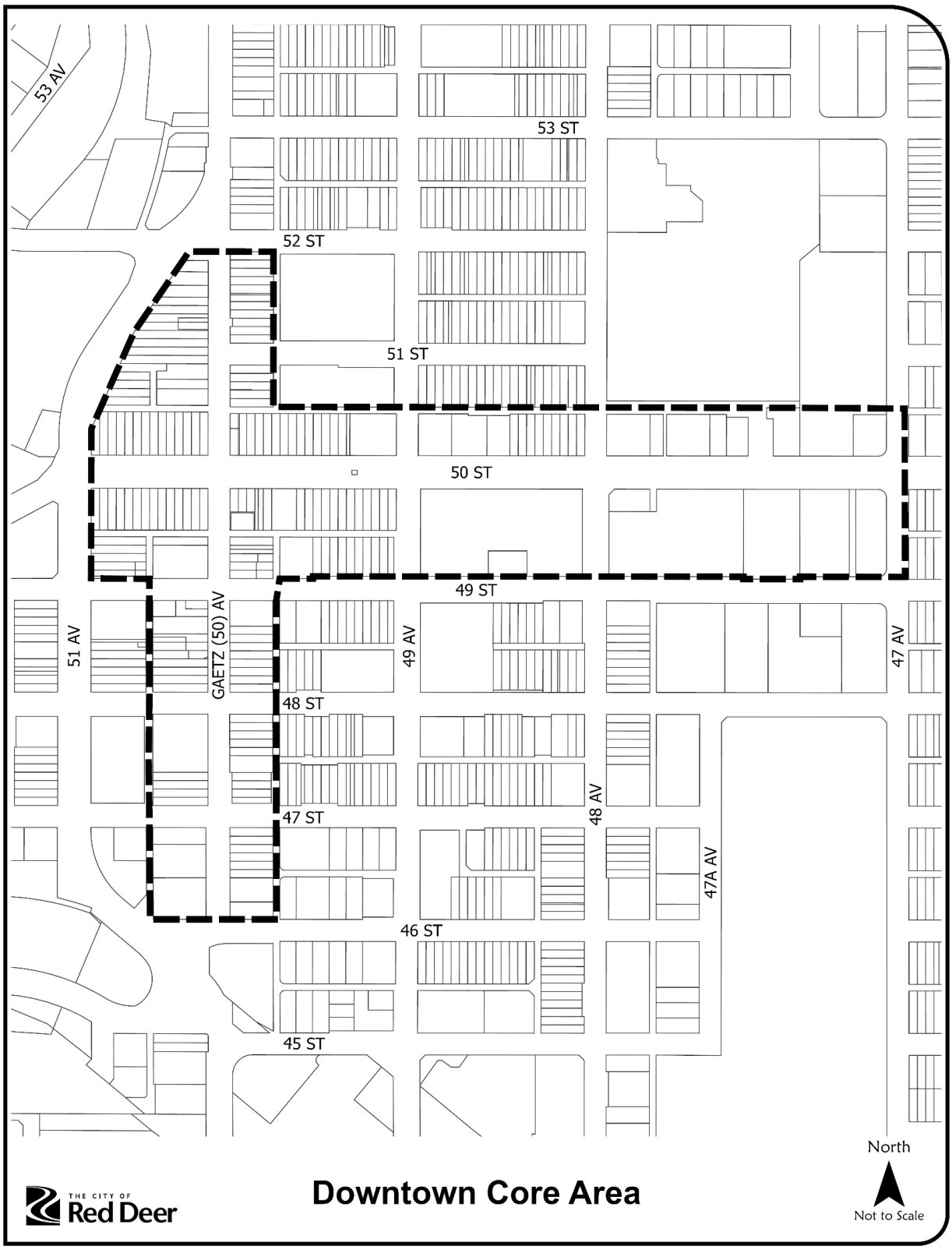


Figure 7.10-1: Downtown Core Area

7.10.9 Design Criteria

7.10.9.1 Building Elevations Facing the Road

7.10.9.1.1 Building elevations facing the Road must be parallel to the Road and Abut the Sidewalk.

7.10.9.1.2 For Corner Site or Sites with multiple Road Frontages, at least 2 Building elevations facing the Road must be parallel to the Road and Abut the Sidewalk.

7.10.9.1.3 Buildings facing the Road must not have horizontal walls exceeding 5.0m without including a distinct architectural element.

7.10.9.1.4 The Main Floor of any Commercial or Mixed-Use Building with an elevation facing the Road must be a minimum of 50% windows.

7.10.9.1.5 All Building elevations visible from adjacent Roads must design elements oriented to the Road.

7.10.9.2 Parking, Loading, and Delivery Zones

7.10.9.2.1 Where a lane Abuts the Site, access to Parking, loading, and delivery zones on the Site must be provided from the lane.

7.10.9.2.2 Surface Parking between the Road and the Building is not permitted, except on 1 side of the Building if the Site is bordered by Roads on 3 sides.

7.10.9.3 Driveways

7.10.9.3.1 Driveways must minimize impacts to existing Sidewalks, trees, and boulevards.

7.10.9.3.2 Developments must use existing Driveways wherever possible.

7.10.9.4 Fencing and Screening

7.10.9.4.1 Fencing for vacant Sites, construction Sites, and around waste containers is subject to Development Authority approval.

7.10.9.4.2 Screening must be used so waste containers are not visible from the surrounding Roads.

7.10.9.4.3 Mechanical equipment, including roof units, must be concealed by:

7.10.9.4.3.1 screening compatible with the architectural character of the Building; or

7.10.9.4.3.2 incorporating it within the Building.

7.10.9.5 **Additional Regulations for Commercial and Mixed-Use Buildings:**

7.10.9.5.1 Buildings facing a Road must be constructed:

7.10.9.5.1.1 to the Boundary of the Site;

7.10.9.5.1.2 to the Setback from the Boundary as per subsection 3.200.3;

7.10.9.5.1.3 to the Setback for an Amenity Space to the pedestrian environment as per subsection 3.200.3;

7.10.9.5.2 For Sites with Frontage on 3 or more Roads, at least 2 Building elevations must be built to the regulations in subsection 7.10.9.5.1.

7.10.9.5.3 Building Entrances

7.10.9.5.3.1 Display windows must be adjacent to each front entrance of a retail use.

7.10.9.5.3.2 Overhead weather protection must be provided for pedestrians at each Building entrance along Building fronts.

7.10.9.5.3.3 Building cantilevers and attached awnings and canopies must not project more than 3.0m from any front Building Façade.

7.10.9.5.3.4 Buildings constructed to the front Boundary of the Site must have front entrances that are angled and recessed 0.9m to 1.5m from the front Building Façade.

7.10.9.5.3.5 Residential and Commercial entrances must be differentiated architecturally in Mixed-Use Buildings to avoid confusion.

7.10.9.6 **Additional Regulations for Residential Buildings**

7.10.9.6.1 The Main Floor must not be located higher than 1.5m above the Grade of the front Sidewalk.

7.10.9.6.2 Retaining walls, railings, fences, or hedges in the minimum Front Yard must not exceed 1.0m in height.

7.10.9.6.3 Front Building elevations must incorporate architectural design elements such as balconies, verandas, canopies, and window Projections.

7.10.9.6.4 Landscaping

7.10.9.6.4.1 The Front Yard must include 1 tree per 7.5m of Site Frontage. Trees must be minimum 0.06m diameter (deciduous) or minimum 2.5m height (coniferous).

7.10.9.6.4.2 Residential Developments that have Residential uses on the Main Floor must have a 1.5m wide landscaping buffer parallel to and Abutting the Front Boundary.

7.10.9.6.4.3 Corner Sites must have an additional 1.5m wide landscaping buffer parallel to the flanking Road.

7.10.9.7 **Setbacks**

7.10.9.7.1 The minimum Rear Yard or Side Yard Setback of 1.5m does not apply to a Site if the landowner:

7.10.9.7.1.1 has transferred the title of the land to The City that would otherwise be required as additional Setback.

7.10.9.7.1.2 has entered a License to Occupy agreement with The City if the Setback or any part of it is occupied by a Building.

7.10.9.8 **Building Heights**

7.10.9.8.1 For Buildings greater than 12 storeys, the Development Authority is the Municipal Planning Commission.

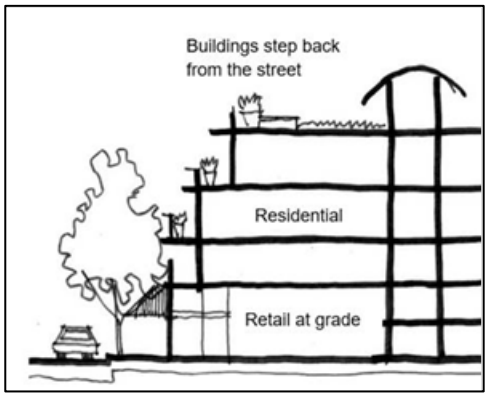
7.10.9.9 **Heritage Buildings and Development Adjacent to Heritage Buildings**

7.10.9.9.1 Subsection 7.10.9.9 applies to heritage Buildings and properties listed under the Historical Preservation Overlay or Historical Significance Overlay in this Bylaw and located within the C-1 Zone.

7.10.9.9.2 New Development must complement adjacent heritage Buildings and the heritage character of the Immediate Road Context.

7.10.9.9.3 The height of new Buildings must be divided up so the Façade of the Building matches the scale of existing heritage Buildings in the area. The tallest part of the new Building must step back from the Road.

7.10.9.9.4 The redevelopment of heritage Buildings, including heritage Buildings incorporated into new Developments, must align with the Standards and Guidelines for the Conservation of Historic Places in Canada.



Example of a Building with step backs from the Road affecting floors above ground level

7.11 City Centre West Commercial Zone: C-1A

Key Information

7.11.1 This Zone allows for a unique mix of land uses including offices, Commercial, Industrial, institutional, cultural, and Residential Developments, serving the City and the region as a whole.

7.11.2 Permitted Uses

7.11.2.1 Accessory Building

7.11.2.2 Apartment

7.11.2.3 Business Incubator

7.11.2.4 Business Support Services

7.11.2.5 Commercial Entertainment Facility

7.11.2.6 Commercial Service Facility

7.11.2.7 Cultural Facility

7.11.2.8 Day Care Facility

7.11.2.9 Health and Medical Services

7.11.2.10 Hostel

7.11.2.11 Hotel

7.11.2.12 Indoor Recreation Facility

7.11.2.13 Information Service Provider

7.11.2.14 Lease Bay Building

7.11.2.15 Liquor, Beer, and Wine Sales

7.11.2.16 Merchandise Sales and Rentals

7.11.2.17 Outdoor Display or Sale of Goods

7.11.2.18 Professional Office

7.11.2.19 Public Assembly

7.11.2.20 Restaurant

7.11.2.21 Show Home

7.11.2.22 Specialty Food Services

	7.11.2.23	Supportive Living Accommodation
7.11.3	**Discretionary Uses**	
	7.11.3.1	Communications Facility
	7.11.3.2	Dangerous Goods Occupancy
	7.11.3.3	Drinking Establishment (Adult Entertainment Prohibited)
	7.11.3.4	[32]Educational Institution – Primary and Secondary
	7.11.3.5	Funeral Home
	7.11.3.6	Gaming or Gambling Establishment
	7.11.3.7	Home Occupation Major
	7.11.3.8	Home Occupation Minor
	7.11.3.9	Late Night Club
	7.11.3.10	Manufacturing
	7.11.3.11	Mixed-Use Building
	7.11.3.12	Motor Vehicle Sales, Service, or Repair
	7.11.3.13	Outdoor Storage
	7.11.3.14	Parking Lot
	7.11.3.15	Parking Structure
	7.11.3.16	Temporary Care Facility
	7.11.3.17	Transportation Services
	7.11.3.18	Warehouse in an existing Building

Regulations

7.11.4	**Dimensions**
Category	**Regulations**

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Building Height	Minimum first storey height: 4.5m Minimum Building Height: 8.5m measured from Grade to the cornice (eave) line Maximum: N/A
Site Area	Minimum: 900.0m^2
Front Yard Setback	Commercial minimum: 0.0m Residential maximum: 3.0m
Side Yard Setback	Minimum: 0.0m If the Side Yard Abuts a lane or Road, minimum: 1.5m If the Side Yard Abuts a Residential Site, minimum: 3.0m
Rear Yard Setback	Minimum: 1.5m
Landscaped Area	Minimum: 15% Site Area
Frontage	Minimum: 20.0m

7.11.5 Mixed-Use Buildings will be subject to the Commercial regulations set out in subsection 7.11.4.

7.11.6 **Design Criteria**

7.11.6.1 All Building elevations visible from Roads must feature design elements oriented to the Road.

7.11.6.2 Waste containers must not be visible from the surrounding Roads.

7.20 Multi-Neighbourhood Commercial Zone: C-2

Key Information

7.20.1 This Zone allows Commercial centres along arterial and collector Roads that border Residential areas, providing for accommodations, entertainment, daily services, offices, Dwelling Units as secondary functions, and uses that serve the surrounding neighbourhoods.

7.20.2 Permitted Uses

7.20.2.1 Accessory Building
7.20.2.2 Business Incubator
7.20.2.3 Business Support Services
7.20.2.4 Commercial Entertainment Facility
7.20.2.5 Commercial School
7.20.2.6 Commercial Service Facility
7.20.2.7 Day Care Facility
7.20.2.8 Drive-Through
7.20.2.9 Government Services
7.20.2.10 Health and Medical Services
7.20.2.11 Indoor Recreation Facility
7.20.2.12 Information Service Provider
7.20.2.13 Lease Bay Building
7.20.2.14 Liquor, Beer, and Wine Sales
7.20.2.15 Merchandise Sales and Rentals
7.20.2.16 Outdoor Display or Sale of Goods
7.20.2.17 Professional Office
7.20.2.18 Restaurant
7.20.2.19 Shopping Centre
7.20.2.20 Show Home

7.20.3 Discretionary Uses

7.20.3.1	Above-Ground Storage Tanks for motor fuel including propane and used oil
7.20.3.2	Apartment
7.20.3.3	Communication Facility
7.20.3.4	Cultural Facility
7.20.3.5	Dangerous Goods Occupancy
7.20.3.6	Drinking Establishment (Adult Entertainment Prohibited)
7.20.3.7	Dynamic Fascia Sign
7.20.3.8	Dynamic Freestanding Sign
7.20.3.9	[33]Educational Institution – Primary and Secondary
7.20.3.10	Gaming or Gambling Establishment
7.20.3.11	Home Occupation Minor
7.20.3.12	Hostel
7.20.3.13	Hotel
7.20.3.14	Liquor, Beer, and Wine Sales
7.20.3.15	Microbrewery
7.20.3.16	Mixed-Use Building
7.20.3.17	Motor Vehicle Sales, Service, or Repair, but excluding agricultural or Industrial motor vehicles or machinery
7.20.3.18	Outdoor Storage
7.20.3.19	Parking Lot
7.20.3.20	Parking Structure
7.20.3.21	Public Assembly
7.20.3.22	Service Station
7.20.3.23	Supportive Living Accommodations
7.20.3.24	Specialty Food Services
7.20.3.25	Transportation Services

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Regulations

7.20.4 **Dimensions**	
Category	**Regulations**
Building Height	Maximum: 3 storeys, with an overall maximum height of 15.0m measured from Grade
Site Area	Lease Bay Building maximum: 3.0ha Shopping Centre minimum: 1.0ha Shopping Centre maximum: 3.0ha Supportive Living Accommodation minimum: 324.0m^2
Front Yard Setback	Minimum: 3.0m Apartment minimum: 4.5m
Side Yard Setback	Minimum: 3.0m Supportive Living Accommodation minimum: • Interior Side Yard 1.5m • Exterior Side Yard 2.4m
Rear Yard Setback	Minimum: 3.0m If the Side Yard Abuts a lane, minimum: 1.5m Apartment minimum: 7.5m Supportive Living Accommodation minimum: 7.5m
Landscaped Area	Minimum: 15% Site Area Apartment minimum: 30% of Site Area, including 20% of the Front Yard area, for the proposed Development Supportive Living Accommodation minimum: 30% Site Area
Frontage	Minimum: 0.0m Apartment minimum: 18.0m Supportive Living Accommodation minimum: 12.0m

7.20.5 Mixed-Use Buildings will be subject to the Commercial regulations set out in subsection 7.20.4

7.20.6 Professional Office floor area must be a maximum of 930m^2.

7.30 Neighbourhood Commercial Zone: C-3

Key Information

7.30.1 This Zone allows local convenience centres for residents, allows business services, Dwelling Units, and medical offices as secondary functions, and allows uses that serve adjoining neighbourhoods.

7.30.2 Permitted Uses

7.30.2.1	Accessory Building
7.30.2.2	Business Incubator
7.30.2.3	Commercial Schools
7.30.2.4	Commercial Service Facility
7.30.2.5	Day Care Facility
7.30.2.6	Health and Medical Services
7.30.2.7	Information Service Provider
7.30.2.8	Lease Bay Building
7.30.2.9	Merchandise Sales and Rentals, excluding all uses where the primary focus is adult oriented merchandise
7.30.2.10	Professional Office
7.30.2.11	Restaurant

7.30.3 Discretionary Uses

7.30.3.1	Above-Ground Storage Tanks for motor fuel products including propane and used oil
7.30.3.2	Commercial Entertainment Facility
7.30.3.3	Communication Facility
7.30.3.4	Cultural Facility
7.30.3.5	Dangerous Goods Occupancy, where required, in association with a dry-cleaning business
7.30.3.6	Drinking Establishment (Adult Entertainment Prohibited)
7.30.3.7	[34]Educational Institution – Primary and Secondary

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7.30.3.8	Home Occupation Minor
7.30.3.9	Indoor Recreation Facility
7.30.3.10	Liquor, Beer, and Wine Sales
7.30.3.11	Mixed-Use Building
7.30.3.12	Motor Vehicle Sales, Service, or Repair but excluding agricultural or Industrial motor vehicles or machinery
7.30.3.13	Public Assembly
7.30.3.14	Service Station
7.30.3.15	Show Home
7.30.3.16	Specialty Food Services
7.30.3.17	Transportation Services

Regulations

7.30.4 **Dimensions**	
Category	**Regulations**
Building Height	Maximum 3 storeys, with an overall maximum height of 15.0m measured from Grade, unless in Developed Areas (see Figure 3.190-1), where the maximum Building Height must be within 1 storey of the existing Principal Building with the least number of storeys on an Abutting Residential Site
Site Area	Minimum: 0.0m Maximum: 4047.0m^2
Front Yard Setback	Minimum: 0.0m, subject to regulations listed in subsection 3.200.3
Side Yard Setback	Minimum: 0.0m If the Side Yard Abuts a lane, minimum: 1.5m If the Side Yard Abuts a Residential Site, minimum: 3.0m
Rear Yard Setback	Minimum: 3.0m If the Rear Yard Abuts a lane, minimum: 1.5m
Landscaped Area	Minimum: 15% Site Area

Frontage	Minimum: 7.5m

7.30.5 Professional Office floor area must be a maximum of 930m^2.

7.30.6 Dwelling Units are only allowed above the Main Floor in Mixed-Use Buildings.

7.30.7 **Design Criteria**

7.30.7.1 Display windows must be installed next to each front entrance of a retail space.

7.30.7.2 Buildings must be designed:

7.30.7.2.1 with the minimum Front Yard Setback, except when more space is required for amenities such as an eating patio, outdoor display, or benches; or

7.30.7.2.2 within the average Front Yard Setback of the Immediate Road Context to fit the character of the surrounding area.

7.40 Major Arterial Commercial Zone: C-4

Key Information

7.40.1 This Zone facilitates large Commercial Developments with good visibility and accessibility along, or adjacent to, major Roads such as Gaetz Avenue and 67 Street.

7.40.2 This Zone promotes the intensification of land use and mixed-use Development, transit-oriented Development, serving the City and the region as a whole.

7.40.3 Permitted Uses

7.40.3.1 Accessory Building

7.40.3.2 Business Incubator

7.40.3.3 Business Support Services

7.40.3.4 Commercial Entertainment Facility

7.40.3.5 Commercial School

7.40.3.6 Commercial Service Facility

7.40.3.7 Drive-Through

7.40.3.8 General Contractor Services

7.40.3.9 Government Services

7.40.3.10 Health and Medical Services

7.40.3.11 Hostel

7.40.3.12 Hotel

7.40.3.13 Indoor Recreation Facility

7.40.3.14 Information Service Provider

7.40.3.15 Lease Bay Building

7.40.3.16 Liquor, Beer, and Wine Sales

7.40.3.17 Merchandise Sales and Rentals

7.40.3.18 Mixed-Use Building

7.40.3.19 Motor Vehicle Sales, Service, or Repair

	7.40.3.20	Outdoor Display or Sale of Goods
	7.40.3.21	Professional Office
	7.40.3.22	Public Assembly
	7.40.3.23	Restaurant
	7.40.3.24	Service Station
	7.40.3.25	Show Home
	7.40.3.26	Specialty Food Services
	7.40.3.27	Supportive Living Accommodation
	7.40.3.28	[35]Day Care Facility
7.40.4	**Discretionary Uses**	
	7.40.4.1	Above-Ground Storage Tanks for motor fuel products including propane and used oil
	7.40.4.2	Animal Services
	7.40.4.3	Apartment
	7.40.4.4	Billboard Sign
	7.40.4.5	Cannabis Retail Sales
	7.40.4.6	Communication Facility
	7.40.4.7	Cultural Facility
	7.40.4.8	Dangerous Goods Occupancy
	7.40.4.9	[36]Deleted
	7.40.4.10	Drinking Establishment (Adult Entertainment Prohibited)
	7.40.4.11	Drinking Establishment (Adult Entertainment Permitted)
	7.40.4.12	Dynamic Fascia Sign
	7.40.4.13	Dynamic Freestanding Sign
	7.40.4.14	[37]Educational Institution – Primary and Secondary
	7.40.4.15	Funeral Home

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7.40.4.16	Gaming or Gambling Establishment
7.40.4.17	Greenhouse
7.40.4.18	Home Occupation Minor
7.40.4.19	Microbrewery
7.40.4.20	Outdoor Storage
7.40.4.21	Parking Lot
7.40.4.22	Parking Structure
7.40.4.23	Recycling Depot
7.40.4.24	Self-Storage Facility
7.40.4.25	Transportation Services
7.40.4.26	Warehouse

Regulations

7.40.5 **Dimensions**	
Category	**Regulations**
Building Height	Maximum: 4 storeys with an overall maximum height of 20.0m measured from Grade Supportive Living Accommodation or Apartment maximum: 3 storeys with an overall maximum height of 15.0m measured from Grade
Site Area	Minimum: 0.1ha Maximum: 4.5ha Supportive Living Accommodation minimum: 324.0m^2
Front Yard Setback	Minimum: 0.0m Maximum: 15.0m Apartment minimum: 4.5m Supportive Living Accommodation minimum: 3.0m

Side Yard Setback	Minimum: 0.0m If the Side Yard Abuts a lane or Road, minimum: 1.5m If the Side Yard Abuts a Residential Site, minimum: 3.0m Apartment minimum: 3.0m Supportive Living Accommodation minimum: • Interior Side Yard: 1.5m • Exterior Side Yard: 2.4m
Rear Yard Setback	Minimum: 0.0m If the Rear Yard Abuts a Residential Site, minimum: 3.0m Supportive Living Accommodation or Apartment minimum: 7.5m
Landscaped Area	Minimum: 15% Site Area Apartment minimum: 30% of Site Area including 20% of the Front Yard area for the proposed Development Supportive Living Accommodation minimum: 30% Site Area
Frontage	Minimum: 30.0m Apartment minimum: 18.0m Supportive Living Accommodation minimum: 12.0m

7.40.6 Mixed-Use Buildings will be subject to the Commercial regulations set out in subsection 7.40.5

7.40.7 Professional Office floor area must be a maximum of 4,645m^2.

7.40.8 **Design Criteria**

7.40.8.1 Buildings must face the Road.

7.40.8.2 Building walls facing a Road must feature design elements at approximately 6.0m – 8.0m intervals.

7.40.8.3 The Development Authority may require a Rear Yard Setback based on the Site's access, Site Parking, loading, and servicing and the effect on neighboring Sites.

7.50 Mixed-Use Commercial Zone: C-5

Key Information

7.50.1 This Zone allows for a variety and mix of Commercial and Residential uses along collector Roads, encouraging community-oriented Commercial Buildings that have living spaces above the Main Floor, and providing uses that serve surrounding neighbourhoods.

7.50.2 Permitted Uses

7.50.2.1	Accessory Building
7.50.2.2	Apartment
7.50.2.3	Business Incubator
7.50.2.4	Business Support Services
7.50.2.5	Commercial Entertainment Facility
7.50.2.6	Commercial School
7.50.2.7	Commercial Service Facility
7.50.2.8	Cultural Facility
7.50.2.9	Day Care Facility
7.50.2.10	Government Services
7.50.2.11	Health and Medical Services
7.50.2.12	Home Occupation Minor
7.50.2.13	Indoor Recreation Facility
7.50.2.14	Information Service Provider
7.50.2.15	Lease Bay Building
7.50.2.16	Liquor, Beer, and Wine Sales
7.50.2.17	Merchandise Sales and Rentals, excluding uses where the primary focus is adult oriented merchandise
7.50.2.18	Mixed-Use Building
7.50.2.19	Outdoor Display or Sale of Goods
7.50.2.20	Professional Office

	7.50.2.21	Public Assembly
	7.50.2.22	Restaurant without Drive-Through
	7.50.2.23	Shopping Centre
	7.50.2.24	Show Home
	7.50.2.25	Specialty Food Services
	7.50.2.26	Townhouse
7.50.3	**Discretionary Uses**	
	7.50.3.1	Above Ground Storage Tanks for motor fuel products including propane and used oil
	7.50.3.2	Animal Services
	7.50.3.3	Communications Facility
	7.50.3.4	Dangerous Goods Occupancy
	7.50.3.5	Drinking Establishment (Adult Entertainment Prohibited)
	7.50.3.6	Drive-Through
	7.50.3.7	Dynamic Fascia Sign
	7.50.3.8	Dynamic Freestanding Sign
	7.50.3.9	[38]Educational Institution – Primary and Secondary
	7.50.3.10	Home Occupation Major
	7.50.3.11	Hostel
	7.50.3.12	Hotel
	7.50.3.13	Microbrewery
	7.50.3.14	Motor Vehicle Service or Repair
	7.50.3.15	Parking Lot
	7.50.3.16	Parking Structure
	7.50.3.17	Service Station
	7.50.3.18	Supportive Living Accommodation
	7.50.3.19	Transportation Services

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Regulations

7.50.4 **Dimensions**	
Category	**Regulations**
Building Height	Apartments, Mixed-Use, Commercial or civic Building: maximum 4 storeys with an overall maximum height of 20.0m measured from Grade Townhouse: maximum 3 storeys with an overall maximum height of 15.0m measured from Grade
Site Area	Minimum: 0.0m^2 Supportive Living Accommodation minimum: 324.0m^2 Townhouse minimum: 125.0m^2 per Dwelling Unit
Front Yard Setback	Minimum: 0.0m Maximum: 3.0m Apartment minimum: 4.5m Supportive Living Accommodation minimum: 3.0m Townhouse minimum: • Living part of Dwelling Unit: 3.0m • Attached Garage part of Dwelling Unit: 6.0m

Side Yard Setback	Minimum: 0.0m If the Side Yard Abuts a lane or Road, minimum: 1.5m If the Side Yard Abuts a Residential Site, minimum: 3.0m Apartment minimum: 3.0m Supportive Living Accommodation minimum: • Interior Side Yard: 1.5m • Exterior Side Yard: 2.4m Townhouse minimum: • Boundary with party wall: 0.0m • Interior Side Yard without entrance: 1.5m • Interior Side Yard with entrance: 2.4m • Exterior Side Yard: 2.4m
Rear Yard Setback	Minimum 0.0m If the Rear Yard Abuts a Residential Site: 3.0m Supportive Living Accommodation or Apartment minimum: 7.5m Townhouse minimum: 7.5m, or 6.0m for Townhouse with a rear attached Garage
Landscaped Area	Minimum: 15% Site Area Apartment or Townhouse minimum: 30% of Site Area, including 20% of the Front Yard area for the proposed Development Supportive Living Accommodation minimum: 30% of Site Area
Frontage	Minimum: 0.0m Apartment minimum: 18.0m Supportive Living Accommodation minimum: 12.0m Townhouse minimum: 15.0m, or 6.1m per Dwelling Unit if all Dwelling Units are developed at Grade

7.50.5 Mixed-Use Buildings will be subject to the Commercial regulations set out in subsection 7.50.4.

7.50.6 Professional Office floor area must be a maximum of 930m^2.

7.50.7 **Design Criteria**

7.50.7.1 The Development Authority may vary the minimum Front Yard Setback for Buildings fronting collector Roads to allow for Amenity Space.

7.50.7.2 The Development Authority may require a Rear Yard Setback based on the Site's access, Site Parking, loading, and servicing and the effect on neighboring Sites.

7.50.7.3 Building walls facing a Road must feature design elements at approximately 6.0m – 8.0m intervals.

7.50.7.4 Residential and Commercial entrances in Mixed-Use Buildings must be differentiated architecturally to avoid confusion.

7.50.7.5 Display windows must be adjacent to each front entrance of a retail space on the Main Floor.

7.50.7.6 Ground floor windows may have window Signs.

7.50.7.7 If a higher density, mixed-use Development is Adjacent to a less intensive Zone, the more compatible use and Building type must be sited near the Zone edge.

7.50.8 **Surface Parking**

7.50.8.1 Surface Parking must be:

7.50.8.1.1 located behind the Building; and

7.50.8.1.2 integrated with pedestrian connections to Sidewalks and trails.

7.50.8.2 Surface Parking must not be located between a Road and a Building.

7.50.8.3 Underground Parking is encouraged.

Part 8 Industrial Zones

8.10 Industrial Business Service Zone: I-1

Key Information

8.10.1 This Zone supports a limited range of light Industrial, warehousing, storage, and Industrial support services that do not create or emit noises, odours, dust, fumes, or other nuisance factors.

8.10.2 Permitted Uses

8.10.2.1	Above Ground Storage Tanks for motor fuel products, but not more than 2 separate 500L tanks
8.10.2.2	Accessory Building
8.10.2.3	Business Support Services
8.10.2.4	Communication Facility
8.10.2.5	General Contractor Services
8.10.2.6	Industrial Operations
8.10.2.7	Industrial or Commercial Training Facility
8.10.2.8	Lease Bay Building
8.10.2.9	Manufactured Home Sales
8.10.2.10	[39]Motor Vehicle Services, Sales, or Repair, excluding the sale of motor vehicles;
8.10.2.11	Oilfield Support Services
8.10.2.12	Outdoor Storage
8.10.2.13	Recycling Depot
8.10.2.14	Restaurant
8.10.2.15	Self Storage Facility
8.10.2.16	Service Station
8.10.2.17	Supporting Sales

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	8.10.2.18	Transportation Services
	8.10.2.19	Warehouse
8.10.3	**Discretionary Uses**	
	8.10.3.1	Above Ground Storage Tanks, more than 2 separate 500L tanks
	8.10.3.2	Alternative or Renewable Energy Facility
	8.10.3.3	Animal Services
	8.10.3.4	Auction Mart excluding livestock
	8.10.3.5	Billboard Sign
	8.10.3.6	Cannabis Production Facility
	8.10.3.7	Commercial School, limited to the instruction, training, or certification of Industrial trades
	8.10.3.8	Crematorium
	8.10.3.9	Dangerous Goods Occupancy
	8.10.3.10	Data Processing Centre
	8.10.3.11	Dynamic Fascia Sign
	8.10.3.12	Dynamic Freestanding Sign
	8.10.3.13	Eco Industrial Waste Production or Consumption
	8.10.3.14	Greenhouse
	8.10.3.15	Machinery Sales
	8.10.3.16	Microbrewery
	8.10.3.17	[40]Motor Vehicle Sales, Service, or Repair, limited to motor vehicle sales
	8.10.3.18	Outdoor Display or Sale of Goods
	8.10.3.19	Parking Lot
	8.10.3.20	Parking Structure
	8.10.3.21	Security Suite

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Regulations

8.10.4 **Dimensions**	
Category	**Regulations**
Building Height	As per the Development Authority
Site Area	Minimum: 929.0m^2
Front Yard Setback	Minimum: 6.0m, except 9.0m for Edgar Industrial Drive and I-1 Zoned Sites within an Eco Industrial Park Overlay Zone
Side Yard Setback	[41]Minimum: 4.0m on one side
Rear Yard Setback	Minimum: 3.0m
Landscaped Area	15% of minimum Front Yard required for the Site and any Side Yard or Rear Yard if adjacent to a Road
Frontage	Minimum: 22.0m

8.10.5 No Building in this Zone may be closer than 18.0m to major arterial Roads or service roads adjacent to major arterial Roads.

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8.20 Heavy Industrial Zone: I-2

Key Information

8.20.1 The I-2 Zone supports a wide range of manufacturing, assembling, fabrication, and processing of goods that include nuisance factors.

8.20.2	**[42]Permitted Uses**	
	8.20.2.1	Above-Ground Storage Tanks for motor fuel products, but not more than 2 separate 500L tanks
	8.20.2.2	Accessory Building
	8.20.2.3	Communication Facility
	8.20.2.4	Data Processing Centre
	8.20.2.5	General Contractor Services
	8.20.2.6	Industrial Operations
	8.20.2.7	Lease Bay Building
	8.20.2.8	Manufactured Home Sales
	8.20.2.9	[43]Motor Vehicle Services, Sales, or Repair, excluding the sale of motor vehicles;
	8.20.2.10	Oilfield Support Services
	8.20.2.11	Outdoor Storage
	8.20.2.12	Recycling Depot
	8.20.2.13	Service Station
	8.20.2.14	Supporting Sales
	8.20.2.15	Transportation Service
	8.20.2.16	Warehouse
8.20.3	**[44]Discretionary Uses**	
	8.20.3.1	Above Ground Storage Tanks, more than 2 separate 500L tanks

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	8.20.3.2	Alternate or Renewable Energy Facility on Sites designated in an Eco Industrial Park Overlay Zone
	8.20.3.3	Animal Services
	8.20.3.4	Auction Mart including livestock
	8.20.3.5	Billboard Sign
	8.20.3.6	Cannabis Production Facility
	8.20.3.7	Commercial School, limited to the instruction, training, or certification of Industrial trades.
	8.20.3.8	Crematorium
	8.20.3.9	Dangerous Goods Occupancy
	8.20.3.10	Dynamic Fascia Sign
	8.20.3.11	Dynamic Freestanding Sign
	8.20.3.12	Eco Industrial Waste Production or Consumption
	8.20.3.13	Industrial or Commercial Training Facility
	8.20.3.14	Machinery Sales
	8.20.3.15	[45]Motor Vehicle Sales, Service, or Repair, limited to motor vehicle sales
	8.20.3.16	Outdoor Display or Sale of Goods
	8.20.3.17	Restaurant
	8.20.3.18	Security Suite
	8.20.3.19	Wastewater Treatment Plant

Regulations

8.20.4	**[46]Dimensions**
Category	**Regulations**
Building Height	As per the Development Authority
Site Area	Minimum: 1.2ha

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Front Yard Setback	Minimum: 15.0m, except 9.0m for Edgar Industrial Drive
Side Yard Setback	Minimum: 4.0m
Rear Yard Setback	Minimum: 3.0m
Landscaped Area	15% of minimum Front Yard required for the Site
Frontage	N/A

8.30 Industrial Commercial (Mixed-Use) Zone: I-C

Key Information

8.30.1 This Zone allows for light Industrial, Commercial, and recreational uses that are compatible and complementary to one another and with any adjacent non-Industrial use.

8.30.2 This Zone serves as a transition or buffer Zone from Industrial areas.

8.30.3 The Uses within this Zone are intended to not create or emit nuisances.

8.30.4 Permitted Uses

8.30.4.1 Above-Ground Storage Tanks for motor fuel products, not more than 2 separate 500L tanks

8.30.4.2 Accessory Building

8.30.4.3 Animal Services

8.30.4.4 Business Support Services

8.30.4.5 Commercial School

8.30.4.6 Communication Facility

8.30.4.7 General Contractor Services

8.30.4.8 Industrial Operations

8.30.4.9 Industrial or Commercial Training Facility

8.30.4.10 Lease Bay Building

8.30.4.11 Manufactured Home Sales

8.30.4.12 Oilfield Support Services

8.30.4.13 Outdoor Storage

8.30.4.14 Recycling Depot

8.30.4.15 Restaurant

8.30.4.16 Self-Storage Facility

8.30.4.17 Service Station

8.30.4.18 Supporting Sales

8.30.4.19 Transportation Services

	8.30.4.20	Warehouse
8.30.5	**Discretionary Uses**	
	8.30.5.1	Expansion or intensification of Development legally existing or legally approved before the passing of this Bylaw.
	8.30.5.2	Above Ground Storage Tanks, more than 2 separate 500L tanks
	8.30.5.3	Auction Mart, excluding livestock
	8.30.5.4	Cannabis Production Facility
	8.30.5.5	Crematorium
	8.30.5.6	Dangerous Goods Occupancy
	8.30.5.7	Data Processing Centre
	8.30.5.8	Drive-Through
	8.30.5.9	Dynamic Fascia Sign
	8.30.5.10	Dynamic Freestanding Sign
	8.30.5.11	Greenhouse
	8.30.5.12	Indoor Recreation Facility
	8.30.5.13	Machinery Sales
	8.30.5.14	Microbrewery
	8.30.5.15	Motor Vehicle Sales, Service, or Repair
	8.30.5.16	Outdoor Display or Sale of Goods
	8.30.5.17	Parking Lot
	8.30.5.18	Parking Structure
	8.30.5.19	Professional Office
	8.30.5.20	Security Suite

Regulations

8.30.6 **Dimensions**	
Category	**Regulations**
Building Height	As per the Development Authority
Site Area	Minimum: 929.0m^2
Front Yard Setback	Minimum: 6.0m
Side Yard Setback	Minimum: 4.0m
Rear Yard Setback	Minimum: 3.0m
Landscaped Area	15% of minimum Front Yard required for the Site and any Side Yard or Rear Yard if adjacent to a Road
Frontage	22.0m

8.30.7 Professional Office is allowed up to 929.0m^2 of the Gross Leasable Floor Area of the Site.

Part 9 Other Zones

9.10 Future Urban Development Zone: A-1

Key Information

9.10.1 This Zone allows for agricultural and related uses until the land is required for urban Development.

9.10.2 Permitted Uses	
9.10.2.1	Agriculture
9.10.2.2	Building Sign
9.10.2.3	Greenhouse
9.10.2.4	Home Occupation Minor
9.10.3 Discretionary Uses	
9.10.3.1	Accessory Building
9.10.3.2	Bed and Breakfast
9.10.3.3	Extraction from the ground of petroleum, minerals, sand and gravel, peat moss and topsoil.
9.10.3.4	Freestanding Sign
9.10.3.5	Home Occupation Major
9.10.3.6	House
9.10.3.7	Manufactured Home
9.10.3.8	Waste Management Facility

Regulations

9.10.4 A-1 Regulations Table

Category	Regulations
Floor Area	House minimum: 75.0m^2

Building Height	Maximum: 10.0m measured from the average of the Site Grade
Front Yard	Minimum: 15.0m
Side Yard	Minimum: 7.5m
Rear Yard	Minimum: 7.5m
Landscaped Area	Subject to Development Authority approval
Site Area	Minimum: 1.2ha
Frontage	Subject to Development Authority approval

9.10.5 The House use is limited to 1 House per Site.

9.10.6 The Manufactured Home use is limited to 1 Manufactured Home per Site.

9.20 Environmental Preservation Zone: A-2

Key Information

9.20.1 This Zone protects environmentally sensitive land by restricting Development to minimal and environmentally compatible uses.

9.20.2 Permitted Uses

9.20.2.1 Open Space

9.20.3 Discretionary Uses

9.20.3.1 Agriculture, excluding the raising of livestock

9.20.3.2 Cemetery

9.20.3.3 Outdoor Recreation Facility, provided the use is compatible with the natural characteristics of the Site

Regulations

9.20.4 No permanent Building will be erected on any Site in this Zone, unless the Building is required for an approved use on the Site.

9.20.5 Trees must not be cut, felled, or removed without prior approval of the Development Authority, issued through a permit.

9.20.6 No aggregate extraction will be allowed.

9.30 Parks and Recreation Zone: P-1

Key Information

9.30.1 This Zone provides land for parks and recreation areas and facilities for the use and enjoyment of the public.

9.30.2	**Permitted Uses**
9.30.2.1	Open Space
9.30.2.2	Campground
9.30.3	**Discretionary Uses**
9.30.3.1	Above Ground Storage Tank, for motor fuel products including propane and used oil
9.30.3.2	Accessory Building
9.30.3.3	Building Sign
9.30.3.4	Cultural Facility
9.30.3.5	Day Care Facility
9.30.3.6	Freestanding Sign
9.30.3.7	Indoor Recreation Facility
9.30.3.8	Off Leash Dog Park
9.30.3.9	Outdoor Recreation Facility
9.30.3.10	Parking Lot or Parking Structure, ancillary to a Permitted Use or Discretionary Use
9.30.3.11	Public Assembly

Regulations

9.30.4 P-1 Regulations Table

Category	Regulations
Front Yard Setback	Minimum: 15.0m
Side Yard Setback	Minimum: 15.0m from any Road, otherwise 7.5m

Rear Yard Setback	Minimum: 15.0m from any Road, otherwise 7.5m
Landscaped Area	As required by the Development Authority
Loading Spaces	Subject to Development Authority approval

9.30.5 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout will be subject to approval by the Development Authority.

9.40 Public Service (Institutional or Government) Zone: PS

Key Information

9.40.1 This Zone provides land for uses that are public and quasi-public in nature.

9.40.2 Permitted Uses

9.40.2.1 Any use for National Defence purposes which does not prejudice the character or value of surrounding Sites

9.40.2.2 At the Westerner Exposition Site situated upon the following lands namely Lot 5, Block 1, Plan 882 2274, and Plan 615 L.Z, the holding of the annual Westerner Exposition Fair or Exhibition and any use in conjunction with or incidental thereto, agricultural, animal, machinery, automotive shows, rodeos, circuses, concerts, racing and sporting events, the rental of facilities for banquets, weddings, meetings, and events.

9.40.2.3 Building Sign

9.40.2.4 Freestanding Sign

9.40.2.5 Indoor Recreation Facility

9.40.2.6 Outdoor Recreation Facility

9.40.3 Discretionary Uses

9.40.3.1 Accessory Building

9.40.3.2 At the Westerner Exposition Site situated upon the following lands namely Lot 5, Block 1, Plan 882 2274, and Plan 615 L.Z.:

9.40.3.2.1 Any use similar to the uses permitted at the Westerner Site

9.40.3.2.2 Any uses which are accessory to any of the approved uses, provided that they are consistent with the theme of such use, or provide a directly related service to such use.

9.40.3.2.3 [47]Gaming or Gambling Establishment

9.40.3.3 Campground

9.40.3.4 Concession booths for the sale of food or beverages to members and guests of a group approved under this table

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9.40.3.5	Cultural Facility
9.40.3.6	Day Care Facility
9.40.3.7	Detention and Correction Services
9.40.3.8	Dynamic Fascia Sign, on Sites over 13.1ha in size
9.40.3.9	Dynamic Freestanding Sign, on Sites over 13.1ha in size
9.40.3.10	[48]Educational Institution – Primary and Secondary
9.40.3.11	Electronic Message Fascia Sign
9.40.3.12	Electronic Message Freestanding Sign
9.40.3.13	[49]Deleted
9.40.3.14	Government Services
9.40.3.15	Health and Medical Services
9.40.3.16	Hospital
9.40.3.17	Merchandise Sales and Rentals, excluding Cannabis Retail Sales, required in connection with a use approved under this table.
9.40.3.18	Public Assembly
9.40.3.19	Secured Facility
9.40.3.20	Supportive Living Accommodation
9.40.3.21	Temporary Care Facility

Regulations

9.40.4 **PS Regulations Table**	
Category	**Regulations**
Floor Area	Supportive Living Accommodation minimum: 23.0m^2 per unit
Front Yard Setback	Subject to Development Authority approval
Side Yard Setback	Subject to Development Authority approval

[48] 3357/II-2024
[49] 3357/II-2024

Rear Yard Setback	Subject to Development Authority approval
Landscaped Area	Subject to Development Authority approval
Loading Spaces	Subject to Development Authority approval

9.40.5 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout will be subject to Development Authority's approval.

9.50 Post-Secondary Institution Zone: PS-I

Key Information

9.50.1 This Zone provides for the Development of post-secondary education uses, related public and quasi-public uses, and support services that demonstrate significant training and applied learning connection to 1 or more academic programs.

9.50.2 Commercial uses in this Zone are intended to primarily serve and support the campus community.

9.50.3 Permitted Uses

9.50.3.1 Accessory Building

9.50.3.2 Educational Institution – Post Secondary

9.50.4 Permitted Uses within an Educational Institution – Post Secondary Building, Otherwise Discretionary Uses

9.50.4.1 Apartment, for student housing only

9.50.4.2 Commercial Entertainment Facility

9.50.4.3 Commercial Service Facility

9.50.4.4 Day Care Facility

9.50.4.5 Health and Medical Services

9.50.4.6 Merchandise Sales and Rentals

9.50.4.7 Mixed-Use Building, with Dwelling Units for student housing only

9.50.4.8 Indoor Recreation Facility

9.50.4.9 Restaurant

9.50.4.10 Service Organization

9.50.4.11 Townhouse, for student housing only

9.50.5 Discretionary Uses

9.50.5.1 Alternate or Renewable Energy Facility

9.50.5.2 Cultural Facility

	9.50.5.3	Drinking Establishment (Adult Entertainment Prohibited) located in an Educational Institution – Post-Secondary Building
	9.50.5.4	Dynamic Fascia Sign
	9.50.5.5	Dynamic Freestanding Sign
	9.50.5.6	Electronic Message Fascia Sign
	9.50.5.7	Electronic Message Freestanding Sign
	9.50.5.8	Government Services
	9.50.5.9	Outdoor Recreation Facility
	9.50.5.10	Parking Lot
	9.50.5.11	Parking Structure
	9.50.5.12	Public Assembly
	9.50.5.13	Secured Facility
	9.50.5.14	Supportive Living Accommodation
	9.50.5.15	Temporary Care Facility

9.50.6 All regulations, Site Plan, Site accesses, the relationship between Buildings, structures and Open Space, architectural treatment of any Building, provision and architecture of Landscaped Areas, and Parking layout, will be subject to approval by the Development Authority.

9.50.7 The following maximum total floor areas apply to the following uses:

Use	Maximum Total Floor Area
Commercial Service Facility	929.0m²
Day Care Facility	929.0m²
Health and Medical Services	1,858.0m²
Health and Medical Services that have a programmatic link to an Educational Institution – Post-Secondary	Additional 5,110.0m² to the 1,858.0m² for Health and Medical Services
Indoor Recreation Facility	46,452.0m²
Merchandise Sales and Rentals (excluding Cannabis Retail Sales)	9,290.0m²

Restaurant	4,645.0m²
Service Organization	4,645.0m²
Commercial Entertainment Facility	7,432.0m²

9.50.8 PS-I Regulations Table	
Category	**Regulations**
Floor Area	Unless noted in subsection 9.50.7, as determined by the Development Authority
Site Coverage	As determined by the Development Authority
Building Height	As determined by the Development Authority
Setback from 32 Street	Minimum: 9.0m
Setback from Taylor Drive	Minimum: 9.0m
Setback from QEII Highway right of way	Minimum: 40.0m

Regulations

9.50.9 The principles of Crime Prevention Through Environmental Design will be applied to all Developments.

9.50.10 Building Design

9.50.10.1 Building elevations fronting onto Roads should have a strong presence and an inviting interface with Sidewalks and Walkways.

9.50.10.2 Buildings fronting internal streets should have an inviting interface and be positioned close to internal streets and Walkways unless additional space is required for such things as an art display, water feature, or other amenity.

9.50.10.3 Ground floor elevations facing an internal street should contain transparent glass windows that allow visibility of activity from the street into the Building.

9.50.10.4 Building walls facing Roads or internal streets should be articulated at approximately 6.0m – 8.0m intervals containing varied design elements such as entrances, windows, vertical accents, Setbacks, canopies, Projections, and roof lines.

9.50.10.5 At minimum, overhead weather protection should be provided for pedestrians along Building fronts at each major Building entrance.

9.50.10.6 Developments should create variety, character, and visual interest by incorporating a variety of Building and architectural styles.

9.50.11 Green Technology

9.50.11.1 Developments are encouraged to be designed with green technologies and materials that reduce energy, waste, and conserve water such as, green roofs, solar energy systems, and Zone energy.

9.50.12 Parking and Pedestrian Linkages

9.50.12.1 All Parking areas containing more than 200 Parking spaces should be configured into smaller cells by use of interior landscaping, drive lanes, and Walkways.

9.50.12.2 Walkways for Parking areas containing more than 200 Parking spaces should be a minimum of 1.2m in width and should be oriented to ensure safe and efficient pedestrian traffic flow.

9.50.12.3 Opportunities for Walkway linkages with Adjacent Sites should be provided.

9.50.13 Landscaping

9.50.13.1 High quality hard and soft landscaping elements should be provided including trees and shrubs that add value throughout all seasons.

9.50.14 Traffic

9.50.14.1 At the discretion of the Development Authority, Developments may be required to include Traffic Impact Assessment studies.

9.60 Public Service Residential Zone: PS-R

Key Information

9.60.1 This Zone provides for the Development of a Cultural Facility and Residential uses on Lot 4, Block 8, Plan 892 2959 in a manner that is compatible with Adjacent uses and natural areas.

9.60.2 Permitted Uses

9.60.2.1 Accessory Building

9.60.2.2 Cultural Facility

9.60.2.3 Day Care Facility, accessory to a Cultural Facility or a Building containing Dwelling Units

9.60.2.4 Home Occupation Minor

9.60.2.5 No more than 40 Dwelling Units in total comprised of 1 or more of the following:

9.60.2.5.1 Apartment;

9.60.2.5.2 Dwelling Units within a Building containing a Cultural Facility;

9.60.2.5.3 Townhouse.

9.60.2.6 Professional Offices accessory to a Cultural Facility or a Building containing Dwelling Units

9.60.3 Discretionary Uses

9.60.3.1 Home Occupation Major

9.60.3.2 Open Space

9.60.3.3 Professional Offices for community-oriented groups, non-ancillary to a Cultural Facility or a Building containing Dwelling Units

Regulations

9.60.4 PS-R Regulations Table	
Category	**Regulations**
Lot Area	Minimum: 1.4 hectares
Building Footprint for Cultural Facility	Maximum: 930.0m^2
Building Height for Cultural Facility	Maximum 4.0 storeys
Front Yard	Minimum: 4.0m
Side Yard	Minimum: 1.5m or as required by the Alberta Building Code, whichever is greater
Rear Yard	Minimum: 1.5m or as required by the Alberta Building Code, whichever is greater
Landscaped Area	Subject to section 3.130

9.60.5 In the PS-R Zone the Site Plan, the relationship between Buildings, the provision and the architecture of landscaped Open Space, and the Parking layout, will be subject to approval by the Development Authority.

9.60.6 The Development of Townhouse and Apartments will be regulated by the R-H Residential High-Density Zone development regulations.

9.60.7 All useable floor areas must be a minimum of 0.6m above the 1:100 flood elevation.

Part 10 Capstone Zones and Regulations

10.10 Interpretation

10.10.1 Capstone Zones and Regulations are specific to the Capstone area Boundary, identified in the figures of Part 10, and are not applicable to Developments outside of the Capstone area.

10.10.2 Part 10 contains uses and regulations key to facilitate the Development of Capstone into a community with vibrant Streets, safe and activated public spaces, and great Building design. The Capstone Zones and regulations form part of an overall Development plan for the Capstone Area.

10.10.3 Where other regulations contradict or will not serve to achieve the uses or regulations in Part 10, the uses and regulations in Part 10 will prevail.

10.10.4 Area activation was designed in Part 10 by carefully identifying Edge Zones and strategic locations for lively Movement Corridors, Road oriented active Commercial and public spaces as identified in section 10.30 - Capstone Active Commercial Main Floors Overlay.

10.10.5 Where the uses or regulations in a Capstone Zone (CAP-TD, CAP-PR, CAP-C) contradict or will not serve to achieve the uses or regulations in section 10.30 – Capstone Active Commercial Main Floors Overlay, the Overlay will prevail.

10.20 General Regulations for Capstone Zones

10.20.1 Development Authority

10.20.1.1 In exercising its approval powers, the Development Authority will ensure that Development conforms to the general intent of the 2016 Capstone Area Redevelopment Plan.

10.20.1.2 All regulations, Site Plan, Site access, the relationship between Buildings, structures and Amenity Space and Edge Zones, the architectural treatment of any Building, the provision and architecture of Landscaped Areas, and the Parking layout will be subject to approval by the Development Authority.

10.20.2 **Building Setback for Capstone Zones**

10.20.2.1 A Front Yard Building Setback is determined by the Edge Zone and subsection 10.20.3. Front Yard Building Setbacks Abutting a Road, Movement Corridor, or public space that is not subject to an Edge Zone will be determined by the Development Authority.

10.20.2.2 Where Edge Zones are applied, the Building must Abut the Edge Zone. Buildings must not be set back farther than the maximum Edge Zone.

10.20.2.3 Side Yard Building Setback for a Side Yard Abutting a Road, Movement Corridor, or Public Space is determined by the Edge Zone in section 10.20.3.

10.20.2.4 Side Yard Building Setback for a Side Yard Abutting a Site is determined by the Development Authority.

10.20.2.5 Rear Yard Building Setback for a Rear Yard Abutting a Road is determined by the Development Authority.

10.20.2.6 Rear Yard Building Setback for a Rear Yard Abutting a Site is determined by the Development Authority.

10.20.3 Edge Zone Regulations for Capstone Zones

10.20.3.1 Edge Zones regulations will apply to new Buildings and surface Parking.

10.20.3.2 Compliance with Edge Zones for Capstone Existing Buildings and surface Parking is optional but is encouraged to contribute to the vision of Capstone and improve the public realm.

10.20.3.3 Edge Zone regulations apply to any redevelopment on the front of the Main Floor of a Capstone Existing Building.

10.20.3.4 Compliance with Edge Zone regulations is encouraged for an application to develop additional storeys.

10.20.3.5 Compliance with Edge Zones regulations is not required for redevelopment that results in additions built in a Rear Yard or a Side Yard Abutting another Site.

10.20.3.6 New Building Edge Zones regulations will be applied to new Buildings Abutting Public Spaces.

10.20.3.7 Where Edge Zones apply, the applicable Edge Zone Setback and Edge Zone regulations apply along the entire Building Façade.

10.20.3.8 Where a Site Abuts 3 or more Roads, Movement Corridors, or Public Spaces, the Development Authority will ensure the regulations for Edge Zones are met on at least 2 of the Abutting sides, where:

10.20.3.8.1 in assessing which sides of multi-face Sites should be required to comply, the Development Authority will take into consideration continuation of existing developed Streets, Movement Corridors, public spaces, or Edge Zones and will prioritize Edge Zone application to the Abutting Movement Corridors in the following order of highest preference to lowest priority: Urban Corridor; Green Spine; Neighbourhood Connector; Local Connector; then Residential Mews (Figure 10.20-3).

10.20.3.9 Fencing of the Edge Zone, or any part of the Edge Zone, is subject to the general fencing regulations of this Bylaw.

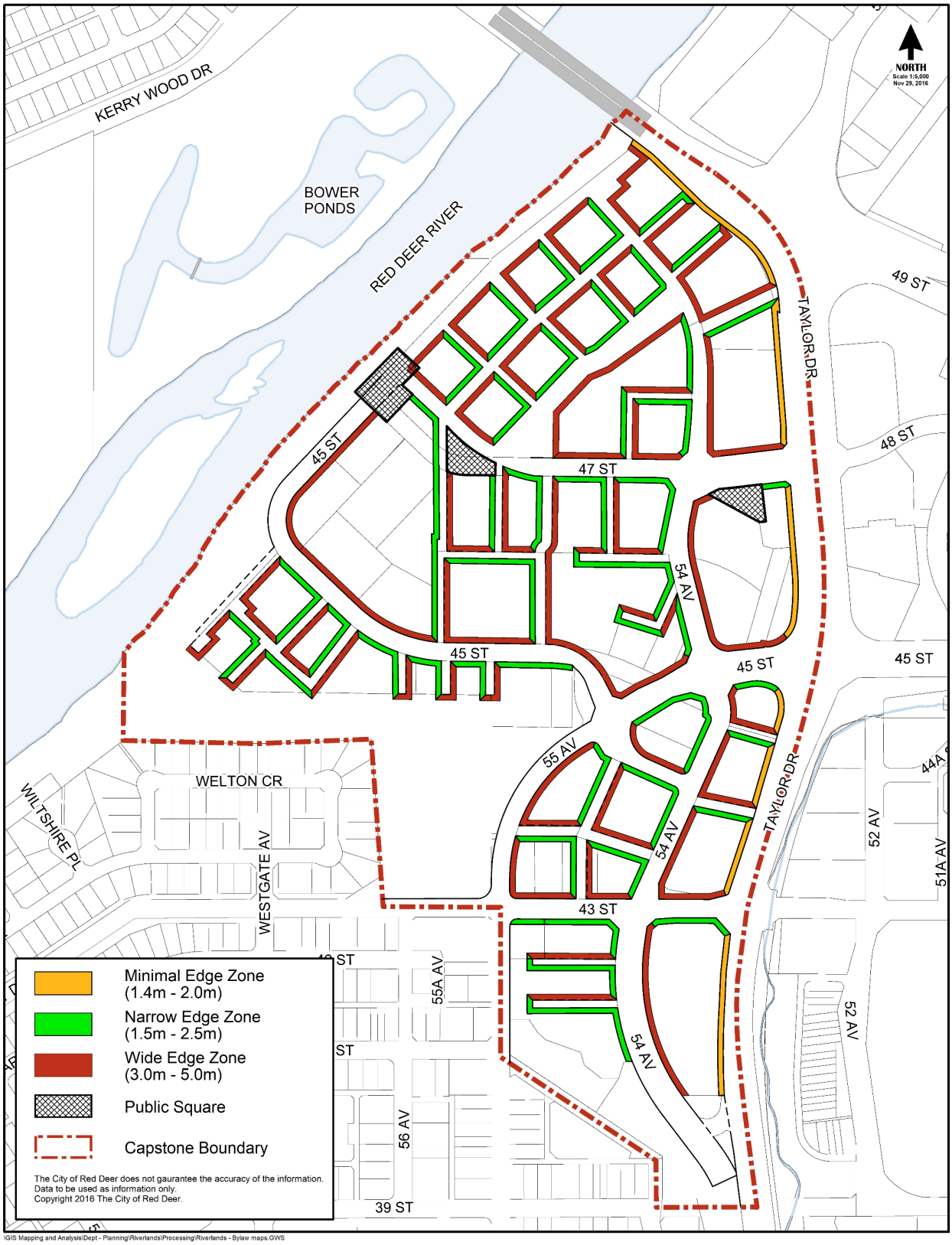


Figure 10.20-1: Capstone Edge Zones

10.20.4 Commercial Edge Zones for Capstone Zones

10.20.4.1 Commercial Edge Zones are applied where the Abutting Main Floor contains, or will contain, Commercial uses.

10.20.4.2 Commercial Edge Zones must provide at least 2 of the following as permanent features, in addition to any required bicycle racks:

10.20.4.2.1 art installation such as mosaics, murals, or sculptures;

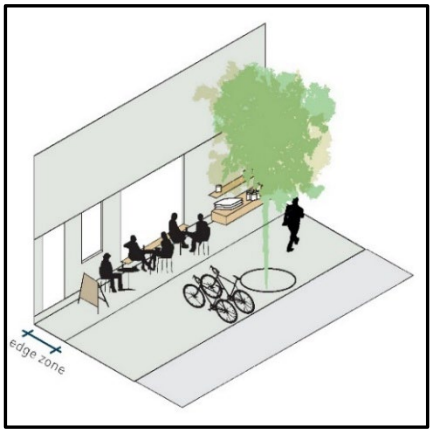
10.20.4.2.2 product display directly associated with the Abutting Commercial use on the same Site;

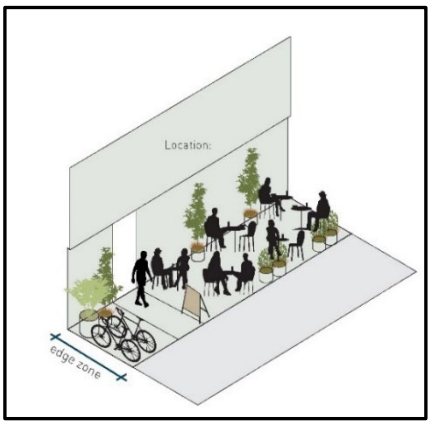
10.20.4.2.3 seating;

10.20.4.2.4 water feature;

10.20.4.2.5 wooden Decks, decorative paving, or decorative concrete; or

10.20.4.2.6 other features that facilitate spill-out functions of the Commercial uses that add life to the Movement Corridor, Road, or public space, at the discretion of the Development Authority.





Examples of Commercial Edge Zones

10.20.5 Residential Edge Zones for Capstone Zones

10.20.5.1 Residential Edge Zones are applied where the Abutting Main Floor contains (or will contain) Residential uses.

10.20.5.2 All Residential Main Floor Dwelling Units facing the Movement Corridor or Road must incorporate the Abutting Edge Zone as private space. The Dwelling Units may use landscaping features or materials to provide privacy as well as to demarcate the private from the public.

10.20.5.3 Residential Edge Zones must provide at least 2 of the following as permanent features, in addition to any required bicycle racks:

10.20.5.3.1 art installations such as mosaics, murals, and sculptures;

10.20.5.3.2 garden;

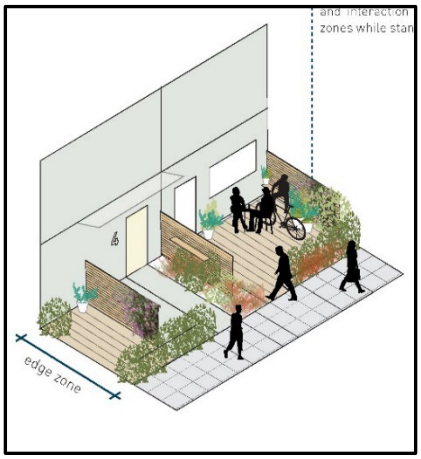
10.20.5.3.3 play structures;

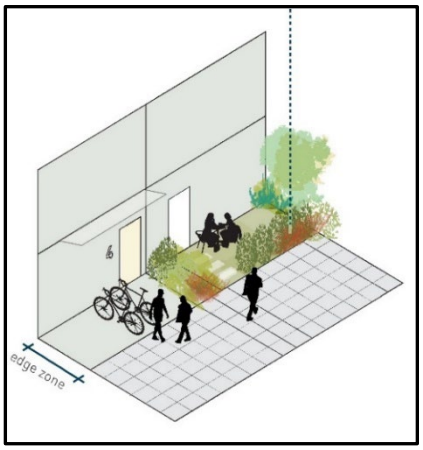
10.20.5.3.4 seating;

10.20.5.3.5 water feature;

10.20.5.3.6 wooden Decks, decorative paving, or decorative concrete; or

10.20.5.3.7 other feature that provides a privacy threshold and outdoor space for Residential activities to occur, at the discretion of the Development Authority.





Examples of Residential Edge Zones

10.20.6 Building Heights for Capstone Zones

10.20.6.1 Building Heights may be varied by the Municipal Planning Commission.

10.20.6.2 Building Heights for all Developments in Part 10, excluding Accessory Buildings, must comply with Building Heights.

10.20.6.3 Accessory Buildings for Capstone Zones must comply with the Accessory Building regulations of this Bylaw.

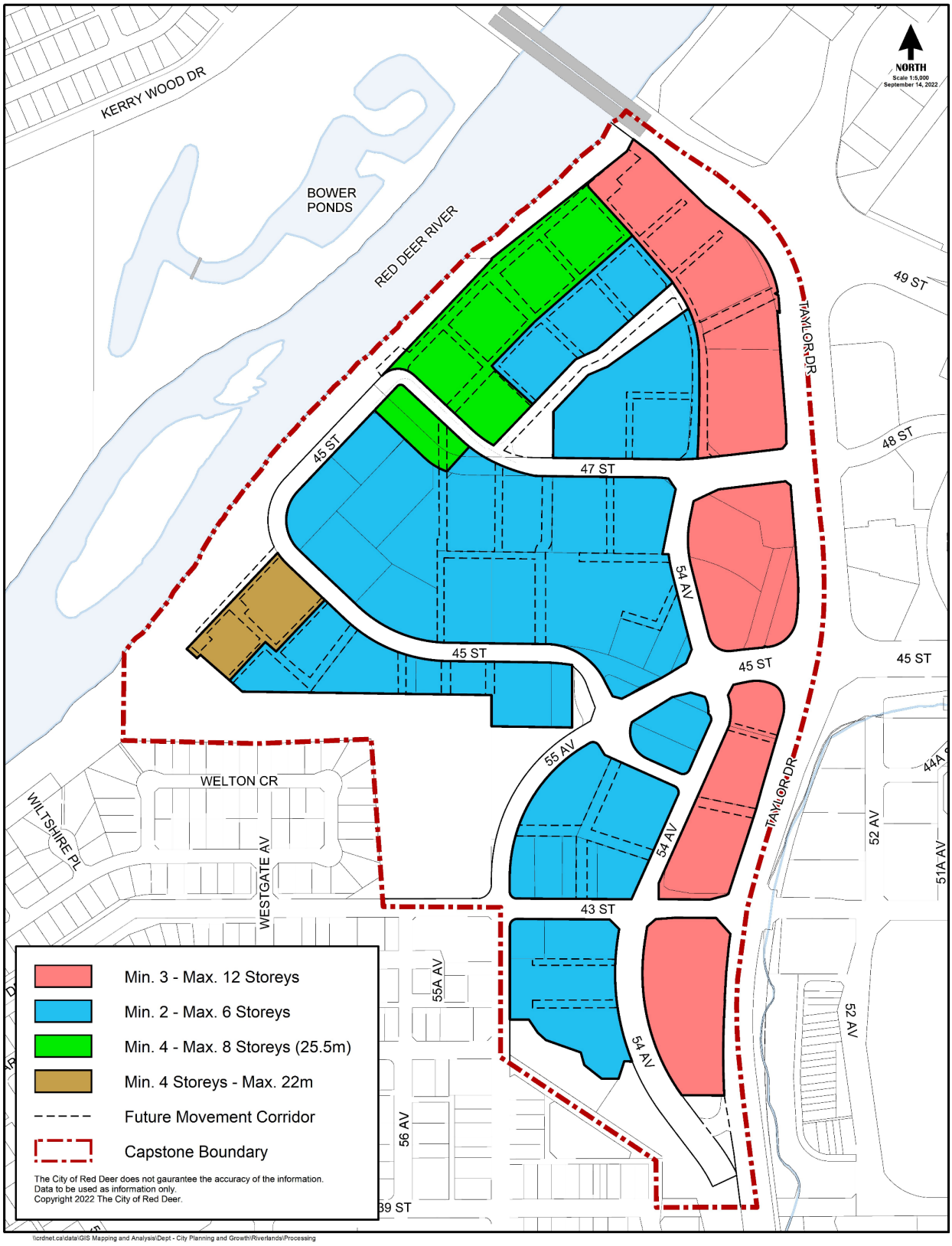


Figure 10.20-2: Capstone Building Heights

10.20.7 **Site Coverage for Capstone Zones**

10.20.7.1 Minimum Site Coverage must be 40% of the total Site for all Developments in the Capstone Zones.

10.20.8 **Dwelling Units for Capstone Zones**

10.20.8.1 A minimum of 3 Dwelling Units must be provided in each Principal Building in the Capstone Primarily Residential Zone (CAP-PR).

10.20.8.2 Dwelling Units may be provided in Principal Buildings in the Capstone Taylor Drive Zone (CAP-TD).

10.20.9 **Building Design for Capstone Zones**

10.20.9.1 Buildings must define the Road or Movement Corridor, must horizontally and vertically Abut the Edge Zones and must create visual spatial components to create a comfortable Road or Movement Corridor environment which contributes to walkability.

10.20.9.2 Buildings on Corner Sites must have equal architectural corner features and high-quality elevation treatments along each Movement Corridor, Road, or public space.

10.20.9.3 Building entrances must be designed and architecturally treated to emphasize the Building entrances.

10.20.9.4 Residential and Commercial entrances are encouraged to be architecturally differentiated to avoid confusion.

10.20.9.5 Commercial uses on the Main Floor must have convenient entrances and transparent fronts with un-tinted glass windows.

10.20.9.6 Dwelling Units with any part of the unit located at the Main Floor must have individual, separate, and direct access to the Edge Zone.

10.20.9.7 More than 1 type of high-quality Building material such as brick, stone, concrete, hardy board, and cement stucco must be used in a variety of combinations for ornamentation and articulation.

10.20.9.8 Building elevations Abutting an Edge Zone must be visually articulated at a minimum of every 6.0m to a maximum of every 8.0m intervals containing varied design elements such as entrances, windows, vertical accents, variation of colour and Building materials, canopies, Signs, Projections, and roof lines.

10.20.9.9 Blank walls over 5.0m in length must be mitigated where, in the Development Authority's opinion the blank wall is unavoidable, through a combination of the following treatments:

10.20.9.9.1 art installations such as mosaics, Murals, decorative masonry patterns, and sculptures;

10.20.9.9.2 Building lighting;

10.20.9.9.3 different textures, colours, and materials;

10.20.9.9.4 setting the wall back to provide room for landscaping or raised planter bed;

10.20.9.9.5 vertical trellis; or

10.20.9.9.6 other treatments that break up the expansive blank wall, at the discretion of the Development Authority.

10.20.9.10 Mechanical and operational elements such as air conditioning units, electrical equipment, service areas, and waste receptacles must be Screened.

10.20.9.11 Except for Sites identified in the Capstone Active Commercial Main Floors Overlay, Buildings are encouraged to have a minimum Main Floor height of 3.5m measured from the interior floor to the underside of the floor above along the entire Main Floor.

10.20.10 **Pedestrian Connections for Capstone Zones**

10.20.10.1 Every Use contained in a Building that has an exterior public entrance must have a Walkway connecting the public entrance to a Sidewalk.

10.20.10.2 Opportunities for pedestrian linkages with Abutting properties must be provided.

10.20.11 **[50]General Parking Regulations for Capstone Zones**

10.20.11.1 Parking regulations of this Bylaw may only be varied by the Development Authority where it may be demonstrated in writing, through a Parking study in the Capstone Boundary, by the applicant, and to the Development Authority's satisfaction, the following:

[50] 3357/SS-2024

10.20.11.1.1 availability and number of off-Site Parking stalls in the Capstone Boundary and 500.0m of the subject Site, and identification of any use restrictions, including but not limited to hours of operation, whether or not it is pay Parking and if so, the duration of the paid Parking component, if metered Parking the allowable length of stay, and whether it is dedicated Parking for a specified duration;

10.20.11.1.2 availability of monthly Parking stalls in the Capstone Boundary and 500.0m of the subject Site;

10.20.11.1.3 availability of transit service and the distance the proposed Development is to bus stops;

10.20.11.1.4 availability of active transportation options, including but not limited to whether the proposed Development will provide Bicycle Storage, the proximity to Sidewalks and trails, and any additional facilities the applicant is proposing to encourage active transportation; and

10.20.11.1.5 the public and Commercial amenities in the Capstone Boundary and 500.0m of the subject Site.

10.20.11.2 [51]Deleted.

10.20.12 **[52]Parking Layout Regulations for Capstone Zones**

10.20.12.1 Temporary surface Parking will be considered for a maximum of 2 years and may be extended for a maximum of 1 additional year following a review by the Development Authority, with the exception of the remnant part of Lot 1 Block 3 Plan 802 0453 and Lot 8A Block 7 Plan 3824 TR that will be located south of the 47 Street (Alexander Way) Street realignment where a temporary surface Parking may be considered for a minimum of 10 years from the passing of Bylaw 3357/Q-2016 on December 5, 2016.

10.20.12.2 Walkway connections are required to connect all Adjacent Buildings, trails, Walkways, Movement Corridors and Sidewalks.

10.20.12.3 Underground Parking is encouraged.

[51] 3357/SS-2024
[52] 3357/SS-2024

10.20.12.4 Where underground Parking is provided, Parking entrances must be provided at the rear of the Building or off a lane. The sizes of Parking openings are encouraged to be no wider than 7.0m.

10.20.12.5 Where surface Parking will be on a Site, the following regulations must be adhered to:

10.20.12.5.1 all surface Parking is subject to Edge Zone regulations;

10.20.12.5.2 surface Parking must be Screened by fencing or a continuous landscaping along the entire perimeter of the surface Parking area, in the Edge Zone.

10.20.12.6 Exception to the above is to allow Parking access, which must be a maximum width of 7.0m.

10.20.12.7 Fencing height must be a minimum of 0.6m to a maximum of 0.9m in height measured from Grade.

10.20.12.8 Where fence material is chain link, it must be painted black.

10.20.12.9 Surface Parking must not be greater than 40% of the Frontage.

10.20.13 **Parking Structures for Capstone Zones**

10.20.13.1 Temporary surface Parking will be considered:

10.20.13.1.1 for a maximum of 2 years and may be extended for a maximum of 1 additional year by the Development Authority;

10.20.13.1.2 for a maximum of 10 years if paved and landscaped, and may be extended for a maximum of 5 additional years following a review by the Development Authority; and

10.20.13.1.3 for a minimum of 10 years from the passing of Bylaw 3357/Q-2016 on December 5, 2016, for the remnant part of Lot 1 Block 3 Plan 802 0453 and Lot 8A Block 7 Plan 3824 TR that will be located south of the 47 Street (Alexander Way) Street realignment.

10.20.13.2 Parking Structures on Corner Sites must have equal architectural corner features and high-quality elevation treatments along each Movement Corridor, Road, or public space, where:

10.20.13.2.1 Edge Zones are not applicable to temporary surface Parking;

10.20.13.2.2 Parking is prohibited in the Edge Zone of all Sites;

10.20.13.2.3 Parking integrated into the Building design is encouraged;

10.20.13.2.4 internal private laneways are encouraged as part of the Parking design to allow for servicing, access to Parking, as well as provide key pedestrian linkages.

10.20.13.3 Parking Structure entrances must be well lit, well designed, and architecturally differentiated to clearly emphasize the entrances for vehicles and the entrances for pedestrians.

10.20.13.4 Main Floors of Parking Structures must have a low wall, a minimum of 0.6m to a maximum of 0.9m in height measured from Grade, Abutting all Main Floor Parking stalls.

10.20.13.5 The low wall and the façade of the Parking Structure must not contain blank walls over 2.0m in length.

10.20.13.6 The low wall must provide visual interest by way of integrating at least 1 of the following as permanent features:

10.20.13.6.1 art installations such as mosaics, Murals, and decorative masonry patterns;

10.20.13.6.2 different textures, colours, and materials;

10.20.13.6.3 lighting;

10.20.13.6.4 vertical trellis; or

10.20.13.6.5 other feature to provide visual interest, at the discretion of the Development Authority.

10.20.13.7 Parking Structure Façade exterior materials must integrate colour, or use a perforated metal with an image, and Building lighting.

10.20.13.8 Where the Parking Structure contains blank walls over 5.0m in length, it must be mitigated where they are unavoidable in the Development Authority's opinion, through a combination of the following treatments:

10.20.13.8.1 art installations (for example, mosaics, Murals, decorative masonry patterns, sculptures);

10.20.13.8.2 Building lighting;

10.20.13.8.3 different textures, colours, and materials;

10.20.13.8.4 settling the wall back to provide room for landscaping or raised planter beds;

10.20.13.8.5 vertical trellis; or

10.20.13.8.6 other treatments that break up the expansive blank wall, at the discretion of the Development Authority.

10.20.13.9 Parking Structure stairwells must be provided along the exterior of the Parking Structure, must be visually transparent from the Movement Corridor, Road, or public space, and must provide weather protection to the satisfaction of the Development Authority.

10.20.13.10 Fully enclosed internal Parking Structure stairwells are prohibited unless transparent materials are used.

10.20.13.11 Parking Structure interiors must be well lit and are encouraged to be painted white to maximize visibility.

10.20.13.12 Parking Structure interiors must provide clearly marked Walkways that link up to Sidewalks.

10.20.13.13 Parapet Walls must be integrated into the overall Parking Structure façade. Where this is not possible, Parapet Walls must complement the Façade's exterior material, colour, and appearance.

10.20.14 **Bicycle Facilities for Capstone Zones**

10.20.14.1 Secure outdoor bicycle racks that allow the bicycle frame to be locked directly to the rack must be provided in the Edge Zone of each Building.

10.20.14.2 In addition to the secure outdoor bicycle racks required in subsection 10.20.14.1, all Buildings containing 3 or more Dwelling Units must provide Bicycle Storage. The bicycle racks required in subsection 10.20.14.1 do not count towards this Bicycle Storage requirement.

10.20.15 **Waste and Recycling Containers for Capstone Zones**

10.20.15.1 Recycling containers must be provided for every Building containing Dwelling Units, office, and other Commercial uses.

10.20.15.2 All waste and recycling containers must be fully Screened with a solid fence, landscaping, or a combination of both.

10.20.15.3 All waste and recycling containers must be constructed of waterproof materials or finishes and should be coordinated with the look and finish of the Building on the Site.

10.20.15.4 Composting facilities are encouraged for all Buildings containing Dwelling Units and Commercial uses.

10.20.15.5 Sufficient space must be allotted aside from Parking requirements to provide appropriate waste and recycling collection vehicle access.

10.20.16 **Landscaping for Capstone Zones**

10.20.16.1 Landscaping must be a minimum of 20% of the total Site Area for all Developments in the Capstone Zones. The 20% landscaping requirement is calculated by accounting for all space that is occupied or used (or will be occupied and used), for example:

10.20.16.1.1 existing trees and shrubs on the Site whose health may be successfully maintained through construction;

10.20.16.1.2 trees, shrubs, sod, and raised planters. Planters must be of adequate design in terms of soil capacity and insulation to promote healthy plant growth;

10.20.16.1.3 Vertical Greening on façades, or vertical gardens. In this instance, the area of Vertical Greening must be calculated using the dimensions of the base containing the roots;

10.20.16.1.4 landscaping in an Edge Zone, Courtyard, or Roof Terrace;

10.20.16.1.5 50% of softscape materials must be native, drought tolerant, or of low-maintenance.

10.20.16.2 Any part of the Site used for motor vehicle access, vehicle Parking and waste or recycling containers will not be included in the calculation of a Landscaped Area.

10.20.16.3 The Edge Zone must contain landscaping in accordance with subsection 10.20.16.

10.20.16.4 All plant material provided must be of a species capable of healthy growth in Red Deer. Incorporation of naturescaping is required.

10.20.16.4.1 Applicants will use The City's naturescaping plant list as a guide.

10.20.16.5 Existing trees that are healthy and that have long-term viability are to be preserved by rigid temporary protective fencing to protect the root zone during construction, in accordance with the Contract Specifications.

10.20.16.6 Crime Prevention Through Environmental Design principles are encouraged to be considered in the treatment of all landscaping and Edge Zone design.

10.20.17 **Lighting for Capstone Zones**

10.20.17.1 All exterior and outdoor lighting must be located and arranged to:

10.20.17.1.1 prevent direct rays of light directed towards any adjoining properties; and

10.20.17.1.2 ensure direct and indirect rays of light do not interfere with the effectiveness of any traffic control devices.

10.20.17.2 Building lighting:

10.20.17.2.1 must be integrated into the overall Building design on all Building elevations Adjacent to a Movement Corridor, Road, or public space; and

10.20.17.2.2 is encouraged to be integrated into all other elevations; and

10.20.17.2.3 is encouraged to use colour in both the lighting fixture and lighting itself.

10.20.17.3 Entrance Lighting:

10.20.17.3.1 must be provided above or beside primary and secondary Building entrances;

10.20.17.3.2 where provided beside the Principal Building entrance, the fixture must be positioned to be ⅓ of the height of the door if there is only 1 fixture, and ¼ of the height of

door where there are 2 fixtures (1 on each side of the door).

10.20.17.4 Amenity Space and Edge Zone lighting:

10.20.17.4.1 is encouraged in Edge Zones to integrate pedestrian lighting that is no taller than the Main Floor height;

10.20.17.4.2 is encouraged to include trail Lighting at or close to Grade along Walkways; and

10.20.17.4.3 is encouraged to use colour in both the lighting fixture and lighting itself.

10.20.18 **Signs for Capstone Zones**

10.20.18.1 In addition to the Sign Regulations of Part 5, the following locational criteria apply to Signs in the Capstone Zones:

10.20.18.1.1 Signs may be in the Edge Zone, on a Building, in a Side Yard Abutting a Movement Corridor, Road, public space, or in the Rear Yard.

10.20.19 **Movement Corridor**

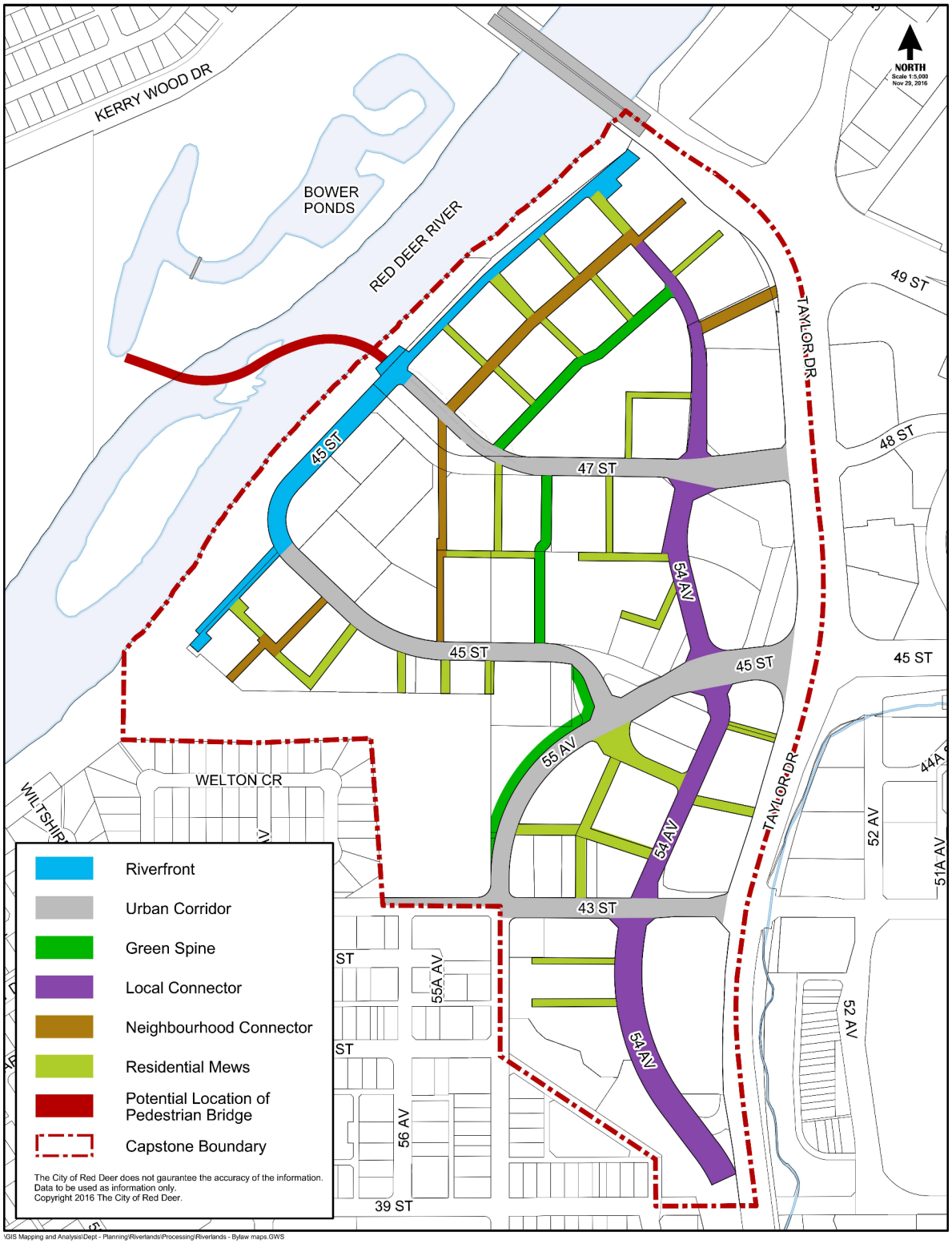


Figure 10.20-3: Capstone Movement Corridors

10.30 Capstone Active Commercial Main Floors Overlay

Key Information

10.30.1 The purpose of this Overlay is to identify strategic locations for street oriented Active Commercial Main Floors uses crucial for lively Roads and public spaces.

10.30.2 The locations applicable to this Overlay are identified in Figure 10.30-1 and the regulations will apply to the Main Floor but may be applied on subsequent floors by the applicant if desired.

10.30.3 The Overlay is related to the Movement Corridors in the Capstone Area Redevelopment Plan. Any change in Movement Corridors will require review and potential amendments to the Active Commercial Main Floors Overlay.

10.30.4 Attributes which contribute to an Active Commercial Main Floor include Patios, transparent store fronts, window displays, and outdoor seating.

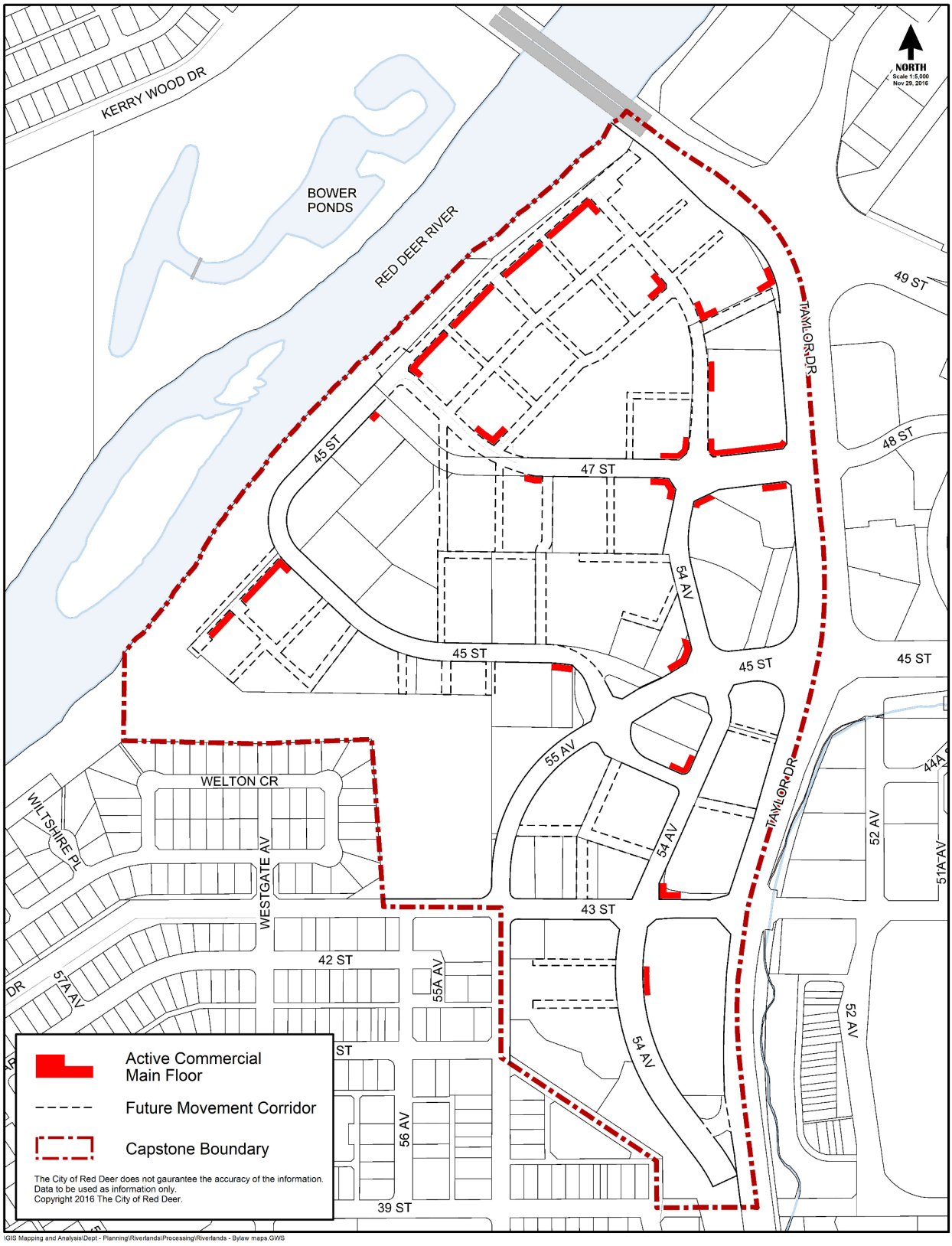


Figure 10.30-1: Capstone Active Commercial Main Floors Overlay

10.30.5	**Permitted Uses**
10.30.5.1	Building Sign
10.30.5.2	Capstone Existing Building
10.30.5.3	Cultural Facility
10.30.5.4	Drinking Establishments (Adult Entertainment prohibited)
10.30.5.5	Freestanding Sign
10.30.5.6	Liquor, Beer, and Wine Sales
10.30.5.7	Merchandise Sales and Rentals
10.30.5.8	Microbrewery
10.30.5.9	Open Space, as identified in the 2016 Capstone Area Redevelopment Plan as public squares
10.30.5.10	Restaurant
10.30.5.11	Specialty Food Services
10.30.6	**Discretionary Uses**
10.30.6.1	Any expansion or intensification of Capstone Existing Building
10.30.6.2	Dangerous Goods Occupancy, except where the Building contains a Dwelling Unit
10.30.7	**Prohibited Uses**
10.30.7.1	Drive-Through

Regulations

10.30.8 **Application**

10.30.8.1 The uses and regulations of this Overlay apply to the Main Floors of Sites located in whole or in part in the areas identified as Active Commercial Main Floors in Figure 10.30-1.

10.30.8.2 Where the uses and regulations in the Capstone Zones contradict or will not serve to achieve the uses or regulations in this Overlay, the uses and regulations in this Overlay will prevail.

10.30.8.3 For the purposes of this Overlay, Corner Sites have 2 Front Boundaries.

10.30.8.4 On Corner Sites Abutting 2 Roads or a Road and a lane, the uses and regulations in this Overlay will apply to a minimum of 10.0m measured from the Site corner along the boundaries of both Site Frontages.

10.30.8.5 On Sites that are not Corner Sites, except for those fronting along 45 Street between 47 Street and Taylor Drive, the uses and regulations in this Overlay will apply to a minimum of 10.0m of Frontage measured along the Front Site Boundary.

10.30.8.6 On Sites fronting 45 Street between 47 Street and 54 Avenue, the uses and regulations in this Overlay will apply to all Main Floors.

10.30.8.7 On Sites on the north side and fronting 47 Street between 54 Avenue and Taylor Drive, the uses and regulations in this Overlay will apply to all Main Floors.

10.30.8.8 On Lot 2 Block 1 Plan 762 1616, the uses and regulations in this Overlay will apply to the majority of Main Floors fronting the Red Deer River.

10.30.9 **Building Design**

10.30.9.1 Buildings must be designed with a front façade that runs 60% of the length of the Frontage, except where:

10.30.9.1.1 a break in continuous Façade is needed to allow access to Parking facilities and no other access point is reasonable. The Parking facility access must be a maximum width of 7.0m; and

10.30.9.1.2 the Development Authority has approved a Side Yard Setback with an Adjacent Site.

10.30.9.2 The entire Main Floor of all Buildings subject to this Overlay must have a minimum Main Floor height of 3.5m measured from the interior floor to the underside of the floor above.

10.30.10 **Building Setbacks**

10.30.10.1 Building Setbacks from Roads, Movement Corridors, and public spaces are established by subsection 10.30.11 Edge Zones.

10.30.10.2 All other Yard Setbacks are established in subsection 10.20.2 Building Setbacks for Capstone Zones

10.30.11 Edge Zones

10.30.11.1 The following Edge Zone setback minimums and maximums will be applied to Buildings under the Capstone Active Commercial Main Floors Overlay, in accordance with Figure 10.30-1:

Edge Zone	Minimum	Maximum
Minimal Edge Zone	1.4m	2.0m
Narrow Edge Zone	1.5m	2.5m
Wide Edge Zone	3.0m	5.0m

10.30.11.2 Edge Zone regulations will be those applicable to Commercial Edge Zones

10.40 Capstone Taylor Drive Zone: CAP-TD

Key Information

10.40.1 The Capstone Taylor Drive Zone functions primarily as an office or Commercial transition area between the historic downtown, the Red Deer Regional Hospital, and the Residential area in Capstone. Due to the proximity of this Zone to the historic downtown and the Red Deer Regional Hospital, the emphasis of this Zone is on office and Commercial uses, with a mix of Residential Dwelling Units. Office or Commercial uses must be a component of any Principal Building in the Capstone Taylor Drive Zone.

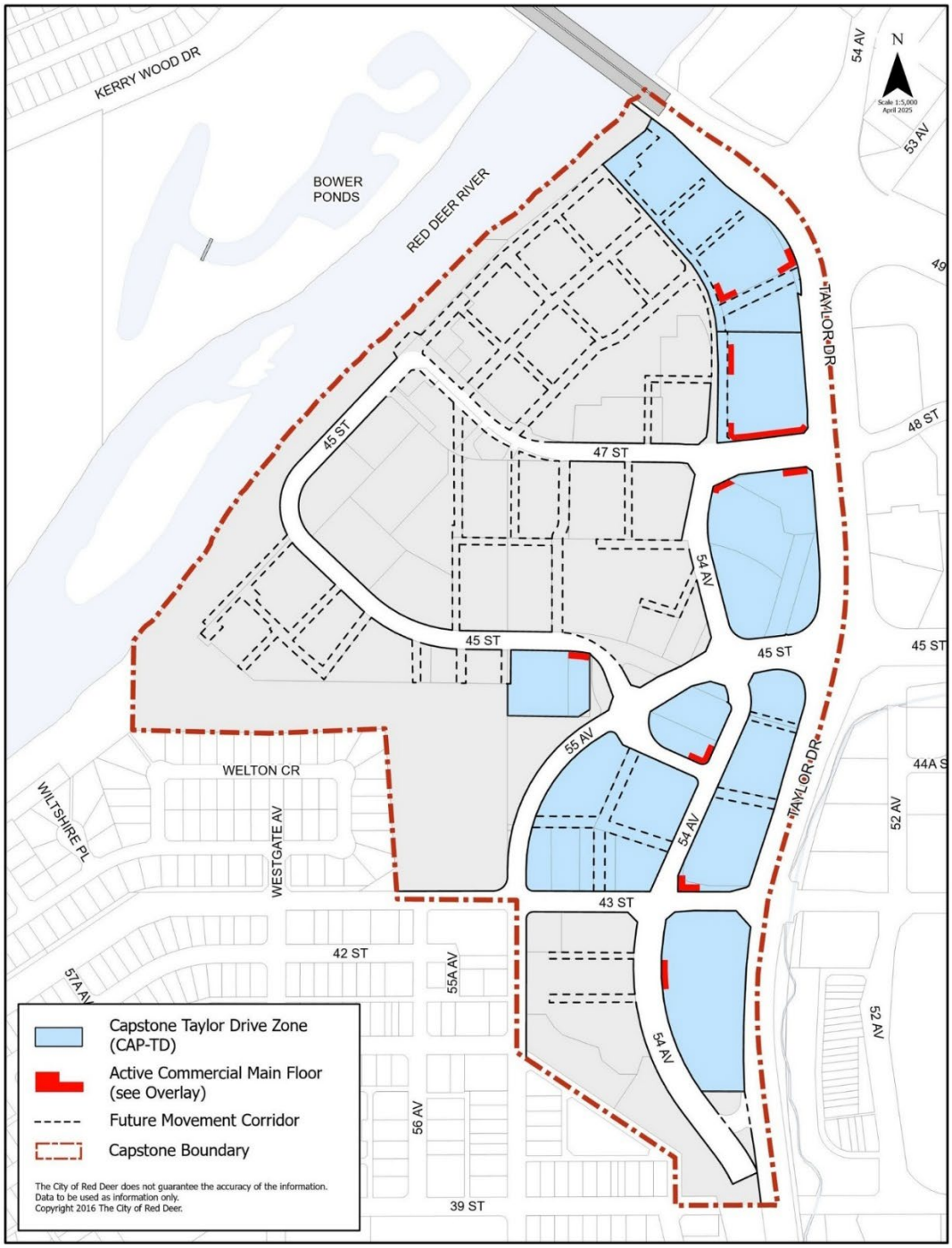


Figure 10.40-1: Capstone Taylor Drive Zone

Figure 10.40-1 Amendments[53]

[53] 3357/ I-2025

10.40.2 Permitted Uses

10.40.2.1 Permitted Uses identified in the Capstone Active Commercial Main Floors Overlay for parts of a Site identified as Active Commercial Main Floors

10.40.2.2 Accessory Building

10.40.2.3 Building Sign

10.40.2.4 Capstone Existing Building

10.40.2.5 Communication Facility

10.40.2.6 Commercial Services Facility

10.40.2.7 Cultural Facility

10.40.2.8 Freestanding Sign

10.40.2.9 Health and Medical Service

10.40.2.10 Home Occupation Minor

10.40.2.11 Hostel

10.40.2.12 Hotel

10.40.2.13 Information Service Provider

10.40.2.14 Merchandise Sales and Rentals

10.40.2.15 Mixed-Use Building

10.40.2.16 Open Space

10.40.2.17 Professional Office

10.40.2.18 Restaurant

10.40.2.19 Show Home

10.40.2.20 Specialty Food Store

10.40.3 Discretionary Uses

10.40.3.1 Discretionary Uses identified in Capstone Active Commercial Main Floors Overlay for parts of a Site identified as Active Commercial Main Floors

10.40.3.2 Any expansion or intensification of Capstone Existing Building

10.40.3.3 Commercial Entertainment Facility

	10.40.3.4	Commercial Schools
	10.40.3.5	Dangerous Goods Occupancy, except where the Building contains a Dwelling Unit
	10.40.3.6	Drinking Establishment (Adult Entertainment prohibited)
	10.40.3.7	Dynamic Fascia Sign, on Sites described in the Downtown Sign Overlay
	10.40.3.8	Dynamic Freestanding Sign, on Sites described in in the Downtown Sign Overlay
	10.40.3.9	Gaming or Gambling Establishment
	10.40.3.10	Government Services
	10.40.3.11	Home Occupation Major
	10.40.3.12	Hospital
	10.40.3.13	Indoor Recreation Facility
	10.40.3.14	Liquor, Beer, and Wine Sales
	10.40.3.15	Microbrewery
	10.40.3.16	Outdoor Display or Sale of Goods
	10.40.3.17	Parking Structure
	10.40.3.18	Public Assembly
	10.40.3.19	Secured Facility
	10.40.3.20	Supportive Living Accommodation
	10.40.3.21	Temporary Use
	10.40.3.22	[54]Day Care Facility
10.40.4	**Prohibited Uses**	
	10.40.4.1	Drive-Through

Regulations

10.40.5 Some Sites in this Zone will be subject to the uses and regulations in the Capstone Active Commercial Main Floors Overlay. Where the regulations in

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the Overlay and the uses in Capstone Taylor Drive Zone contradict or will not serve to achieve the uses or regulations in the Capstone Active Commercial Main Floors Overlay, the Overlay will prevail.

10.40.6 Building Setbacks

10.40.6.1 Building Setbacks from Streets, Movement Corridors, and public spaces are established by subsection 10.40.7 Edge Zones.

10.40.6.2 All other Yard Setbacks are established in subsection 10.20.2 Building Setbacks for Capstone Zones.

10.40.7 Edge Zones

10.40.7.1 The following Edge Zone setback minimums and maximums must be applied to new Buildings in the Capstone Taylor Drive Zone, in accordance with Figure 10.40-2.

Edge Zone	Minimum	Maximum
Minimal Edge Zone	1.4m	2.0m
Narrow Edge Zone	1.5m	2.5m
Wide Edge Zone	3.0m	5.0m

10.40.7.2 Edge Zone regulations are split into 2 categories - Commercial Edge Zones and Residential Edge Zones, where:

10.40.7.2.1 Commercial Edge Zones will be applied where the Abutting Main Floor contains (or will contain) Commercial uses.

10.40.7.2.2 Residential Edge Zones will be applied where the Abutting Main Floor contains (or will contain) Residential uses.

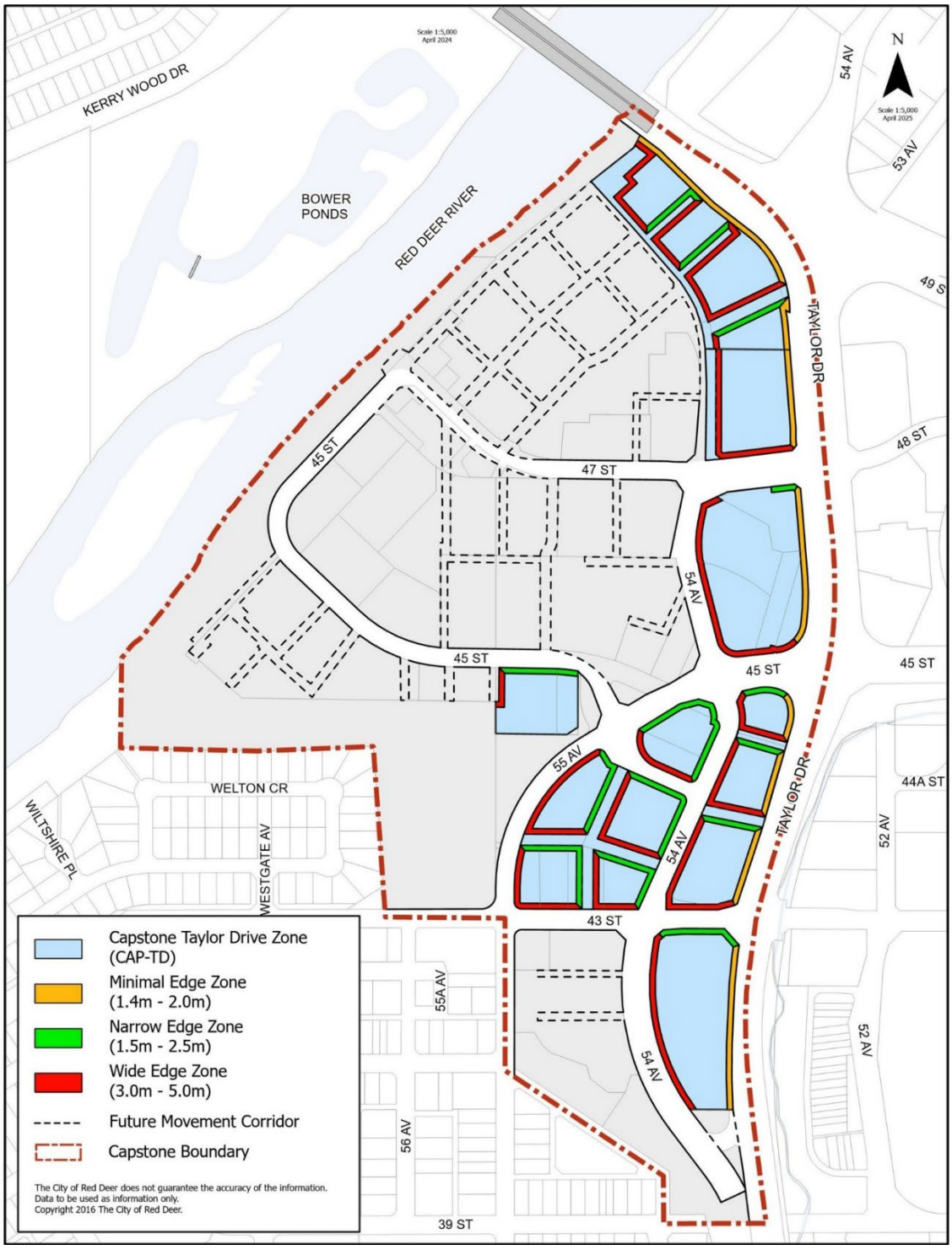


Figure 10.40-2: Capstone Taylor Drive Zone's Edge Zones

Figure 10.40-2 Amendments[55]

[55] 3357/ I-2025

10.50 Capstone Primarily Residential Zone: CAP-PR

Key Information

10.50.1 The Capstone Primarily Residential Zone is to allow a mix of Residential housing types, with Commercial uses compatible with the primarily Residential function of this Zone. Residential Dwelling Units must be a component of any Principal Building in the Capstone Primarily Residential Zone.

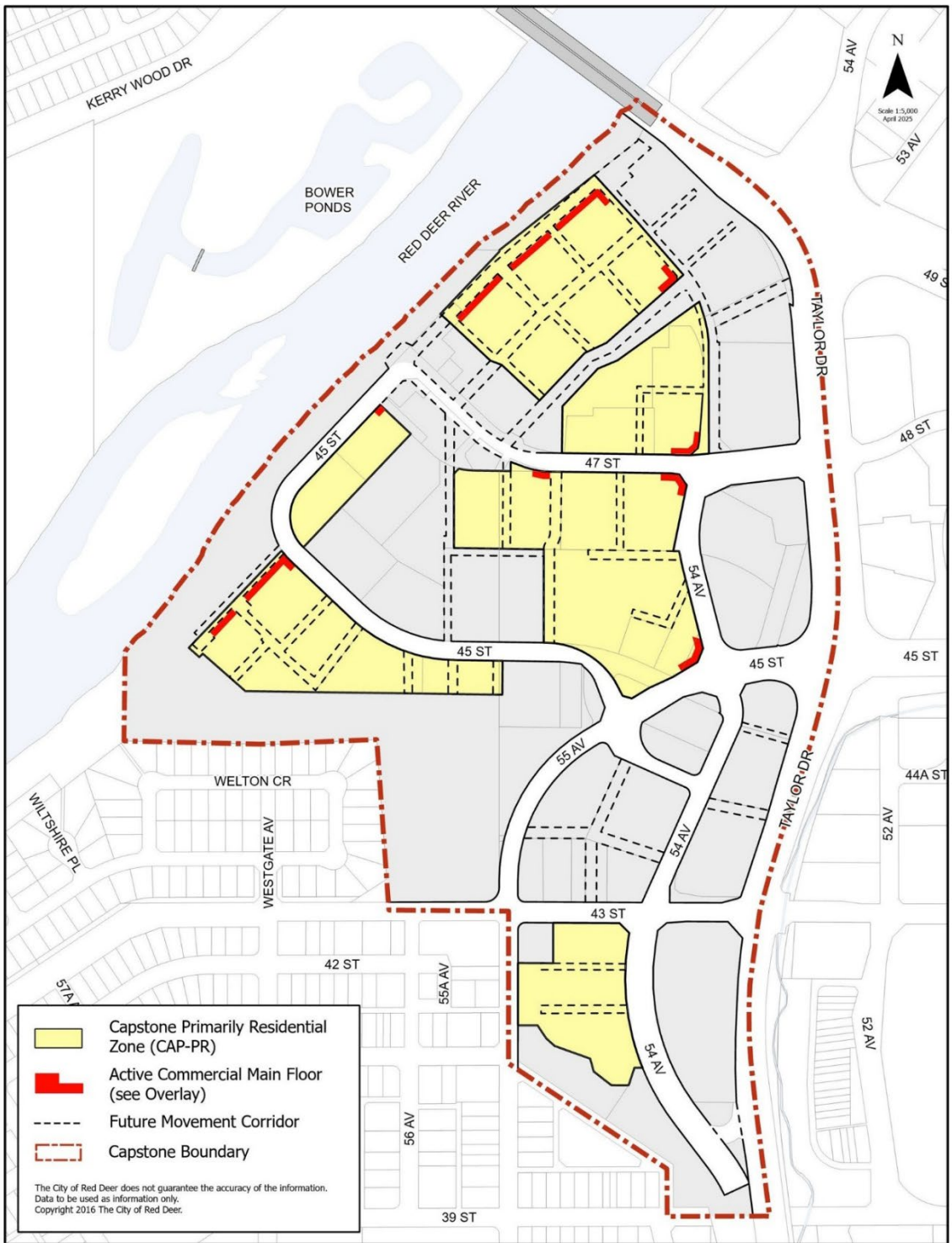


Figure 10.50-1: Capstone Primarily Residential Zone

Figure 10.50-1 Amendments[56]

[56] 3357/ I-2025

10.50.2 Permitted Uses

10.50.2.1 Permitted Uses identified in Capstone Active Commercial Main Floors Overlay for parts of a Site identified as Active Commercial Main Floor

10.50.2.2 Accessory Building

10.50.2.3 Apartment

10.50.2.4 Business Incubator

10.50.2.5 Capstone Existing Building

10.50.2.6 Commercial Service Facility (excluding financial or insurance services outlet, animal veterinary clinic, or dog grooming salon)

10.50.2.7 Cultural Facility

10.50.2.8 Health and Medical Services on 5589 – 47 Street (Condominium Plan 1552369)

10.50.2.9 Home Occupation Minor

10.50.2.10 Information Service Provider

10.50.2.11 Merchandise Sales and Rentals

10.50.2.12 Mixed-Use Building with the following uses on Main Floor:

- 10.50.2.12.1 Commercial Service Facility
- 10.50.2.12.2 Cultural Facility
- 10.50.2.12.3 Health and Medical Services
- 10.50.2.12.4 Information Service Provider
- 10.50.2.12.5 Merchandise Sales and Rentals
- 10.50.2.12.6 Professional Office

10.50.2.13 Open Space

10.50.2.14 Show Home

10.50.2.15 Specialty Food Services

10.50.2.16 [57]Day Care Facility

[57] 3357/QQ-2024

10.50.3 Discretionary Uses

10.50.3.1 Discretionary Uses identified in Capstone Active Commercial Main Floors Overlay for parts of a Site identified as Active Commercial Main Floors

10.50.3.2 Any expansion or intensification of Capstone Existing Building

10.50.3.3 Building Sign

10.50.3.4 Commercial Entertainment Facility on 5589-47 Street (Condominium Plan 1522369)

10.50.3.5 Commercial Recreational Facility on 5589-47 Street (Condominium Plan 1522369)

10.50.3.6 Commercial School

10.50.3.7 Commercial Service Facility (excluding financial or institutional services outlet)

10.50.3.8 Dangerous Goods Occupancy on a Site without a Dwelling Unit

10.50.3.9 [58]Deleted

10.50.3.10 Freestanding Sign

10.50.3.11 Home Occupation Major

10.50.3.12 Mixed-Use Building with the following uses on Main Floor:

- 10.50.3.12.1 Commercial Entertainment Facility
- 10.50.3.12.2 Indoor Recreation Facility
- 10.50.3.12.3 Restaurant
- 10.50.3.12.4 Specialty Food Service

10.50.3.13 Outdoor Display or Sale of Goods

10.50.3.14 Parking Lot (Temporary)

10.50.3.15 Professional Office on 5589-47 Street (Condominium Plan 1522369)

10.50.3.16 Public Assembly

10.50.3.17 Restaurant

10.50.3.18 Supportive Living Accommodation

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10.50.3.19	Temporary Use
10.50.3.20	Townhouses
10.50.4	**Prohibited Uses**
10.50.4.1	Drive-Through

Regulations

10.50.5 Some Sites in this Zone will be subject to the uses and regulations in Capstone Active Commercial Main Floors Overlay. Where the regulations and the uses in the Capstone Primarily Residential Zone contradict or will not serve to achieve the uses or regulations in Capstone Active Commercial Main Floors Overlay, the Overlay will prevail.

10.50.6 Any Development Permit application for a Principal Building on 5581 – 45 Street (Lot 2 Block 1 Plan 762 1616) must be circulated to landowners between 85 Welton Crescent and 138 Welton Crescent for comment.

10.50.7 Building Setbacks

10.50.7.1 Building Setbacks from Roads, Movement Corridors, and public spaces are established by subsection 10.50.8 Edge Zones.

10.50.7.2 All other Yard Setbacks are established in subsection 10.20.2 Building Setbacks for Capstone Zones.

10.50.8 Edge Zones

10.50.8.1 The following Edge Zone setback minimums and maximums will be applied to new Buildings in the Capstone Primarily Residential Zone, in accordance with Figure 10.50-2:

Edge Zone	Minimum	Maximum
Minimal Edge Zone	1.4m	2.0m
[59]Narrow Edge Zone	1.5m	2.5m
Wide Edge Zone	2.0m	5.0m

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10.50.8.2 Edge Zone regulations are split into 2 categories - Commercial Edge Zones and Residential Edge Zones, where:

10.50.8.2.1 Commercial Edge Zones will be applied where the Abutting Main Floor contains (or will contain) Commercial uses.

10.50.8.2.2 Residential Edge Zones will be applied where the Abutting Main Floor contains (or will contain) Residential uses.

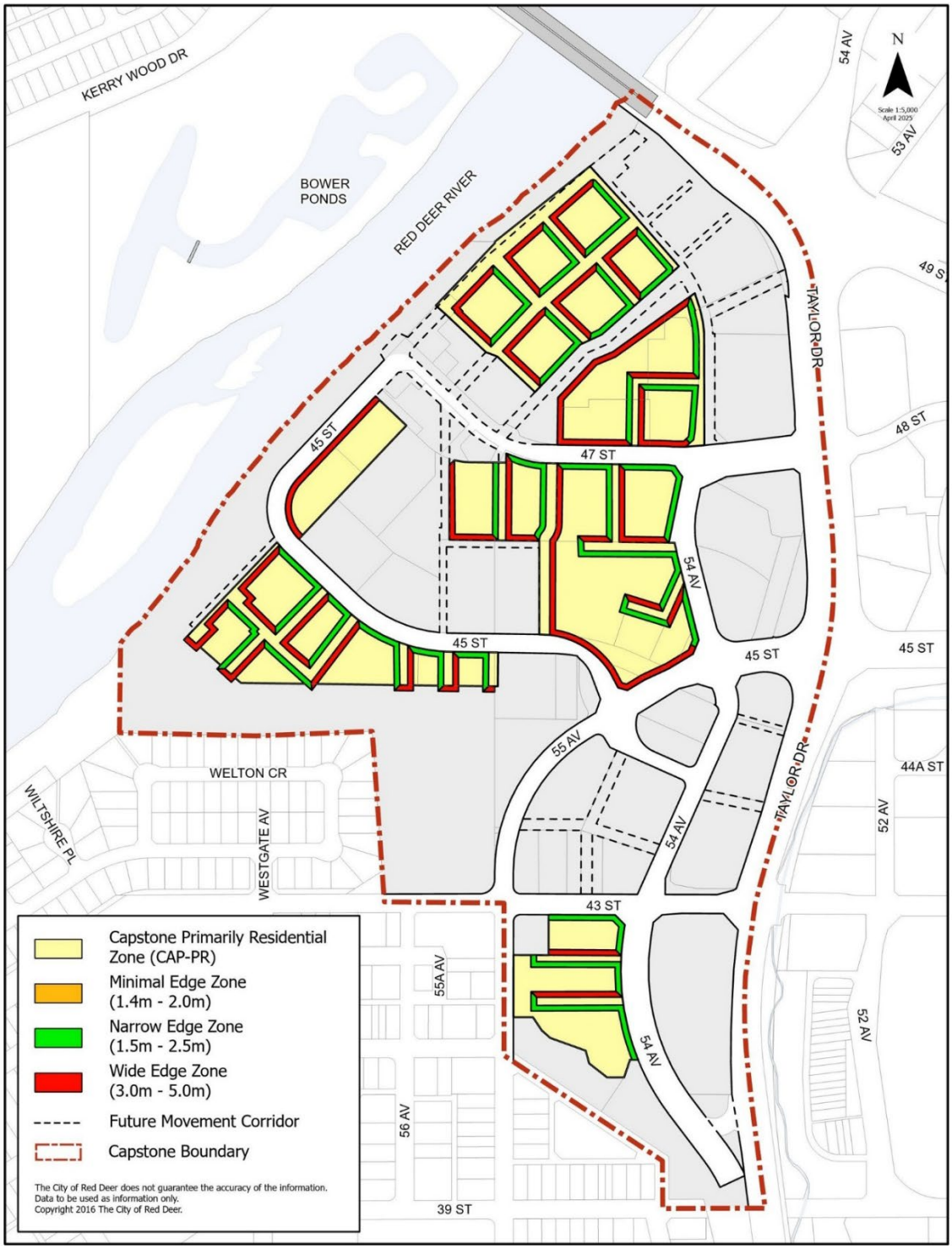


Figure 10.50-2: Capstone Primarily Residential Zone's Edge Zones

Figure 10.50-2 Amendments[60]

[60] 3357/ I-2025

10.50.9 **Mixed-use Building Regulations**

10.50.9.1 The following regulations will apply unless varied by the Municipal Planning Commission:

10.50.9.1.1 each Building must have a minimum of 3 Residential units;

10.50.9.1.2 Commercial and Residential must have individual Road level access that is not shared;

10.50.9.1.3 the Building must not have a front attached Garage.

10.60 Capstone Commercial Zone: CAP-C

Key Information

10.60.1 The Capstone Commercial Zone functions primarily as a Commercial and office area with limited Residential to reflect the existing Commercial and office uses occurring in Cronquist Business Park.

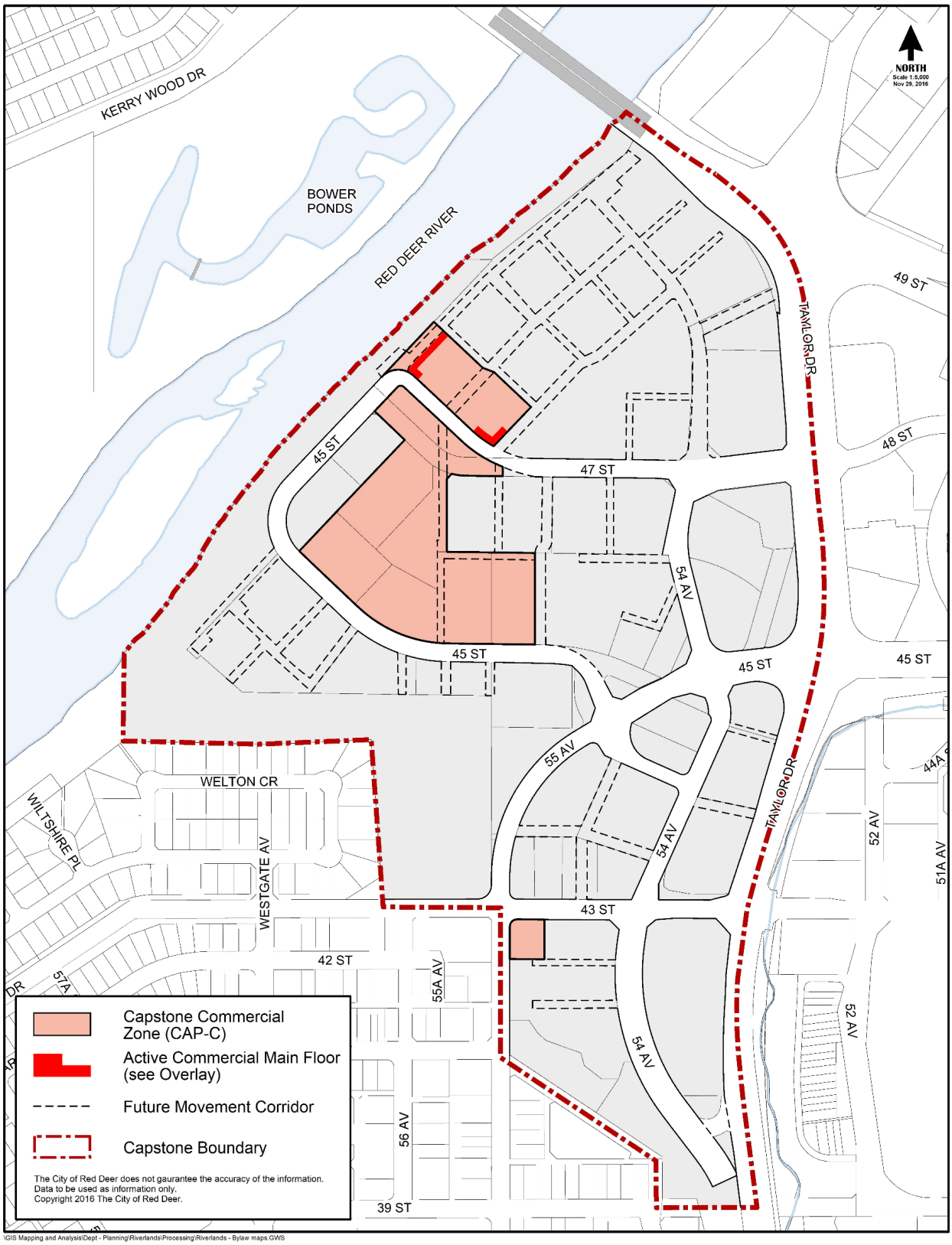


Figure 10.60-1: Capstone Commercial Zone

10.60.2 Permitted Uses

10.60.2.1	Permitted Uses identified in Capstone Active Commercial Main Floors Overlay for parts of a Site identified as Active Commercial Main Floors
10.60.2.2	Accessory Building
10.60.2.3	Building Sign
10.60.2.4	Business Incubator
10.60.2.5	Capstone Existing Building
10.60.2.6	Cultural Facility
10.60.2.7	Commercial Entertainment Facility
10.60.2.8	Commercial School
10.60.2.9	Commercial Service Facility
10.60.2.10	Communication Facility
10.60.2.11	Freestanding Sign
10.60.2.12	Health and Medical Service
10.60.2.13	Hostel
10.60.2.14	Hotel
10.60.2.15	Indoor Recreation Facility
10.60.2.16	Information Service Provider
10.60.2.17	Merchandise Sales and Rentals
10.60.2.18	Microbrewery
10.60.2.19	Open Space
10.60.2.20	Professional Office
10.60.2.21	Restaurant
10.60.2.22	Specialty Food Services
10.60.2.23	[61]Day Care Facility

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10.60.3 Discretionary Uses

10.60.3.1	Discretionary Uses identified in Capstone Active Commercial Main Floors Overlay for parts of a Site identified as Active Commercial Main Floors
10.60.3.2	Any expansion or intensification of Capstone Existing Building
10.60.3.3	Dangerous Goods Occupancy except where a Building contains a Dwelling Unit
10.60.3.4	Drinking Establishment (Adult Establishment prohibited)
10.60.3.5	Dwelling Units above ground floor
10.60.3.6	Gaming or Gambling Establishment
10.60.3.7	Government Services
10.60.3.8	Hospital
10.60.3.9	Liquor, Beer, and Wine Sales
10.60.3.10	Microbrewery
10.60.3.11	Outdoor Display or Sale of Goods
10.60.3.12	Parking Structure
10.60.3.13	Public Assembly
10.60.3.14	Seasonal Sales Area
10.60.3.15	Secured Facility
10.60.3.16	Surface Parking Lot (Temporary)
10.60.3.17	Surface Parking Lot (Temporary) for a minimum of 10 years, from the passing of Bylaw 3357/Q-2016 on December 5, 2016, on the remnant part of Lot 1 Block 3 Plan 802 0453 and Lot 8A Block 7 Plan 3824 TR that will be located south of the 47 Street (Alexander Way) Street realignment.
10.60.3.18	Temporary Use

10.60.4 Prohibited Uses

10.60.4.1	Drive-Through

Regulations

10.60.5 Some Sites in this Zone will be subject to the uses and regulations in the Capstone Active Commercial Main Floors Overlay. Where the regulations in this Zone and the uses in the Capstone Active Commercial Main Floors Overlay contradict or will not serve to achieve the uses or regulations in the Capstone Active Commercial Main Floors Overlay, the Overlay will prevail.

10.60.6 **Building Setbacks**

10.60.6.1 Building Setbacks from Roads, Movement Corridors, and public spaces are established by subsection 10.60.7 Edge Zones.

10.60.6.2 All other Yard Setbacks are established in subsection 10.20.2 Building Setbacks for Capstone Zones.

10.60.7 **Edge Zones**

10.60.7.1 The following Edge Zone setback minimums and maximums will be applied to new Buildings in the Capstone Commercial Zone, in accordance with Figure 10.60-2:

Edge Zone	Minimum	Maximum
Narrow Edge Zone	1.5m	2.5m
Wide Edge Zone	3.0m	5.0m

10.60.7.2 Edge Zone regulations for all uses in this Zone are the Commercial Edge Zone regulations.

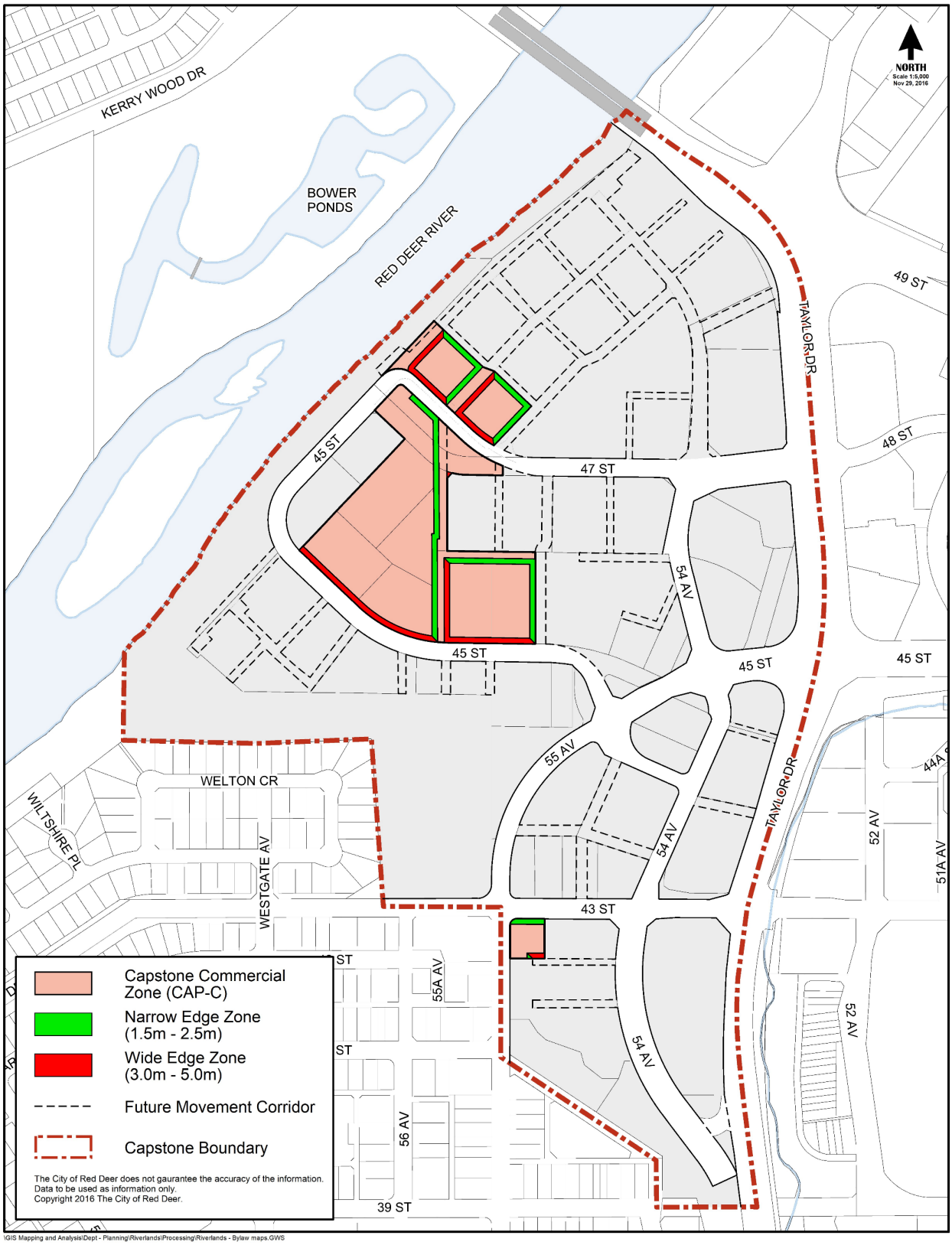


Figure 10.60-2: Capstone Commercial Zone's Edge Zones

Part 11 Direct Control Zones

11.10 Direct Control Zone No. 1: DC(1)

Key Information

11.10.1 This Zone is to provide a mix of Commercial and Residential uses along Bremner Avenue on large Sites, and incorporate increased Front Yard Setbacks, landscaping, and restrict Parking to the Rear Yard or Side Yard.

11.10.2 The boundaries of DC(1) are outlined in Map M12.

11.10.3 Permitted Uses

11.10.3.1 Accessory Use

11.10.3.2 Accessory Building

11.10.3.3 Building sign

11.10.3.4 Communication Facility

11.10.3.5 Cultural Facility

11.10.3.6 Detention and Correction Services

11.10.3.7 Educational Institution – Primary and Secondary

11.10.3.8 Educational Institution – Post Secondary

11.10.3.9 Emergency Services

11.10.3.10 Freestanding Sign

11.10.3.11 Government Services

11.10.3.12 Hospital

11.10.3.13 Indoor recreation facility

11.10.3.14 Merchandise Sales and Rentals (indoor only)

11.10.3.15 Red Deer Advocate

11.10.3.16 Public Assembly

11.10.3.17 Restaurant, but no Drive-Through

11.10.3.18 Royal Canadian Legion

11.10.3.19	Transportation Services
11.10.3.20	Utilities

11.10.4	**Discretionary Uses**
11.10.4.1	Apartment
11.10.4.2	Commercial Entertainment Facility
11.10.4.3	Commercial School
11.10.4.4	Commercial Service Facility
11.10.4.5	Dwelling Units above the Main Floor
11.10.4.6	Gaming or Gambling Establishment
11.10.4.7	Health and Medical Services
11.10.4.8	Professional Offices, limited to the existing Buildings along Bremner Avenue
11.10.4.9	Supportive Living Accommodation
11.10.4.10	Show Home
11.10.4.11	[62]Day Care Facility

Regulations

11.10.5	**DC(1) Regulations Table**
Category	**Regulations**
Site Area Minimum	As approved by the Development Authority to meet the intent of the Zone
Parking	No Front Yard Parking, otherwise subject to general Parking regulations
Front Yard Minimum	18.0m
Building Height Maximum	3 storeys
Landscaping	Entire Front Yard except for access Roads and Walkways. Side Yards Adjacent to a Road are to be landscaped

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11.10.6 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout will be subject to the Development Authority's approval.

11.10.7 All other regulations to be determined by the Development Authority.

11.10.8 Site Development

11.10.8.1 When the Site Abuts a Sidewalk, a direct Walkway must be provided from the main entrance of a Principal Building to the Sidewalk.

11.10.8.2 Development will facilitate and encourage pedestrian movement on the Site and to Adjacent areas.

11.10.8.3 Development will create variety, character, comfortable scale, and visual interest by incorporating a variety of complementary building styles.

11.10.8.4 Residential Developments must incorporate architectural elements such as balconies, verandas, canopies, and window Projections.

11.10.8.5 Building elevations facing a Road must be articulated with varied architectural elements such as entrances, windows, vertical or horizontal accents, Setbacks, jogs, canopies, Signs, Projections, recessions, and roof lines.

11.10.8.6 At minimum, overhead weather Protection and Sidewalks will be provided for pedestrians along Building fronts and at each Building entrance.

11.10.8.7 Existing boulevards and Landscaped Areas will be preserved in their current locations and must not be removed for new Developments, including Driveways.

11.10.8.8 The relationship of the use to Adjacent Residential areas will factor into considering the size, Site Plan, and architectural treatment of the Building.

11.20 Direct Control Zone No. 2: DC(2)

Key Information

11.20.1 The boundaries of DC(2) are outlined on Map K18.

11.20.2 Permitted Uses

11.20.2.1 Accessory Building

11.20.2.2 Building Sign

11.20.2.3 Freestanding Sign

11.20.2.4 Mail Sorting and Distribution Centre

11.20.3 Discretionary Uses

11.20.3.1 Accessory Use

Regulations

11.20.4 Regardless of any conflicting regulations in this Bylaw, all Development in this Zone will be in accordance with the following:

DC(2) Regulations Table

Category	Regulations
Floor Area Maximum	46% of Site Area
Building Height Maximum	2 storeys
Front Yard	9.0m
Side Yard	4.0m
Rear Yard	3.0m
Landscaped Area	15% of Site Area
Parking Spaces	3.0 spaces per 93.0m^2 Gross Floor Area
Loading Spaces	1 space opposite each loading door with a minimum of 1 space per 1860.0m^2 of floor area
Site Area Minimum	0.4ha
Site Area Maximum	1.2ha

Frontage Minimum	30.0m

11.20.5 Outdoor Storage must be Screened to the Development Authority's satisfaction.

11.20.6 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout will be subject to the Development Authority's approval.

11.30 Direct Control Zone No. 3: DC(3)

Key Information

11.30.1 The general purpose of this Zone is to facilitate Development keeping with the direction of the Greater Downtown Action Plan for the Railyards neighbourhood. The vision includes medium to high density Residential, mixed-use Residential and Commercial, Residential Development on the upper floors of ground floor Commercial, and an overall high-quality pedestrian environment.

11.30.2 The Site encompassed by the DC(3) Zone is in a prominent location in the Downtown and is highly visible given its location Adjacent to both the Red Deer River and Gaetz Avenue. Development on this Site should reflect its elevated status as a major entry point into the Downtown. The boundaries of DC(3) are outlined on Map L16.

11.30.3 Permitted Uses

11.30.3.1 Building Sign

11.30.3.2 Freestanding Sign

11.30.3.3 Health and Medical Services

11.30.3.4 Home Occupation Major

11.30.3.5 Home Occupation Minor

11.30.3.6 Merchandising Sales and Rentals excluding pawn shops

11.30.3.7 Mixed-Use Building

11.30.3.8 Professional Office

11.30.3.9 Restaurant

11.30.4 Discretionary Uses

11.30.4.1 Accessory Building

11.30.4.2 Accessory Use

11.30.4.3 Commercial Service Facility

11.30.4.4 Indoor Recreation Facility

11.30.4.5 Parking Lot

11.30.4.6 Parking Structure

	11.30.4.7	Show Home
	11.30.4.8	[63]Day Care Facility

Regulations

11.30.5 Development regulations will be determined by the Development Authority.

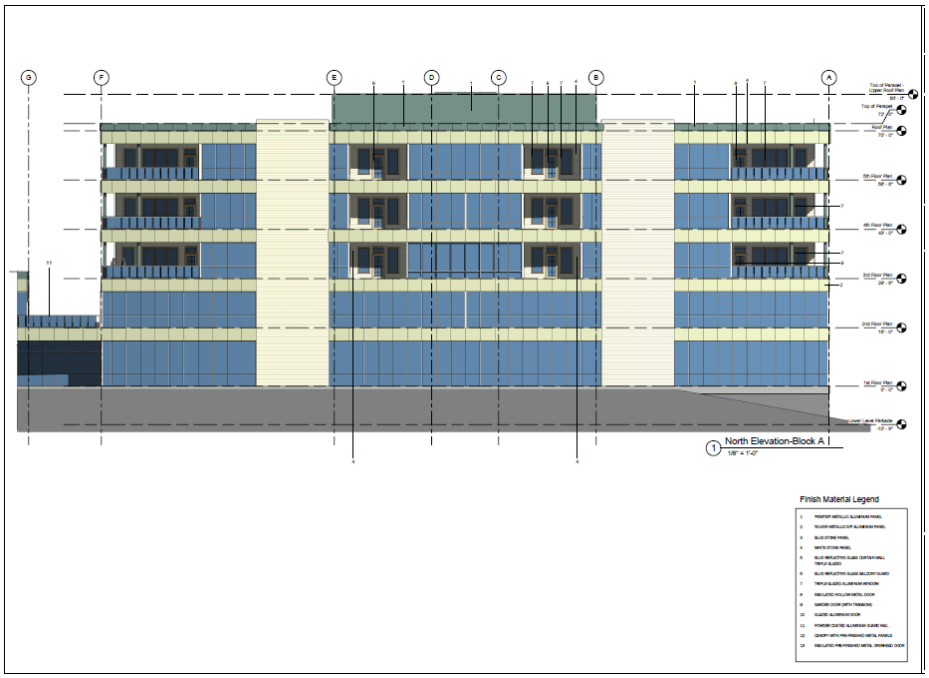
11.30.6 City Council is the Development Authority for any new Principal Building on the Site.

11.30.7 The Development Officers are the Development Authority for all Permitted Uses and Discretionary Uses and Signs on existing Buildings on the Site.

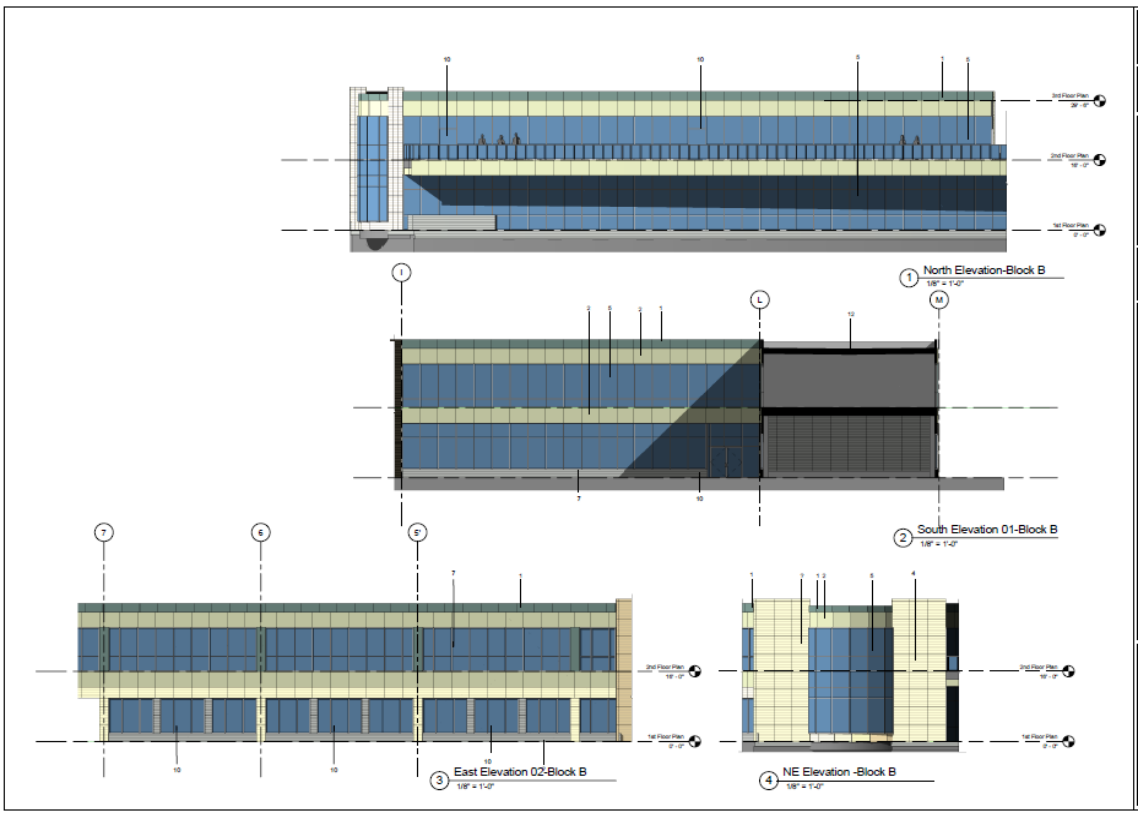
11.30.8 In exercising its approval powers, the Development Authority will consider the Greater Downtown Action Plan.

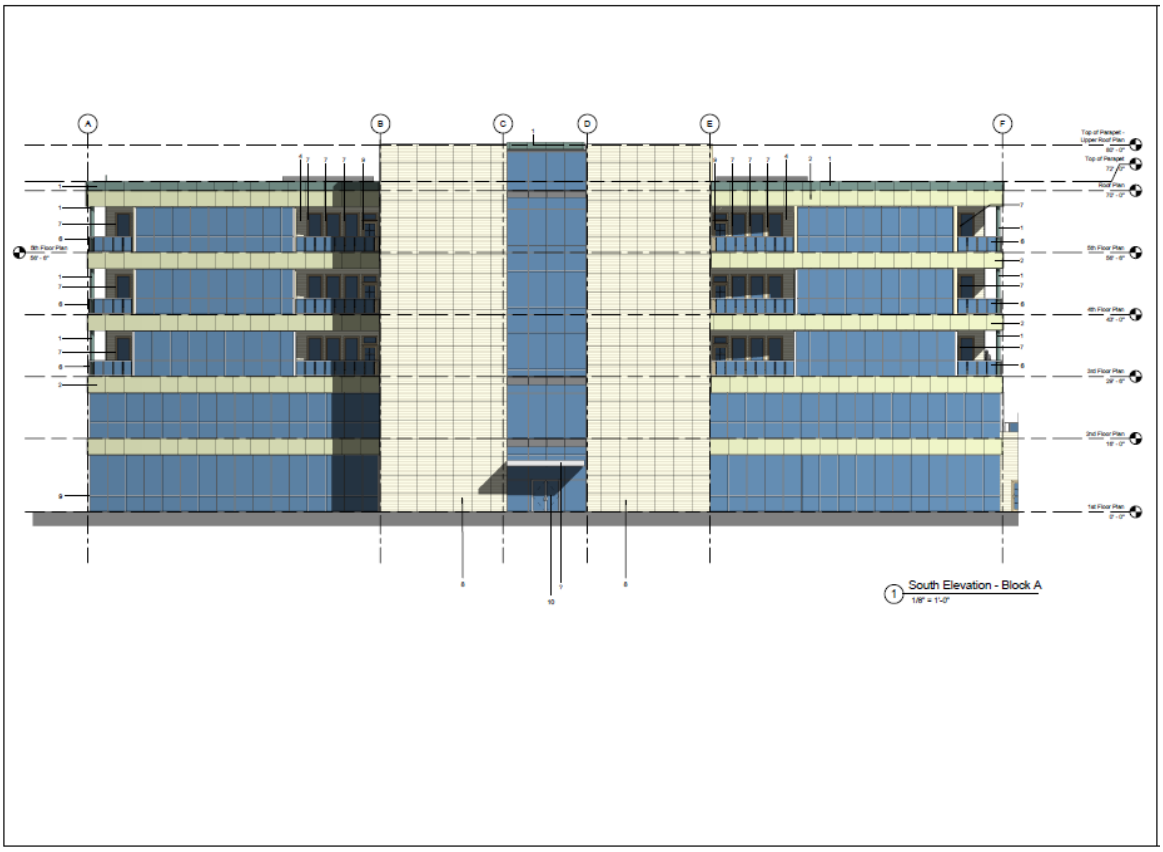
Schedules

11.30.9 DC(3) Schedule 1



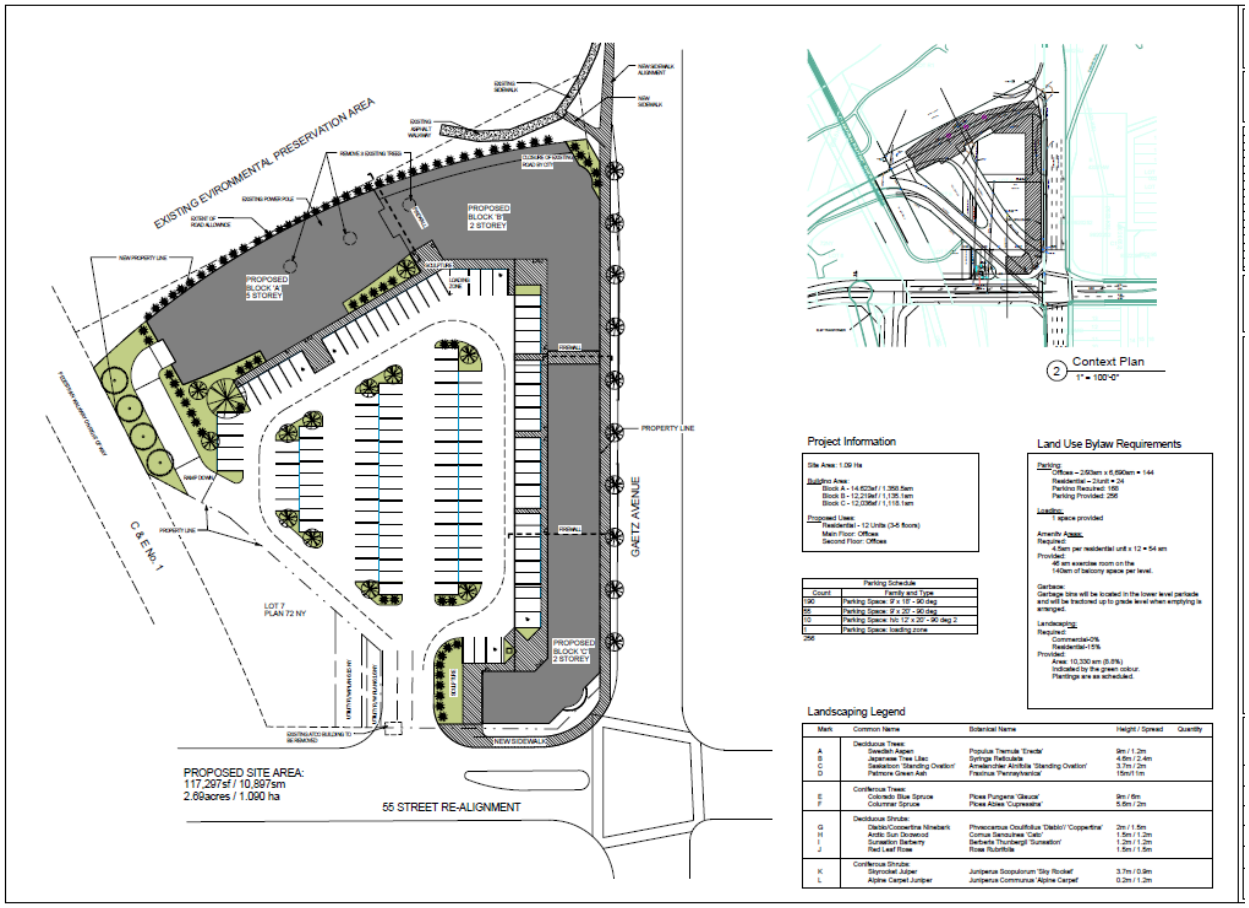
[63] 3357/QQ-2024


North Elevation-Block B
1/8" = 1'-0"
South Elevation 01-Block B
1/8" = 1'-0"
East Elevation 02-Block B
1/8" = 1'-0"
NE Elevation -Block B
1/8" = 1'-0"


South Elevation - Block A
1/8" = 1'-0"


West Elevation-Block A
East Elevation-Block A
South Elevation 02-Block B
West Elevation 02 -Block B
West Elevation 01-Block B


West Elevation-Block A
1/8" = 1'-0"
East Elevation-Block A
1/8" = 1'-0"
South Elevation 02-Block B
1/8" = 1'-0"
West Elevation 02 -Block B
1/8" = 1'-0"
West Elevation 01-Block B
1/8" = 1'-0"


EXISTING ENVIRONMENTAL PRESERVATION AREA
PROPOSED BLOCK 'A' 5 STOREY
PROPOSED BLOCK 'B' 2 STOREY
PROPOSED BLOCK 'C' 2 STOREY
PROPERTY LINE
GRETZ AVENUE
C & E No. 1
LOT 7 PLAN 72 NY
NEW SIDEWALK
55 STREET RE-ALIGNMENT
PROPOSED SITE AREA:
117,297sf / 10,897sm
2.69acres / 1.090 ha
Context Plan
1" = 100'-0"
Project Information
Site Area: 1.09 Ha
Building Area:
Block A - 14,623sf / 1,358.5sm
Block B - 12,219sf / 1,136.1sm
Block C - 12,036sf / 1,118.1sm
Proposed Uses:
Residential - 12 Units (3-5 floors)
Main Floor: Offices
Second Floor: Offices
Parking Schedule
Count
Family and Type
190 Parking Space: 9' x 18' - 90 deg.
55 Parking Space: 9' x 20' - 90 deg.
10 Parking Space: h/c 12' x 20' - 90 deg 2
1 Parking Space: loading zone
256
Land Use Bylaw Requirements
Parking:
Offices – 2,923sm x 6,690sm = 144
Residential – 2/unit = 24
Parking Required: 168
Parking Provided: 256
Loading:
1 space provided
Amenity Areas:
Required:
4.5sm per residential unit x 12 = 54 sm
Provided:
46 sm exercise room on the
140sm of balcony space per level.
Garbage:
Garbage bins will be located in the lower level parkade and will be tractored up to grade level when emptying is arranged.
Landscaping:
Required:
Commercial=0%
Residential=15%
Provided:
Area: 10,330 sm (9.8%)
Indicated by the green colour.
Plantings are as scheduled.
Landscaping Legend
Mark
Common Name
Botanical Name
Height / Spread
Quantity
A Deciduous Trees: Swedish Aspen Populus Tremula 'Erecta' 9m / 1.2m
B Japanese Tree Lilac Syringa Reticulata 4.6m / 2.4m
C Saskatoon 'Standing Ovation' Amelanchier Alnifolia 'Standing Ovation' 3.7m / 2m
D Patmore Green Ash Fraxinus 'Pennsylvanica' 15m/1m
E Coniferous Trees: Colorado Blue Spruce Picea Pungens 'Glauca' 9m / 6m
F Columnar Spruce Picea Abies 'Cupressina' 5.6m / 2m
G Deciduous Shrubs: Diablo/Coppertine Ninebark Physocarpus Opulifolius 'Diablo'/ 'Coppertina' 2m / 1.5m
H Arctic Sun Dogwood Cornus Sanguinea 'Cato' 1.5m / 1.2m
I Sunsation Barberry Berberis Thunbergii 'Sunsation' 1.2m / 1.2m
J Red Leaf Rose Rosa Rubrifolia 1.5m / 1.5m
K Coniferous Shrubs: Skyrocket Juiper Juniperus Scopulorum 'Sky Rocket' 3.7m / 0.9m
L Alpine Carpet Juniper Juniperus Communus 'Alpine Carpet' 0.2m / 1.2m

11.40 Direct Control Zone No. 4: DC(4)

11.40.1 **DELETED**

11.50 Direct Control Zone No. 5: DC(5)

Key Information

11.50.1 The boundaries of DC(5) are outlined in Map L9.

11.50.2	**Permitted Uses** 11.50.2.1 Any uses approved by City Council
11.50.3	**Discretionary Uses** N/A

Regulations

11.50.4 Council will act as Development Authority and determine the Yards, landscaping, Parking requirements and layout, egress and ingress, Building Heights, and architectural treatment for each use.

11.60 Direct Control Zone No. 6: DC(6)

Key Information

11.60.1 The boundaries of DC(6) are outlined in Map L15.

11.60.2 Permitted Uses

11.60.2.1	Accessory Building
11.60.2.2	Accessory Use
11.60.2.3	Building Sign
11.60.2.4	Commercial Service Facility
11.60.2.5	Freestanding Sign
11.60.2.6	Home Occupation Major
11.60.2.7	Home Occupation Minor
11.60.2.8	Merchandise Sales and Rentals, excluding agricultural and Industrial vehicles or machinery, food store, pharmacy or drug store
11.60.2.9	Professional Office
11.60.2.10	Restaurant, excluding against a part of this Site: any fast-food outlet or Restaurant specializing in the sale of hamburgers
11.60.2.11	[64]Day Care Facility

11.60.3 Discretionary Uses

11.60.3.1	Apartment
11.60.3.2	Commercial Entertainment Facility
11.60.3.3	Cultural Facility
11.60.3.4	Detention and Correction Services
11.60.3.5	Drinking Establishment (Adult Entertainment prohibited)
11.60.3.6	Dynamic Fascia Sign, on Sites described in the Downtown Sign Overlay
11.60.3.7	Dynamic Freestanding Sign, on Sites described in the Downtown Sign Overlay

[64] 3357/QQ-2024

11.60.3.8	Educational Institution – Primary and Secondary
11.60.3.9	Educational Institution – Post Secondary
11.60.3.10	Emergency Services
11.60.3.11	Gaming or Gambling Establishment
11.60.3.12	Government Services
11.60.3.13	Health and Medical Services
11.60.3.14	Hospital
11.60.3.15	Hotel
11.60.3.16	Indoor Recreation Facility
11.60.3.17	Parking Lot or Parking Structure, accessory to any of the above uses
11.60.3.18	Public Assembly
11.60.3.19	2 Restaurants in the existing Building
11.60.3.20	Show Home

Regulations

11.60.4 **DC(6) Regulations Table**	
Category	**Regulations**
Building Height	As approved by the Development Authority
Front Yard Minimum	6.0m
Side Yard when it Abuts a Street	6.0m
Rear Yard Minimum	6.0m
Landscaped Area	10% of Site Area
Parking	Subject to general Parking requirements
Loading Spaces	1 required opposite each loading door
Site Area Minimum	900.0m^2
Frontage Minimum	20.0m
Residential Unit Minimum	37.0m^2 per Dwelling Unit

11.60.5 Development is to be based on a common theme representing the heritage era Buildings in Downtown Red Deer. The following architectural guidelines must be incorporated into all Buildings:

11.60.5.1 High quality exterior building materials utilizing stonework or other natural like finishes common to heritage era Buildings, containing some stucco and limited use of metal finishes;

11.60.5.2 Pedestrian oriented store fronts emphasizing special window and entrance treatments;

11.60.5.3 Incorporation of cantilevers and canopies;

11.60.5.4 Tasteful colour schemes;

11.60.5.5 Aesthetics of each Building must be pleasing from all elevations and feature street-oriented design elements including street-level windows for all elevations visible from Adjacent Roads;

11.60.5.6 Warehouse type Buildings are prohibited;

11.60.5.7 Outdoor Storage areas are prohibited;

11.60.5.8 all waste containers must be enclosed, Screened or be fully integrated into the overall Building or Site Development;

11.60.5.9 Development must be complementary to the downtown and emphasize uses that would attract patrons, both during the day and evening;

11.60.5.10 Development should produce a seamless connection to the area south of 48 Street which will include a City park Site;

11.60.5.11 Development should facilitate and encourage pedestrian movement in the Site and to Adjacent Developments. Site to include Sidewalks incorporating the use of paving stones and public area landscaping, lighting and street furniture;

11.60.5.12 All signs, lighting and street furniture must complement the overall Building theme;

11.60.5.13 Landscaping:

11.60.5.13.1 must be of high quality, incorporating mature plantings;

11.60.5.13.2 of the perimeter of Site must include all Abutting Road boulevard areas surrounding the Site; in lieu of the boulevard landscaping required by the developer, the minimum Site landscaping requirement is 10% of Site Area rather than the 15% of Site Area required on Abutting Sites in the area;

11.60.5.13.3 must have the perimeter and boulevard landscaping be a continuation of the overall Site landscaping plan;

11.60.5.13.4 should be comprehensive throughout the Development and appear seamless among the various components;

11.60.5.13.5 should Screen Parking areas and tie public and Commercial areas together.

11.60.6 Motor vehicle access to the Site is such that:

11.60.6.1 all motor vehicle Site access is restricted to either 52 Avenue or 48 Street;

11.60.6.2 motor vehicle access from 52 Street is restricted to a common access point shared with, the existing McDonalds Restaurant access;

11.60.6.3 motor vehicle access from 48 Street will be restricted to 1 common access point approximately midway between 52 Avenue and Taylor Drive.

11.60.7 Developments should be innovative in Site design and features such as landscaped covered Parking, use of decorative or unique fencing, feature walls, flags, banners, sculptures, and extensive use of hard and soft landscaping are encouraged.

11.60.8 All aspects of Development including land use, regulations, Site Plan, Site Access, the relationship between Buildings, structures and Open Space, the architectural treatment of Buildings, the provision and architecture of Landscaped Areas, and the Parking layout will be subject to the Development Authority's approval. Land uses may be developed either as sole uses or in various combinations in a single Building or on a single Site.

11.60.9 City Council is the Development Authority for any new Principal Building.

11.60.10 The Development Officers are the Development Authority for all Permitted and Discretionary Uses and Signs on existing Buildings or on the Site.

11.60.11 In exercising its approval powers, the Development Authority will consider the Greater Downtown Action Plan.

11.70 Direct Control Zone No. 7: DC(7)

Key Information

11.70.1 This Zone is to allow the temporary use of a hair replacement salon in the existing Building on Lot 1, Block 33, Plan 656 N.Y. (5401 – 48 Avenue), with the long-term use intended to be multiple family Residential.

11.70.2 The boundaries of DC(7) are outlined in Map M15.

11.70.3 Permitted Uses

11.70.3.1 Any Permitted Use listed in the R-H Zone

11.70.3.2 Building Sign

11.70.3.3 Hair replacement salon in the existing Building

11.70.4 Discretionary Uses

11.70.4.1 Any Discretionary Use listed in the R-H Zone

Regulations

11.70.5 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout, will be subject to the Development Authority's approval.

11.80 Direct Control Zone No. 8: DC(8)

Key Information

11.80.1 This Zone is to allow an Apartment and Hotel on the western part of Lots 2B and 3C, Plan 842 1872 and Commercial use on the remainder of the Site.

11.80.2 The boundaries of DC(8) are outlined in Map L12.

11.80.3 Permitted Uses

11.80.3.1 Any Permitted Use listed in the C-4 Commercial Zone, provided it is not in the Apartment

11.80.3.2 1 Apartment

11.80.3.3 Hotel units as the only Commercial use in the Apartment

11.80.4 Discretionary Uses

11.80.4.1 Any Discretionary Use listed in the C-4 Commercial Zone provided it is not in the apartment except for:

11.80.4.1.1 Dangerous Goods Occupancy;

11.80.4.1.2 Drinking Establishment (Adult Entertainment Permitted);

11.80.4.1.3 Gambling or Gaming Establishment;

11.80.4.1.4 Outdoor Display or Sale of Goods; and

11.80.4.1.5 Warehouse

11.80.4.2 A Drinking Establishment (Adult Entertainment Prohibited), or Gaming/Gambling Establishment as an Accessory Use provided 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/Gambling Establishment will not negatively impact the Adjacent Residential use

11.80.4.3 Restaurant

11.80.4.4 Show home

Regulations

11.80.5 The C-4 and R-H Zones will be used as a guide for the Development Authority.

11.80.6 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout, will be subject to the Development Authority's approval.

11.90 Direct Control Zone No. 9: DC(9)

Key Information

11.90.1 This Zone is to allow a Residential Apartment and park Development on a Site Downtown between 52 Avenue and Taylor Drive.

11.90.2 The boundaries of DC(9) are outlined in Maps L14 & L15.

11.90.3 Permitted Uses

11.90.3.1 Accessory Building

11.90.3.2 1 Apartment

11.90.3.3 Building Sign

11.90.3.4 Open Space

11.90.4 Discretionary Uses

11.90.4.1 Accessory Use approved by City Council

11.90.4.2 Dynamic Fascia Sign, on Sites described in the Downtown Sign Overlay

11.90.4.3 Dynamic Freestanding Sign, on Sites described in the Downtown Sign Overlay

11.90.4.4 Show Home

Regulations

11.90.5 The R-H Zone will be used as a guide by the Development Authority when considering regulations for the Apartment, and the P-1 Zone will be used as a guide in considering regulations for the park Development.

11.90.6 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout, will be subject to the Development Authority's approval.

11.100 Direct Control Zone No. 10: DC(10)

Key Information

11.100.1 This Zone is to permit the Development of a seniors' Residential Development consisting of a maximum 120-unit manor house Building, 18 semi-detached units, and 1 triplex for a total maximum of 141 units as shown on the Development plans forming part of this Zone. Municipal reserve land (park) will be dedicated to the City to retain and protect part of the existing stand of mature trees.

11.100.2 The boundaries of DC(10) are outlined in Map P15.

11.100.3 Permitted Uses

11.100.3.1 Accessory Building

11.100.3.2 Building Sign

11.100.3.3 Group of Buildings totaling 141 units in the form of:

11.100.3.3.1 120-unit manor House;

11.100.3.3.2 18 semi-detached units; and

11.100.3.3.3 1 triplex

11.100.3.4 Open Space

11.100.4 Discretionary Uses

11.100.4.1 Accessory Use

11.100.4.2 Show Home

Regulations

11.100.5 All regulations including Building Setbacks from Ross Street and 30 Avenue, landscaping, and Parking will be subject to the Development Authority's approval.

11.100.6 Space required for sufficient back or side slope cuts, or terracing along the north and east sides of the manor house due to Site excavation will be subject to the Development Authority's approval.

11.100.7 The Development Authority in considering regulations for the semi-detached and triplex part of the Development will use the R-M Zone as a guide.

11.100.8 Landscaping must include a berm and enhanced vegetation on the west side of the Site between the manor House and Carpenter Street, consisting of extensive tree and shrub plantings.

11.110 Direct Control Zone No. 11: DC(11)

Key Information

11.110.1 This Zone is to allow a place of worship in addition to uses allowed under the C-2 Commercial Zone.

11.110.2 The boundaries of DC(11) are outlined in Map K17.

11.110.3 Permitted Uses

11.110.3.1 Building Sign

11.110.3.2 Commercial Service Facility

11.110.3.3 Freestanding Sign

11.110.3.4 Health and Medical Services

11.110.3.5 Merchandise Sales and Rentals

11.110.3.6 Mixed-Use Building

11.110.3.7 Professional Office

11.110.4 Discretionary Uses

11.110.4.1 Accessory Building

11.110.4.2 Accessory Use

11.110.4.3 Apartment

11.110.4.4 Detached dwelling and Accessory Buildings, existing legally at the time of adoption of this Bylaw.

11.110.4.5 Home Occupation Major

11.110.4.6 Home Occupation Minor

11.110.4.7 Parking Lot

11.110.4.8 Show Home

Regulations

11.110.5 The C-2 Commercial Zone will be used as a guide by the Development Authority in considering regulations for Development.

11.120 Direct Control Zone No. 12: DC(12)

Key Information

11.120.1 This Zone is to permit the Development of Commercial uses that will facilitate and recognize a transition Zone between existing Residential areas and the more intensely developed Commercial core.

11.120.2 The boundaries of DC(12) are outlined in Map M14.

11.120.3 Permitted Uses

11.120.3.1 Permitted Uses listed under the C-2 Commercial Zone

11.120.3.2 [65] [66]Day Care Facility

11.120.4 Discretionary Uses

11.120.4.1 Cultural Facility

11.120.4.2 Detention and Correction Services

11.120.4.3 Discretionary Uses listed under the C-2 Commercial Zone

11.120.4.4 Educational Institution – Primary and Secondary

11.120.4.5 Educational Institution – Post Secondary

11.120.4.6 Emergency Services

11.120.4.7 Government Services

11.120.4.8 Hospital

11.120.4.9 Public Assembly, excluding a permanent shelter offering overnight accommodation or a permanent facility where meals are served to homeless or destitute individuals

Regulations

11.120.5 DC(12) Regulations Table

Category	Regulations
Floor Area Minimum	Residential – 37.0m^2 per unit

[65]3357/QQ-2024
[66]3357/SS-2024

	Commercial – 0.0m^2
Building Height Maximum	4 storeys
Front Yard Minimum	6.0m subject to overhead electrical wire Setbacks
Side Yard Minimum	Residential – as required by the Development Authority Commercial – 0.0m, subject to overhead electrical wire Setbacks, unless the Side Yard Abuts a Road, in which case it will be 1.5m
Rear Yard Minimum	Residential – 7. M Commercial – 1.5m subject to overhead electrical wire Setbacks
Landscaped Area	15% of Site Area
Parking Spaces	Subject to general Parking requirements
Loading Spaces	Residential – N/A Commercial – 1 space opposite each loading door
Site Area Minimum	Residential – as required by the Development Authority Commercial – 278.0m^2
Frontage Minimum	Residential – 22.0m or 6.1m per unit Commercial – 7.5m^2

11.120.6 All Buildings in the DC(12) Zone will feature street-oriented design elements for all elevations visible from Adjacent Roads . These design elements will include street level windows, appropriately designed entrances, street-oriented Signs, pedestrian scale design and building materials, which complement other Buildings in the downtown.

11.120.7 Rear elevations and roof lines must complement the Abutting Residential area.

11.120.8 Screening must be used, as necessary, to ensure that any waste receptacles are not visible from the surrounding Roads.

11.120.9 The minimum Rear Yard Setback of 1.5m required for Commercial uses will not apply to a Site where the landowner has transferred title to The City of

the land otherwise required as additional Setback, provided that, where the Setback or any part of it, is occupied by a Building, the landowner also enters a License to Occupy agreement with The City.

11.120.10 The minimum Side Yard Setback of 1.5m required for Commercial uses on a Corner Site will not apply to a Site in respect of which the landowner has transferred title to The City of the land that would otherwise be required as additional Setback, provided that, where the Setback, or any part of it, is occupied by a Building, the landowner has also entered into a License to Occupy agreement with The City.

11.120.11 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout, will be subject to the Development Authority's approval.

11.130 Direct Control Zone No. 13: DC(13)

Key Information

11.130.1 The general purpose of this Zone is to facilitate redevelopment satisfying the objectives of the Riverside Meadows Area Redevelopment Plan, so Riverside Meadows may develop as if it were a village in a city.

11.130.2 DC(13) allows a compatible blend of small scale Commercial and Residential including Developments where someone can both live and work on the Site. Redevelopment will be in accordance with the Riverside Meadows Overlay to ensure careful integration with the existing Residential context of the neighbourhood.

11.130.3 Buildings along the river front will engage the public space with an attractive design.

11.130.4 The boundaries of DC(13) are as outlined in Map L16.

11.130.5 Permitted Uses

11.130.5.1 Accessory Building

11.130.5.2 House

11.130.5.3 Home Occupation Minor

11.130.5.4 Home Occupation Major

11.130.6 Discretionary Uses

11.130.6.1 All uses in existence on January 15, 2001, are Discretionary Uses under the Bylaw provided the use does not expand, takes place in an existing Building and the use is continuous

11.130.6.2 Any combination of uses 11.130.6.8 through 11.130.6.11 on the Main Floor of a Residential use

11.130.6.3 Apartment

11.130.6.4 Building Sign

11.130.6.5 Commercial Service Facility

11.130.6.6 Duplex

11.130.6.7 Health and Medical Services

11.130.6.8	Merchandise Sales and Rentals excluding adult oriented merchandise
11.130.6.9	Professional Office
11.130.6.10	Public Assembly
11.130.6.11	Restaurant
11.130.6.12	Show Home
11.130.6.13	Townhouse
11.130.6.14	[67]Day Care Facility

Regulations

11.130.7 DC(13) Regulations Table	
Category	**Regulations**
Site Coverage	40% minimum (includes all Accessory Buildings)
Office Area Maximum	930m^2
Building Height	4 storey maximum
Front Yard	Residential- 4m minimum Commercial- 0m minimum
Side Yard	0.0m minimum unless Abutting Residential use then 1.5m
Rear Yard	Residential – 7.5m minimum Commercial- 1.5m minimum
Parking	Subject to general Parking requirements

11.130.8 For DC(13), Development Officers will serve as the Approval Authority.

11.130.9 Applications for redevelopment Adjacent to or across the Road from Residential will be circulated to all landowners of Sites within 100m of the Site's Boundary.

[67] 3357/QQ-2024

11.130.10 All Development must comply with the design regulations provided in the Riverside Meadows Overlay.

11.130.11 Parking variances may occur for redevelopment where it can be demonstrated that Parking will not overflow in to or cause problems with the Adjacent Residential.

11.130.12 Parking will not be visible from the river front.

11.130.13 The partial conversion of existing multi-unit Residential Buildings to Discretionary Uses 11.130.6.8 through 11.130.6.11 listed above is not allowed unless extensive renovations are completed, or a new Building is constructed.

11.140 Direct Control Zone No. 14: DC(14)

11.140.1 DELETED

11.150 Direct Control Zone No. 15: DC(15)

Key Information

11.150.1 The general purpose of this Zone is to provide a low-density Residential area in the form of Detached Dwellings as well as regulate and encourage the Development or redevelopment of Detached Dwellings to compliment or preserve the historic character and architecture of the existing built environment (Buildings and Road) and is compatible with the Greater Downtown Action Plan.

11.150.2 Properties fronting 55 Street provide a transition between Commercial uses along 55 Street and Residential uses along 49A Avenue.

11.150.3 The boundaries of DC(15) are as outlined in Map M16.

11.150.4 Permitted Uses

11.150.4.1 Accessory Buildings Subject

11.150.4.2 House

11.150.4.3 Home Occupation Minor

11.150.4.4 House Suite

11.150.5 Discretionary Uses

11.150.5.1 Accessory Use

11.150.5.2 Amateur radio tower

11.150.5.3 Home Occupation Major

11.150.5.4 Health and Medical Services on Lots 5-6, Block 3, Plan 7075AE, 4922 – 55 Street.

11.150.5.5 Show Home

11.150.5.6 The following uses on Lot 1A, Block 2, Plan 862-1950 (4926-55 Street):

11.150.5.6.1 Building Sign,

11.150.5.6.2 Commercial Service Facility

11.150.5.6.3 Freestanding Sign

11.150.5.6.4 Indoor Recreation Facility that does not cause nuisances that interfere, detract, or disturb the

	character of the Residential neighbourhood, excluding:	
	11.150.5.6.4.1	amusement arcades;
	11.150.5.6.4.2	billiards or pool halls; and
	11.150.5.6.4.3	bowling alleys;
11.150.5.6.5	Mixed-Use Building	
11.150.5.6.6	Merchandise Sales and Rentals	
11.150.5.6.7	Professional Office	
11.150.5.6.8	Restaurant, but no Drive-throughs	
11.150.5.6.9	Service and repair of goods traded on 4926 – 55 Street	
11.150.5.6.10	[68]Day Care Facility	

Regulations

11.150.6 **DC(15) Regulations Table**		
Category	**General Regulations**	**Regulations for Lot 1A, Block 2, Plan 862-1950 (4926-55 Street)**
Floor Area Minimum	Detached Dwelling Unit Frontage in metres x 6.0m	Commercial 0.0m^2 Dwelling Units above the Main Floor: • Minimum: 37.0m^2 • Maximum: 3 times Site Area Detached Dwelling Unit Frontage in metres x 6.0m
Site Coverage Maximum	40% includes all Accessory Buildings	Residential- 40% includes all Accessory Buildings Commercial- 60%

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Building Height Maximum	2 storeys with a maximum of 10.0m measured from the average Site Grade	Commercial – 3 storeys Residential- 2 storeys with a maximum of 10.0m measured from the average Site Grade except: 3 storeys for Dwelling Units above the Main Foor
Front Yard Minimum	6.0m	Commercial – Under discretion of the Development Authority based on Building's impact on surrounding Sites and the streetscape. Residential – 6.0m
Side Yard Minimum	1.5m despite the Setbacks noted above, where the Building flanks a Road, the Setback on the flanking side must not be less than 2.4m	1.5m despite the Setbacks noted above, where the Building flanks a Road, the Setback on the flanking side must not be less than 2.4m
Rear Yard Minimum	7.5m	Residential- 7.5m Commercial- 1.5m, subject to overhead electrical wire Setback requirements
Lot Depth Minimum	30.0m	30.0m
Landscaped Area Minimum	35% of Site Area	Residential – 35% of Site Area Commercial – 15% unless otherwise required by the Development Authority
Parking Spaces	Subject to general Parking regulations	Subject to general Parking regulations
Lot Area Minimum	360.0m^2	360.0m^2
Lot Frontage Minimum	12.0m	12.0m

11.150.7 Regardless of subsection 11.150.6, the Development Authority may consider adhering to the following regulations as satisfying subsection 11.150.6:

11.150.7.1 an existing Building or Site measured to be within the following tolerances complies with subsection 11.150.6:

11.150.7.1.1 not less than 90.0% of the minimum Front Yard, Side Yard, Rear Yard, Site Area, or Frontage;

11.150.7.1.2 not less than 95.0% of the minimum floor area;

11.150.7.1.3 not less than 98.0% of the minimum landscaping area.

11.150.8 In calculating the minimum floor area for an odd and irregular shaped Site:

11.150.8.1 the Frontage of the Site will be the greater of either the width of the Site at the Building line or the Front Boundary of the Site;

11.150.8.2 the width of the Site at the building line will 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.

11.150.9 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout, will be subject to approval by the Development Authority.

11.150.10 **Regulations Pertaining to Health and Medical Services Discretionary Use**

11.150.10.1 Health and Medical Services must be secondary to Residential use.

11.150.10.2 Health and Medical Services may occupy no more than 50% of the habitable floor area of the detached dwelling on Lots 5-6, Block 3, Plan 7075AE (4922 – 55 Street).

11.150.10.3 Health and Medical Services will be subject to the restrictions of hours of operation from 9:00am to 7:00pm.

11.150.10.4 A minimum 2 off-street Parking stalls for the exclusive and unrestricted use of the Health and Medical Services use during its hours of operation in addition to the 2 Residential off-street Parking stalls are required.

11.160 Direct Control Zone No. 16: DC(16)

Key Information

11.160.1 This Direct Control Zone applies to the Residential Development proposed by the Handicapped Housing Society of Alberta, or its successors in title, on the north vacant part of the New Life Fellowship Church Site. The boundaries of DC(16) are outlined on Map L20.

11.160.2 This Zone provides for infill Development of Townhouses and Apartments built on universal design principles and in accordance with special Development regulations reflecting community input.

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

11.160.4 Permitted Uses

11.160.4.1 Accessory Building

11.160.4.2 Home Occupation Minor

11.160.5 Discretionary Uses

11.160.5.1 Amateur Radio Tower

11.160.5.2 Apartment

11.160.5.3 Building Sign

11.160.5.4 Home Occupation Major

11.160.5.5 Show Home

11.160.5.6 Townhouse

Regulations

11.160.6 This Zone is governed by the applicable regulations listed under the R-M (Residential Medium Density) Zone.

11.160.7 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of buildings, provision and architecture of landscaped Open Space, and Parking layout, will be subject to approval by the Development Authority.

11.160.8 All Dwelling Units and Buildings will be designed based on “universal design principles” as referenced in subsection 11.160.3.

11.160.9 At the completion of construction of Phase 1, i.e., the Apartment building or the first stage thereof, some of the existing mature spruce trees along the northern part of the Site and on the north Boundary will be relocated to and maintained in permanent landscaping within the Rear Yard Setback along Kentwood Drive. Where possible, any remaining mature spruce trees along the northern part of the Site and on the north Boundary will be maintained in this position until the construction of Phase 2, i.e., the Townhouses, in this location.

11.160.10 No vehicle access (except emergency vehicles) will be allowed from or onto Kentwood Drive to or from the proposed Development, and appropriate arrangements will be made with and to the satisfaction of emergency services in this regard.

11.160.11 Density will be restricted to 60 Dwelling Units per hectare.

11.160.12 Parking spaces on the Site will meet the general Parking regulations, and the applicable regulations of the Alberta Building Code regarding Parking spaces for accessible Parking.

11.160.13 As a condition of any Development Permit in this Zone, the Development Authority must ensure an agreement exists between The City and the landowners of the remainder of Lot 1 Block 2 Plan 782 1439 that requires these landowners to provide additional Parking spaces on the Site in compliance with general Parking requirements.

11.170 Direct Control Zone No. 17: DC(17)

11.170.1 DELETED

11.180 Direct Control Zone No. 18: DC(18)

Key Information

11.180.1 This Zone allows for an Apartment building and Townhouses compatible with the surrounding neighbourhood and the Riverside Meadows Area Redevelopment Plan.

11.180.2 The boundaries of DC(18) are as outlined in Map L16.

11.180.3 Permitted Uses

11.180.3.1 Apartment to a maximum of 95 units

11.180.3.2 Building Sign

11.180.3.3 Townhouse to a maximum of 7 units

11.180.4 Discretionary Uses

11.180.4.1 As approved by Council

11.180.4.2 Show Home

Regulations

11.180.5 For this Direct Control Zone, Council is the Approval Authority.

11.180.6 Regulations not specifically referred to in this Zone will be approved by City Council, based on the regulations of the R-M Zone.

11.180.7 The Apartment Building will be handicapped accessible with an elevator.

11.180.8 Apartment Building will be 4 storeys with all Dwelling Units above Grade;

11.180.9 Townhouses are to comply to the R-M Zone Building Height requirements.

11.180.10 Parking will adhere to the applicable regulations in Part 3, however, Council may defer construction of part of the Parking if provided evidence Parking is not required at this time.

11.180.11 If part of the Parking is deferred, the area where Parking is deferred (west side of the Site) will be retained for public park use until the land is required for Parking.

11.180.12 To ensure that any Site Development meets vehicle and pedestrian traffic needs, the applicant must submit a traffic study for review by The City.

11.180.13 Minimum Site Area is to be 1 hectare.

11.190 Direct Control Zone No. 19: DC(19)

Key Information

11.190.1 This Zone will allow Development of a non-medical detoxification centre and overnight shelter program, with Commercial use provisions included.

11.190.2 The boundaries of DC(19) are as outlined in Map L15.

11.190.3 Permitted Uses

11.190.3.1 All uses listed as Permitted Uses in the C-1A Commercial Zone

11.190.3.2 [69]Temporary Care Facility;

11.190.4 Discretionary Uses

11.190.4.1 All uses listed as Discretionary Uses in the C-1A Commercial Zone

Regulations

11.190.5 For this Direct Control Zone, Council is the Development Authority.

11.190.6 The existing Building is considered to meet all regulations apart from Landscaped Area.

11.190.7 Landscaped Area is to be 15% of Site Area which is to include perimeter landscaping around the north Parking area.

11.190.8 Existing metal fence to be removed within 30 days of occupancy.

11.190.9 Any regulations listed in this Zone as well as those as set out in Part 2, Part 3, Part 4, and Part 7 of this Bylaw are delegated by Council to the Development Officer.

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11.200 Direct Control Zone No. 20: DC(20)

Key Information

11.200.1 This Zone is to permit redevelopment of the Site on Lots 1 & 2, Block 9, Plan 708 M.C. (4758 – 32 Street) with low density Commercial uses that provide a transition between the Commercial Zone west of the Site and, the Residential Developments east and north of the Site.

11.200.2 The boundaries of DC(20) are as outlined in Maps M12 & M13.

11.200.3 Permitted Uses

11.200.3.1 Building Sign

11.200.3.2 Commercial Service Facility

11.200.3.3 Freestanding Sign

11.200.3.4 Health and Medical Services

11.200.3.5 Indoor Recreation facility

11.200.3.6 Merchandise Sales and Rentals excluding:

11.200.3.6.1 Adult oriented merchandise

11.200.3.6.2 Motor vehicles and fuel

11.200.3.7 Restaurant

11.200.3.8 [70]Day Care Facility

11.200.4 Discretionary Uses

11.200.4.1 Accessory Building

11.200.4.2 Accessory Use

11.200.4.3 Dangerous Goods Occupancy, where required, in association with a dry cleaning business

11.200.4.4 Gaming or Gambling Establishment

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Regulations

11.200.5 DC(20) Regulations Table	
Category	**Regulations**
Floor Area Maximum	⅓ of Site Area
Building Height Maximum	2 storeys
Front Yard Minimum	9.m
Side Yard Minimum	3.0m, unless the Side Yard Abuts a Residential Site, in which case it will be 7.0m
Rear Yard Minimum	9.0m
Landscaped Area Minimum	15% of Site Area to include retention of existing vegetation on the southern part of Site
Parking	General Parking requirements apply
Loading Spaces Minimum	1 space opposite each loading door with a minimum of 1 which may be used as a Parking space
Site Area Minimum	0.5ha
Frontage Minimum	40.0m

11.200.6 To ensure new Development matches the character and scale of the existing surrounding neighbourhood, all uses, and regulations prescribed for this Zone, Site Plan, Site access, pedestrian environment, the provision of Landscaped Areas, and the Parking layout will be subject to approval by the Development Authority.

11.200.7 The relationship of the use to Adjacent Residential areas will be a factor in considering the Site Plan and architectural treatment of the Building.

11.210 Direct Control Zone No. 21: DC(21)

11.210.1 DELETED

11.220 Direct Control Zone No. 22: DC(22)

Key Information

11.220.1 This Zone allows for redevelopment of the former St. Joseph's Covent Site in a way compatible with the surrounding neighbourhood and following the Highland Green Estates Neighbourhood Area Structure Plan.

11.220.2 The boundaries of DC(22) are as outlined in Map L17.

11.220.3 Permitted Uses

11.220.3.1 1 Apartment Building to a maximum 55 units

11.220.4 Discretionary Uses

11.220.4.1 All Permitted Uses and Discretionary Uses listed in the PS Public Service Zone

11.220.4.2 Accessory Building

11.220.4.3 Home Occupation Major

11.220.4.4 Home Occupation Minor

11.220.4.5 Show Home

Regulations

11.220.5 The Municipal Planning Commission is the Approval Authority.

11.220.6 Residential Apartment

11.220.6.1 Maximum 4 storey Building with total Building Height at least a ½ storey, 1.5m, lower than the total Building Height of the Adjacent Montfort Heights Building;

11.220.6.2 All Parking to be contained on the Site with underground Parking for tenants and surface Parking for visitors;

11.220.6.3 Building to be handicapped accessible with an elevator;

11.220.6.4 Building to be separated a minimum 30.48m from any existing Building on an Adjacent Site;

11.220.6.5 Minimum 35% Site is to be landscaped;

11.220.6.6 Maximum 40% Site Coverage permitted; and

11.220.6.7 All regulations not specifically referred to in this Zone including Building elevations will be approved by the Development Authority and based on the regulations of the R-M (Residential Medium Density) Zone.

11.220.7 All Other Uses

11.220.7.1 Subject to approval of the Development Authority.

11.230 Direct Control Zone No. 23: DC(23)

11.230.1 DELETED

11.240 Direct Control Zone No. 24: DC(24)

11.240.1 DELETED

11.250 Direct Control Zone No. 25: DC(25)

Key Information

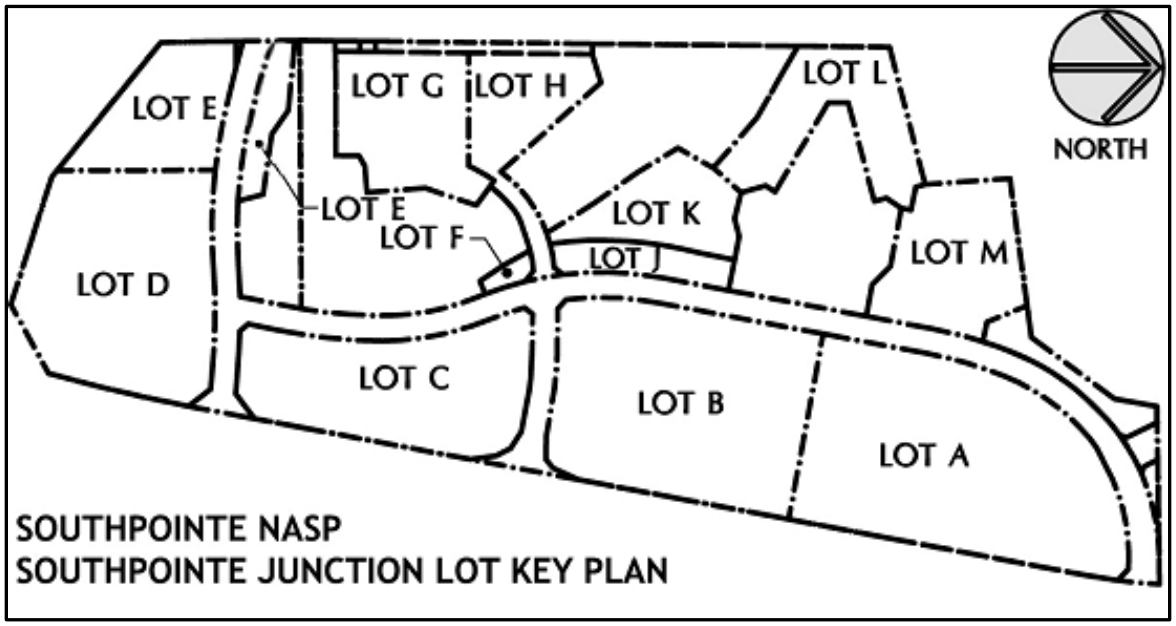


Figure 11.250-1: DC(25) Southpointe Junction Lot Key Plan

11.250.1 The DC(25) Zone is to promote a unique and coherent concept for the area covered by the Southpointe NASP, with Commercial Development on lots A – F and Residential Development on lots G – M, where:

11.250.1.1 the general purpose of the Commercial part is to facilitate Development of regional trade centres, which also includes Commercial services, Dwelling Units, and limited amounts of offices as secondary functions, to serve The City and the region .

11.250.1.2 the general purpose of the Residential part is to allow and control medium and high-density Residential Development.

11.250.2 Development in the Southpointe NASP area will follow proper forest management practices and Fire Smart principles as agreed between the City and the developer and as shown in subsection 11.250.13.1.

11.250.3 The power to make decisions with respect to Development and use applications in this Zone is delegated to the Development Authority, subject only to the direction of the polices and requirements of the Southpointe NASP with respect to any application.

11.250.4 Permitted Uses (Lots A, B, C, D, E, F)

11.250.4.1 Building Sign

11.250.4.2 Commercial Service Facility

11.250.4.3 Freestanding Sign

11.250.4.4 Merchandise Sales and Rentals

11.250.4.5 Professional Offices, on the second storey or above

11.250.4.6 Restaurant (Lots A, B, C,D, E only)

11.250.4.7 Health and Medical Services

11.250.5 Permitted Uses (Lots G, H, J, K, L, M)

11.250.5.1 Accessory Building

11.250.5.2 Building Sign

11.250.5.3 Home Occupation Minor

11.250.5.4 Apartment up to a maximum density of 52 units per hectare (Lot G only)

11.250.5.5 Apartment up to a maximum density of 100 units per hectare (Lot H only)

11.250.5.6 Apartment up to a maximum density of 58 units per hectare (Lot J only)

11.250.5.7 Apartment up to a maximum density of 107 units per hectare (Lot K only)

11.250.5.8 Apartment up to a maximum density of 111 units per hectare (Lot L only)

11.250.5.9 Apartment up to a maximum density of 102 units per hectare (Lot M only)

11.250.5.10 Townhouse up to a maximum density of 52 units per hectare (Lot G only)

11.250.5.11 Townhouse up to a maximum density of 58 units per hectare (Lot J only)

11.250.6 Discretionary Uses (Lots A, B, C, D, E, F)

11.250.6.1 Above Ground Storage Tanks for motor fuel including propane and used oil (Lots D and E only)

11.250.6.2 Accessory Building

11.250.6.3 Commercial Entertainment Facility (Lots A, B, C, D, E only)

11.250.6.4 Communication Facility

11.250.6.5 Drinking Establishment (Adult Entertainment Prohibited) (Lots A, B, C, D, E only)

11.250.6.6 Dynamic Fascia Sign

11.250.6.7 Dynamic Freestanding Sign

11.250.6.8 Hotel (Lots A, B, C, D, E, only)

11.250.6.9 Indoor Recreation Facility

11.250.6.10 Mixed-Use Building

11.250.6.11 Outdoor Display or Sale of Goods

11.250.6.12 Outdoor Storage

11.250.6.13 Parking Lot

11.250.6.14 Parking Structure

11.250.6.15 Professional Office, on the Main Floor

11.250.6.16 Restaurant (Lot F only)

11.250.6.17 Service Station (Lots D, E only)

11.250.6.18 Transportation Services

11.250.6.19 Utilities

11.250.6.20 [71]Day Care Facility

11.250.7 Discretionary Uses (Lots G, H, J, K, L, M)

11.250.7.1 [72]Deleted

11.250.7.2 Duplex (Lots G and J only)

11.250.7.3 Home Occupation Major

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11.250.7.4 Mixed-Use Building, with the following Discretionary Uses on the ground floor:

- 11.250.7.4.1 Commercial Entertainment Facility
- 11.250.7.4.2 Commercial Service Facility
- 11.250.7.4.3 Cultural Facility
- 11.250.7.4.4 Health and Medical Services
- 11.250.7.4.5 Indoor Recreational Facility
- 11.250.7.4.6 Information Service Provider
- 11.250.7.4.7 Merchandise Sales and Rentals
- 11.250.7.4.8 Professional Office
- 11.250.7.4.9 Restaurant
- 11.250.7.4.10 Specialty Food Service

11.250.7.5 Public Assembly

11.250.7.6 Show Home

11.250.7.7 Supportive Living Accommodation

11.250.7.8 Townhouses up to a maximum density of 52 units per hectare (Lots H, K, L only)

Regulations

11.250.8 Commercial Regulations (Lots A, B, C, D, E, F)

11.250.8.1 Office must be a maximum of 10% of the Gross Leasable Floor Area maximum of the whole Shopping Centre (Lots A,B, C, D, E and F). Total office will be a maximum of 5914m^2.

11.250.8.2 **DC(25) Commercial Regulations Table**

Category	Regulations
Floor Area	Shopping Centre maximum – Gross Leasable Floor Area no more than ⅓ of Site Area Dwelling Units minimum – 55.0m^2 Professional Office maximum area: 4,645m^2

Building Height Maximum	3 storeys – Lots A, B, C, D, E 1 storey, at a maximum height of 6.0m – Lot F
Landscaped Area Minimum	15% of Site Area
Parking	Subject to general Parking requirements
Loading Spaces Minimum	1 opposite each loading door with a minimum of 1 per Building
Site Area Minimum	0.4ha – Lots A, B, C, D, E 0.09ha – Lot F

11.250.8.3 The DC(25) Zone is subject to any applicable Section 3.200 regulations.

11.250.8.4 The Site Plan, relationship between Buildings, structures and Open Spaces, architectural treatment of Buildings, provision and architecture of landscaped Open Space and Parking layout will be subject to approval by the Development Authority.

11.250.9 Residential Regulations. (Lots G, H, J, K, L, M)

11.250.9.1 **DC(25) Residential Regulations Table**	
Category	**Regulations**
Floor Area Minimum	**Lots H, K, L, M** Townhouse: 40.0m^2 for each unit Dwelling Unit in an Apartment: 37.0m^2 Unit in a Supportive Living Accommodation: 23.0m^2 **Lots G and J** Duplex: 65.0m^2 for each unit Townhouse: 40.0m^2 for each unit Apartment: 37.0m^2 for each unit Unit in a Supportive Living Accommodation: 23.0m^2
Site Coverage Maximum	**All Residential lots:** 45% (all Accessory Buildings)

Building Height Maximum	2 storeys with a maximum of 10.0m measured from the average of the lot Grade. Apartment or Supportive Living Accommodation: 4 storeys.
Landscaped Area Minimum	35% of Site Area.
Parking Spaces	Subject to general Parking requirements
Lot Area Minimum	**Lot G** Duplex: 232.0m^2 per Dwelling Unit Townhouse: 193.0m^2 per unit Apartment (studio): 74.0m^2 per unit Apartment (1 bedroom): 111.0m^2 per unit Apartment (more than 1 bedroom): 139.0m^2 per unit **Lots H, K, L, M** 55.0m^2 per unit in an Apartment or Supportive Living Accommodation 185.0m^2 per internal unit and 240m^2 per end unit in a Townhouse **Lot J** Duplex: 232.0m^2 per Dwelling Unit Townhouse: 173.0m^2 per unit Apartment (Studio): 74.0m^2 per unit Apartment (1 bedroom): 111.0m^2 per unit Apartment (more than 1 bedroom): 139.0m^2 per unit
Frontage Minimum	**Lots G and J**

	Duplex: 7.6m per unit Townhouse: 19.5m Apartment: 5.5m per each unit **Lots H, K, L, M** Townhouse: 5.5m per each unit

11.250.9.2 Where each half of a Duplex is contained on a separate Site, no Side Yard is required on the side where the halves Abut.

11.250.9.3 Where the Dwelling Units of a Townhouse are contained in separate sites, no Side Yards are required on the sides where a Dwelling Unit from 1 Site Abuts the Dwelling Unit on another.

11.250.9.4 The Site Plan, relationship between Buildings, structures, and Open Space the architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout will be subject to approval by the Development Authority.

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

11.250.10 Mixed-Use Building Regulations

11.250.10.1 Where a Mixed-Use Building is approved, it is subject to the following, which may not be modified by the Development Authority:

11.250.10.1.1 a Mixed-Use Building may not result in a disturbance to the peace and quiet or other amenities of the neighbourhood, nor cause the emission of dust, noise, odour, smoke, electronic interference, bright lights or another nuisance;

11.250.10.1.2 outside storage or display of any kind is not permitted;

11.250.10.1.3 each Building must have a minimum of 3 Residential units;

11.250.10.1.4 Commercial and Residential must have individual Road level access that is not shared;

11.250.10.1.5 the Building must not have a front-attached Garage.

11.250.10.2 Where a Mixed-Use Building is approved, it is subject to the following, except as varied by the Development Authority:

11.250.10.2.1 area allocated for Commercial units may not 50% of the Gross Floor Area of the Building.

11.250.10.3 A Mixed-Use Building must provide Parking as required under general Parking requirements. The Development Authority may increase the number of Parking stalls required for a Mixed-Use Building.

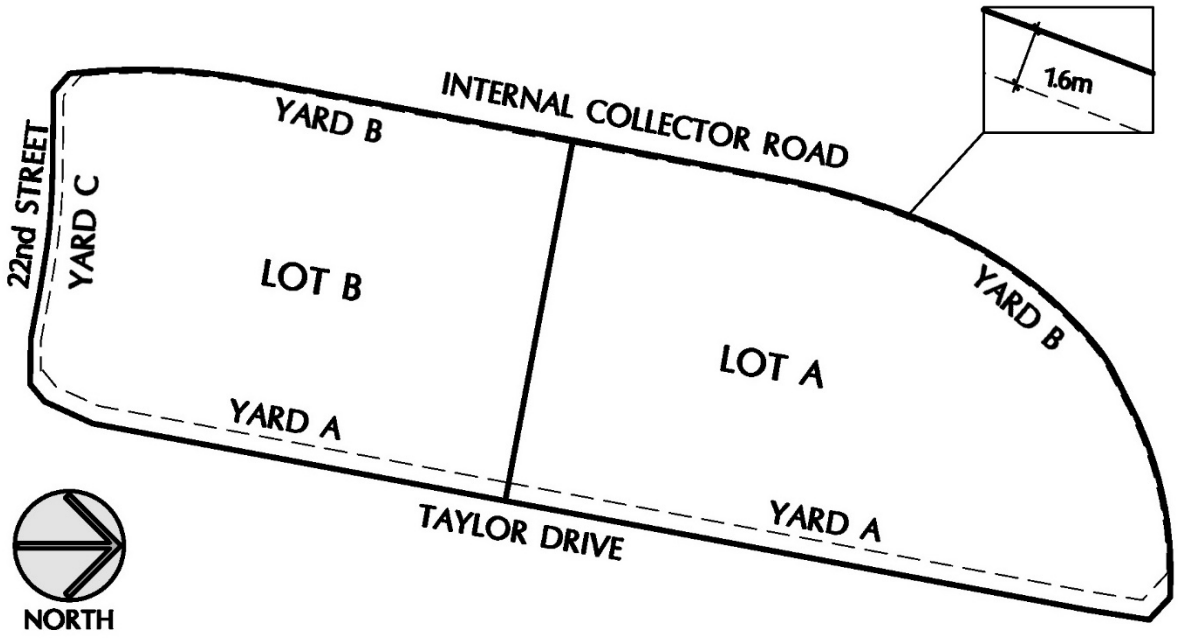
11.250.10.4 The number, size, location, and design of Signs for a live-work style unit is subject to approval by the Development Authority.

11.250.11 Setback Regulations Tables

11.250.11.1 DC(25) Lot A & B Setbacks

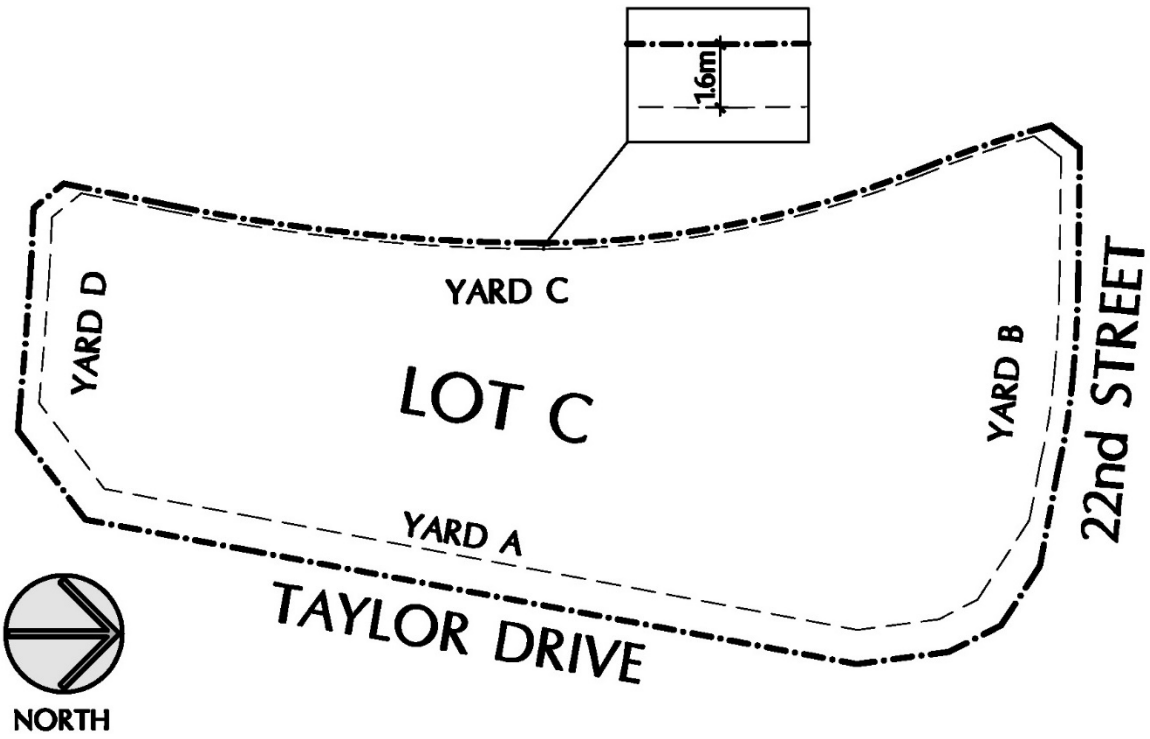
Yard	Setback
Yard A	5.3m minimum
Yard B	1.6m minimum
Yard C	5.0m minimum

Figure 11.250-2: DC(25) Lots A & B



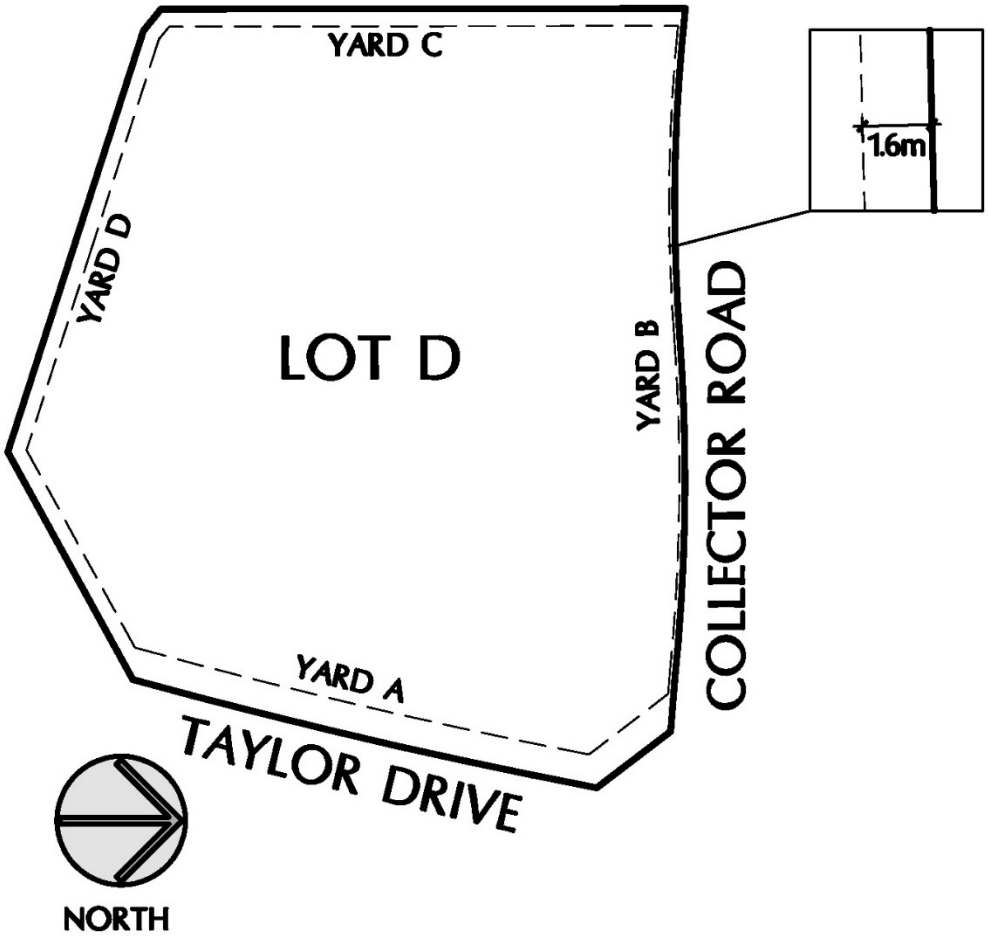
11.250.11.2 **DC(25) Lot C Setbacks**	
Yard	**Setback**
Yard A	5.3m minimum
Yard B	5.0m minimum
Yard C	1.6m minimum
Yard D	5.0m minimum

Figure 11.250-3: DC(25) Lot C



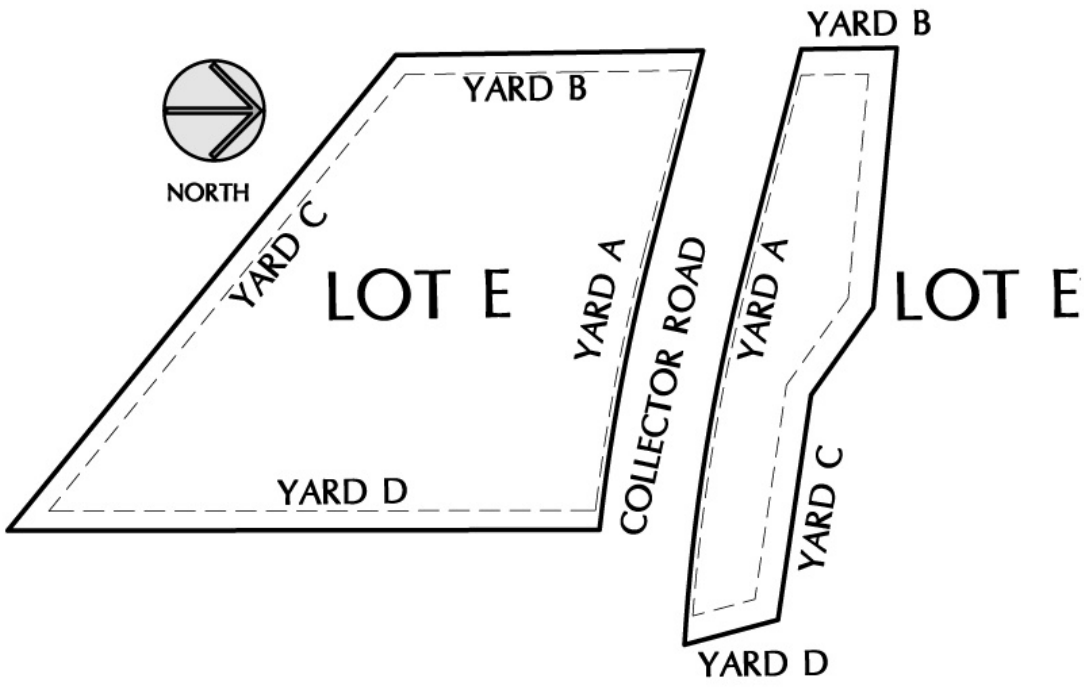
11.250.11.3 **DC(25) Lot D Setbacks**	
Yard	**Setback**
Yard A	5.3m minimum
Yard B	1.6m minimum
Yard C	5.0m minimum
Yard D	5.0m minimum

Figure 11.250-4: DC(25) Lot D



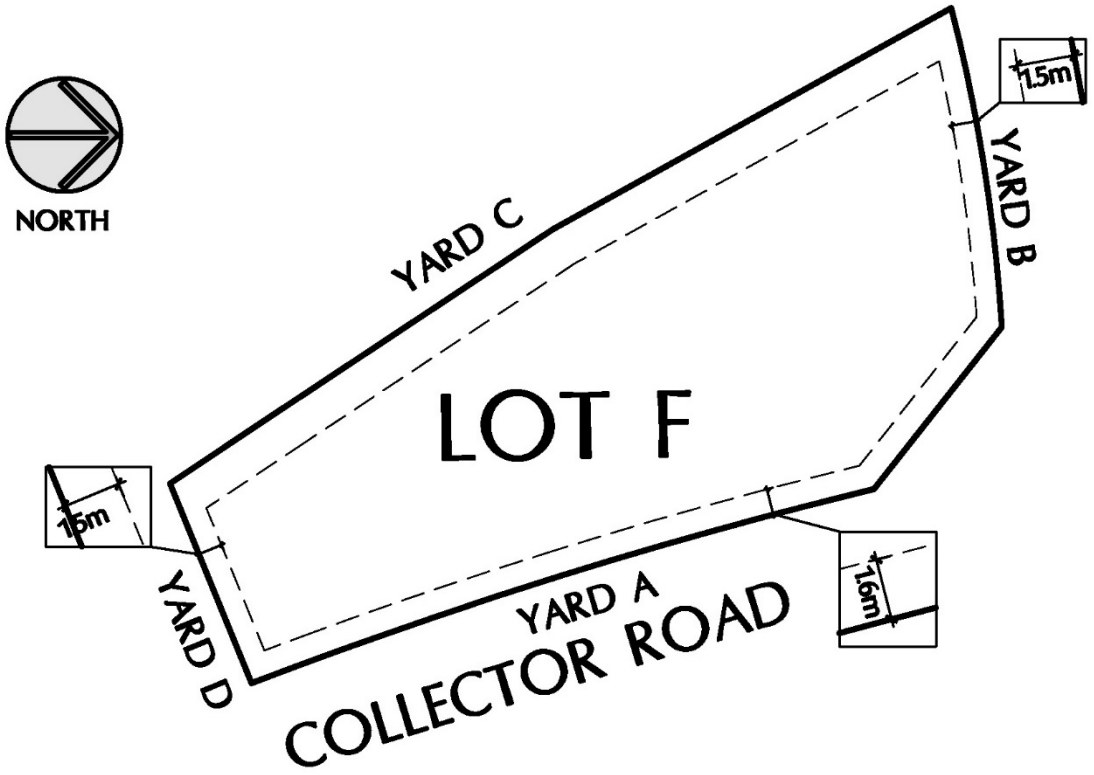
11.250.11.4 **DC(25) Lot E Setbacks**	
Yard	**Setback**
Yard A	1.6m minimum
Yard B	5.0m minimum
Yard C	5.0m minimum
Yard D	5.0m minimum

Figure 11.250-5: DC(25) Lot E



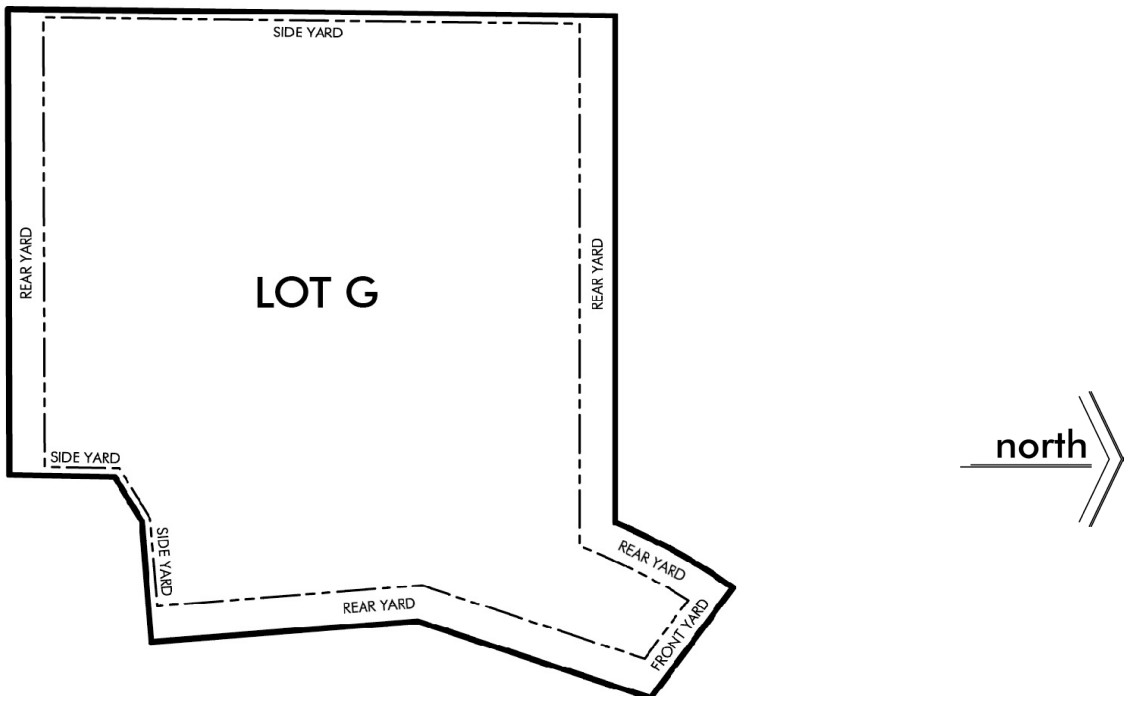
11.250.11.5 **DC(25) Lot F Setbacks**	
Yard	**Setback**
Yard A	1.6m minimum
Yard B	1.5m minimum
Yard C	2.5m minimum
Yard D	1.5m minimum

Figure 11.250-6: DC(25) Lot F



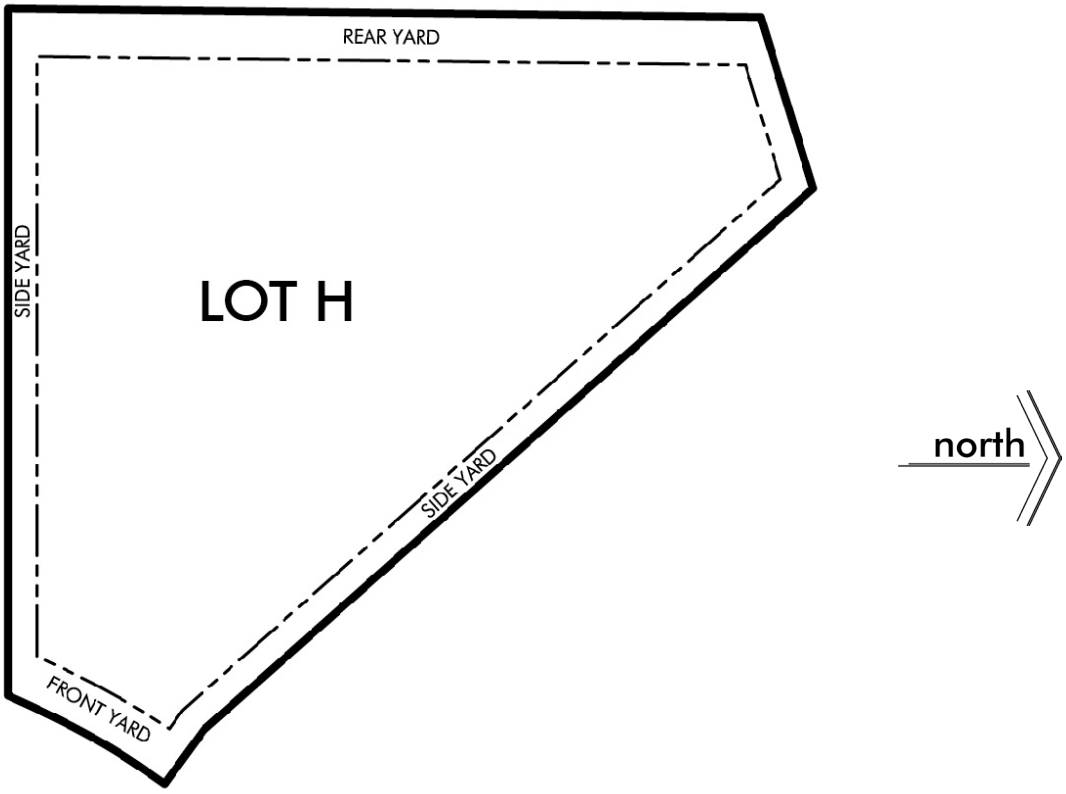
11.250.11.6 **DC(25) Lot G Setbacks**	
Yard	**Setback**
Front Yard	Apartment minimum 4.5m (Refer to subsection 11.250.13.2) Townhouse (to front door): minimum 2.4m Townhouse (to any regularly occupied room): minimum 4.8m
Side Yard	Duplex (without side entry): minimum 1.5m Duplex (with side entry): minimum 2.4m Townhouse (without side entry): minimum 1.8m Townhouse (with side entry): minimum 2.4m Apartment: minimum 66% of Building Height and in no case less than 3.0m
Rear Yard	Minimum 7.5m

Figure 11.250-7: DC(25) Lot G



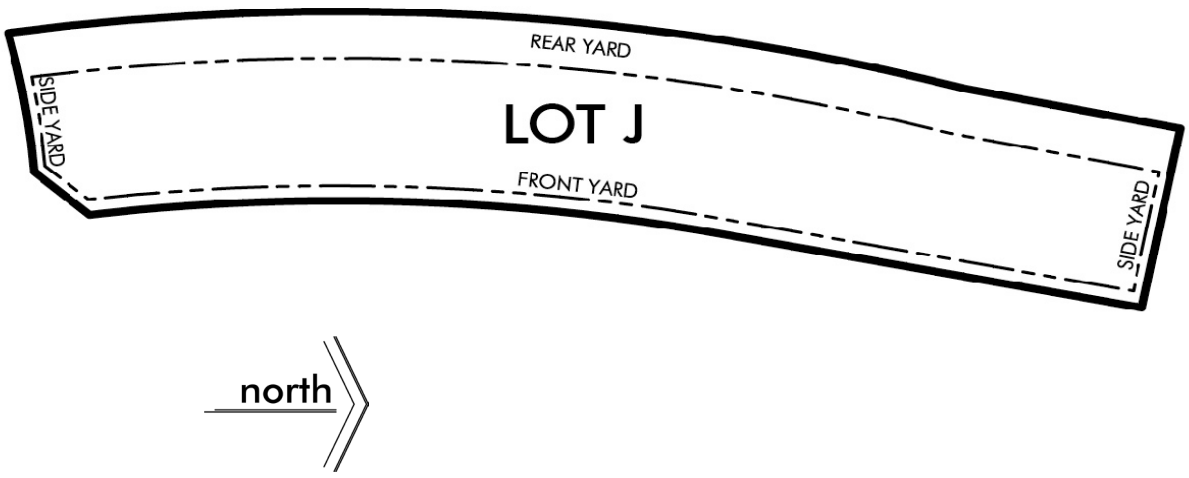
11.250.11.7 **DC(25) Lot H Setbacks**	
Yard	**Setback**
Front Yard	Minimum 6.0m
Side Yard	Townhouse (without side entry): minimum 1.8m Townhouse (with side entry): minimum 2.4m Apartment, Mixed-Use Building or Supportive Living Accommodation: minimum 3.0m Regardless of the Setbacks noted above, where the Building flanks a Road, the Setback on the flanking side will be in accordance with the corresponding figure
Rear Yard	Minimum 7.5m

Figure 11.250-8: DC(25) Lot H



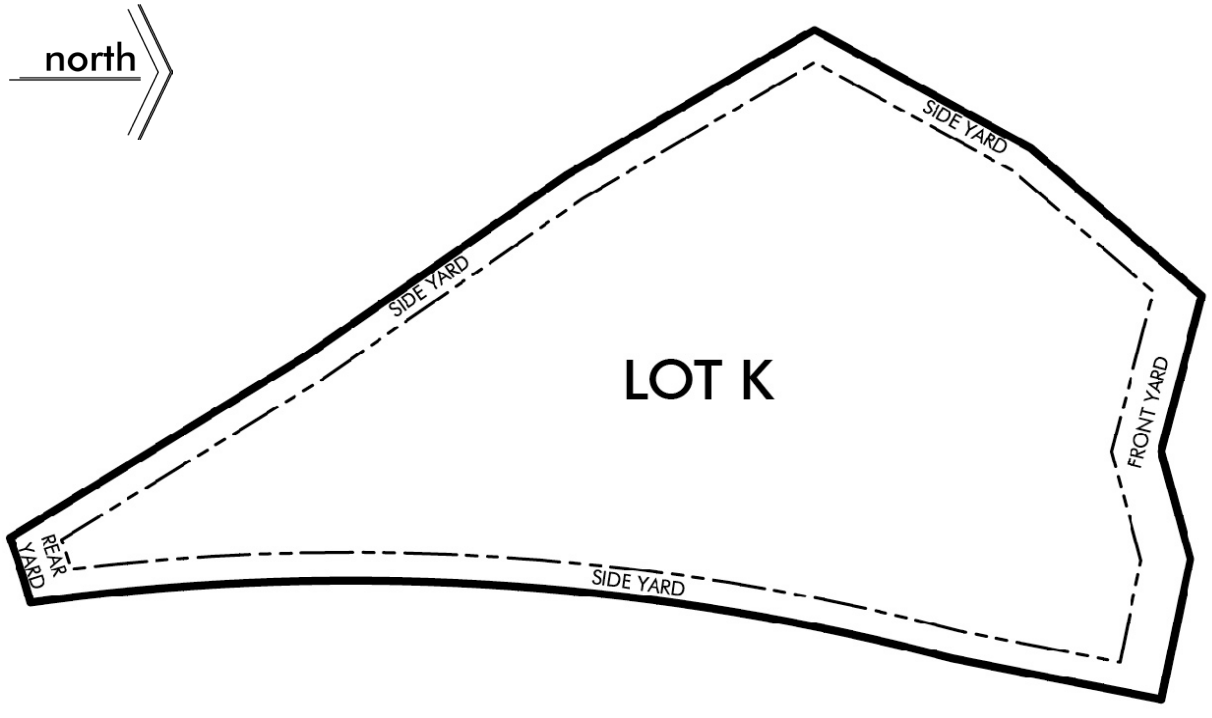
11.250.11.8 **DC(25) Lot J Setbacks**	
Yard	**Setback**
Front Yard	Apartment minimum 4.5m (Refer to subsection 11.250.13.2) Townhouse (to front door): minimum 2.4m Townhouse (to any regularly occupied room): minimum 4.8m
Side Yard	Duplex (without side entry): minimum 1.5m Duplex (with side entry): minimum 2.4m Townhouse (without side entry): minimum 1.8m Townhouse (with side entry): minimum 2. M Apartment: minimum 66% of Building Height and in no case less than 3.0m Regardless of the Setbacks noted above, where the Building flanks a Road, the Setback on the flanking side will be in accordance with the corresponding figure
Rear Yard	Minimum 7.5m

Figure 11.250-9: DC(25) Lot J



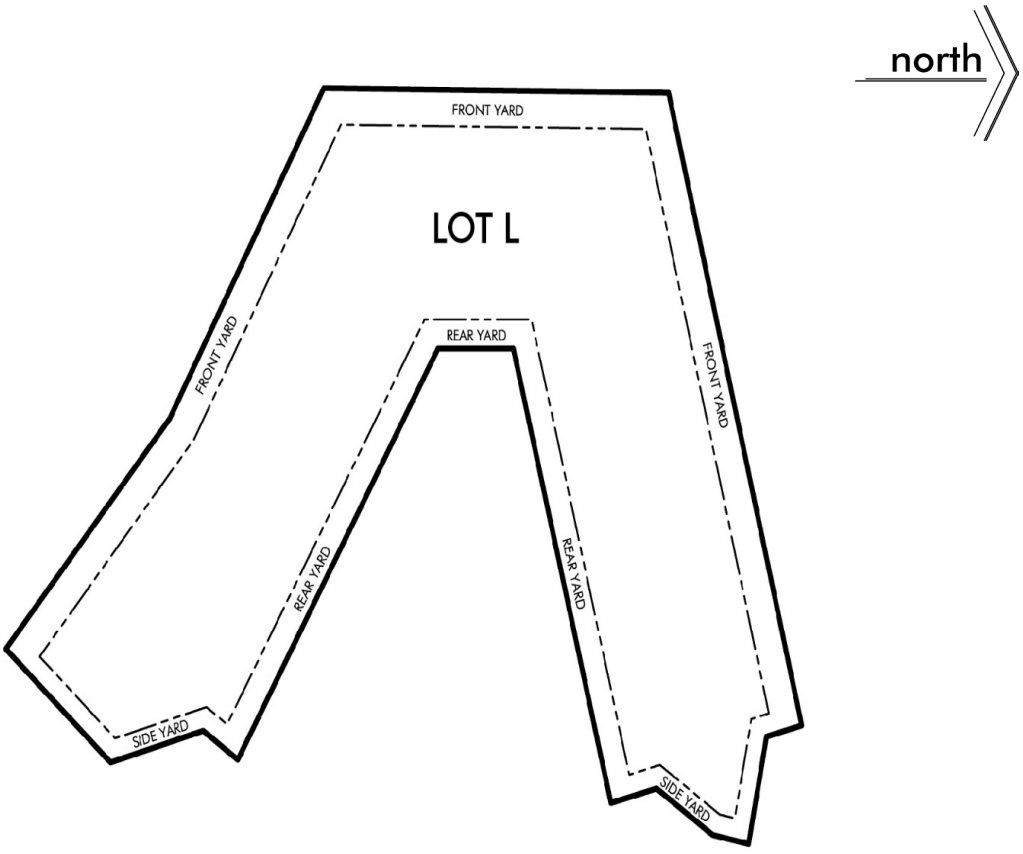
11.250.11.9 **DC(25) Lot K Setbacks**	
Yard	**Setback**
Front Yard	Minimum 6.0m
Side Yard	Townhouse (without side entry): minimum 1.8m Townhouse (with side entry): minimum 2.4m Apartment, Mixed-Use Building or Supportive Living Accommodation: minimum 3.0m Regardless of the Setbacks noted above, where the Building flanks a Road, the Setback on the flanking side will be in accordance with the corresponding figure
Rear Yard	Minimum 7.5m

Figure 11.250-10: DC(25) Lot K



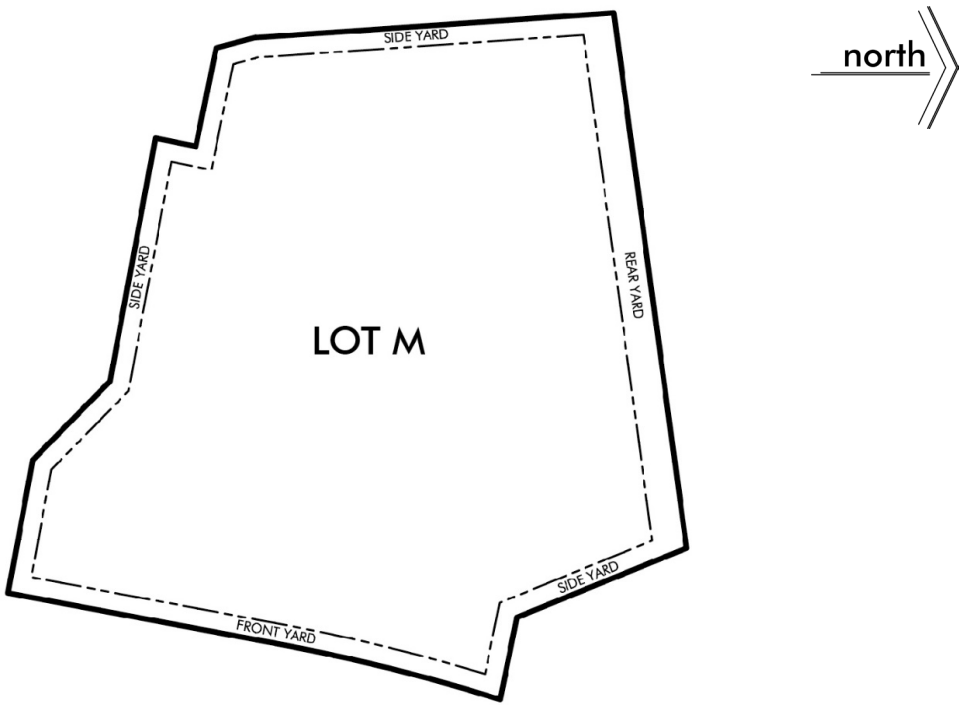
11.250.11.10 **DC(25) Lot L Setbacks**	
Yard	**Setback**
Front Yard	Minimum 6.0m
Side Yard	Townhouse (without side entry): minimum 1.8m Townhouse (with side entry): minimum 2.4m Apartment, Mixed-Use Building or Supportive Living Accommodation: minimum 3.0m Regardless of the Setbacks noted above, where the Building flanks a Road, the Setback on the flanking side will be in accordance with the corresponding figure
Rear Yard	Minimum 6.0m

Figure 11.250-11: DC(25) Lot L



11.250.11.11 **DC(25) Lot M Setbacks**	
Yard	**Setback**
Front Yard	Apartment minimum 4.5m (Refer to subsection 11.250.13.2) Townhouse (to front door): minimum 2.4m Townhouse (to any regularly occupied room): minimum 4.8m
Side Yard	Townhouse (without side entry): minimum 1.8m Townhouse (with side entry): minimum 2.4m Apartment, Mixed-Use Building, or Supportive Living Accommodation: minimum 3.0m Regardless of the Setbacks noted above, where the Building flanks a Road, the Setback on the flanking side will be in accordance with the corresponding figure
Rear Yard	Minimum 7.5m

Figure 11.250-12: DC(25) Lot M



11.250.12 Free Standing Sign Locations

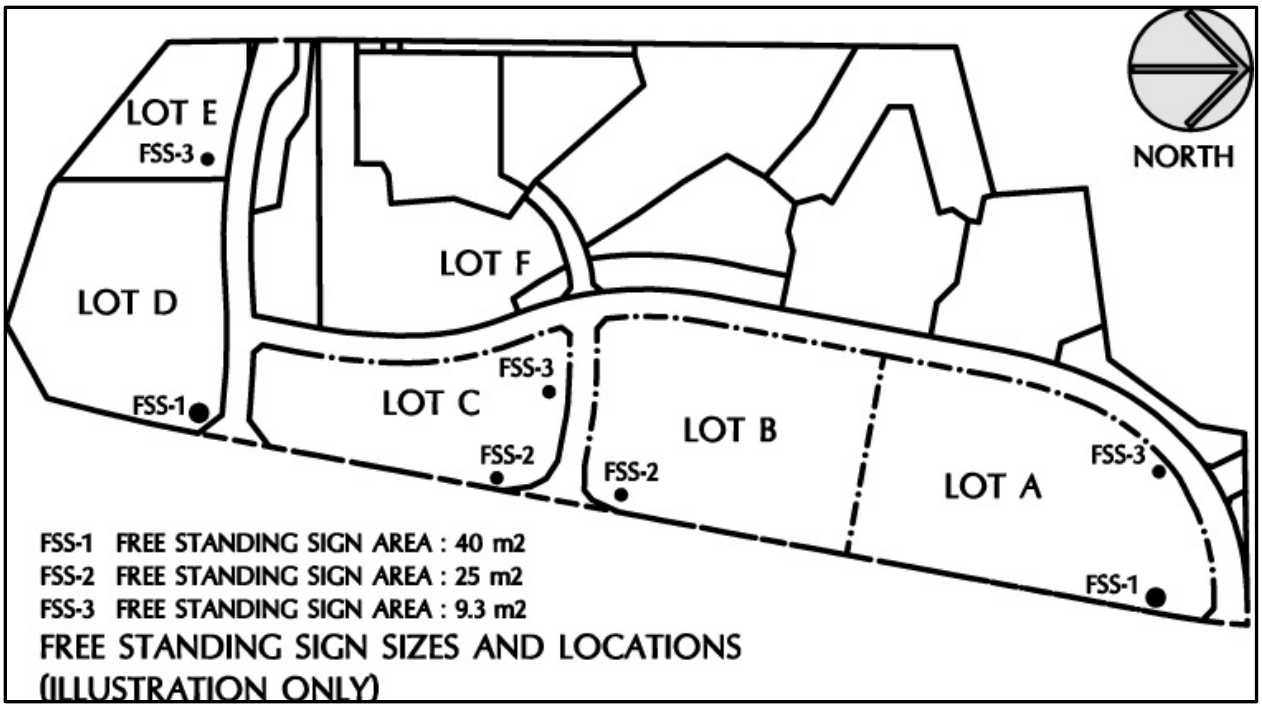
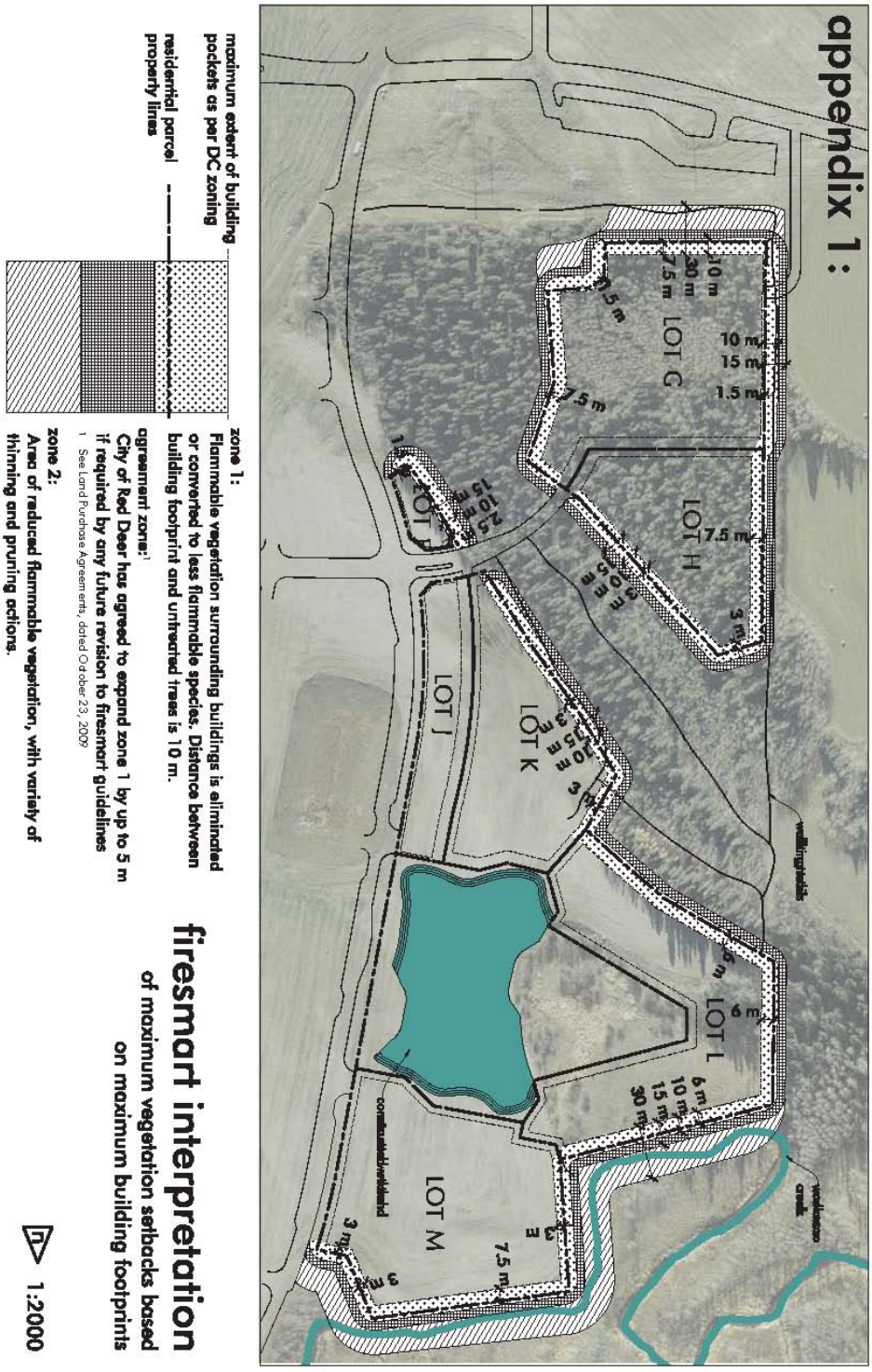


Figure 11.250-13: DC(25) Free Standing Sign Sizes and Locations

11.250.13 **Appendix Items**

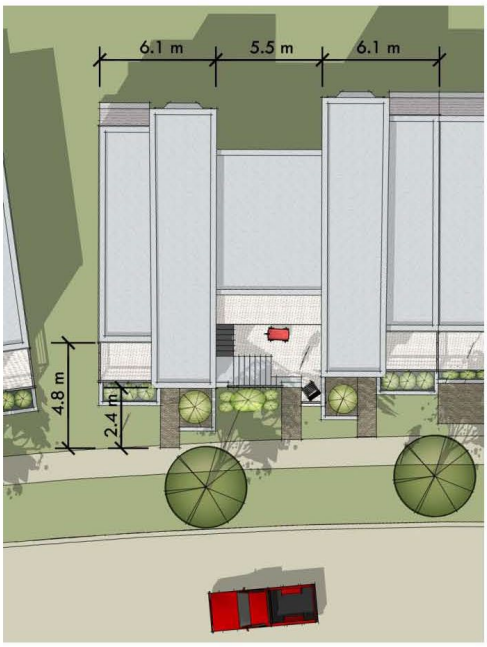
11.250.13.1 **FireSmart Interpretation**



Appendix 2: Front Yard Concepts

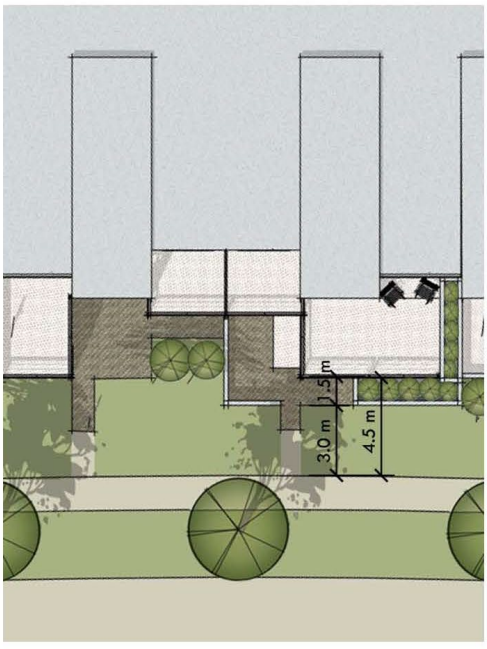
Multi-attached





Multiple Family/ Multiple Family Live Work





11.260 Direct Control Zone No. 26: DC(26)

Key Information

11.260.1 The general purpose of this Zone is to permit redevelopment of the Site located at Lot B, Block 9, Plan 1919RS satisfying the objectives of the Riverside Meadows Area Redevelopment Plan. Redevelopment of the Site is for compatible uses in accordance with the Riverside Meadows Overlay Zone to ensure integration with the existing surrounding Residential and Adjacent school Site.

11.260.2 The boundaries of DC(26) are as outlined in Map K16.

11.260.3 Permitted Uses

11.260.3.1 Accessory Building

11.260.3.2 Building Sign

11.260.3.3 Supportive Living Accommodation

11.260.4 Discretionary Uses

11.260.4.1 Apartment (Seniors Lodge)

11.260.4.2 Day Care Facility

11.260.4.3 Duplex

11.260.4.4 Educational Institution – Primary and Secondary

11.260.4.5 House

11.260.4.6 Physical Rehabilitation Centre

11.260.4.7 Show Home

11.260.4.8 Townhouse

Regulations

11.260.5 Development should follow the R-M (Residential Medium Density) Zone regulations.

11.260.6 The maximum height is 2 storeys or 10.0m.

11.260.7 All Development must comply with the design regulations provided in the Riverside Meadows Overlay.

11.260.8 The Development Officer is the Development Authority for all uses and Development in this Zone.

11.270 Direct Control Zone No. 27: DC(27)

Key Information

11.270.1 This Zone applies only to the Clearview North Neighbourhood Centre Site to allow for a variety of Commercial, limited office, Residential, civic, cultural, and recreational uses that primarily serve local neighbourhoods. These uses will be distributed throughout a comprehensively designed Development area that emphasizes sustainability and compact pedestrian-friendly urban Development.

11.270.2 The regulations will apply to both Phase 1 and 2 of the area depicted in Figure 11.270-1, unless otherwise specified.



Figure 11.270-1: DC(27) Phases 1 and 2

11.270.3 Permitted Uses

11.270.3.1 Apartment

11.270.3.2 Building Sign

11.270.3.3 Commercial Entertainment Facility

11.270.3.4 Commercial Service Facility

11.270.3.5 Day Care Facility

11.270.3.6 Freestanding Sign

11.270.3.7 Home Occupation Minor

11.270.3.8 Indoor Recreation Facility

11.270.3.9 Merchandise Sales and Rentals excluding adult oriented merchandise

11.270.3.10 Mixed-Use Building with Commercial and with Residential above Main Floor, with a minimum density of 35 Dwelling Units per hectare

11.270.3.11 Open Space

11.270.3.12 Restaurant, without Drive-Through

11.270.4 Discretionary Uses

11.270.4.1 Accessory Building

11.270.4.2 Car Wash Facility on westerly +33.02m (0.310ha) of Lot 81, Block 7, Plan 102 5689 (62 Carleton Avenue)

11.270.4.3 Drinking Establishment (Adult Entertainment Prohibited)

11.270.4.4 Dynamic Fascia Sign

11.270.4.5 Dynamic Freestanding Sign

11.270.4.6 Health and Medical Services

11.270.4.7 Institutional Service Facility

11.270.4.8 Motor Vehicle Service or Repair, excluding Motor Vehicle Sales (for Phase 2 only)

11.270.4.9 Outdoor Display or Sale of Goods

11.270.4.10 Parking Lot

11.270.4.11 Parking Structure

11.270.4.12	Professional Office
11.270.4.13	Restaurant with Drive-Through
11.270.4.14	Service Station
11.270.4.15	Show Home
11.270.4.16	Supportive Living Accommodation with or without Commercial and with Residential at or above Main Floor, with a minimum density of 35 Dwelling Units per hectare

Regulations

11.270.5 Development Authority

11.270.5.1 The Development Authority for applications for Development approval in this Zone will be as follows:

11.270.5.1.1 the Development Authority is the Development Officer for all applications, except as described in subsection 11.270.5.1.2;

11.270.5.1.2 City Council in the case of:

11.270.5.1.2.1 a new Building larger than 4,645m^2; or

11.270.5.1.2.2 any application requiring a variance of the Site Plan and design package greater than 10%.

11.270.5.1.3 The Development Authority may allow variances from the Site Plan and design package regarding individual Building Footprints, overall landscaping, and overall Parking where the Development Authority deems the proposed changes to be less than 10% of what is shown in the Site Plan and design package, and the proposed Development complies with the General Purpose and Uses of this Zone, and would not, in the Development Authority's opinion, unduly impact the surrounding area.

11.270.5.1.4 Where the Development Authority deems that a proposed variance from the Site Plan and design package is greater than 10% City Council will be the Development Authority.

11.270.6 Concept Design

11.270.6.1 All Development in this Zone will comply with:

11.270.6.1.1 The Site Plan and design package approved by Council, which will comply with the regulations of this Zone and describe in detail the following aspects of Development:

11.270.6.1.1.1 Buildings;

11.270.6.1.1.2 landscaping;

11.270.6.1.1.3 architecture;

11.270.6.1.1.4 Public Spaces;

11.270.6.1.1.5 Parking;

11.270.6.1.1.6 pathways and roadways; and

11.270.6.1.1.7 Signs.

11.270.6.1.2 The Key Elements listed in subsection 11.270.8; and

11.270.6.1.3 The Neighbourhood Centre Concept Design set out in the following sketch.



Figure 11.270-2: DC(27) Neighbourhood Centre Concept Design

11.270.7 General Design Guidelines

11.270.7.1 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, Parking layout, and all other regulations will be subject to approval by the Development Authority, which may impose, as a condition of approval of any Development, regulations as are reasonably necessary to ensure the Development will create the character of the envisioned Neighbourhood Centre Zone and achieve the following objectives:

11.270.7.1.1 abide by the East Hill Major Area Structure Plan and the corresponding Neighbourhood Area Structure Plans in the mixed-use area;

11.270.7.1.2 abide by the East Hill Town Centre Design Guidelines;

11.270.7.1.3 abide by the Parking regulations of the Zoning Bylaw;

11.270.7.1.4 reflect the objective of capturing a blend of office, higher density Residential and Commercial in a pedestrian friendly environment;

11.270.7.1.5 where the Development is Adjacent to Sidewalks or Walkways, have a design of front, side and rear Façade which are of comparable architectural treatment;

11.270.7.1.6 meeting the following Building Height regulations:

Storeys	Regulations
Minimum	2 storeys or 6.5m (or such other lower minimum height which may be established by City Council for Buildings under 696.77m^2)
Maximum	8 storeys or 38.5m, except where Adjacent to single family Buildings in which case the maximum will be 4 storeys or 19.2m
Greater than 4 Storeys	In the case of Buildings Adjacent to a public or private Sidewalk or park, the Façade of the 5th storey and above will be stepped back a minimum of 1.0m from the lower storeys, to maintain a human scale
Equal to 4 Storeys	Buildings that are 4 storeys tall will treat the 3rd and 4th storeys with materials and colours which are different, from but complementary with, the 1st and

	2nd storeys
Less than 4 Storeys	N/A

11.270.8 Key Elements

11.270.8.1 Each of the Key Elements in the Neighbourhood Centre Concept Design is prioritized from 1 (highest) to 6 (lowest). In instances where the suggested characteristics of 1 or more elements contradict, priority is given to the highest priority.

11.270.8.2 **Hard Surface Public Spaces: Priority 1**

11.270.8.2.1 The purpose is to facilitate a place for social interaction such as: gathering, public entertainment, displays, markets, or similar activities. At minimum, these spaces will be placed wherever the main Pedestrian Promenade intersects with 1 or more pathways. In general, wherever multiple pathways intersect a public space will be considered.

11.270.8.2.2 There must be at least 2 hard surface public spaces:

11.270.8.2.2.1 1 that acts as a gateway in the general vicinity of the southwest corner of the Site;

11.270.8.2.2.2 1 located at the point (a relatively central location) where the Regional Trail Pathway intersects with the Pedestrian Promenade.

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

11.270.8.2.4 These spaces will be defined by Adjacent Buildings, creating an “outdoor room”, where Building “Façades” act as walls. Adjacent Building Façades will address the space with some or all the following elements:

11.270.8.2.4.1 entrances or doorways;

11.270.8.2.4.2 windows;

11.270.8.2.4.3 patios; or

11.270.8.2.4.4 clearly defined and architecturally interesting corridors leading to any of the aforementioned elements.

11.270.8.2.5 Ground surface will primarily be made of hard materials such as stone, brick or concrete. Plants or vegetation may be used intermittently throughout to add character and soften the environment.

11.270.8.2.6 Trees may be incorporated to provide shelter from the elements throughout the year.

11.270.8.2.7 These spaces will be clearly connected, physically or visually, to other public spaces and Residential uses via at least 2 of the following linkages:

11.270.8.2.7.1 the pedestrian promenade;

11.270.8.2.7.2 the regional trail pathway;

11.270.8.2.7.3 local pedestrian pathways; or

11.270.8.2.7.4 vehicle pedestrian pathways.

11.270.8.2.8 If 1 of the aforementioned pathways terminates in a public space, the visual terminus will be treated with a significant physical element creating a vista. Examples of these significant physical element are: an architecturally significant building or building feature, a monument, sculpture, etc.

11.270.8.2.8.1 If there is a significant natural element at the terminus, then that natural feature may be used as the significant physical element.

11.270.8.3 **Pedestrian Promenade: Priority 2**

11.270.8.3.1 The purpose draws people into the Site, connecting local off the Site and on the Site Residential populations with local amenities, business, and activities. The promenade also acts as the “spine” of the neighbourhood town centre from which the rest of the

neighbourhood town centre and greater community can be accessed.

11.270.8.3.2 The Pedestrian Promenade will be anchored at the southwest corner of the Site by a hard surface public space, runs through the centre of the Site, and will anchor in the north and northeast corner of the Site.

11.270.8.3.3 Adjacent Building Façade address the space via some or all the following elements:

11.270.8.3.3.1 entrances or doorways;

11.270.8.3.3.2 windows;

11.270.8.3.3.3 patios; or

11.270.8.3.3.4 clearly defined and architecturally interesting corridors leading to any of the aforementioned elements.

11.270.8.3.4 The ground surface of this space is primarily made of hard materials such as stone, brick, concrete or creatively treated asphalt. Plants or landscaping may be used intermittently throughout the space to add character and to soften the environment.

11.270.8.3.5 Trees line the corridor providing shelter from the elements throughout the year.

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

11.270.8.3.7 Places to sit must be frequently provided via street furniture or landscaping.

11.270.8.3.8 Where any other major pathway intersects this space, information will be provided directing people to amenities, businesses, and activities. This information may be provided via Signs, kiosks, small vendors etc.

11.270.8.3.9 This space may also be used as a place for social interaction providing a space for activities such as:

recreation, gathering, public entertainment, displays, markets and similar activities.

11.270.8.4 **Regional Trail Pathway: Priority 3**

11.270.8.4.1 The purpose is for continuing the existing regional trail system.

11.270.8.4.2 The Regional Trail Pathway will be anchored by 2 small welcoming spaces and connect the existing trail system to the future Development to the east. These spaces will be landmarks drawing people into the Site. Each anchor space will be at relatively opposite ends of the Site, with 1 in the general vicinity of the northwest corner.

11.270.8.4.3 Vegetation is used continuously throughout the pathway clearly distinguishing it as the “regional green path system.” This vegetation may include but is not limited to: trees, shrubs, and grass.

11.270.8.4.4 Places to sit are intermittently provided via street furniture or landscaping.

11.270.8.4.5 Where any other major pathway intersects this space, information is provided directing people to amenities, businesses, and activities. This information may be provided via Signs, kiosks, small vendors etc.

11.270.8.4.6 Where possible, Adjacent Building Façades should address the pathway via some or all the following elements:

11.270.8.4.6.1 entrances or doorways;

11.270.8.4.6.2 windows;

11.270.8.4.6.3 patios; or

11.270.8.4.6.4 clearly defined and architecturally interesting corridors leading to any of the aforementioned elements.

11.270.8.4.7 Plants or vegetation may be used intermittently throughout the space to add character and to soften the environment.

11.270.8.5 **Open Green Spaces: Priority 4**

11.270.8.5.1 The purpose is to be an alternative to a hard surface public space to enjoy a more “natural” setting. Physical elements may include existing natural features or constructed features.

11.270.8.5.2 In general, wherever multiple pathways intersect there is potential for an open green space or any form of public space.

11.270.8.5.3 These spaces will be Adjacent to Buildings that address the space via some or all the following elements:

11.270.8.5.3.1 entrances or doorways;

11.270.8.5.3.2 windows;

11.270.8.5.3.3 patios; or

11.270.8.5.3.4 clearly defined and architecturally interesting corridors leading to any of the elements.

11.270.8.5.4 Adjacent Buildings will at minimum overlook the spaces through windows providing a perceived surveillance of the spaces.

11.270.8.5.5 Places to sit will be sporadically provided via street furniture or landscaping.

11.270.8.5.6 Landscaping should at minimum contain some aspects of the local natural environment or be entirely native to Red Deer or Alberta.

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

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

11.270.8.6 **Vehicle Pathways: Priority 5**

11.270.8.6.1 Vehicle pathways will provide non-curvilinear direct two-way access for motorized vehicles, to the neighbourhood centre amenities, activities, businesses, transit stops and Parking.

11.270.8.6.2 There must be a minimum of 1 access point on the west edge of the Site and 1 at the south edge of the Site to the satisfaction of Engineering Services.

11.270.8.6.3 When possible, street Parking should be provided.

11.270.8.6.4 Where any major pathway intersects with the vehicle pathway, pedestrians are given priority via crosswalks. These pathways may also consist of pedestrian oriented Sidewalks separated from the vehicle path by boulevards.

11.270.8.6.5 Boulevards will contain some or all the following physical elements:

11.270.8.6.5.1 lighting fixtures;

11.270.8.6.5.2 trees;

11.270.8.6.5.3 Signs; or

11.270.8.6.5.4 similar elements.

11.270.8.6.6 Sidewalks and boulevards are at minimum on 1 side of the right of way at all points.

11.270.8.6.7 Where possible, Adjacent Building Façades should address the right of way via some or all the following elements:

11.270.8.6.7.1 entrances or doorways;

11.270.8.6.7.2 windows;

11.270.8.6.7.3 patios; or

11.270.8.6.7.4 clearly defined and architecturally interesting corridors leading to any of the elements.

11.270.8.6.8 Plants or vegetation may be used intermittently throughout the space to add character and to soften the environment.

11.270.8.7 **Local Pedestrian Pathways: Priority 6**

11.270.8.7.1 These pathways will provide direct access for pedestrians to the neighbourhood town centre amenities, public spaces, activities, businesses, and Parking areas.

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

11.270.8.7.3 Where possible, Adjacent Building Façades should address the pathway via some or all the following elements:

11.270.8.7.3.1 entrances or doorways;

11.270.8.7.3.2 windows;

11.270.8.7.3.3 patios; or

11.270.8.7.3.4 clearly defined and architecturally interesting corridors leading to any of the elements.

11.270.8.7.4 Plants or vegetation may be used intermittently throughout the space to add character and to soften the environment.

11.270.9 General Land Use

11.270.9.1 **Primarily Residential Area**

11.270.9.1.1 This general area will consist of Residential uses. Commercial uses will be considered on the ground floor in this area.

11.270.9.1.2 When a building in this area is Adjacent to a public space, or a pathway, the fronting walls or surface must address the space or pathway via some or all the following elements:

11.270.9.1.2.1 entrances or doorways;

11.270.9.1.2.2 windows;

11.270.9.1.2.3 patios; or

11.270.9.1.2.4 clearly defined and architecturally interesting corridors leading to any of the elements.

11.270.9.2 **Primarily Retail Commercial**

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

11.270.9.2.2 When a building in this area is Adjacent to a public space, or a pathway, the fronting walls or surface must address the space or pathway via some or all the following elements:

11.270.9.2.2.1 entrances or doorways;

11.270.9.2.2.2 windows;

11.270.9.2.2.3 patios; or

11.270.9.2.2.4 clearly defined and architecturally interesting corridors leading to any of the elements.

11.280 Direct Control Zone No. 28: DC(28)

Key Information

11.280.1 As directed in the Greater Downtown Action Plan, the general purpose of this area will be to facilitate the Development of a distinctive urban neighbourhood with a high-quality pedestrian environment, medium to high density Residential, and mixed-use Residential and Commercial land uses;

11.280.2 Residential Development may occur on the upper floors of Main Floor Commercial along the 53 Avenue pedestrian spine.

11.280.3 Land uses are to serve The City and the region.

11.280.4 This Zone is created as an interim measure to guide Development in the Railyards neighbourhood while awaiting the preparation of an Area Redevelopment Plan.

11.280.5 The boundaries of DC(28) are outlined in Maps L15, L16, M14, and M15

11.280.6 Permitted Uses

11.280.6.1 Building Sign

11.280.6.2 Dwelling Units above the Main Floor

11.280.6.3 Freestanding Sign

11.280.6.4 Hotel

11.280.6.5 Merchandise Sales and Rentals on the ground floor; excluding:

11.280.6.5.1 Adult oriented merchandise and entertainment;

11.280.6.5.2 Fuel;

11.280.6.5.3 Pawn shops; and

11.280.6.5.4 Motor vehicles

11.280.6.6 Multiple family Building

11.280.6.7 Multi-attached Dwelling Unit Building

11.280.6.8 Office above the ground floor

11.280.6.9 Restaurants (No Drive-Through)

11.280.7 Discretionary Uses

11.280.7.1 Accessory Building

11.280.7.2 Accessory Use

11.280.7.3 Any Development legally existing or legally approved prior to the passing of this Bylaw considered to be a Discretionary Use duly approved by the Development Authority

11.280.7.4 Commercial Entertainment Facility

11.280.7.5 Communication or Utility Facility excluding Transportation facilities.

11.280.7.6 Commercial Service Facility (No Drive-Through)

11.280.7.7 Drinking Establishment (Adult Entertainment Prohibited)

11.280.7.8 Dynamic Fascia Sign, on Sites described in the Downtown Sign Overlay

11.280.7.9 Dynamic Freestanding Sign, on Sites described in the Downtown Sign Overlay

11.280.7.10 Health and Medical Services

11.280.7.11 Home Occupation Minor

11.280.7.12 Home Occupation Major

11.280.7.13 Indoor Recreation Facility

11.280.7.14 Institutional Service Facility limited to libraries, museums, auditoriums, concert halls, colleges, schools, places of worship or assembly, Hospitals, fire stations, police stations, court houses

11.280.7.15 Merchandise Sales and Rentals above the Main Floor excluding:

- 11.280.7.15.1 Motor vehicles;
- 11.280.7.15.2 Fuel;
- 11.280.7.15.3 Pawn shops; and
- 11.280.7.15.4 Adult oriented merchandise and entertainment

11.280.7.16 Microbrewery

11.280.7.17 Parking Lot

11.280.7.18 Parking Structure

11.280.7.19 Professional Office on the ground floor

11.280.7.20	Show Home
11.280.7.21	Supportive Living Accommodations
11.280.7.22	[73]Deleted
11.280.7.23	[74]Day Care Facility

Regulations

11.280.8 DC(28) Regulations Table	
Regulations	**Regulations**
Floor Area	Residential minimum – Dwelling Units 37.0m^2
Building Height Maximum	As approved by the Development Authority
Front Yard Minimum	3.0m
Side Yard Minimum	0.0m, when there is a constructed lane 3.8m on 1 side when there is no constructed lane 3.0m when it Abuts a Road
Rear Yard Minimum	3.0m
Landscaped Area	15% Site Area
Parking	General Parking regulations apply
Loading Spaces Minimum	1 opposite each loading door, with a minimum of 1
Site Area Minimum	900.0m^2
Frontage Minimum	20m

11.280.9 **Amenity Areas**

11.280.9.1 Minimum Front and Side Yard Setbacks for Sites in this Zone may be varied by the Development Authority, if the Development Authority determines, based on the merit of each individual

[73] 3357/WW-2024
[74] 3357/QQ-2024

Development, that encroachment into the Setback area facilitates pedestrian enhancements that meet the following criteria:

11.280.9.1.1 Development in the Setback area is non-structural.

11.280.9.1.2 Space allows for pedestrian amenities such as Walkways, Sidewalks, bicycle routes, green spaces and landscaping, urban sculptures and benches or other street furniture.

11.280.9.1.3 Special design elements featuring unique Building entrances or Façades, non-structural columns, canopies, porches and balconies, special lighting, or street-oriented Signs.

11.280.9.1.4 Considers the unique character of an area.

11.280.9.1.5 Creates a visually interesting and compatible relationship with the Road and adjoining Buildings, and provides a continuous pedestrian streetscape or pedestrian or public amenity such as an outdoor café, Courtyard or garden.

11.280.10 [75]**Deleted**

11.280.11 **Site Development**

11.280.11.1 All regulations, Site Plan, Site access, relationship between Buildings, structures and Open Space, architectural treatment of any Building, provision and architecture of Landscaped Areas, and Parking layout will be subject to approval by the Development Authority.

11.280.12 **General Design Purpose**

11.280.12.1 The Development Authority may impose as a condition of approval of any Development or redevelopment, regulations as reasonably necessary to ensure Development will create the character envisioned for the Railyards neighbourhood in the Greater Downtown Action Plan, and achieve the following objectives:

11.280.12.1.1 encourage medium to high-density Residential and mixed-use Residential and Commercial land uses;

[75] 3357/WW-2024

11.280.12.1.2 promote Residential Developments on the upper floors of ground floor Commercial along 53 Avenue;

11.280.12.1.3 promote the enhancement of 53 Avenue as a "complete street" with Sidewalks, a dedicated bike lane, street furniture, and high-quality landscaping.

11.280.13 [76]**Deleted**

[76] 3357/WW-2024

11.290 Direct Control Zone No. 29: DC(29)

Key Information

11.290.1 The general purpose of this Zone is to facilitate the subdivision of an existing 1.49 ha acreage parcel legally described as Lot 4, Block 1, Plan 952 2947 located in the NE 34-38-27-W4 into 2 separate Sites.

11.290.2 This Zone allows proposed Lot 1 to contain the existing residence on the Site and proposed Lot 2 to be reserved as a future Development Site to be developed in accordance with a landowner prepared and Council approved Neighbourhood Area Structure plan for the area.

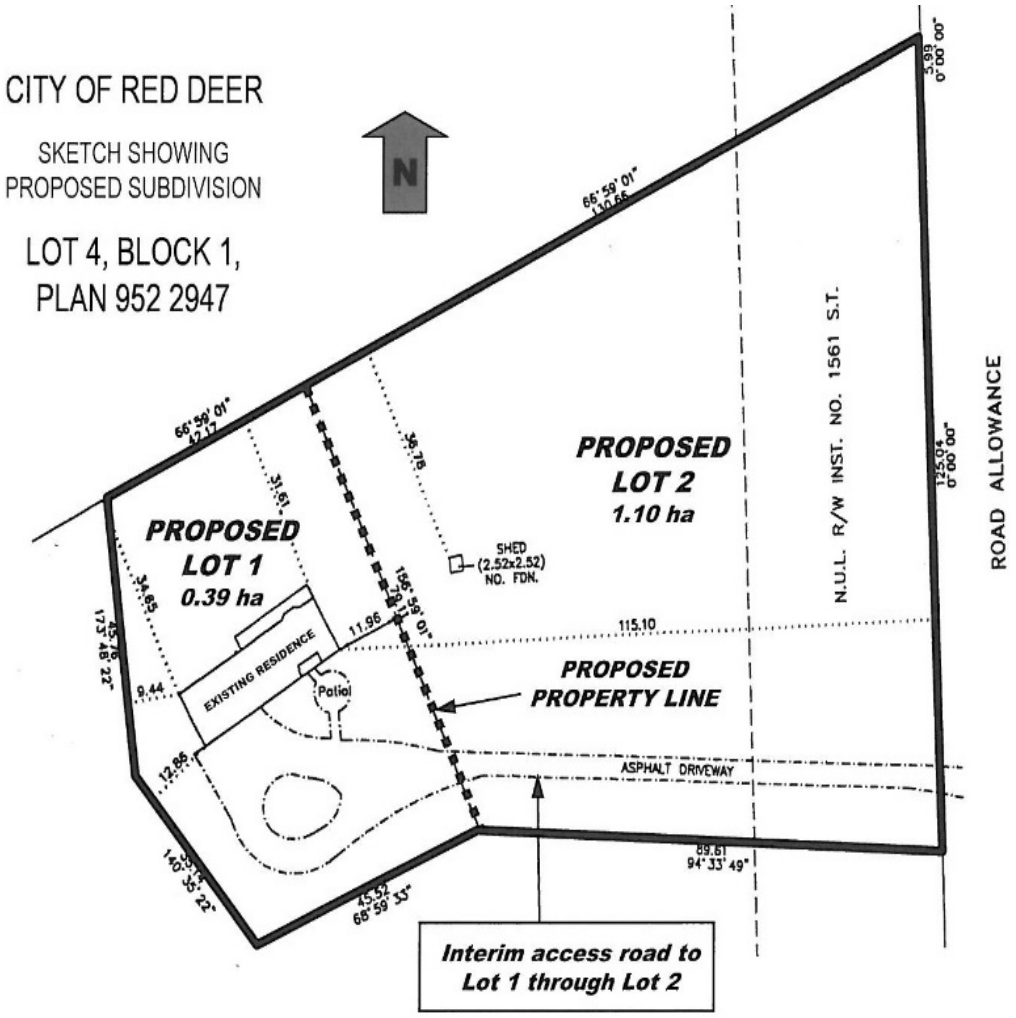


Figure 11.290-1: DC(29) Subdivision Plan

11.290.3	**Permitted Uses (Lot 1, ±0.39 ha)**
11.290.3.1	House
11.290.4	**Permitted Uses (Lot 2 ±1.1 ha)**
11.290.4.1	Agriculture
11.290.4.2	Greenhouse, landscaping nursery or tree farm including ancillary sales
11.290.5	**Discretionary Uses (Lot 1, ±0.39 ha)**
11.290.5.1	Accessory Building
11.290.5.2	Home Occupation Minor – office only
11.290.5.3	Show Home
11.290.6	**Discretionary Uses (Lot 2, ±1.1 ha)**
11.290.6.1	Accessory Building
11.290.6.2	Extraction from the ground of petroleum, minerals, sand and gravel, peat moss and topsoil.

Regulations

11.290.7	**DC(29) Regulations Table**
Regulations	**Requirements**
Floor Area Minimum	House 75.0m^2
Building Height Maximum	House - 10m measured from the average of the Site Grade Any other Development – subject to Development Authority approval
Accessory Building Maximums	1 storey or 4.5m in height, and floor area a maximum 40% of the Main Floor area of the Principal Building
Front Yard Minimum	15m
Side Yard Minimum	7.5m
Rear Yard Minimum	7.5m

Landscaped Area	35% of Site Area
Parking	General Parking regulations apply
Site Area & Frontage Minimum	As identified in Figure 11.290-1
Access to Lot 1	Interim mutual access easement or agreement across Lot 2 only until such time as alternative direct access is available to a Road based on an approved NASP

11.290.8 Development Officers are the Development Authority for all uses and Development in this DC Zone.

11.300 Direct Control Zone No. 30: DC(30)

Key Information

11.300.1 The purpose of this Zone is to provide for Development associated with the Red Deer Golf and Country Club within identified areas, compatible with Adjacent Residential neighbourhoods and Waskasoo Park.

11.300.2 Permitted Uses

11.300.2.1 Accessory Buildings and uses directly related to the golf course within the areas identified in Figure 11.300-1.

11.300.2.2 Golf course within the areas identified

11.300.3 Discretionary Uses

N/A

Regulations

11.300.4 Development Officers are the Development authority for all uses and Development in this Zone Figure 11.300-1.

11.300.5 All regulations including Site Plans, Site accesses, relationship between Buildings, structures and Open Space, architectural treatment of any Building, provision and architecture of Landscaped Areas, outdoor lighting, buffering or Screening (sightlines or noise) and Parking layout will be subject to approval by the Development Authority.

11.300.6 No vegetation is to be removed from the 10.0m buffer strip identified in Figure 11.300-1.

11.300.7 Outside the 10.0m buffer strip, healthy trees, as determined by the City, may only be moved or removed in conjunction with approval by the Development Authority issued through a permit.

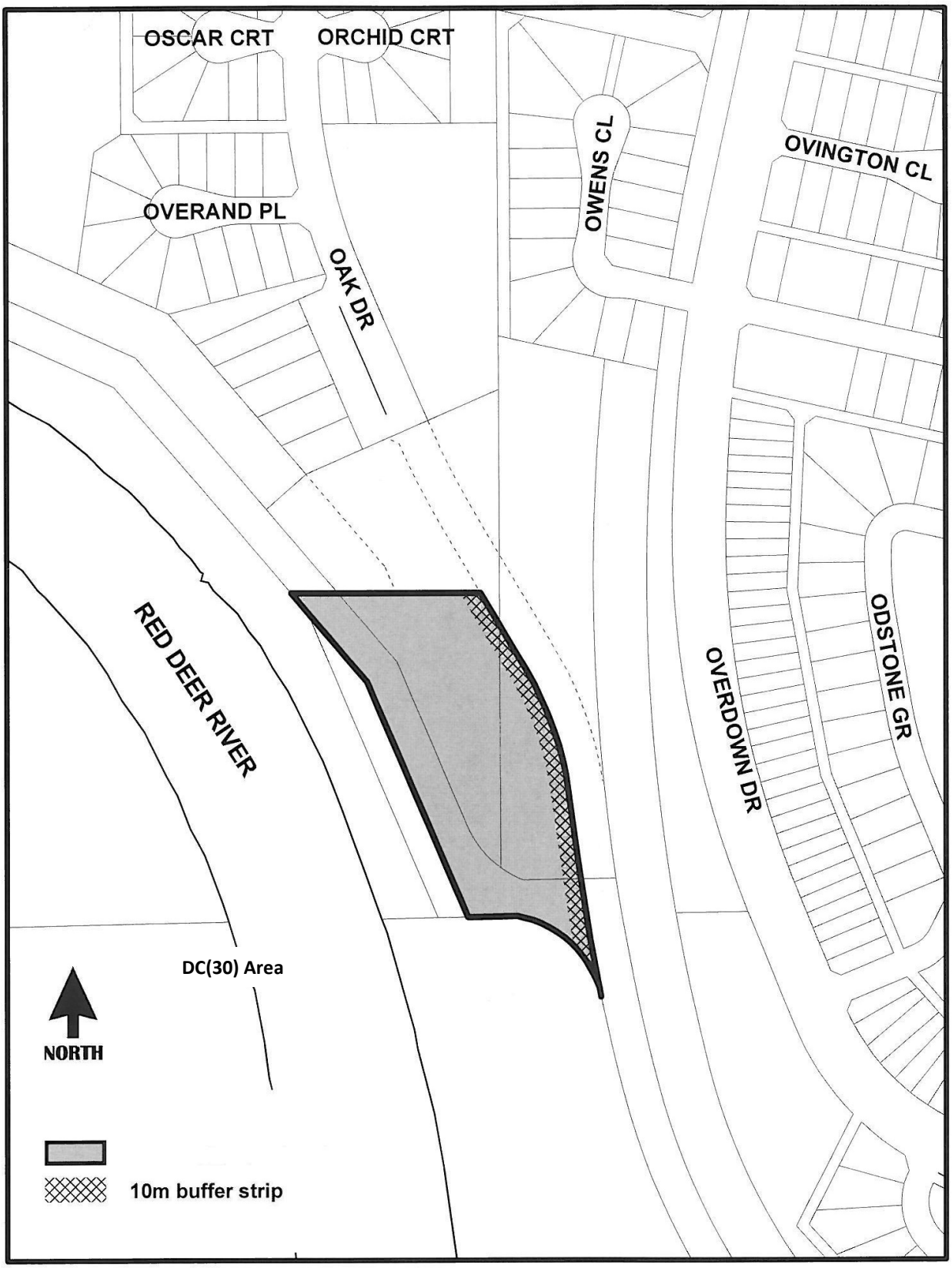


Figure 11.300-1: DC(30) Area and 10m Buffer Area

11.310 Direct Control Zone No. 31: DC(31)

Key Information

11.310.1 To allow for the integrated redevelopment of a school facility Adjacent to a public park and escarpment area. It is recognized the school and the park will each benefit from their proximity to the other, and the uses can be seamlessly integrated in the Zone.

11.310.2 The Site is designed to be compatible with Adjacent land uses while preserving and protecting the park spaces and the environmentally sensitive land in escarpment area.

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

11.310.4 DC(31) applies to Lot R Plan 1621NY and Block 5 and Plan 3935HW, at the corner of 49 Avenue and 35 Street, as shown on Map M13.

11.310.5 Permitted Uses

11.310.5.1 Building Sign

11.310.5.2 Concession booths for the sale of food or beverages to members and guests of a group approved under this table

11.310.5.3 Cultural Facility

11.310.5.4 Freestanding Sign

11.310.5.5 Indoor or Outdoor Recreational Facility, provided the use is compatible with the natural characteristics of the Site

11.310.5.6 Open Space

11.310.5.7 Parking ancillary to any Permitted Use or Discretionary Use

11.310.5.8 Picnic areas or Open Space facilities for the use by the public

11.310.5.9 Professional Offices, for community-oriented groups which have recreation as part of their programs

11.310.5.10 Public Assembly

11.310.5.11 School (Francophone)

11.310.6 Discretionary Uses

11.310.6.1 Accessory Building

11.310.6.2 Any Accessory Uses approved by City Council

11.310.6.3 Electronic Message Fascia Sign

11.310.6.4 Electronic Message Freestanding Sign

11.310.6.5 School

11.310.6.6 Utilities

Regulations

11.310.7 City Council is the Development Authority for any new Principal Buildings or Accessory Uses on the Site.

11.310.8 Development Officers are the Development Authority for all Permitted and Discretionary Uses and Signs in or on existing Buildings on the Site.

11.310.9 In exercising its approval powers, the Development Authority will ensure that Development is compatible with the Adjacent land uses and that efforts are taken to preserve and protect park space in the Zone.

11.310.10 In this Zone, the general regulations of the Bylaw apply unless specific regulations for the Zone provide otherwise.

11.310.11 At 4716 34 Street on Lot R Plan 1621NY the following regulations apply:

11.310.11.1 trees must not be cut, felled or removed without prior approval of Council;

11.310.11.2 the Kin Kanyon Park amenities will be developed based on the Kin Kanyon Concept Plan, subject to layout changes needed for the redevelopment of the Francophone school;

11.310.11.3 no aggregate extraction will be allowed;

11.310.11.4 where possible, Parking facilities will be shared with Parking required for the school to reduce the impact to park space.

11.310.12 At 4810 35 Street on Block 5 and Plan 3935HW the following regulations apply:

Front Yard Minimum	Subject to the Development Authority
Side Yard Minimum	Subject to the Development Authority
Rear Yard Minimum	Subject to the Development Authority
Landscaped Area	Subject to the Development Authority
Parking Spaces	General Parking regulations apply
Loading	Subject to the Development Authority

11.310.13 The Site Plan, relationship between Buildings, structures and Open Space, architectural treatment of Buildings, provision and architecture of landscaped Open Space, and Parking layout will be subject to approval by the Development Authority.

11.310.14 Development Officers may permit alterations to the plans approved by Council, where the alterations are considered by the Development Officers to be minor in scale or will result in an equal or greater standard of Development than what was approved by Council.

11.320 Direct Control Zone No. 32: DC(32)

Key Information

11.320.1 DC(32) applies to the area as shown in Figure 11.320-1 of this Bylaw.

11.320.2 The purpose of this Zone is to identify and mitigate significant environmental hazards or risks affecting the Westlake lands, formerly known as Riverview Park.

11.320.3 Various Reports have been completed for Westlake and the Adjacent Red Deer River escarpment or slopes such as the 2003, 2012, 2014, and 2017 studies by ParklandGeo, and have identified the following relevant and significant hazards or risks:

11.320.3.1 river erosion of the toe-of-slope or escarpment;

11.320.3.2 planes of weakness in the subsoil or bedrock;

11.320.3.3 slope erosion, landslides and slumping;

11.320.3.4 the lower slope of the escarpment is considered “marginally stable”;

11.320.3.5 the upper slope of the escarpment is considered “unstable” and subject to natural regression – the present slope will regress even with the stabilized toe-of-slope;

11.320.3.6 destabilizing and variable natural springs below the Crest of the escarpment;

11.320.3.7 various other natural and man – made risks associated with soil instability and slope destabilization, such as environmental changes, variable river flow and flooding, swimming pools, removal of vegetation, over watering, overloading, excavation, vegetation changes, and variable ground water conditions; and

11.320.3.8 that complex subsurface and surface conditions, affect Westlake, and may sometimes not be fully understood even using commonly accepted practices for professional technical assessment.

11.320.4 An additional purpose of this Zone is to establish a Restricted Development Area as identified in Figure 11.320-1 and to restrict Development to areas of relatively lower expected risk, pursuant to the recommendations of the March 2014 “Geotechnical Investigation, Riverview Park Development

Setback" and the subsequent February 2017 "Geotechnical Assessment – 2017 Riverview Park Slope Review", prepared by ParklandGeo.

11.320.5 An additional purpose of this Zone is to provide special land use criteria and supporting regulation reflective of existing Reports and directed to minimizing the risk of damage or loss to natural and private property or persons as well as public lands and infrastructure.

11.320.6 Discretionary Uses where Development Officers act as Development Authority

11.320.6.1 Accessory Building at least 10.0m from the Restricted Development Area

11.320.6.2 All Signs, including warning Signs respecting escarpment risks or safety

11.320.6.3 House, which is connected to all City utility services, at least 10.0m from the Restricted Development Area

11.320.6.4 House Suite

11.320.6.5 Home Occupation Minor

11.320.6.6 Home Occupation Major

11.320.6.7 Temporary Building, and

11.320.7 Discretionary Uses where Municipal Planning Commission acts as Development Authority

11.320.7.1 Accessory Building less than 10.0m from the Restricted Development Area

11.320.7.2 House, which is connected to all City utility services, less than 10.0m from the Restricted Development Area

11.320.7.3 Installation, connection, repair, maintenance, or replacement of a public utility, pursuant to plans prepared by a Professional Engineer

11.320.7.4 Parking or storage of not more than 1 Commercial vehicle or Recreational Vehicle or Trailer of a gross vehicle weight rating not exceeding 4,500kg

11.320.7.5	Stripping or grading, placement of fill, material alteration of vegetation or existing surface drainage patterns, pursuant to plans prepared by a Professional Engineer
11.320.7.6	Water line or underground sprinkler or irrigation system beyond the Restricted Development Area and at least 50m from the Crest of the escarpment, constructed in accordance with a design prepared by a Professional Engineer and installed under the supervision of a Professional Engineer
11.320.7.7	Water Retaining Structure beyond the Restricted Development Area and at least 50m from the Crest of the escarpment
11.320.8	**Prohibited Uses (without limiting foregoing Discretionary Uses)**
11.320.8.1	Tree removal from the ground surface or subsurface, including but not limited to, deadfall removal, that may be detrimental or destabilizing to the lands, neighbouring lands, the escarpment or slopes, or Adjacent park or reserve areas
11.320.8.2	Wetting or watering of the ground surface or subsurface or vegetation, including but not limited to, lawn, that may be detrimental or destabilizing to the lands, neighbouring lands, the escarpment or slopes, or Adjacent park or reserve areas;

Regulations

11.320.9 The following fundamental land use criteria applies to all lands, uses and Developments in this Zone, except as expressly stated to be otherwise within the exceptions:

11.320.9.1 Development, including but not limited to, Buildings, structures, construction, major renovations, excavation, placement of fill, ground disturbance, tree or shrub removal, stripping and grading, is prohibited in the Restricted Development Area;

11.320.9.2 where a Site-specific professional geotechnical assessment or other Report acceptable to the Subdivision Authority or Development Authority has recommended a greater Development Setback than the Restricted Development Area, the greater Development Setback applies;

11.320.9.3 the Subdivision Authority or Development Authority will not approve any subdivision or Development unless, having considered all relevant Reports, in their opinion:

11.320.9.3.1 approval will not detrimentally impact the overall groundwater regime or slope geometry;

11.320.9.3.2 public and private property will be reasonably safe from the hazards of slope and soil instability as identified through a Report; and

11.320.9.3.3 the Site at issue is suitable for the proposal considering:

11.320.9.3.3.1 all relevant Reports;

11.320.9.3.3.2 the full range of uses and Developments existing or contemplated respecting the subdivision or Development Permit application and the Adjacent lands;

11.320.9.3.3.3 cumulative impacts to soil and slope stability; and

11.320.9.3.3.4 emergency access and planning.

11.320.9.4 the following Developments will not be commenced without, and will be carried out in accordance with, a Site-specific professional geotechnical assessment acceptable to the Subdivision Authority or Development Authority:

11.320.9.4.1 excavation related to the construction, repair, or alteration of a Building or Water Retaining Structure, other than the installation, connection, repair maintenance or replacement of a public utility;

11.320.9.4.2 the construction or material alteration of a detached Dwelling Unit or Garage; and

11.320.9.4.3 the construction or material alteration of an Accessory Building or structure with a floor area of 10.0m² or more and a height of 2.4m or more.

11.320.10 The Subdivision Authority or Development Authority must adhere to, and has no discretion to vary, the fundamental land use criteria set out in subsection 11.320.9 which criteria are:

11.320.10.1 subject to exception only as expressly set out in subsections 11.320.11, 11.320.12, and 11.320.13 of this Zone; and not subject to variance or exception pursuant to Sections 654(2), 680(2), or 687(3)(d) of the Act.

11.320.11 Regardless of the fundamental use criteria set out in subsection 11.320.9.1 of this Zone, the following Developments may be considered for approval by the Subdivision Authority or Development Authority in the Restricted Development Area and will be carried out pursuant to the terms and conditions of a subdivision approval or Development Permit:

11.320.11.1 the erection of warning Signs respecting escarpment risk or safety;

11.320.11.2 the installation, connection, repair, maintenance or replacement of a public utility;

11.320.11.3 the material repair or minor alteration of the following, if constructed prior to September 15, 2014:

11.320.11.3.1 a detached Dwelling Unit (which is connected to all City utility services) or associated retaining wall; and

11.320.11.3.2 a Water Retaining Structure, at least 50.0m from the Crest of the escarpment and subject to installation of an acceptable leak detection system and provided there is no discharge toward the escarpment, slope or Adjacent park or reserve areas.

11.320.11.4 the stripping or grading, placement of fill, material alteration of vegetation, or existing or natural surface drainage patterns related to the demolition or relocation of a detached Dwelling Unit or Water Retaining Structure constructed prior to September 15, 2014, and pursuant to plans prepared by a Professional Engineer.

11.320.12 The Subdivision Authority or Development Authority may consider Site Boundary adjustment or consolidation of title for the purpose of enlarging the potential building area while not increasing the number of registered Sites.

11.320.13 These exceptions remain subject to all other regulations of this Zone.

11.320.14 **Development Regulations**

11.320.14.1 The regulations of this Zone governs where a conflict or inconsistency between this Zone and any other regulations of this Bylaw emerges.

11.320.14.2 The Subdivision Authority or Development Authority will not be bound by the regulations set out in other Parts of the Bylaw.

11.320.14.3 General Residential Regulations in the Bylaw do not apply to this Zone except for section 3.330.

11.320.14.4 This Zone will adhere to the Part 4 Specific Use Regulations for Single-client Home Business, Home Occupation Major, and House Suites.

11.320.14.5 Any Site grading will be designed to drain surface water away from the escarpment.

11.320.14.6 Any Water Retaining Structures, water lines, underground sprinklers or irrigation systems will be installed with an acceptable leak detection system and monitored and maintained by the landowner to ensure proper operation and no unauthorized leakage, and directed away from the escarpment, slope, or Adjacent park or reserve areas.

11.320.14.7 All discharge from roof leaders and weeping tile systems will be directed away from the escarpment or to professionally engineering drainage pathways such as asphalt or half culvert drop structures.

11.320.14.8 New vegetation should be selected from native types with deep root systems that can grow with a minimum of watering.

11.320.14.9 Upon connection to City utility services, private services such as septic system, groundwater well, and associated water lines will be removed, abandoned, closed-in and reclaimed, as applicable, pursuant to the City's Utility Bylaw.

11.320.14.10 Where existing residences are relocated, former basements in the Restricted Development Area will be filled pursuant to the design and supervision of a Professional Engineer.

11.320.14.11 Lot depth will be a minimum of 40.0m.

11.320.14.12 Frontage will be a minimum of 22.0m.

11.320.14.13 In considering a subdivision or Development Permit application, the Subdivision Authority or Development Authority will have discretion, subject to the land use constraints set out in this Zone, to determine the Site Plan, Parking regulations, architectural treatment of buildings, and the relationship between Buildings,

structures, and Open Space. Without limiting the foregoing, the following regulations apply to the location of Buildings unless varied by the Subdivision Authority or Development Authority:

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

11.320.14.13.2 Front Yard Setback minimum of 6.0m;

11.320.14.13.3 Side Yard Setback minimum of 1.5m; and

11.320.14.13.4 Rear Yard minimum Setback of 7.5m (except as required by the land use constraints of this Zone – e.g. subject to Site specific geotechnical, the Restricted Development Area).

11.320.15 **Authority**

11.320.15.1 Respecting this Zone and all lands therein, all applications for subdivision approval or Development Permit will be evaluated on their merits by the Subdivision Authority or Development Authority.

11.320.15.2 Without limiting the foregoing, but subject to the land use constraints set out in this Zone, the Subdivision Authority or Development Authority may, as regards any application for subdivision approval or Development Permit, impose conditions of approval or requirements the Subdivision Authority or Development Authority determines are reasonable.

11.320.16 **Considerations and Conditions of the Subdivision or Development Authority**

11.320.16.1 The Subdivision Authority or Development Authority may impose conditions of approval or requirements per subsection 11.320.15.2, having considered:

11.320.16.1.1 the purposes and other regulations of this Zone;

11.320.16.1.2 the uniqueness of the lands such as the relevant environmental or man-made hazards or risks, and existing Developments; and

11.320.16.1.3 the suitable scale of Residential Development should be reviewed on a case-by-case basis and considering Site-specific geotechnical recommendations.

11.320.16.2 The Subdivision Authority or Development Authority may impose conditions of approval or requirements including, but not limited to the following:

11.320.16.2.1 providing a Real Property Report during preliminary construction indicating the Building is beyond the Restricted Development Area, or more than 50m from the Crest or in accordance with any accepted Report or Site Plan;

11.320.16.2.2 the applicant meets or exceeds the recommendations of any applicable Report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;

11.320.16.2.3 providing emergency access;

11.320.16.2.4 providing ongoing monitoring programs and related access to the land for such monitoring such as slope monitoring or subsurface exploration data derived from appropriate geotechnical drilling;

11.320.16.2.5 increased Site-specific Setbacks for fire protection and mitigation due to elevated risks of fire;

11.320.16.2.6 a post construction certificate from a relevant professional such as a Professional Engineer, Registered Architect, or an Alberta Land Surveyor as determined by the Subdivision Authority or Development Authority, confirming any or all the following:

11.320.16.2.6.1 the Development is located beyond the Restricted Development Area or located and constructed in accordance with any Site Plan or Report accepted by the Subdivision Authority or Development Authority;

11.320.16.2.6.2 compliance with an accepted professional lot grading plan; and

11.320.16.2.6.3 that proposed and existing Grades have been professionally certified.

11.320.16.2.7 the connection of roof leaders (downspouts) and House weeping tiles (foundation service) into storm systems, if available;

11.320.16.2.8 no direction of stormwater or overland drainage onto neighbouring properties (including but not limited to Adjacent park, reserve land, escarpment, or slopes);

11.320.16.2.9 providing erosion and sediment control measures during construction;

11.320.16.2.10 that Buildings have non-combustible exterior finishes or acceptable fire-retardant material treatment;

11.320.16.2.11 conditions to minimize erosion and to stabilize soil conditions;

11.320.16.2.12 that any Development be designed and constructed using materials, processes, or techniques intended to minimize slope risks or instability;

11.320.16.2.13 the applicant and any current or future user or landowner of the Site enter into an Indemnity Agreement with the City respecting environmental risks including, but not limited, slope instability; and

11.320.16.2.14 the applicant enters and comply with an agreement with the City respecting those matters set out in Sections 650, 655 and 651 of the Act or described in section 2.130 of the Zoning Bylaw (a Development agreement).

11.320.17 **Development Permits**

11.320.17.1 Except as expressly stated otherwise in this Zone, a Development Permit is required for any Development in this Zone.

11.320.17.2 Regardless of the foregoing, and provided the Development otherwise complies with the regulations of this Zone, no Development Permit is required for the following Development:

11.320.17.2.1 the temporary storage of construction material on or Adjacent to where a Building is being erected or altered;

11.320.17.2.2 the construction of a fence for a Residential Development; and

11.320.17.2.3 up to 5 flow collectors (rain barrels) attached to authorized roof leaders, each collector having storage capacity of less than 420 litres.

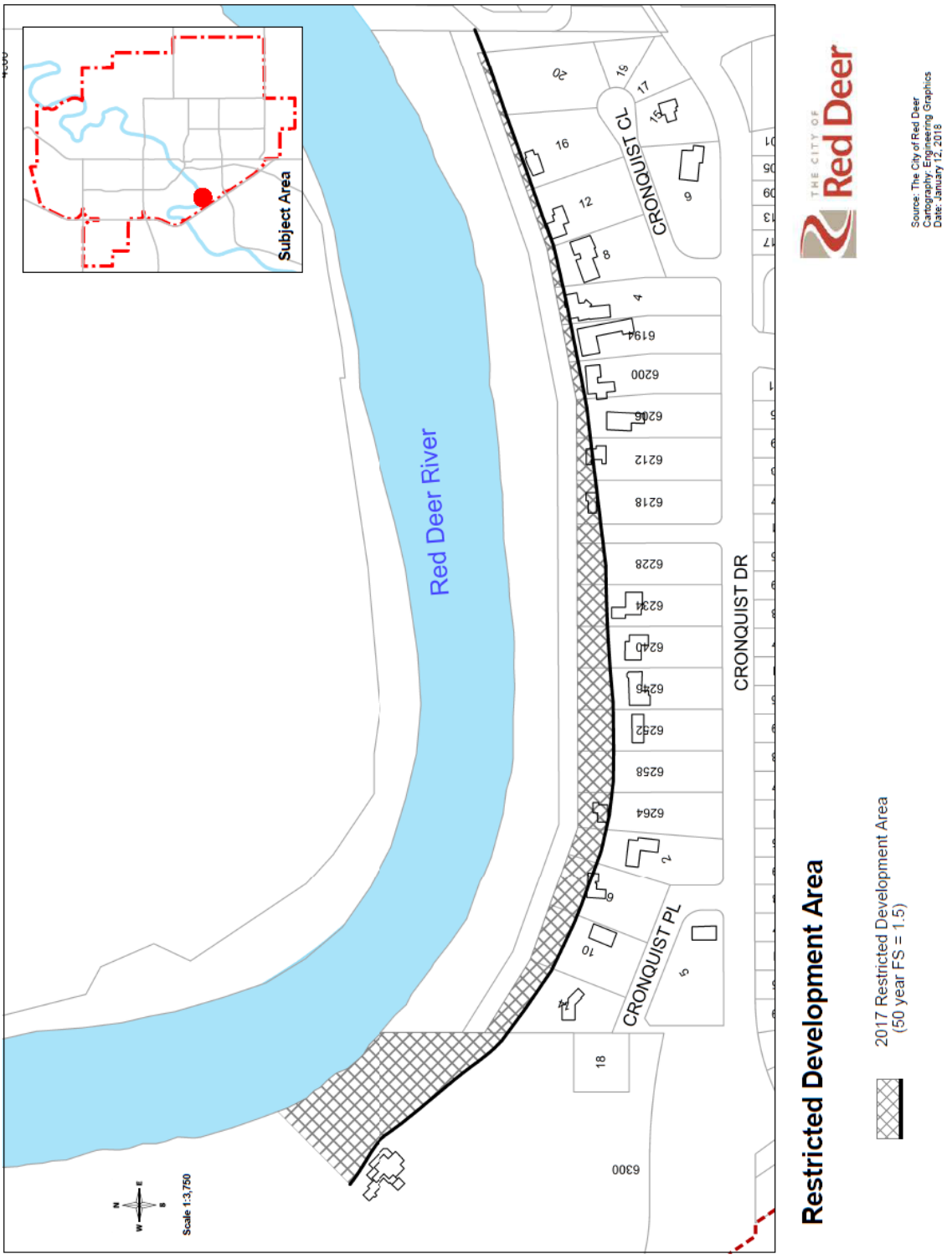


Figure 11.320-1: DC(32) Restricted Development Area

11.330 Direct Control Zone No. 33: DC(33)

Key Information

11.330.1 The purpose of this Zone is to allow for the operation of the Central Alberta Women's Emergency Shelter with Accessory Uses that provide support services for users, including immediate shelter, short-term accommodation, offices directly related to the function of the Emergency Shelter, counselling, kitchen facilities, and outreach programs.

11.330.2 This Zone also allows small-scale Commercial uses on the Main Floor for complimentary Commercial uses for Emergency Shelter users and the public.

11.330.3 Permitted Uses

11.330.3.1 Accessory Building

11.330.3.2 Building Sign

11.330.4 Discretionary Uses

11.330.4.1 Accessory Use

11.330.4.2 Commercial Service Facility, as an accessory to an Emergency Shelter

11.330.4.3 Day Care Facility, as an accessory to an Emergency Shelter

11.330.4.4 Emergency Shelter

11.330.4.5 Merchandise Sales and Rentals as an accessory to an Emergency Shelter excluding:

11.330.4.5.1 Industrial goods;

11.330.4.5.2 Motor vehicles;

11.330.4.5.3 Machinery;

11.330.4.5.4 Cannabis Retail Sales;

11.330.4.5.5 Liquor, Beer, and Wine sales;

11.330.4.5.6 Fuel; and

11.330.4.5.7 All uses where the primary focus is adult orientated merchandise or entertainment)

11.330.4.6	Restaurant (excluding Liquor, Beer, and Wine sales), as an accessory to an Emergency Shelter

Regulations

11.330.5 The Development Authority for applications for Development Approval in this Zone will be as follows:

11.330.5.1 the Development Officer for a Permitted Use meets the regulations of this Zone; and

11.330.5.2 the Municipal Planning Commission for all other Development Permit applications.

11.330.6 Prior to the Municipal Planning Commission considering a Development Permit application for any Discretionary Use in this Zone, the Development Officer will send a notice to all landowners of Sites within 100m of the boundary of this Zone advising of the Development Permit application and providing them a date by which to provide written comments.

11.330.7 **DC(33) Regulations Table**	
Floor Area	As determined by the Development Authority
Commercial Service Facility, Merchandise Sales, and Restaurant Floor Area Maximum	185m^2- Limited to the Main Floor of the Principal Building
Site Coverage	As determined by the Development Authority
Building Height Maximum	4 storeys
Front Yard Minimum	As determined by the Development Authority
Side Yard Minimum	As determined by the Development Authority
Rear Yard Minimum	As determined by the Development Authority
Landscaped Area	15% of the Site Area
Parking	General Parking regulations apply
Loading Spaces	Subject to subsection 3.320.1.1

11.330.8 The principles of Crime Prevention Through Environmental Design applies to all Development in this Zone.

11.330.9 Any Development in the Escarpment Area is subject to Section 2.70 of the Bylaw.

11.330.10 Regardless of any other regulations of this Bylaw, trees must not be cut, felled, or removed from the Site without prior approval of the Municipal Planning Commission.

11.330.11 **Building Design**

11.330.11.1 The Principal Building will have equal Sidewalk interface, architectural corner features, and high-quality elevation treatments along 47 Avenue and 53 Street.

11.330.11.2 No street Frontage Building elevation will have any single horizontal wall length greater than 5.0m unless it contains distinct architectural elements such as Projections, recesses, jogs or windows or vertical accents, to provide visual variety and interest.

11.330.11.3 More than 1 type of high-quality Building material, including but not limited to, brick, stone, concrete, hardy board, and cement stucco must be used in a variety of combinations for ornamentation and articulation.

11.330.11.4 Elements which are utilitarian in nature, including but not limited to, air conditioning units, electrical equipment, and service areas will be Screened to the satisfaction of the Development Authority.

11.330.11.5 All Commercial uses open to the public must be on the Main Floor of the Principal Building.

11.330.12 **Building Entrances**

11.330.12.1 Building entrances will be designed and architecturally treated to emphasize the Building entrance.

11.330.12.2 Emergency Shelter entrances and entrances for Commercial uses open to the public must be architecturally differentiated to avoid confusion.

11.330.12.3 All Commercial uses open to the public will have their own clearly identifiable Road level entry.

11.330.12.4 As a minimum, overhead weather protection will be provided for pedestrians along the Building front at each Road level entry.

11.330.12.5 All Commercial uses open to the public will contain un-tinted glass windows.

11.330.13 **Parking**

11.330.13.1 Underground Parking is encouraged. Most surface Parking will be paved and located behind the Building in carefully designed, landscaped lots with defined, integrated pedestrian connections to Sidewalks and trails.

11.330.13.2 Secure outdoor bicycle racks that allow the bicycle frame to be locked directly to the rack will be provided.

11.330.14 **Landscaping**

11.330.14.1 All plant material provided must be of a species capable of healthy growth in Red Deer. Incorporation of naturescaping is required.

11.330.14.2 Applicants will use The City's Naturescaping Plant List as a guide.

11.330.14.3 Existing trees that are healthy and that have long-term viability are to be preserved by rigid temporary protective fencing to protect the root zone during construction, in accordance with the Contract Specifications

11.330.15 **Waste, Recycling, and Outdoor Storage**

11.330.15.1 All waste containers, recycling containers, and Outdoor Storage will be fully Screened with a solid fence, landscaping, or a combination of both.

11.330.15.2 Sufficient space must be allotted aside from Parking regulations to provide appropriate waste and recycling collection vehicle access.

11.340 Direct Control Zone No. 34: DC(34)

Key Information

11.340.1 The general purpose of this Zone is to allow for future redevelopment of Industrial Sites to create an area of new Commercial and business service uses combined with Residential Dwelling Units and existing Industrial uses. New Development is intended to be compatible with the surrounding neighbourhood to enhance the quality of life in the community.

11.340.2 All new Development must abide by the principles and objectives of the Riverside Meadows Area Redevelopment Plan.

11.340.3 This Zone replaces the I1A/BSR District eliminated by the adoption of this Bylaw. The boundaries of DC(34) are outlined on Map L16.

11.340.4 Permitted Uses

11.340.4.1 Apartment

11.340.4.2 Building Sign

11.340.4.3 Business Support Services, excluding Dangerous Goods Occupancy and Oilfield Support Services, provided it takes place in a Building existing as of July 15, 2003

11.340.4.4 Commercial Service Facility

11.340.4.5 Concession booths for the sale of food or beverages to members and guests of a group approved under this table

11.340.4.6 Home Occupation Minor

11.340.4.7 Indoor Recreation Facility

11.340.4.8 Lot-specific Uses outlined in subsection 11.340.6

11.340.4.9 Mixed-Use Building with 1 or more of the following on the Main Floor:

- 11.340.4.9.1 Professional Office;
- 11.340.4.9.2 Merchandise Sales and Rentals excluding adult oriented merchandise;
- 11.340.4.9.3 Restaurants excluding Drive-Throughs;
- 11.340.4.9.4 Commercial Service Facility;
- 11.340.4.9.5 Financial Institutions

11.340.4.10	Open Space
11.340.4.11	Outdoor Recreation Facility
11.340.4.12	Parking ancillary to any Permitted or Discretionary Use
11.340.4.13	Restaurants excluding Drive-Throughs
11.340.4.14	Service and repair of goods traded in the Zone (excludes Service Stations and car washes) approved prior to July 15, 2003
11.340.4.15	Townhouse
11.340.4.16	[77]Day Care Facility

11.340.5 Discretionary Uses

11.340.5.1	Accessory Building
11.340.5.2	Commercial School
11.340.5.3	Freestanding Sign
11.340.5.4	Health and Medical Services
11.340.5.5	Merchandise Sales and Rentals excluding adult oriented merchandise
11.340.5.6	Professional Office
11.340.5.7	Service and Repair of goods traded in the Zone (excluding Service Stations and Car Washes).
11.340.5.8	Show Home

Regulations

11.340.6 In addition to the uses listed in subsection 11.340.4, the following uses are allowed on the Sites indicated, provided they existed prior to July 15, 2003, and continue to meet the conditions as outlined in subsection 11.340.7:

11.340.6.1 Lot 1, Block N, Plan 1861KS may operate as a trophy, award, and plaque production facility, production facility of promotional products, and associated retail sales;

11.340.6.2 Lots 22 & 29, Block 17, Plan 7604S may operate as storage and Warehouse;

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11.340.6.3 Lots 18-21, Block 17, Plan 7604S may operate as automotive repair and parts sales;

11.340.6.4 Lot 24, Block 17, Plan 7922177 may operate as production of bottled water, water distribution and related sales facility;

11.340.6.5 Block H, Plan 5296HW may operate as tire and scrap metal storage and tire repair shop and automotive parts sales;

11.340.6.6 Lot 25, Block 17, Plan 7922177 may operate as indoor air cleaning business;

11.340.6.7 Block N, Plan 3051HW may operate as a supply, mixing of paint, sale and distribution of automotive related finishes and parts.

11.340.7 The uses identified in subsection 11.340.6 may be allowed if they continue to follow the following regulations:

11.340.7.1 the use does not extend further throughout the existing Building to include a larger area of floor space of the Building than it did as of July 15, 2003;

11.340.7.2 the use is continuous. An existing use may continue in operation if it is not discontinued for a period of 6 consecutive months or more. For this purpose, a discontinuance means a discontinuance in fact, whether intended by the landowner or occupant or not;

11.340.7.3 despite subsection 11.340.7.2, the Development Authority may issue 1 or more Development Permits time limited to no more than 6 months each to the period of discontinuance, but no cumulative extra time allowance totalling over 18 months will be granted;

11.340.7.4 the operation of which meets the regulations set out in subsections 3.210.1 and 3.210.5 of this Bylaw, and which does not create nor emit noises, odours, dusts, fumes, or otherwise create a nuisance;

11.340.7.5 use on part of a Site may not be extended or transferred in whole or in part to any other part of the Site and no additional Buildings may be constructed on the Site.

11.340.8 Despite Permitted Uses outlined in subsection 11.340.4, where a legally approved Industrial Building within this Zone in existence at the time of the passing of this Bylaw, is partially or fully destroyed by fire or other

accidental means, it may be replaced for the same use and Building size as that which was destroyed.

11.340.9 DC(34) Regulations Table	
Building Height	Maximum: 3 Storeys, subject to subsection 11.340.12
Waste and recycling containers	Fully Screened with a solid fence

11.340.10 DC(34) is subject to any applicable regulations listed within General Industrial Regulations.

11.340.11 The C-3 Zone will be used as a guideline to determine the Site regulations within this Zone including minimum Site Area, Frontage, Setbacks, Front Yard, Side Yard, and Rear Yards, as well as minimum Parking, loading, and landscaping requirements, except where otherwise specified below.

11.340.12 The Development Authority may consider approval of up to 4 storeys in special circumstances based on the requirements of the Area Redevelopment Plan. Comments from the community association will be considered.

11.340.13 **Site Development**

11.340.13.1 Within this Zone, on any properties which owe municipal reserve at the time of subdivision, land is to be taken for reserves in preference to cash where the land can be used for the Development of the public Amenity Space (town square or Commercial village) as described in the Riverside Meadows Area Redevelopment Plan.

11.340.13.2 New Development and redevelopment must incorporate such features as awnings, planters, and architectural treatment and detailing compatible with surrounding Development. Buildings should incorporate pedestrian or street-oriented design elements such as recessed entrance ways, street level windows, awnings, appropriate landscaping, and Parking in the rear where possible.

11.350 [78]Direct Control Zone No.35: DC (35)

Key Information

11.350.1 This Zone will allow the Development of House Suites in Duplexes.

11.350.3	**Permitted Uses**
11.350.3.1	All uses listed as Permitted Uses in the R-D Residential Duplex Zone
11.350.3.2	House Suite in a Duplex
11.350.4	**Discretionary Uses**
11.350.4.1	All uses listed as Discretionary Uses in the R-D Residential Duplex Zone

Regulations

11.350.5 For this Direct Control Zone, the Development Authority is the Development Officer.

11.350.6 The R-D Zone Development regulations for Duplexes will be used as a guide for the Development Authority.

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Part 12 Overlays, Modifiers, and Character Statements

Overlays provide additional regulations for specific Sites or areas that prevail over the Zone regulations for the Site in instances where a conflict emerges.

12.10 Gaetz-Ross Heritage Area Overlay

Key Information

12.10.1 The Gaetz-Ross Heritage area is defined as all the Sites fronting onto Gaetz Avenue from 46 Street north of, and including, the Hamilton Block at 5211 Gaetz Avenue, and all the Sites fronting onto Ross Street between, and including, the former CP Railway Station and the Old Court House Professional Centre building at 4838 Ross Street. This boundary is shown in Figure 12.10-1.

Regulations

12.10.2 All building-front Development criteria applicable to C-1 Zoning applies to Developments in the Gaetz-Ross Heritage Area Overlay.

12.10.3 Any part of a new Building higher than 2 storeys at the front Building Façade must be stepped back a minimum of 1.2m from the front Building Façade of the lower 2 storeys, dividing the Façade of the Building so it matches the typically smaller, human scale of existing heritage Buildings in the area.

12.10.4 A second storey cornice line must be architecturally accented.

12.10.5 Residential uses must only be above the Main Floor.

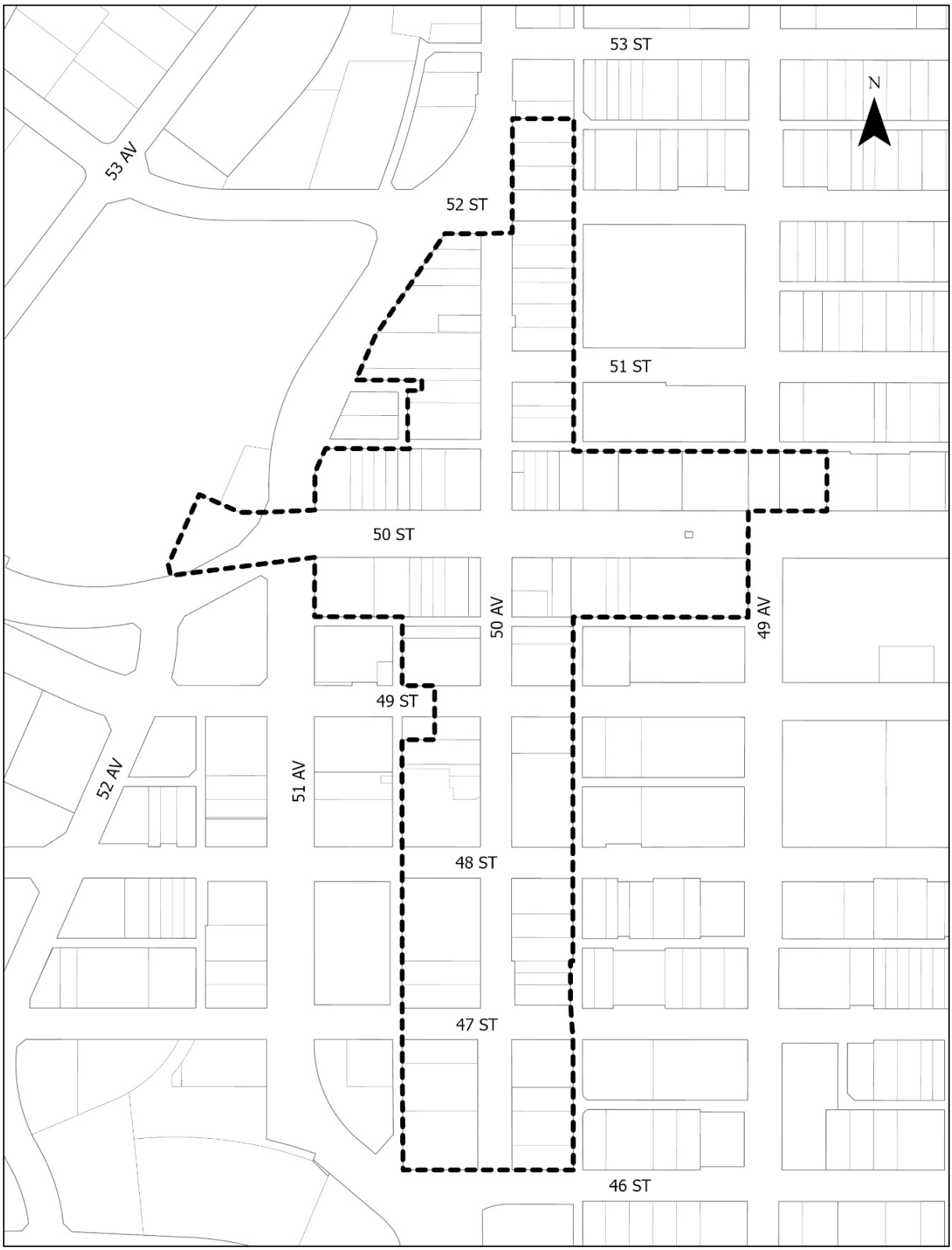


Figure 12.10-1: Gaetz-Ross Heritage Area Overlay

12.20 Parkvale Overlay

Key Information

12.20.1 This Overlay requires new Dwelling Units and Accessory Buildings in the Parkvale neighbourhood to be sensitive to existing Development and to maintain the character of the Immediate Road Context.

12.20.2 Requirements in this Overlay apply to:

12.20.2.1 all Residential Sites shown in Figure 12.20-1; and

12.20.2.2 the following Developments:

12.20.2.2.1 Buildings that contain a Dwelling Unit;

12.20.2.2.2 construction of new Dwelling Units;

12.20.2.2.3 enclosed structural additions to existing Dwelling Units; and

12.20.2.2.4 Accessory Buildings.

12.20.3 If an Overlay requirement conflicts with a Developed Areas Regulations or Zone requirement, the Overlay requirement prevails.

Regulations

12.20.4 The minimum Frontage for a House on a Site is 11.4m.

12.20.5 On Corner Sites not Abutting a lane:

12.20.5.1 vehicle access will be allowed from the Side Yard; and

12.20.5.2 attached Garages must not protrude beyond the side wall of the Dwelling Unit.

12.20.6 Front vehicle access to Sites with rear lane access

12.20.6.1 Front vehicle access to Sites with rear lane access is not allowed except:

12.20.6.1.1 on Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867, which may have a front-attached Garage if:

12.20.6.1.1.1 the front-attached Garage does not protrude beyond the live-in part of the Dwelling Unit;

12.20.6.1.1.2 the front-attached Garage is not wider than 4.9m including eaves;

12.20.6.1.1.3 the front Driveway is not wider than 4.3m; and

12.20.6.1.1.4 the front Driveways is developed in conjunction with a Garage.

12.20.6.2 Front attached Garages may be designed to allow Tandem Parking for a maximum of 2 motor vehicles.

12.20.7 For new Development, the Development Authority will consider rooflines that complement the architectural character of the Immediate Road Context and the preference will be for a peaked roof within the maximum Building Height.

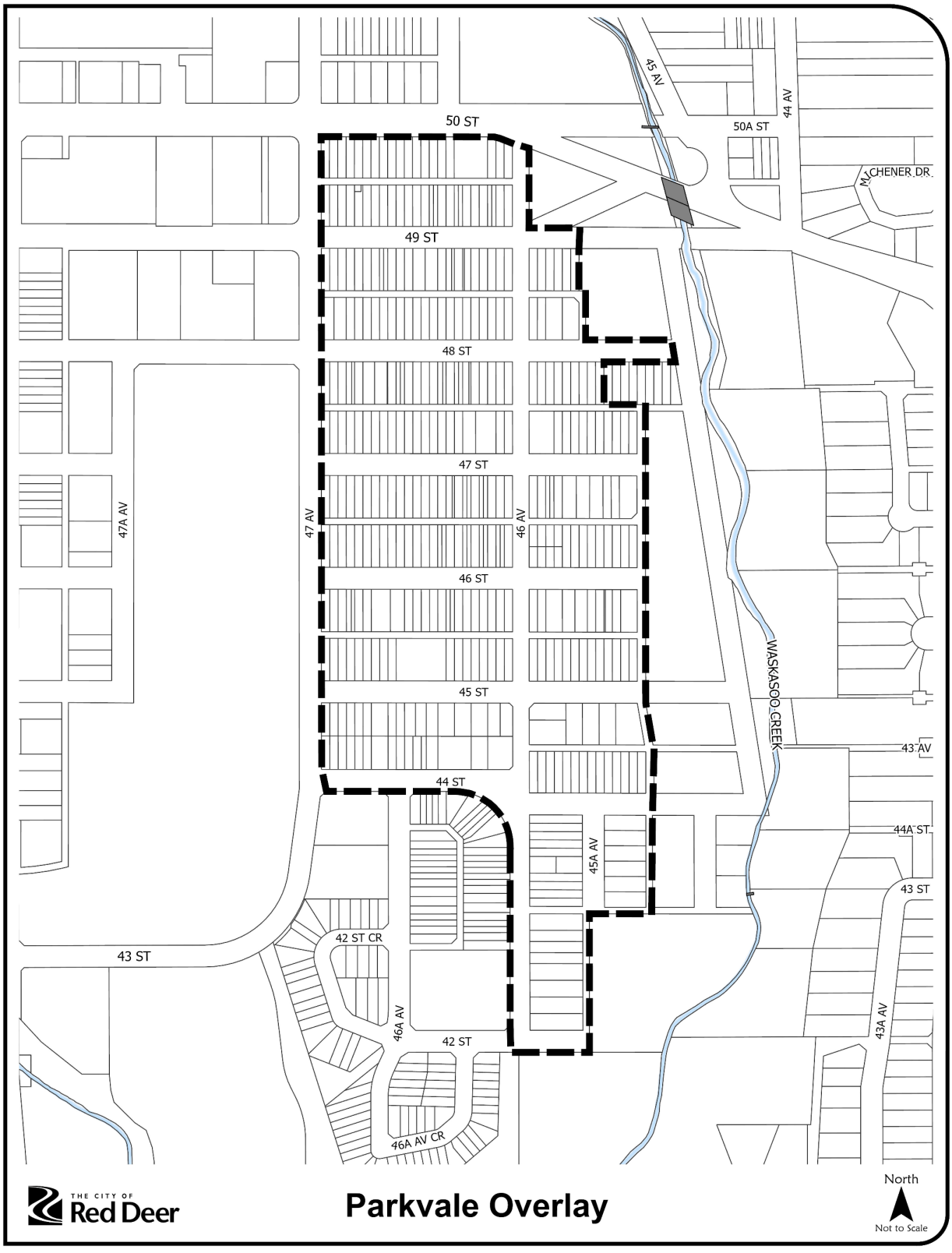


Figure 12.20-1: Parkvale Overlay

12.30 Riverside Meadows and West Park Overlay

Key information

12.30.1 The Riverside Meadows and West Park Overlay requirements:

12.30.1.1 implement the existing Riverside Meadows Area Redevelopment Plan and West Park Area Redevelopment Plan, and

12.30.1.2 ensure that new Dwelling Units and Accessory Buildings in the Riverside Meadows and West Park neighbourhoods are sensitive to existing Development and maintain the character of the streetscape.

12.30.2 These regulations apply to:

12.30.2.1 all Residential Sites, except those in R-H, within the boundaries shown in Figure 12.30-1; and

12.30.2.2 the following Developments:

12.30.2.2.1 Buildings that contain a Dwelling Unit;

12.30.2.2.2 construction of new Dwelling Units;

12.30.2.2.3 enclosed structural additions to existing Dwelling Units; and

12.30.2.2.4 Accessory Buildings.

12.30.3 The Riverside Meadows and West Park Overlay requirements are in addition to and prevail over the Developed Areas Regulations and the Zone requirements when a conflict occurs.

Regulations

12.30.4 **Development Regulations**

12.30.4.1 A Townhouse may have a maximum of 6 Dwelling Units.

12.30.4.2 The Façade of a Building must include a horizontal architectural element placed between the Main Floor and a second storey on a 3 or more storey Building, or the Main Floor and the beginning of the roof pitch on a 2 storey Building.

12.30.4.3 All Dwelling Units at Grade, including Townhouses and Apartments, fronting a Road or park must have a private Front

Yard and individual front entry access from a Road, Sidewalk, or trail.

12.30.5 Appearance

12.30.5.1 High quality Building materials, such as brick, stone, concrete, hardy board, or cement stucco, must be used in a variety of combinations for ornamentation and articulation.

12.30.5.2 Vibrant colours and textures must be used to distinguish elements of the Building Façade and to visually differentiate between Dwelling Units in Duplexes and Townhouses.

12.30.5.3 The Façade of a Duplex must give the appearance of 2 separate Dwelling Units.

12.30.5.4 Front attached Garages must be no more than 35% of the total Frontage.

12.30.6 Parking

12.30.6.1 Front attached Garages and front Parking Pads are not allowed on Sites fronting Kerry Wood Drive, 54 Avenue, and Sites in Direct Control Zone 13 (DC(13)), where Parking must be via a rear or side lane.

12.30.6.2 If more than 8 Parking stalls are required:

12.30.6.2.1 Apartments should minimize above Grade Parking;

12.30.6.2.2 Apartment Parking access must be from the lane where a Site-Abutting lane is developed;

12.30.6.2.3 where there is no lane:

12.30.6.2.3.1 Road access to the rear of the Building or Parking is allowed if it does not interfere with boulevard trees or other streetscaping; and

12.30.6.2.3.2 the number of motor vehicle accesses must be a single Driveway per block, entrances may be shared with other Sites, and Parking areas must be organized in clusters. This may require a joint access agreement with neighbouring Sites.

12.30.6.3 Townhouse and Apartment Developments must include:

12.30.6.3.1 Parking areas that define Sidewalk edges, promote user safety, and show clear pedestrian connections to Sidewalks and Building entrances;

12.30.6.3.2 ground-oriented, pedestrian-scale lighting that indicates pedestrian routes and entrances to Parking areas and Buildings on the Site; and

12.30.6.3.3 pedestrian spaces linking to Parking areas, Roads, pocket parks, Courtyards, Sidewalks, Walkways, or trail networks where Abutting the Development.

12.30.7 New Dwelling Units in West Park

12.30.7.1 Applications for new Dwelling Units in West Park, in the area shown in Figure 12.30-1, should include at least 1 of the following green initiatives:

12.30.7.1.1 wiring each Dwelling Unit to be solar ready;

12.30.7.1.2 a Sustainable Landscaping plan;

12.30.7.1.3 permeable pavers for Parking areas; or

12.30.7.1.4 any other initiative the Development Authority approves.

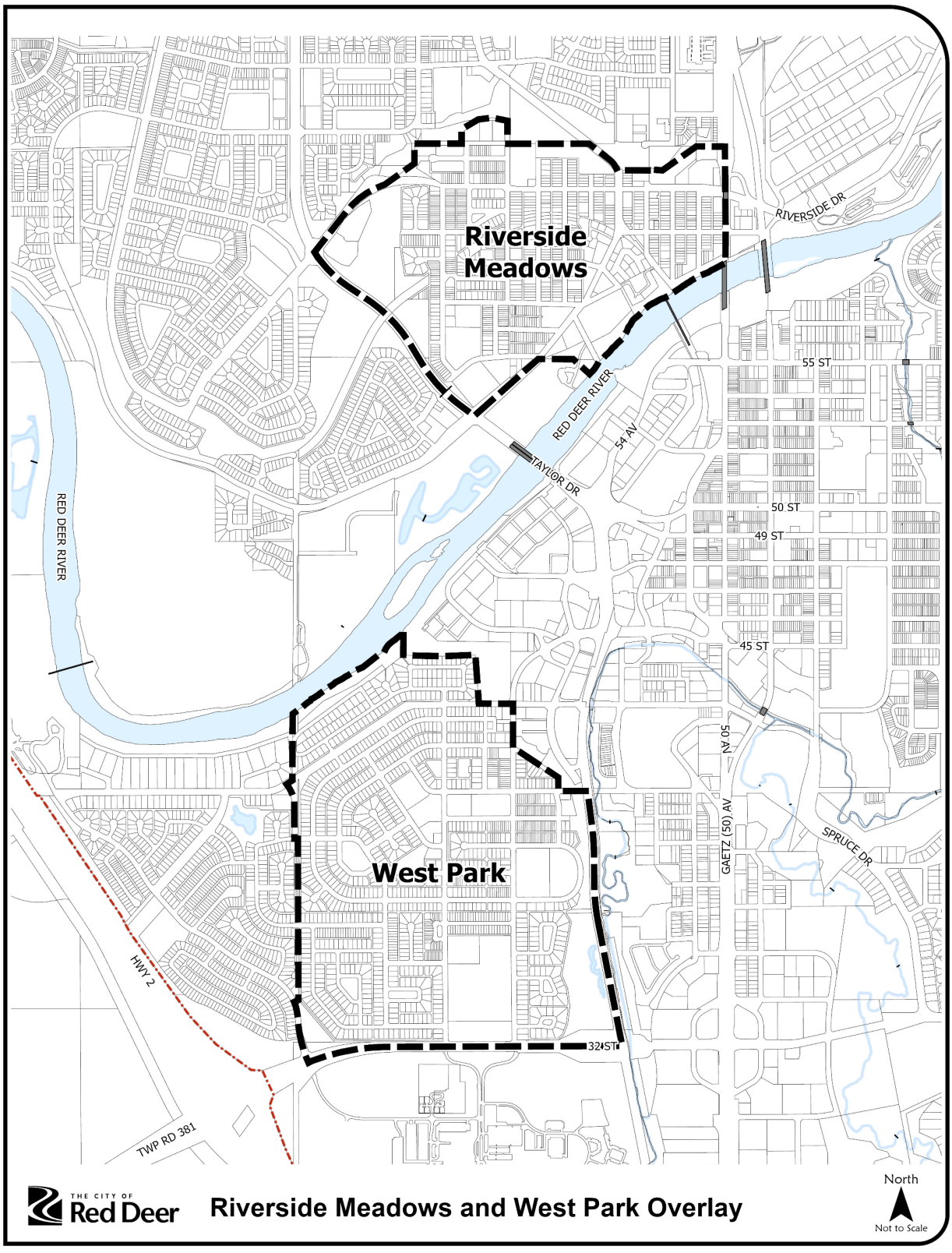


Figure 12.30-1: Riverside Meadows and West Park Overlay

12.40 Riverside Meadows and West Park Commercial Overlay

Key information

12.40.1 The purpose of this Overlay is to ensure that redevelopment will be designed to satisfy objectives outlined in the Riverside Meadows Area Redevelopment Plan and West Park Area Redevelopment Plan which describes a compatible blend of Residential and Commercial Development of varying sizes, styles and types appealing to a variety of demographic groups as if it were a village in a city.

12.40.2 This Overlay is comprised of requirements that provide a means to regulate design attributes which cannot be satisfactorily addressed through conventional land use zoning.

12.40.3 These requirements apply to all Sites in a Commercial Zone within the boundaries shown in Figure 12.30-1, including any Development that changes the Site Plan or exterior of any existing Building and for the Development of new Buildings.

12.40.4 The Riverside Meadows and West Park Commercial Overlay requirements are in addition to and prevail over the Developed Areas Regulations and the Zone requirements when a conflict occurs.

Regulations

12.40.5 **Development Regulations**

12.40.5.1 Principal Building façade facing a Road may only have horizontal or vertical walls longer than 5.0m if they are broken up by features such as porches, Projections, terracing, gables, windows, different exterior finishing materials, roof gable ends, or variations in rooflines.

12.40.5.2 Windows and balconies must be placed to allow overlook of Roads, lanes, Sidewalks, pedestrian passages, Parking areas and public Open Spaces.

12.40.5.3 Entrances must be clearly identified, visible and accessible from the Road Abutting the Front Boundary.

12.40.5.4 High quality Building materials must be used in a variety of combinations for ornamentation and articulation. These could be brick, stone, concrete, hardy board, or cement stucco.

12.40.5.5 All Principal Building Façades facing a Road on a Corner Site must have equal quality architectural treatment.

12.40.5.6 All Principal Building Façades facing a Road must be parallel to the Road except in the case of Sites with Road Frontage on 3 sides, only 2 Building Façades must be parallel.

12.40.5.7 Development must minimize disruption to existing topography and vegetation.

12.40.5.8 All Principal Building Façades facing a Road must include a horizontal architectural element. It should be placed between the Main Floor and a second storey on a 3 or more storey Building, or the Main Floor and the beginning of the roof pitch on a 2 storey Building.

12.40.5.9 The following Parking requirements must apply to all Development:

12.40.5.9.1 Development should minimize above Grade Parking;

12.40.5.9.2 Parking access must be from a lane, except when there is no lane, then the following applies:

12.40.5.9.2.1 Road access to the rear of the Building or Parking may be allowed if it does not interfere with boulevard trees or other streetscaping; and

12.40.5.9.2.2 the number of motor vehicle accesses must be a single Driveway per block, entrances may be shared with other Sites, and Parking areas must be organized in clusters. This may require a joint access agreement with an Abutting Site.

12.40.5.9.3 Parking areas must define Sidewalk edges, promote user safety, and show clear pedestrian connections to Sidewalks and Building entrances.

12.40.5.10 All Principal Building Façades facing a Road, including both Façades on Corner Sites, must be built to the Boundary unless the area between the Principal Building and a Sidewalk is developed in a manner that provides a visual amenity to the pedestrian environment.

12.40.5.11 Side Yard Setbacks must be zero unless the Site Abuts a Residential Site, in which case there must be a minimum 1.5m Side Yard Setback.

12.40.5.12 Rear Yard Setback must be no less than 1.5m.

12.40.5.13 The minimum Main Floor to ceiling height for Commercial uses must be 3.6m.

12.40.5.14 The Main Floor part of any Building façade facing a Road must contain a minimum of 50% transparent windows.

12.40.5.15 Where a lane exists, access to Site Parking and for loading and delivery zones must be provided from the lane.

12.40.5.16 As a minimum, overhangs and canopies must be provided at each Building entrance and should be located along the full elevation. The design of the overhangs and canopies must be compatible with the Building's architecture and must not affect the safety of the Sidewalk.

12.40.5.17 Lighting must be used to complement and draw attention to window displays, Signs, store information, and architectural elements on the entire Building Façade.

12.40.5.18 Service bays, utility entrances and storage areas must be located to the side or rear of the Building and must be Screened from view.

12.40.5.19 Road elevations must replicate the historic pattern of store front modules of 7.5m to 10.0m wide, each containing varied design elements such as entrances, windows, canopies, Projections, roof lines, and Signs.

12.40.5.20 Subject to review by the City, front angle Parking must be allowed on private property along local Roads and Roads where traffic volumes are less than 3,000 vehicles per day. Angle Parking design must incorporate landscaped boulevards and Walkways between the vehicle and Building elevation to ensure a continuous pedestrian path.

12.40.5.21 Sites located along Gaetz Avenue have the following exceptions:

12.40.5.21.1 new Buildings or major additions must be set back as listed C-4 Zone; and

12.40.5.21.2 Parking should be in the Rear Yard or Side Yard. Front Parking areas may be considered if an enhanced landscaped buffer of 1.5m is provided Adjacent to Gaetz Avenue.

12.40.5.22 Applications for a new Commercial Development in West Park, the area shown in Figure 12.30-1, must include at least 1 of the following green initiatives:

12.40.5.22.1 wiring each unit to be solar ready;

12.40.5.22.2 a Sustainable Landscaping plan;

12.40.5.22.3 permeable pavers for Parking areas; or

12.40.5.22.4 any other initiative the Development Authority approves.

12.50 Eco Industrial Park Overlay

Key information

This Overlay contains requirements to achieve the objective of an eco-Industrial park, not otherwise achievable under existing conventional Industrial Zones and requirements.

12.50.1 This Overlay provides a framework for the implementation of the eco-Industrial vision outlined in the West QE2 Major Area Structure Plan.

12.50.2 The goal of this Overlay is to guide Industrial Development of an eco-Industrial park in which businesses cooperate with one another and the local community to reduce waste, efficiently share resources such as information, materials, water, energy, infrastructure, and natural resources, and produce sustainable Development, with the intention of increasing economic gains and improving environmental quality.

12.50.3 This Overlay applies to the I-1 Zone areas shown on the Land Use Constraints Maps F20, F21, G19, G21, and the construction of any Principal Buildings or Accessory Buildings on those Sites.

12.50.4 The Development Authority may require structural renovations, alterations, additions, or reconstructions of Buildings which existed prior to the Overlay coming into effect be completed in accordance with the Overlay.

12.50.5	**Permitted Uses** Uses listed as Permitted Uses in the underlying Zone
12.50.6	**Discretionary Uses** Uses listed as Discretionary Uses in the underlying Zone

Regulations

12.50.7 If there is a conflict between a requirement in this Overlay and any other requirement in this Bylaw, including those requirements set out in the underlying Zone, the requirement in this Overlay must apply.

12.50.8 Each Building on a Site must incorporate at least 3 different Green Building Materials identified on the Green Building Materials list that makes up part of the application for a Development Permit.

12.50.9 Each business must establish an in-house recycling and composting program for organic and material wastes.

12.50.10 Building and Site Design

12.50.10.1 Front Yard minimum must be 9.0m.

12.50.10.2 Sidewalks must be provided along each side of a Building that Abuts a Parking area.

12.50.10.3 If the Site Abuts a Sidewalk or transit stop, a direct Walkway connection is required from the main entrance of a Principal Building on the Site to the Abutting Sidewalk or transit stop.

12.50.10.4 Buildings must take advantage of passive solar heating, natural lighting, passive ventilation, and shading for cooling.

12.50.10.5 Windows must be located and oriented to provide Building occupants with views to significant natural or Landscaped Areas.

12.50.10.6 A designated area for onsite recycling and composting of materials must be identified on the Site Plan and landscape plan.

12.50.11 Parking and Loading Areas

12.50.11.1 Regardless of any other conflicting Parking regulations in this Bylaw, a landowner or occupant of a Site must provide for not less than the number of Site Parking spaces for the applicable land use as set out below and, in calculating the Parking space requirement, a fractional number will be rounded down.

12.50.11.2 1 Parking space must be designated for a small, alternative, carpool or electric vehicle, and:

12.50.11.2.1 must be in a preferential location;

12.50.11.2.2 must be signed appropriately with design and location of Signs satisfactory to the Development Authority; and

12.50.11.2.3 is counted as part of the total number of Site Parking spaces set out in the general Parking requirements.

12.50.11.3 In shipping and receiving areas the landowner or occupant of the Site must erect at least 1 Sign per loading dock that indicates the area of the loading dock is an “Idle Free” zone. The design and location of Signs must be satisfactory to the Development Authority.

12.50.12 Landscaping

12.50.12.1 Landscaping must be completed using those species of plants, trees or shrubs that are suitable for Sustainable Landscaping, stormwater management, or Rear Yard screening.

12.50.12.2 Landscaping must consist of a combination of flowers, grasses, mulch, trees, or shrubs.

12.50.12.3 A minimum of 15% of all Landscaped Area must consist of Sustainable Landscaping.

12.50.12.4 Landscaping must provide shading, climate protection and windbreaks to the Principal Building on the Site.

12.50.12.5 Access to the Site must be framed with landscaping islands.

12.50.12.6 If the Building Abuts a Parking area, a 1.0m wide landscaping strip must be provided immediately Adjacent to and along the length of the Building Abutting the Parking area to separate the Building from the Parking area or Sidewalk that Abuts the Parking area.

12.50.12.7 A 1.0m wide landscaping strip, in addition to the landscaping strips provided pursuant to subsection 12.50.12.6, must be provided immediately Adjacent to and along another side of the Building. This landscaping strip will preferably be provided on the side of the Building that is visible from a Road or be located to provide shading and climate protection for the Building.

12.50.12.8 A 1.0m wide landscaping strip must be provided along the entirety of the Front Yard of the Site if the Front Yard of the Site Abuts a Road. The landscaping strip will provide separation and soften the appearance of the Front Yard of the Site.

12.50.12.9 If the Rear Yard of the Site is visible from a Road, a 1.5m wide landscaping strip, incorporating trees and shrubs, must be provided to screen the view of the Rear Yard from the Road. Rear Yard screening may be supplemented by fencing.

12.50.12.10 The area of a green roof may be used by the Development Authority to determine if landscaping requirements are satisfied.

12.50.12.11 Irrigation systems installed at the time of the Development of the Site must be high efficiency drip systems.

12.60 Flood Plain Overlay

Key information

12.60.1 Flood Plain Overlays

12.60.1.1 Figure 12.60-1, as shown for illustrative purposes, provides the general boundaries for where the Flood Plain Overlay is likely to apply. The Overlay formally applies to any Site included in flood fringe and floodway areas.

12.60.1.2 The general purpose of these provisions is to provide for the safe and efficient use of Sites in the defined floodway and flood fringe of the Waskasoo Creek and a part of the Red Deer River by way of prohibiting the construction of new Buildings or structures in the floodway and allowing Development and redevelopment of Buildings in the flood fringe, only if these Buildings are satisfactorily flood proofed.

Regulations

12.60.2 Floodway Uses

12.60.2.1 Despite the underlying Zone and section 4.10, the only uses allowed in the floodway are Open Space, environmental reserve, natural areas, bridge support structures and related Roads.

12.60.3 Floodway Fringe Uses

12.60.3.1 In the flood fringe area, the Permitted Uses and Discretionary Uses listed in the Zone in which the Site is located continue to apply.

12.60.3.2 The provisions of the Overlay are applied in addition to the requirements of the Zone, and prevail over any conflicts that may occur.

12.60.3.3 Industrial, Commercial, institutional, or Residential Development will not be allowed in the flood fringe unless the area is flood proofed by filling to a level equivalent to the 1:100-year flood level plus 0.3m.

12.60.3.4 Despite the foregoing, low risk activities such as temporary outside storage or parks use may be allowed in the flood fringe at the discretion of the Development Authority.

12.60.4 Requirements

12.60.4.1 No new Buildings will be allowed in the floodway

12.60.4.2 Before a Development Permit is issued for the construction of any Development in the flood fringe, the Development Authority may require the applicant submit a certificate from a qualified, registered professional engineer or architect indicating the following factors have been incorporated in the Building and Site:

12.60.4.2.1 Canadian Mortgage and Housing Corporation guidelines for building in flood susceptible areas;

12.60.4.2.2 the flood proofing of habitable rooms, electrical panels and heating units, and openable windows;

12.60.4.2.3 basement drainage and Site drainage; and

12.60.4.2.4 information on Grade elevation in relation to the 1:100-year flood elevation.

12.60.4.3 Except as provided in subsections 12.60.4.4 and 12.60.4.5, the Development Authority must not issue a Development Permit until it is satisfied that adequate flood proofing exists.

12.60.4.4 The Development Authority must allow minor renovations and repairs to an existing Building, whether structural or not, in the flood fringe without requiring the flood proofing of a Building.

12.60.4.5 The Development Authority may allow additions to an existing Building in the flood fringe without requiring the flood proofing of the existing Building, provided the addition is not anticipated to affect the flood proofing of the existing building.

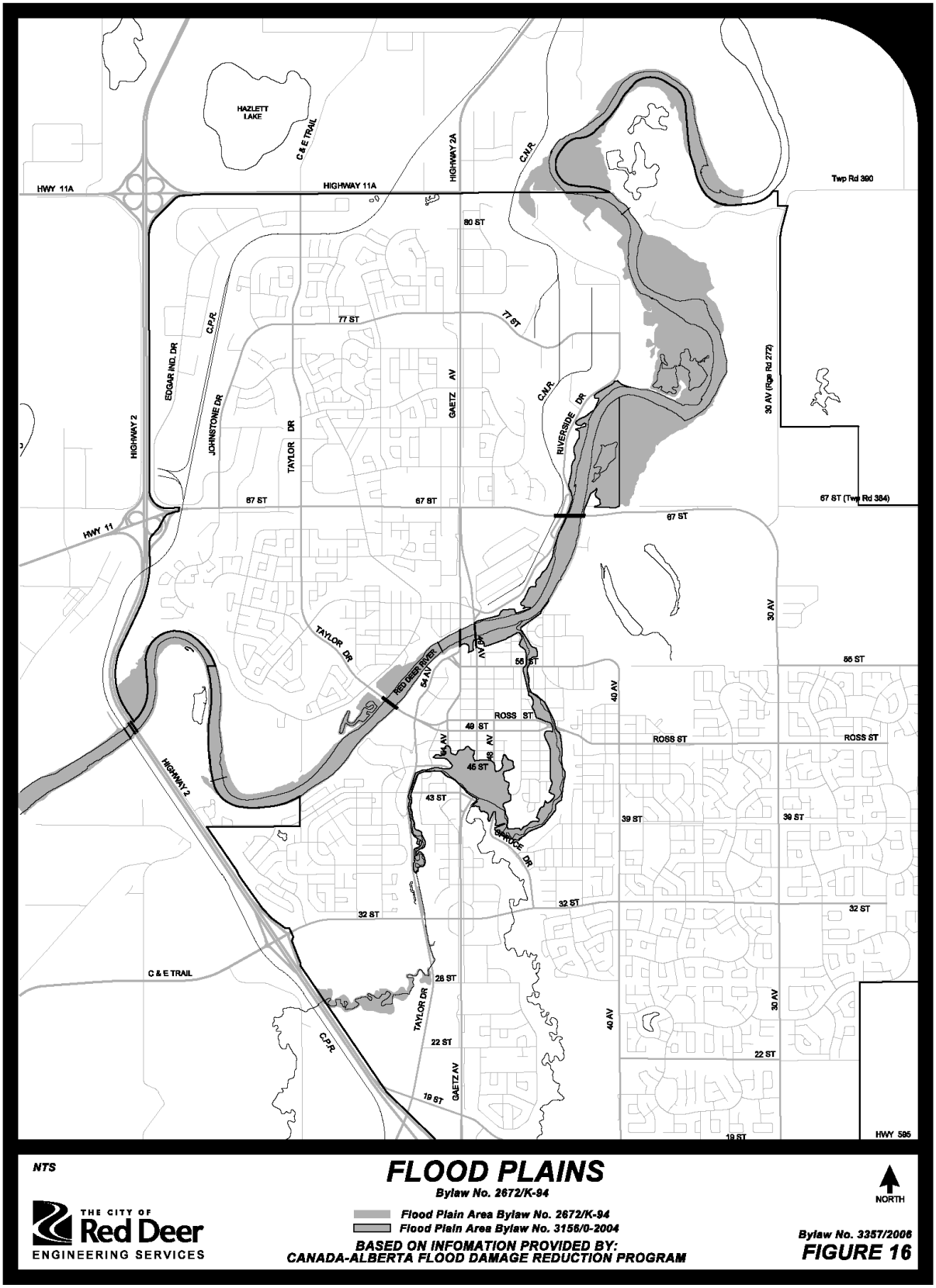


Figure 12.60-1: Flood Plains

12.70 Major Entry Areas Overlay

Key information

12.70.1 This Overlay ensures that Development along major Commercial corridors leading into the City is visually attractive, creates a welcoming environment and does not prejudice pedestrian and traffic safety or the function of Adjacent Roads.

12.70.2 The Major Entry Areas Overlay Zone is shown on the Land Use Constraints Maps J24, J23, J22, I23, I22, F21, G21, H21, I21, J21, K21, H20, I20, H19, I19, I18, J18, K18, I17, K17, I16, H16, H15, I15, I14, I13, J13, J12, K12, K11, L11, M11, M10, K10, L10, L9 and M9.

12.70.3 The Major Entry Areas Overlay Zone applies to all Sites that have 1 or more Boundaries Adjacent to a Major Corridor, as identified in Figure 12.70-1 through Figure 12.70-9.

12.70.4 Permitted Uses

Uses listed as Permitted Uses in the underlying Zone

12.70.5 Discretionary Uses

Uses listed as Discretionary Uses in the underlying Zone

12.70.6 Prohibited Uses

12.70.6.1 Despite subsections 12.70.4 and 12.70.5, the following Signs are not allowed in the Major Entry Areas Overlay:

12.70.6.1.1 Billboard Sign;

12.70.6.1.2 Dynamic Sign; and

12.70.6.1.3 Electronic Message Sign.

12.70.7 The requirements of this Overlay are in addition to any other applicable requirements under this Bylaw. Where the requirements in the existing underlying Zone contradict or will not serve to achieve the general purpose of this Zone, the Major Entry Area Overlay requirements must prevail.

12.70.8 The Major Entry Areas Overlay does not apply to Residential Sites.

12.70.9 All applications in a major entry area Adjacent to a provincially owned Major Corridor must be circulated to Alberta Transportation for their review and comment.

12.70.10 Building Design

12.70.10.1 All Buildings on a Site must be constructed using similar architectural theme and exterior finishes and colours unless the function of individual Buildings dictates a specific style or image associated with a company. In such instances, the Development must maintain harmony in terms of building lines, mass, as well as quality and colour of exterior treatment, to the satisfaction of the Development Authority.

12.70.10.2 All mechanical equipment, including roof mechanical units, must be concealed by Screening in a manner compatible with the architectural character of the Building, or concealed by incorporating it in the Building roof.

12.70.10.3 All Buildings with a Gross Floor Area greater than 2,000.0m^2 or a single wall length greater than 5.0m visible from a Major Corridor, must comply with the following design criteria, to the satisfaction of the Development Authority:

12.70.10.3.1 the roof line and Building Façade must include design elements that reduce the perceived mass of the Building and add architectural interest; and

12.70.10.3.2 have Landscaped Areas Adjacent to exterior walls visible from a Major Corridor to minimize the perceived mass of the Building and to create visual interest.

12.70.11 Site Design

12.70.11.1 Vehicle entrances and exits, as well as Site and off-Site traffic and pedestrian routes, must be located and designed in a manner that provides a clearly defined, efficient and convenient Site and off-Site vehicle traffic and pedestrian circulation pattern.

12.70.11.2 Loading bays must not impede the efficient flow of traffic and pedestrian movement and minimize impacts on Adjacent Sites.

12.70.11.3 Development on Adjacent Sites must be integrated by direct Site access connections to provide opportunities for convenient and free flowing traffic movements between Sites where such integration is advantageous, in the Development Authority's

opinion, due to the existing or potential type of Adjacent Development and where such access is not prohibited due to such factors as Grade elevations, Site configurations and location of existing Buildings.

12.70.11.4 Service Stations, Motor Vehicle Sales, Service, or Repairs, and Restaurants with a Drive-Through must be developed in accordance with the following:

12.70.11.4.1 the design, finishing, and siting of Development, including the orientation of gas pump island, queuing aisles and service bays, must be to the satisfaction of the Development Authority having regard to achieving a consistent and compatible relationship with the overall design and finishing of the Development, ensuring a high standard of appearance when viewed from Adjacent Roads, and minimizing traffic circulation conflicts both off the Site and on the Site; and

12.70.11.4.2 any canopy located over the gas pump islands must be designed and finished in a manner consistent with the design and finishing of the Principal Building, with the overall height and scale of the canopy to be to the satisfaction of the Development Authority, so the canopy is not obtrusive and maintains consistency with the eave line of the Principal Building.

12.70.12 **Landscaping**

12.70.13 In the Major Entry Area, the following minimum requirements must be met:

12.70.13.1 1 tree for each 40.0m^2 of Landscaped Area;

12.70.13.2 a roughly even mix of deciduous and coniferous trees;

12.70.13.3 where new trees are otherwise required, existing trees having a height of 2.5m may be used if the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the tree) remains undisturbed during construction and final Grades are not significantly changed;

12.70.13.4 2 deciduous shrubs for each 40.0m^2 of Landscaped Area;

12.70.13.5 a 2:1 proportion of deciduous to coniferous shrubs.

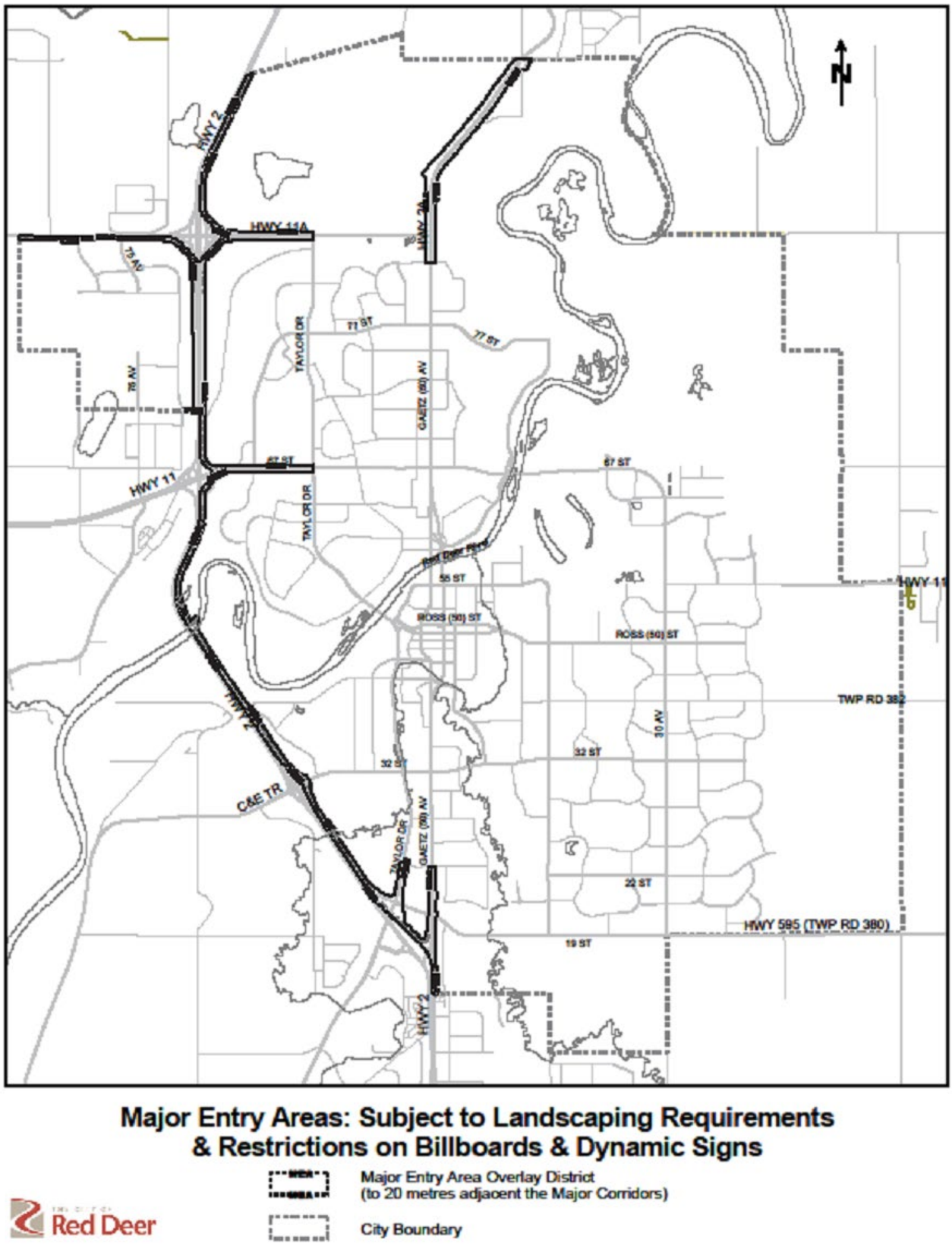


Figure 12.70-1: Major Entry Areas Overlay Map

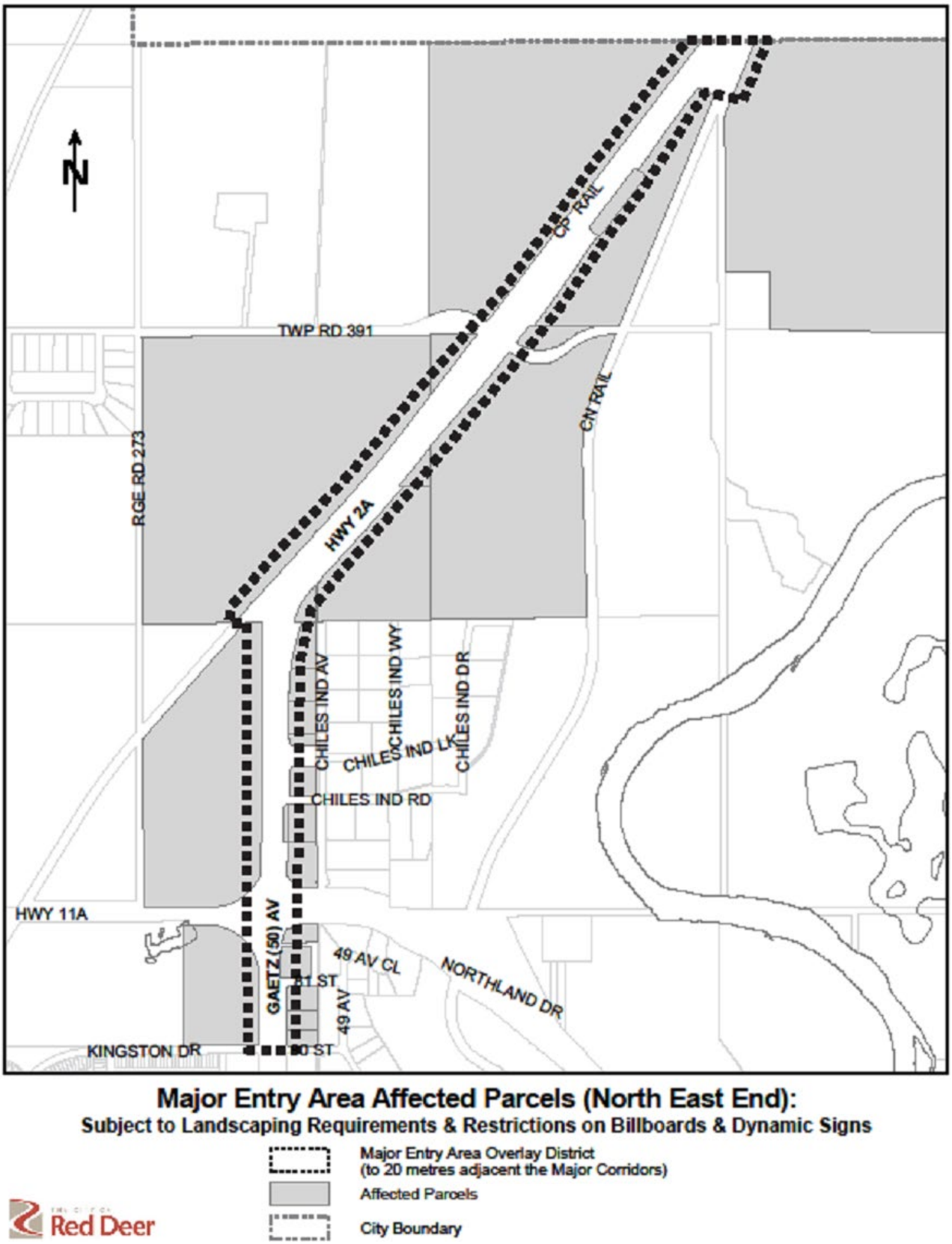


Figure 12.70-2: Major Entry Areas Overlay Map - North East End

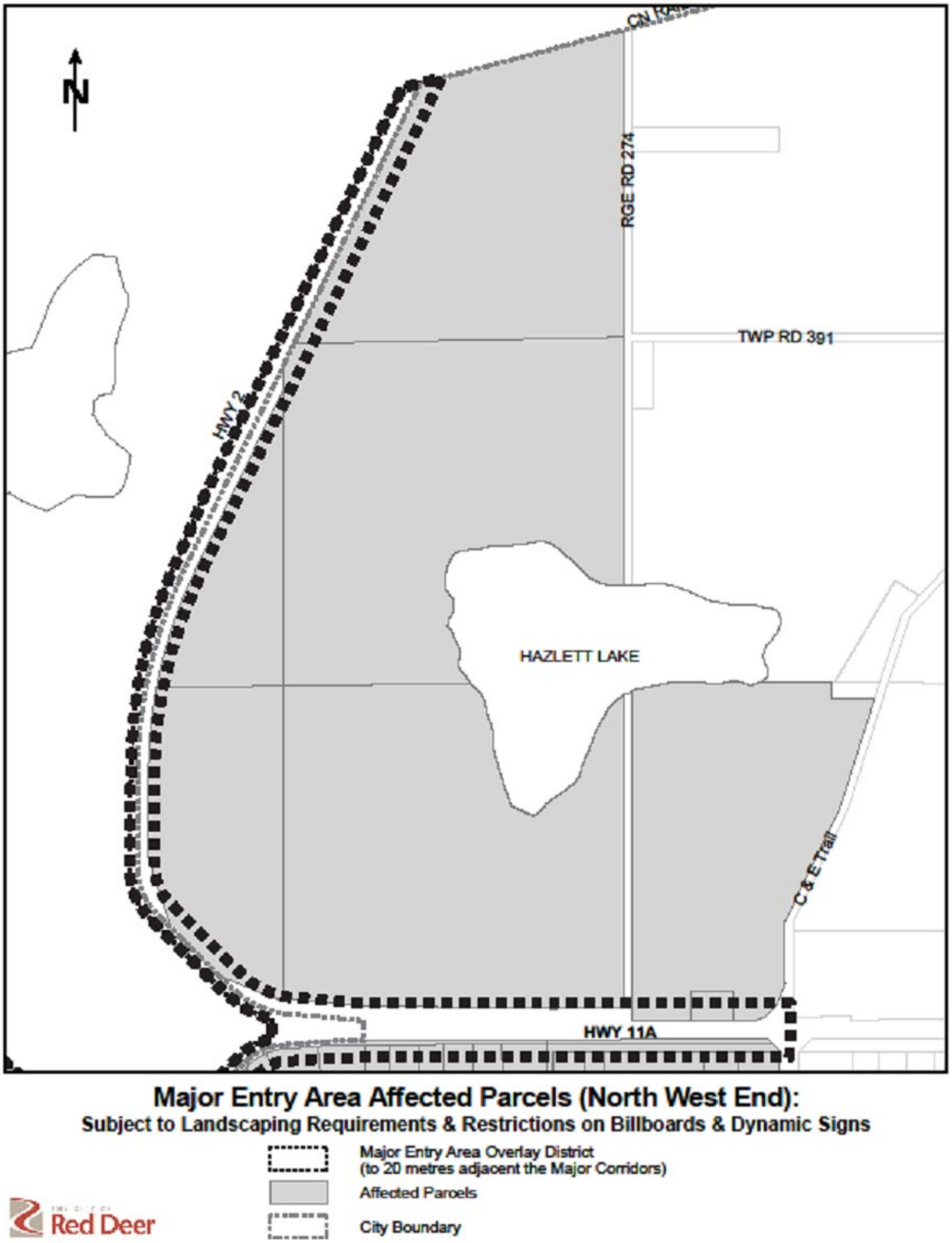


Figure 12.70-3: Major Entry Areas Overlay Map - North West End

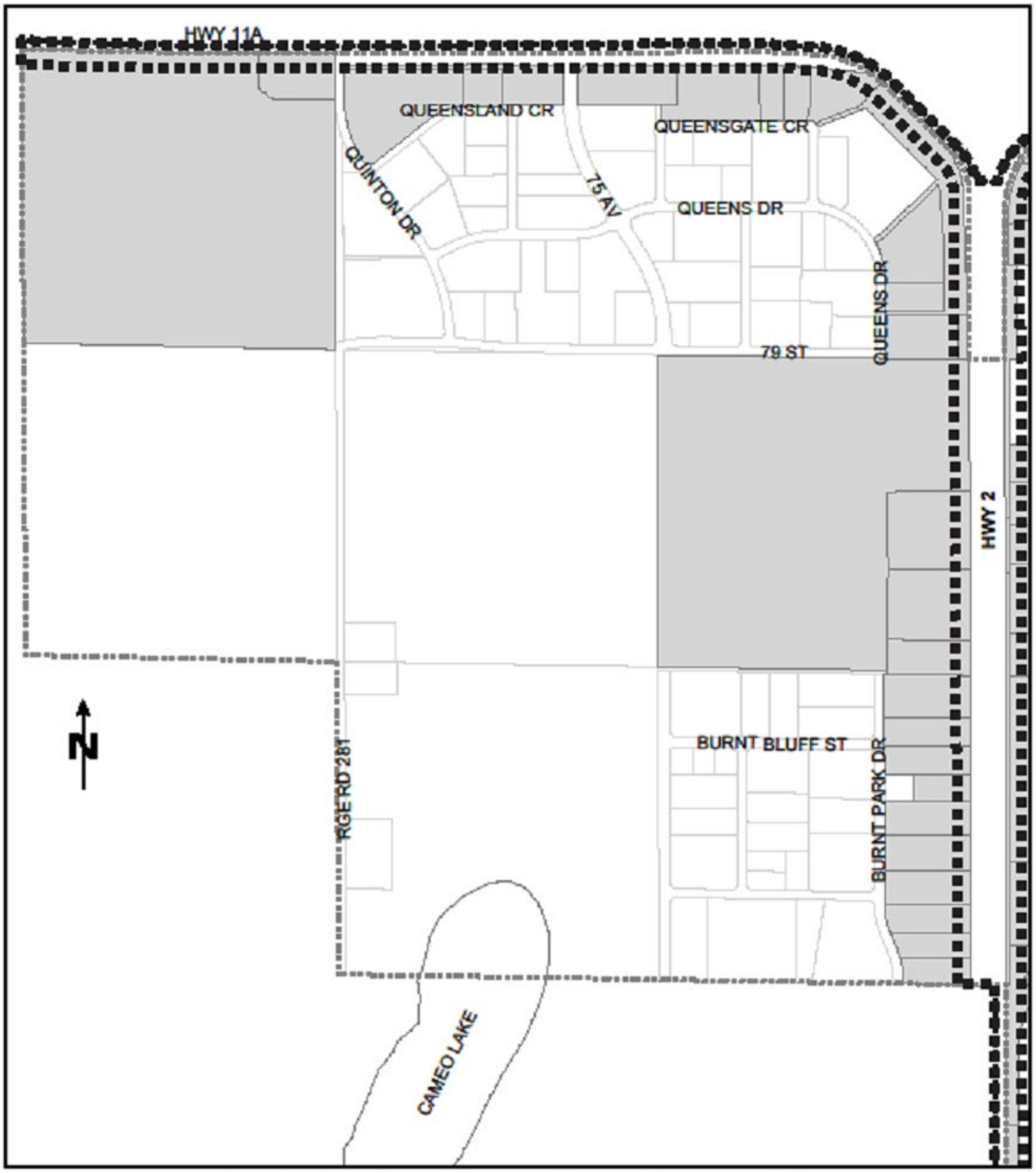


Figure 12.70-4: Major Entry Areas Overlay Map - West QE2

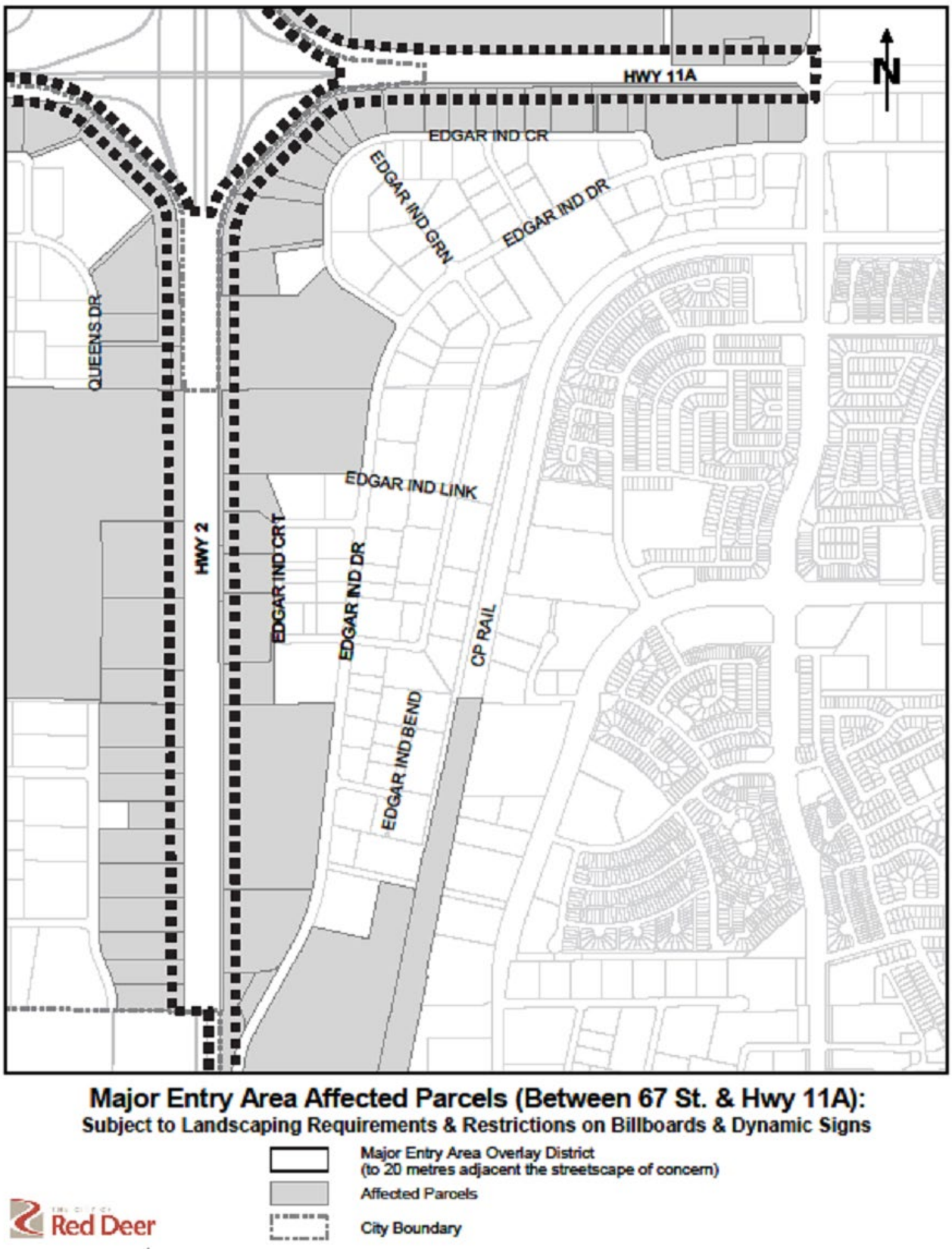


Figure 12.70-5: Major Entry Areas Ovelay Map - Between 67 St and Hwy 11A

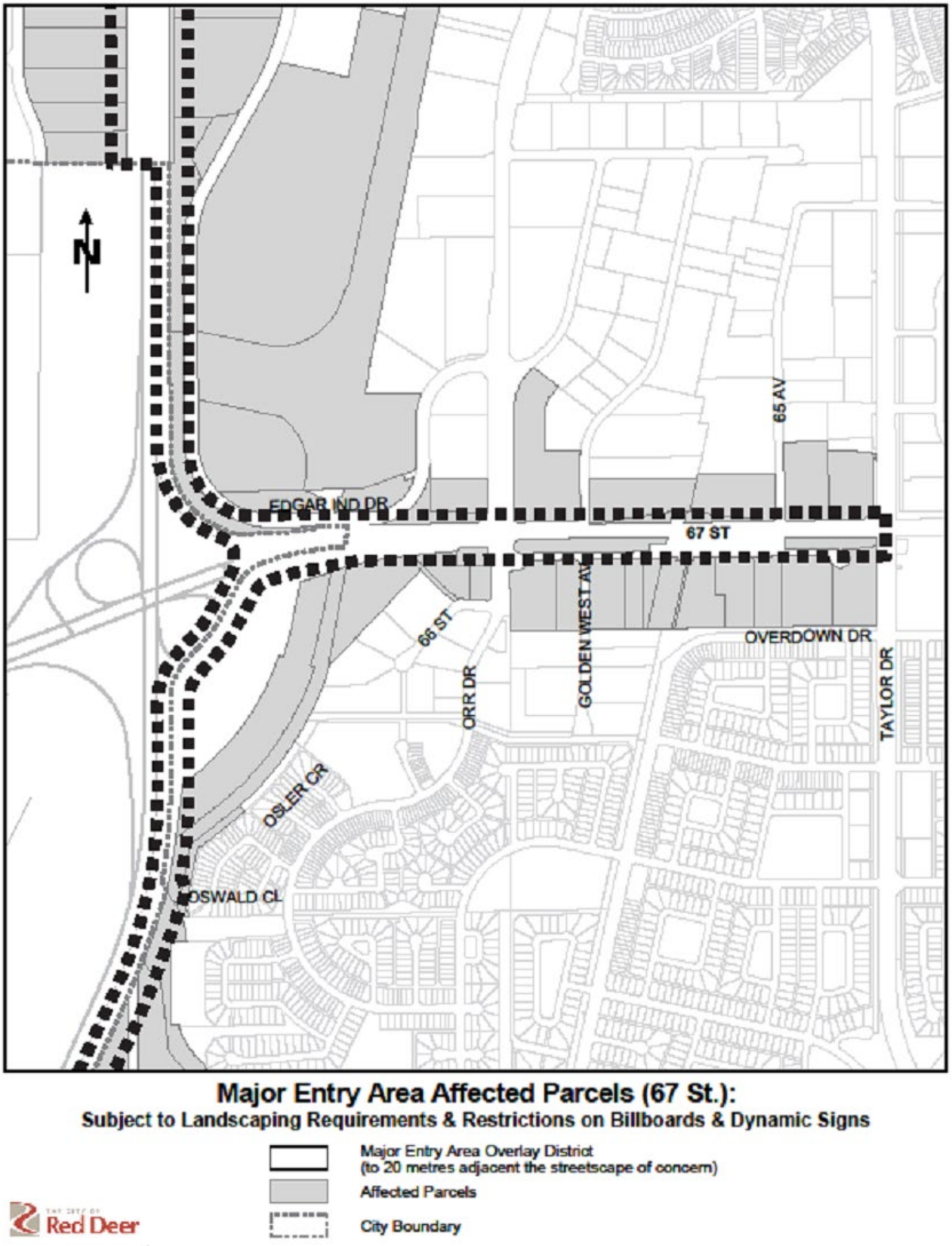


Figure 12.70-6: Major Entry Areas Overlay Map - 67 St

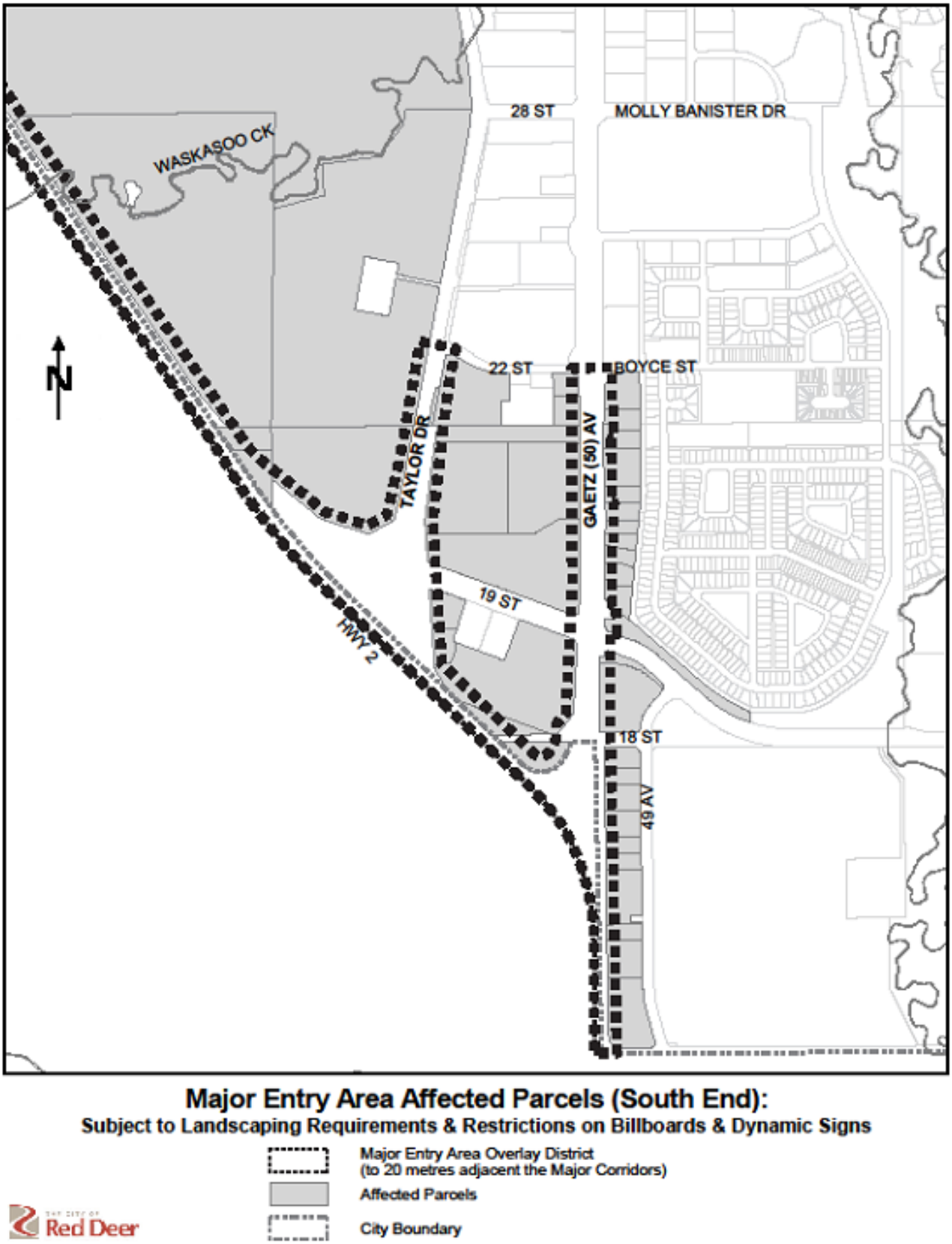


Figure 12.70-7: Major Entry Areas Overlay Map - South End

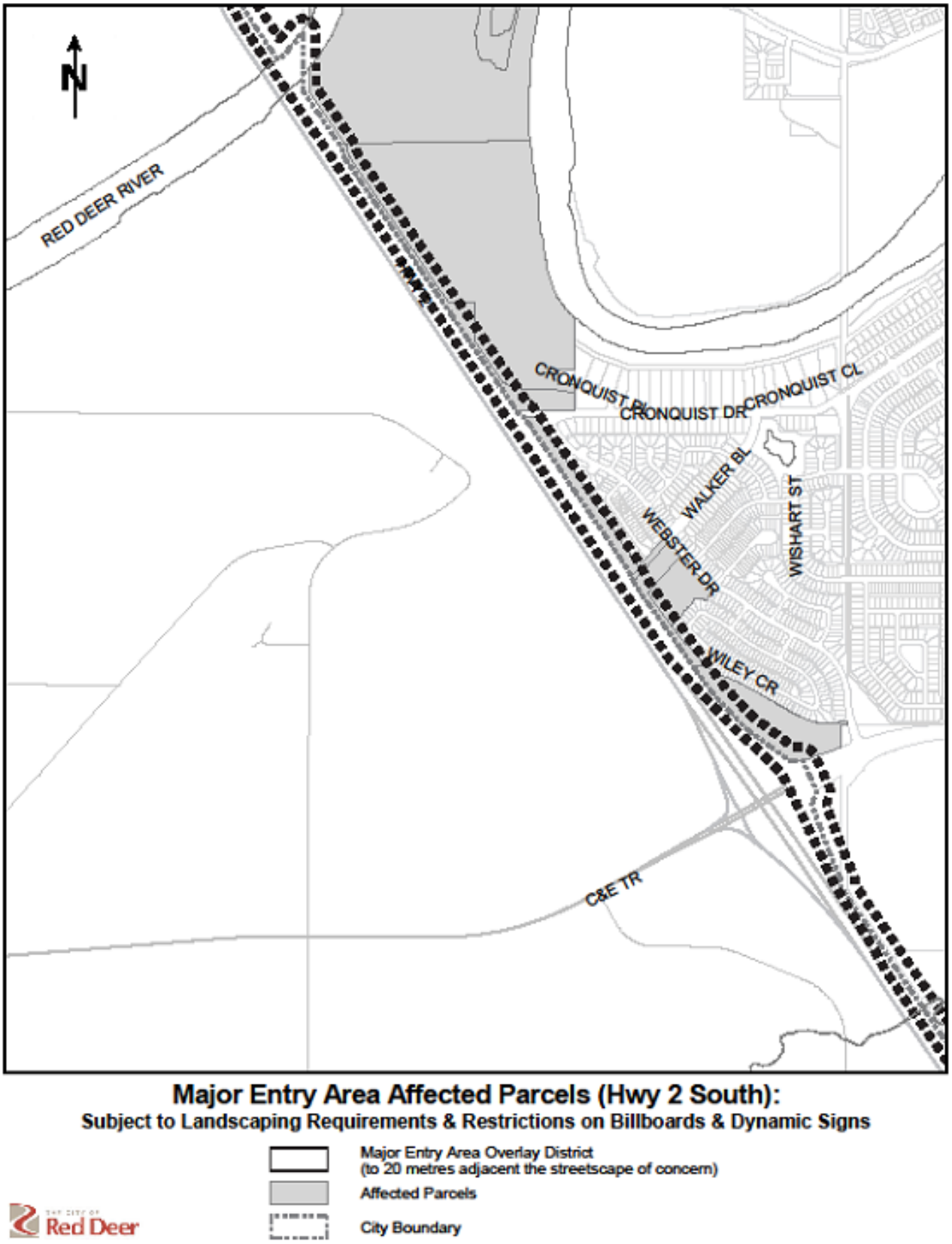
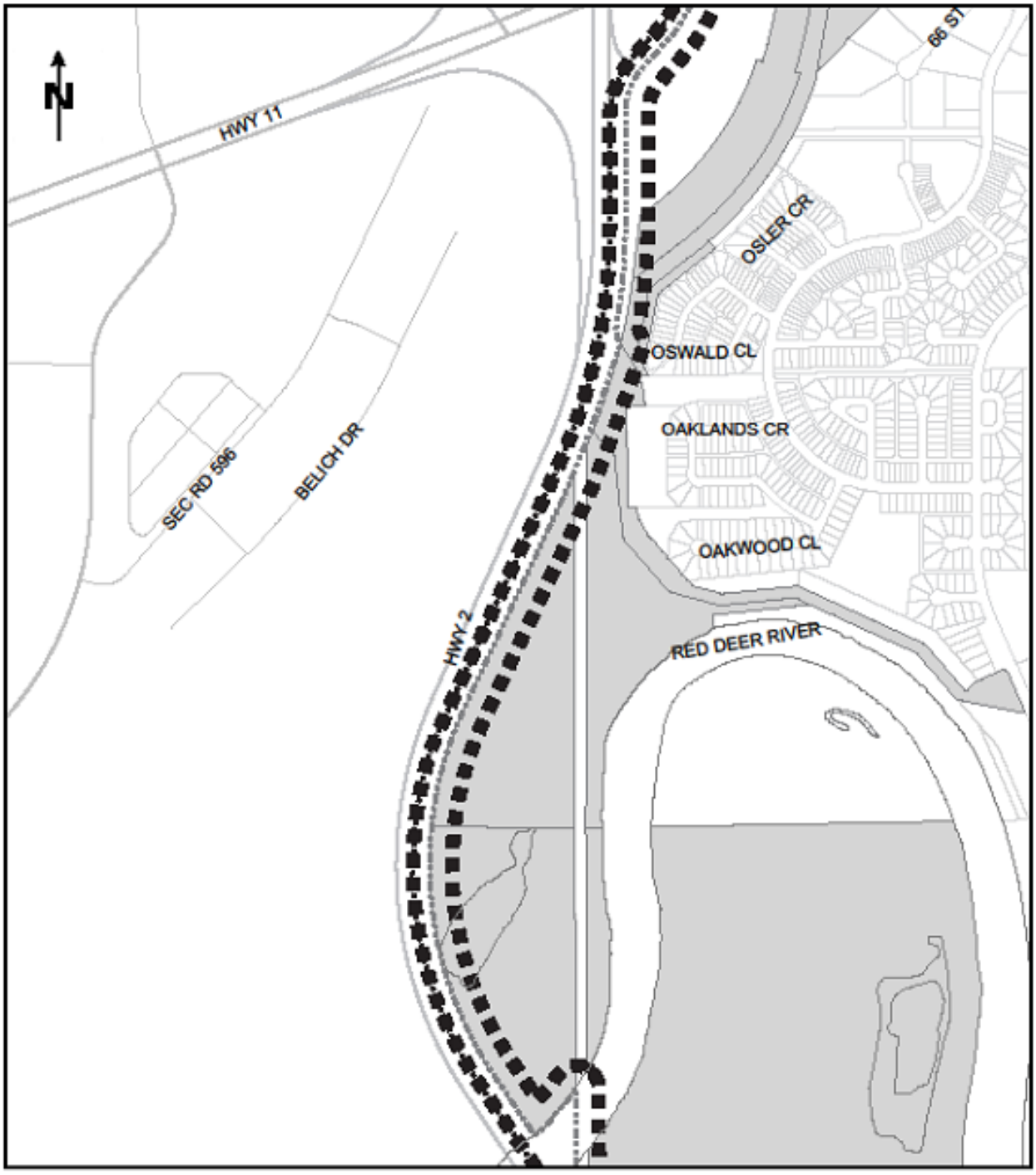


Figure 12.70-8: Major Entry Areas Overlay Map - Hwy 2 South



Major Entry Area Affected Parcels (Hwy 2 North):
Subject to Landscaping Requirements & Restrictions on Billboards & Dynamic Signs

Major Entry Area Overlay District
(to 20 metres adjacent the Major Corridors)

Affected Parcels

City Boundary

Figure 12.70-9: Major Entry Areas Overlay Map - Hwy 2 North

12.80 Little Close Overlay

Key information

12.80.1 This Overlay allows for an increase to the maximum Site Coverage for an area of low density Residential.

12.80.2 The boundaries of this Overlay are outlined on Map R11.

Regulations

12.80.3 In the Little Close Overlay, Site Coverage set out in the underlying Zone is modified as follows:

Regulation	Requirements
Site Coverage	Maximum: 50% (including Garage and Accessory Buildings), or up to 60% when a Backyard Suite is developed

12.90 Low Impact Commercial Overlay

Key information

12.90.1 The Low Impact Commercial Overlay implements uses intended to allow the use of detached dwelling forms for small offices, Commercial and personal services, and sales, whether or not in conjunction with a single family Residential use, in designated transition areas between low density Residential neighbourhoods and the Commercial land uses in the downtown, while retaining, preserving and maintaining the low density Residential character of the individual properties, the Adjacent Residential neighbourhoods, and the streetscapes in terms of privacy, enjoyment, amenities, and general appearance.

12.90.2 Permitted Uses

12.90.2.1 Uses listed as Permitted Uses in the underlying Zone

12.90.3 Discretionary Uses

12.90.3.1 Low Impact Commercial Uses which meet subsection 12.90.1, as determined by the Development Authority

12.90.3.2 Law office on Lots 45-46 Block B, Plan K8 (4641 49 Street) in the existing Building only.

12.90.3.3 Uses listed as Discretionary Uses in the underlying Zone

Regulations

12.90.4 The requirements in this Overlay apply to all Low Impact Commercial applications located in the Low Impact Commercial Overlay as shown on Land Use Map M15.

12.90.5 The requirements in this Overlay are in addition to any other applicable requirements under this Bylaw, and prevail where the requirements in the underlying Zone contradict or will not serve to achieve the general purpose of this Overlay, unless the underlying Zone is a Direct Control Zone where the requirements of that underlying Direct Control Zone prevail.

12.90.6 Low Impact Commercial Uses must not have operating hours anytime on Sunday, or earlier than 8:00 a.m. or later than 6:00 p.m. from Monday to Saturday. This includes shipping goods and receiving clients or customers.

12.90.7 Low Impact Commercial Uses must not, in the Development Officer's opinion, cause nuisances including, but not limited to, emissions, odours, or noise.

12.90.8 Low Impact Commercial Uses should not, in the Development Officer's opinion, adversely affect the amenities of the Residential neighbourhood or the privacy or the enjoyment of Adjacent Sites.

12.90.9 The Site Frontage of a Low Impact Commercial Use must not exceed 30.5m.

12.90.10 Exterior lighting must not, in the Development Authority's opinion, adversely impact the privacy or enjoyment of Adjacent Sites or the area in general.

12.90.11 Waste containers must be in the Rear Yard and be Screened to the satisfaction of the Development Authority.

12.90.12 Outside Storage or display is not allowed.

12.90.13 Upon receipt of an application for a Low Impact Commercial Use, the Development Authority must refer the application for comments to Adjacent landowners and the relevant community association.

12.90.14 **Parking**

12.90.14.1 Parking spaces for Low Impact Commercial Uses must be provided on the Site at the rates indicated below:

Low Impact Use	Parking Requirement
Professional Office	2.0 per persons on duty
Health and Medical Services	2.0 per personal consultation cubicle
Commercial Service Facility	2.5 per 93.0m^2 Floor Area or part thereof
Merchandise Sales and Rentals	5.0 per 93.0m^2 Floor Area or part thereof
Residential	2.0 per Dwelling Unit

12.90.14.2 Should the total number of Parking stalls required on the Site exceed ten, then the Site is no longer considered as Low Impact Commercial and the application may be refused.

12.90.14.3 Parking spaces must not be allowed in the Front Yard or the Side Yards.

12.90.14.4 Parking spaces must be Screened from the Road view.

12.90.14.5 Access to Parking spaces should be off the rear lane if a rear lane is available.

12.90.14.6 For the purpose of the calculation of the number of Parking spaces required for Commercial services, personal services, and Merchandise Sales and Rentals, the term “floor area” is defined as those floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.

12.100 59 Avenue Overlay

Key information

12.100.1 [79]This Overlay establishes the maximum number of Dwelling Units that may be developed on the Site subject to this Overlay as established below:

Lot	Block	Plan	Civic Address	Maximum # of Units
10B	1	3176TR	6771 59 Avenue	2
10A	1	3176TR	6767 59 Avenue	2
UNT 1 - 9	CDE	0823544	6759 59 Avenue	9
8	1	24HW	6755 59 Avenue	12
7B	1	4142TR	6749 59 Avenue	2
7A	1	4142TR	6743 59 Avenue	2
6A	1	4142TR	6739 59 Avenue	2
6	1	24HW	6735 59 Avenue	2
4	1	24HW	6727 59 Avenue	12
3A	1	3182TR	6721 59 Avenue 6719 59 Avenue	4
2B	1	3182TR	6715 59 Avenue	4
2A	1	3182TR	6711 59 Avenue	4

Regulations

12.100.2 The Development Authority may not approve any form of multi-unit Residential Development on the Sites subject to this Overlay if the proposed Development would exceed the maximum number of Dwelling Units specified. This cannot be varied by the Development Authority.

12.100.3 If 2 or more of the Sites subject to this Zone are consolidated into 1 Site, or combined as a Site for the purposes of redevelopment, the maximum number of Dwelling Units for the consolidated Site, or combined Site, must

[79] 3357/BB-2024

be the sum of the number of Dwelling Units allowed on the Sites prior to the consolidation or the combination of the Sites as a Site.

12.100.4 The requirements in this Overlay are in addition to any other applicable requirements under this Bylaw, and prevail where the requirements in the underlying Zone contradict or will not serve to achieve the general purpose of this Overlay, unless the underlying Zone is a Direct Control Zone where the requirements of that underlying Direct Control Zone prevail.

12.110 Historical Preservation Zoning Modifier: HP

Key Information

12.110.1 This modifier maintains the historical character of an area in terms of Building appearance and ensures the degree of activity and other aspects are compatible with the heritage intent and historical preservation.

12.110.2 Permitted Uses

12.110.2.1 Uses listed as Permitted Uses in the underlying Zone

12.110.3 Discretionary Uses

12.110.3.1 Uses which in Council's opinion maintain and achieve the general purpose of this modifier outlined in subsection 12.110.1

Regulations

12.110.4 In accordance with the Alberta Historical Resources Act, a person must not destroy, disturb, alter, restore, or repair a Building or structure on a Site that is designated a:

12.110.4.1 Municipal Historic Resource, without written approval from the Development Officer;

12.110.4.2 Provincial Historic Resource, without written approval from the Minister responsible for the Alberta Historical Resources Act;

12.110.4.3 Registered Historic Resource, until expiration of 90 days from the date the notice of the proposed intervention is served on the Minister responsible for the Alberta Historical Resources Act unless the Minister sooner consents to the proposed action.

12.110.5 The relationship between Buildings, structures, Open Spaces, and the provisions of landscaping and Parking must be subject to the approval of the Development Authority.

12.110.6 List of Historical Preservation Buildings and Sites				
Identification Number	**Building or Site**	**Municipal Address**	**Legal Description**	**Designation**
HP – 1	Old Court House	4836 Ross Street	Lots 1-4, Block 28, Plan K	Provincial
HP – 2	C.P.R. Station	5000 – 51 Avenue	Lot 19, Plan 952 4241	Provincial and Municipal
HP – 3	St. Luke's Anglican Church	4929 – 54 Street	Lots 9-11, Block 14, Plan K	Municipal and Registered
HP – 4	Allen Bungalow	6316 – 45 Avenue	NE ¼, 21-38-27-4 which lies east of Road Plan 1264 ET	Registered and Municipal
HP – 5	North Cottage School	5704 – 60 Street	Lot S, Plan 4596 NY	Municipal and Registered
HP – 6	Parsons House	4801 – 49 Street	Lots 42 & 43, Block 26, Plan 982-1122	Registered and Municipal
HP – 7	C. P. R. Rail Bridge	Red Deer River	SE of Plan 952 3190	Registered and Municipal
HP – 8	Cronquist House	Great Chief Park	Lot 1MR, Block 1, Plan 832 2386	Municipal
HP – 9	Red Deer Armoury (Fire Hall No. 1)	4905 – 49 Street	Lot 1, Block 27, Plan 1339 RS	Municipal
HP – 10	Presbyterian Ladies College	3909 – 55 Street	Lot 3, Block 10, Plan 0624309	Municipal
HP – 11	J.J. Gaetz House	3504 – 55 Street	Lot 3, Block 1, Plan 792 1758	Municipal
HP – 12	Clarke Residence	4757 – 56 Street	Lot 27, Block A, Plan K1	Municipal
HP – 13	McIntosh House	4631 – 50 Street	Lots 38-40 Block A, Plan K8	Municipal

HP – 14	Gaetz Library, Presbyterian Church Steeple, and Stevenson Hall Block	Heritage Square	Lot 1, Block C, Plan 842 2027	Municipal
HP – 15	Scott House	4743 – 56 Street	Lot 20, Block A, Plan K1	Municipal
HP – 16	Red Deer Cenotaph	4908 – 50 Street	Lot 1, Block 1, 1221959	Provincial and Municipal
HP-17	Willson House	5011 43 Avenue	Lot 8, Block 6, Plan 5470HW	Municipal
HP-18	Routledge Family Residence	4736 56 Street	Lot 15, Block C, Plan 5947 AM	Municipal
HP-19	Intermediate School	5205 48 Avenue	Lot 7MR, Block 36, Plan 1820009	Municipal
HP-20	Government of Canada Building	4909-50 Street	Lots 20-29, Block 18, Plan H	Provincial

Provincial and Registered designations are assigned by the Province of Alberta to Provincially significant historical resources.

12.120 Historical Significance Zoning Modifier: HS

Key Information

12.120.1 This modifier promotes community awareness of actual or potential heritage and historically significant Sites or Buildings, and a means where identified Sites or Buildings may be preserved with available and practical means.

12.120.2 This modifier provides that an identified Site or Building of potential historical significance must not be demolished or, in the case of Sites disturbed, until such time as an evaluation of the heritage or historical significance of the Site or Building is carried out. The Bylaw encourages but does not require that any renovations undertaken compliment the historical integrity of the Site.

12.120.3 This modifier is not to set these properties up to later be designated as municipal, provincial, registered, or federal heritage resources. If any change of the properties listed in this Bylaw to any other heritage designation were proposed, such a shift would occur only with the agreement of the landowner and through an amendment to this Bylaw.

12.120.4 Permitted Uses

12.120.4.1 Uses listed as Permitted Uses in the underlying Zone

12.120.5 Discretionary Uses

12.120.5.1 Uses which in Council's opinion maintain and achieve the general purpose of this Overlay outlined in subsections 12.120.1 through 12.120.3

Regulations

12.120.6 All applications for Development or demolition of Sites listed in subsection 12.120.10 must be forwarded to The City's planning department for comment.

12.120.7 For Developments not involving demolition, The City's planning department will work with the landowner to encourage preservation of the character-defining elements that contribute to the historical value of the Site.

12.120.8 For Developments involving demolition:

12.120.8.1 the landowner must give 45 days notice to The City of the proposed demolition;

12.120.8.2 The City will cause an historical evaluation to be carried out in consultation with relevant expertise;

12.120.8.3 if the Building or Site is considered of significant heritage value and a candidate for preservation, The City will work with the landowner during the 45-day period in an effort to preserve the Building or Site.

12.120.8.4 if the landowner and The City are unable to reach an agreement, once the 45-day notice period outlined in subsection 12.120.8.3 has expired, this Bylaw will no longer prevent demolition of the Building or disturbance of the Site.

12.120.9 The Development Authority may vary the 45-day review period in the following circumstances:

12.120.9.1 if the Building or Site is considered not of significant heritage value or not a suitable candidate for preservation; or

12.120.9.2 in the case of an emergency requiring immediate demolition.

12.120.10 List of Historical Significance Buildings and Sites

Identification Number	Building or Site	Municipal Address	Legal Description
HS – 1	A20 Army Camp Motor Pool Building and Cormack Gardens, Currently Red Deer Armory	4402 – 55 Street	Parcel C, Plan 837 H.W.
HS – 3	Bank Manager's Residence	4742 – 56 Street	Lot 12, Block C, Plan K1
HS – 4	Bawtinhimer Garage	4925 – 48 Street	Lot 12 (part) 13, Block 20, Plan K.
HS – 5	**DELETED**		
HS – 6	Bower Barn Gothic Roof Barn Sunnybrook Farm	4701 – 30 Street	Lot 3, Block 14, Plan 4436 TR.

HS – 7	Bower Residence	4701 – 30 Street	Lot 3, Block 14 Plan 4436 TR.
HS – 8	Buffalo Hotel	5031 Ross Street	Lots 6-10, Block 10, Plan H
HS – 9	Capitol Theatre	4924 Ross Street	Lot 8-9, Block 17, Plan H
HS – 10	Central Alberta Dairy Pool (CADP) Building Condensery	5410 Gaetz Avenue	Lot 45, Block 12, Plan 972 0467
HS-11	**DELETED**		
HS – 12	Cole and G.W. Smith Residence	5142 – 44 Street	Lot 15, Block 1, Plan 6077 HW
HS – 13	Dawe Residence	4124 – 52 Street	Lots 8 & 9, Block 12, Plan 3586AE
HS – 14	Drill Hall #1 (Red Deer Public School Maintenance Shop)	4230 – 58 Street	Lot D1, Plan 4154 R.S.
HS -15	Drill Hall #2 (Red Deer Memorial Centre)	4214 – 58 Street	Lot E, Plan 3962 H.W.
HS – 16	Eaton's Store (former)	4807 Gaetz Ave	Lots 3 – 8, Block 19, Plan H
HS – 17	Eilertson Sculpture (Victory Park)	4540 Ross Street	Part Lot X, Plan 4900
HS – 18	**DELETED**		
HS – 19	Fallow Residence	12 Howarth Stret Close	Lot 9A, Block E, Plan 4387 RS

HS – 20	Freytag Tannery Site	5616 Kerry Wood Drive	Block 11, Plan 3331 AJ
HS – 21	F.W. Galbraith Residence	5810 – 45 Ave	Lot 1, Block 5, Plan 961 H.W.
HS – 22	Gaetz Manufacturing Building	4840 – 51 Street	Lots 1 & 2, Block 29, Plan K
HS – 23	Gaetz Memorial United Church	4758 Ross Street	NW ¼, 16-38-27-4 and Lot 1, Block 37 Plan 6275 H.W.
HS – 24	**DELETED**		
HS – 25	Greene Block	5001 Ross Street	Lots 18 – 19, Block 10, Plan H
HS – 26	Hallman Residence	4617 – 48 Street	Lot 32-33, Block C, Plan K8 (excluding E 10' of Lot 32)
HS – 27	Hamilton Block	5211 Gaetz Avenue	Lots 5 & 6, Block 15, Plan K
HS – 28	Heritage Square	4600 Block 47 Avenue	Lot 1, Block C, Plan 842-2092
HS – 29	Huestis Residence	5201 – 47 Ave	Lots 9-11, Block N Plan 6901 R
HS – 30	J. Weddell Residence	4532 Waskasoo Crescent	Lot 40, Block 2, Plan 872 2544
HS – 31	Johnstone Residence	5509 – 48A Ave	Lot B, Block A, Plan 1995 ET
HS – 32	La France Residence	4922 – 55 Street	Lots 5 & 6, Block 2, Plan 7075 A.E.

HS – 33	MacKenzie and Ellis Residence	5343 – 46 Avenue	Lot 10A, Block G, Plan 1500 R.S.
HS – 34	Maple Leaf Block	5020 Gaetz Avenue	Lot 17, Block 11, Plan 795 HW
HS – 35	McGregor Parson's Residence	5140 – 43 Avenue	Lot 12, Block 14, Plan 6393 MC
HS – 36	McLean Residence	4123 Ross Street	Lot 8, Block 3A, Plan 3288 K.S.
HS – 37	Meredith Residence	4 Howarth Street Close	Lot 10, Block E, Plan 5746 AH
HS – 38	Mitchell & Jewell Building	4812 Gaetz Avenue	Lot 16, Block 9, Plan H
HS – 39	William Moore Residence	5555 – 45 Avenue	Lot 8, Block A, Plan 955 M.C
HS – 40	**DELETED**		
HS – 41	Nachtman Residence	4630 – 45 Street	Lot 9, Block E, Plan 3591 P
HS – 42	New Life Tabernacle Church (Pentecostal Church of the Nazarene)	4801 – 48 Street	Lots 21-22, Block 25, Plan K
HS – 43	The Old Mill and Hayhoe Building	5028 Gaetz Ave	Lot 18, Block 11 Plan 795 HW
HS – 44	Payne Residence	4634 – 49 Street	Lots 5 – 8, Block A, Plan K-8
HS – 45	Pettepher Residence	5045 – 45 Avenue	Lots 3 & 4, Block 1, Plan K9
HS – 46	Piper Creek and Twilight Lodge	4820 – 33 Street	Lot 2, Block 8 Plan 1621 NY

HS – 47	Pollock Residence	4629 – 46 Street	Lots 37-40, Block E, Plan 3591 P
HS – 48	**DELETED**		
HS – 49	Prairie Business	5032 Gaetz Avenue	Lots 19-21, Block l1, Plan 795 HW South 20 ft of 21
HS – 50	Old Provincial Building	4935 – 51 Street	Lots 38 & 39, Block 17, Plan H
HS – 51	Raymond Gaetz Residence	4763 – 56 Street	Lot 30, Block A, Plan 647 K.S.
HS – 52	Red Deer Bottling Co.	4601 Gaetz Avenue	Lot 27, Block 21, Plan 962 3342
HS – 53	Red Deer College Arts Centre	5700 – 32 Street	Lot 3, Plan 812 2461
HS – 54	A.H. Russell Residence	5838 – 45 Avenue	Lot 1 & 2, Block 3, Plan 1292 A.0
HS – 55	Scott Block and Old Horsley's Hardware	4816 – 4818 Gaetz Avenue	Lot D, Block 9, Plan 1323 KS
HS – 56	Simpson Residence	5820 – 45 Avenue	Lot 2, Block 5, Plan 961 H.W
HS – 57	St. Mary's Roman Catholic Church and Parish Hall	6 McMillan Avenue	Lot 1A, Plan 2473 N.Y.
HS – 58	Telning Residence	4520 – 46 Street	Lot 12 & 13, Block J, Plan 4900 R
HS – 59	Thatcher Residence	5401 – 48 Avenue	Lot 1, Block 33, Plan 656 NY

HS – 60	Trump Residence	5035 – 45 Avenue	Lot 2, Block 1, Plan 4735 K.S.
HS – 61	Tucker Residence	3534 – 45 Avenue	Lot 5A, Block 5, Plan 78 RS
HS – 62	Wallace Residence	4755 – 56 Street	Lots 25-26, Block A Plan Kl
HS – 63	Wartime Homes	36-38 Street block Between 4l-42 Avenue Mountview	Lots 5-8 and 10-27, Block 9, Plan 1514 HW
HS – 64	Water Tower (Horton Spheroid)	3536 – 46 Avenue	Lot 9, Block 22, Plan 1919 KS
HS – 65	Wing Block Apartment	5101 Gaetz Avenue	Lots 1 & 2, Block 16, Plan H
HS – 66	49A Avenue Houses	5511 – 49A Avenue	Lots 7-9, Block 3, Plan 7075 AE
		5514 – 49A Avenue	Lots 7-9, Block 2, Plan 7075 AE
		5517 – 49A Avenue	Lots 10-11, Block 3, Plan 7075 AE
		5520 – 49A Avenue	Lots 16 & 17, Block 2, Plan 002 3098
		5521 – 49A Avenue	Lots 12-13, Block 3, Plan 7075 AE
		5526 – 49A Avenue	Lots 13-15, Block 2, Plan 7075 AE
		5525 – 49A Avenue	Lot 19, Block 3 Plan 922 3300

		5527 – 49A Avenue	Lot 20, Block 3, Plan 922 3300
HS – 67	A.C.R. Bridge Abutment	Taylor Drive	Lot R-1, Block 10 Plan 3231 TR
HS – 68	Ceremonial Trees Central School	5100 Block 47 Avenue	
HS – 69	Ceremonial Trees Coronation Park	4500 Block Ross Street	
HS – 70	Ceremonial Trees Cronquist House	Bower Ponds	
HS – 71	Ceremonial Trees Red Deer & Zone Museum	4525 – 47A Avenue	
HS – 72	Ceremonial Trees Pioneers' Lodge	47 Avenue	
HS – 73	Chestnut Tree	45 Avenue and 55 Street	Lot 22, Block G, Plan 822-2078
HS – 74	City Hall Park	4800 Block 48 Avenue	Lot 1, Block 27, Plan 1339 R.S
HS –75	'Crossing' School Site Marker	60 Avenue and Cronquist Drive	SE ¼, 18-38-27-4
HS – 76	**DELETED**		
HS – 77	Gaetz Lakes Sanctuary		
HS – 78	Great West Lumber Co. Site	Bower Ponds	
HS – 79	Krause Hill, Trees	Ross Street Hill	Lot 3, Block 8A, Plan 882-1939
HS – 80	Oak Tree	55 Street and 46 Avenue	Lot 25, Block 1, Plan 1292 A.O.

HS – 81	Piper's Mountain	Rotary Park	Lot R3, Plan 4816 R.S.
HS – 82	Reintholt Quarries	Cronquist Business Park	SW ¼, 17-38-27-4 Lot R3, Plan 762-1616
HS – 83	Site of the ACR Silver Spike	Gaetz Avenue and 35 Street	Lot 16, Block 1, Plan 8324 ET
HS – 84	Snell Residence Site	4915 – 48 Avenue	Lot 14, Block 38, Plan 832 0062
HS – 85	Stone Wall, Everglades Apartments	4319 – 51 Avenue	Lot 15B, Block 6, Plan 862 2144
HS – 86	Towers at Checkmate Court	4902 – 37 Street	Plan 902 1647
HS – 87	Willow Tree	4700 – 55 Street	Lots 5 – 7, Block B, Plan K1 Lots 21, Block B, Plan 902 1952
HS – 88	Wishart Cabin Site	Gaetz Lake Sanctuary	
HS – 89	Farthing Block	4930 Ross Street	Lot 7, Block 17, Plan H
HS – 90	Park Hotel (Park Place)	4918 – 4920 Ross Street	Lots 10 – 15, Block 17, Plan H
HS – 91	Golden Circle	4620 – 47 Avenue	Lot 1, Block C, Plan 842 2029
HS – 92	Fabretti Residence	5001 – 43 Avenue	Lot 10, Block 6, Plan 758KS
HS – 93	Manning Residence	4641 – 49 Street	Lots 45-46, Block B, Plan KB

12.130 Vertical Height Zoning Modifier: V

12.130.1 The general purpose of this zoning modifier is to prevail over the maximum allowed height on any Site in any Zone.

12.130.2 **Method of Application**

12.130.2.1 In a Zone with a "V" designation, the maximum allowed height of a Building, expressed in metres, is determined by the number following the letter "V" on the Zone map.

12.130.2.2 Despite any other section of this Bylaw, the maximum height established in subsection 12.130.2.1 prevails over the maximum height that would otherwise apply to the Site and cannot be varied by the Development Authority.

Per subsection 12.130.2.1, an example would be a designation of R-M.V18

"R-M" = Residential Medium-Density Zone

"V18" = Building must not exceed a height of 18.0m above Grade

12.140 Density Zoning Modifier: D

12.140.1 The general purpose of this zoning modifier is to prevail over the maximum number of Dwelling Units allowed on a Residential Site designated by the underlying Zone.

12.140.2 Method of Application

12.140.2.1 The maximum number of Dwelling Units allowed per hectare under a density modifier is indicated by the number following the letter "D" on the Site in a Zone map.

12.140.2.2 In calculating the density of a Zone the maximum number of Dwelling Units which may be developed on a Site is the Site Area expressed in hectares multiplied by the density restriction as per the Zone map.

Per subsection 12.140.2.1, an example would be a designation of R-M.D40

"R-M" = Residential Medium-Density Zone

"D40" = Site must not exceed 40 Dwelling Units per hectare

12.140.2.3 Despite any other section of this Bylaw, the maximum density established in subsections 12.140.2.1 and 12.140.2.2 prevails over the maximum density that would otherwise apply to the Site and cannot be varied by the Development Authority.

12.140.2.4 If no density designation is established for a Site, the maximum allowed units of Development must be determined by the outlined requirements in the applicable Zone and using the same calculation outlined in subsection 12.140.2.2.

12.150 Character Statements

12.150.1 Application of Character Statements

12.150.1.1 The areas of Waskasoo and Woodlea have applicable Character Statements that define the character of the area and outline regulations establishing the design parameters to which a proposal for redevelopment in the area must adhere.

12.150.1.2 The Development Authority will use Character Statements in conjunction with the Zoning Bylaw to evaluate if an application maintains the character of the affected area.

12.150.1.3 Where the requirements in the Zoning Bylaw conflict with the Character Statements, the Character Statements prevail.

12.150.2 Waskasoo Character Statements

12.150.2.1 Please refer to 'Appendix C' for Character Statement details and regulations.

12.150.3 Woodlea Character Statements

12.150.3.1 Please refer to 'Appendix D' for Character Statement details and regulations.

Part 13 Site Specific Exceptions and Exemptions

13.10 General Requirements

13.10.1 An exception to the uses or requirements of a Zone or this Bylaw may be approved by Council on a Site-specific basis when a proposed Development, because of its unique characteristics or because of unusual Site constraints, may only proceed if an exception to the provisions of this Bylaw is approved.

13.10.2 Regulations in Part 13 cannot be varied unless explicitly outlined otherwise.

13.20 Areas Specifically Designated for a Particular Use

13.20.1 In addition to the list of Discretionary Uses set out in the applicable Zone, the following Sites may have the following additional Discretionary Uses:

13.20.1.1 40 Avenue and Ross Street on the south side only, Motor Vehicle Service and Repair without sales, car wash and drive-in;

13.20.1.2 Lot 33, Block 1, Plan 772 2593 food establishment;

13.20.1.3 41 Avenue and Ross Street on the southeast corner only, Motor Vehicle Service and Repair without sales, car wash and drive-in;

13.20.1.4 Drinking Establishment at Lot 1-6, Block 21, Plan 7604S (6017 54 Avenue);

13.20.1.5 despite any regulation in subsection 13.20.1, no outside storage of vehicles will be permitted for longer than 1 week and the sale of vehicles from the above Sites is not allowed.

13.20.2 The Development Authority will determine the floor area, Yard requirements, Building Height, Parking, and loading requirements for Sites outlined in subsection 13.20.1.

13.20.3 On the Sites listed below, the following uses are Discretionary:

13.20.3.1 Health and Medical Services and related Commercial services provided that such offices will not be on any floor of the Building which contains a Dwelling Unit at:

13.20.3.1.1 Block 4, Plan 6564 E.T. (5101 – 5129 – 39 Street and 5102 – 5130 – 38 Street);

13.20.3.1.2 Lot 1, Block J, Plan 3999 R.S. (3939 – 50A Avenue);

13.20.3.1.3 Lot 2, Block J, Plan 3999 R.S. (3947-50A Avenue).

13.20.3.2 Parking Lots at Block 4, Plan 6564 E.T. (5101 – 5129 – 39 Street and 5102 – 5130 – 38 Street);

13.20.3.3 a Freestanding Sign to a maximum Sign Height of 9.0m and a maximum Sign Area of 7.0m^2 at Lot 2, Block J, Plan 3999 R.S. (3947-50A Avenue);

13.20.3.4 Indoor Recreation Facility at Lot 6, Block 5, Plan 772 2205 (4910 78 Street and 7812 49 Avenue);

13.20.3.5 Recreational vehicle sales, service, or repair at Lot 35 Block 1 Plan 1520452 (4 Burnt Basin Street).

13.20.4 On Lot 58, Block 14, Plan 792-0555 (88 Howarth Street), the Development of C-2 uses, except Cannabis Retail Sales, lounges, bars, and amusement arcades, may be allowed as Discretionary Uses, provided:

13.20.4.1 that landscaped buffers of 10.0m and 3.0m be developed along Howarth Street and the lane respectively; and

13.20.4.2 those C-2 uses are subject to all other provisions of the C-2 Zone.

13.20.5 On the Sites, or parts thereof listed below, the following uses may be allowed as Permitted Uses:

13.20.5.1 1 basement dwelling in a detached dwelling in addition to the uses listed in underlying Zone Lot 3C, Block E, Plan 792-3164 (5853-71 Street);

13.20.5.2 Alberta Amateur Hockey Association Training Program and distribution of materials on Bays #1 – 4, Lot 4, Block 4, Plan 792-3149 (#1, 7875 – 48 Avenue);

13.20.5.3 use by Youth and Volunteer Centre on:

13.20.5.3.1 W ½ of Lot 39, Lot 40, Block B, Plan K8 (4633-49 Street);

13.20.5.3.2 Lots 41-42, Block B, Plan K8 (4637-49 Street).

13.20.5.4 basement Dwelling Unit on Lot 1, Block 4, Plan 4194 M.C. (414 Terrace Park);

13.20.5.5 office by Canadian Paraplegic Association on Lots 3-4, Block 5, Plan 762-0870 (#4, 7803-50 Avenue);

13.20.5.6 Tea house, lodging and boarding house, and gift store in association with a Bed and Breakfast operation on Lots 38-40, Block A, Plan K8 (4631-50 Street);

13.20.5.7 dry waste disposal Site on the part of the N.E. ¼ of Section 33-38-27-4 which lies west of Railway Plan No. 1813 M.C. and the part of Lot R5, Block 4, Plan 772-0064 which lies in the S.E. of Section 33-38-27-4;

13.20.5.8 maximum 20.0 bed community Residential centre, halfway house, by the John Howard Society on Lots 10-14 and west 3.05m of Lot 15, Block 17, Plan H (4920– 50 Street);

13.20.5.9 a Ronald McDonald House facility, allowed as a Permitted Use:

13.20.5.9.1 on Lots 2 and 2A, Plan 625 NY (3902 and 3906-50 Avenue); and

13.20.5.9.2 on Lot 3, Plan 3839 HW (3908-50 Avenue); and

13.20.5.9.3 on the north and south part of lane immediately north of 39 Street right of way and east of 50A Avenue in plans 3839 HW and 625 NY.

13.20.5.9.4 subject to all Development requirements being determined by the Development Authority. The requirements in the R-M Zone will not be applicable to this use.

13.20.5.10 1 unmanned, volunteer, fire station to store and house fire trucks, fire fighting apparatus and related ancillary equipment in Units 17 & 18, Condominium Plan 092 3280 (B7 & B8, 37 Burnt Basin Street);

13.20.5.11 Drinking Establishment indoor area not to exceed 100m^2 in area, and with an occupancy load of not more than 60.0 persons, secondary to a manufacturing facility, at Block 5, Lot 1, Plan 0125593 (6610 – 71 Street);

13.20.5.12 a maximum of 47 1-bedroom Residential units converted from existing Hotel units on Lot 6, Block 14, Plan 4436TR (2807 50 Avenue);

13.20.5.13 existing tele-theatre racetrack betting facility on Lot 7, Block 5 Plan 012 1322 (3731-50 (Gaetz) Avenue).

13.20.6 On those Sites, or parts thereof herein listed, the following uses may be allowed as Discretionary Uses:

13.20.6.1 Apartments on:

13.20.6.1.1 Condominium Plan 822 2661 (Lot 19, Block G, Plan 802 3230) (5144 – 45 Avenue) and Condominium Plan 942 0656 (Lot 18, Block 6, Plan 802 3230) (4515–53 Street); and

13.20.6.1.2 Lots 18 and 19, Block G, Plan 3184 I (5301-46 Avenue); and

13.20.6.1.3 Lot 11A, Block G, Plan 1500 R.S. (4511-55 Street).

13.20.6.2 upholstery business on: Lots 21 and 22, Block 25, Plan 7604 S (5824 and 5826-51 Avenue);

13.20.6.3 Duplexes on Lots 22 and 23, Block 2, Plan 982 0058 (6007 and 6009 – 63 A Street) subject to the façade of each unit being significantly different from each other thereby resembling a single-family dwelling;

13.20.6.4 3-unit Townhouses on Lots 9-11, Block 24, Plan 5555AF (3818 44 Street);

13.20.6.5 Apartment, Supportive Living Accommodation, Day Care Facility, and Day Care Adult on Lot 9, Block 1, Plan 042 2888 (6791 65 Avenue) subject to:

13.20.6.5.1 a maximum height of 6 storeys as Discretionary Uses; and

13.20.6.5.2 that each Building must contain Commercial uses, as a minimum, on the Main Floor; and

13.20.6.5.3 the Commercial component must not exceed 3 storeys; and

13.20.6.5.4 a Residential noise impact statement is required outlining the measures to be taken to mitigate noise impacts from the Adjacent Industrial area.

13.20.6.6 Security Suite on Lot UNT 29, Block CDE, Plan 762 1172 (7429 49 Avenue) subject to the following:

13.20.6.6.1 must be located in the Principal Building on the Site; and

13.20.6.6.2 may not be occupied by more than 1 person dwelling in the suite; and

13.20.6.6.3 must be occupied by the landowner of the Site or an employee whose primary responsibility is to provide surveillance, maintenance or security for the Site; and

13.20.6.6.4 may not contain more than 1 sleeping area; and

13.20.6.6.5 in addition to the number of Parking stalls required for the Principal Use, no additional Parking space will be designated for the Security Suite; and

13.20.6.6.6 Development Permits issued for Security Suites cease to be valid if the Principal Use on the Site ceases or is removed.

13.20.6.7 Temporary Parking Lot for a 9.0-year period commencing the date of Development Permit issuance at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street) for Parking provisions for Jackpot Casino Ltd. Lot 15, Block 38, Plan 3479 MC, subject to:

13.20.6.7.1 general Parking requirements established in this Bylaw; and

13.20.6.7.2 additional landscaping or design enhancements as may be required at the discretion of City Council.

13.20.6.8 Parking accessory to an approved Principal Use on the same Site at Lots 77 and 78, Block 7, Plan 132 3870 (155 Vanier Drive), provided each bare land condominium unit that is created meets general Parking requirements to the satisfaction of the Development and Subdivision Authority;

13.20.6.9 Microbrewery on:

13.20.6.9.1 Lot 3, Block 5, Plan 902 0499;

13.20.6.9.2 Lot 5, Block C, Plan 002 2241 (Bay 1-2, 7023 Johnstone Drive).

13.20.6.10 Financial Services and Professional Office not exceeding 371.61m^2 on Lot 8, Plan 922 2540 (#8 4608 62 Street);

13.20.6.11 In addition to the Permitted Uses and Discretionary Uses allowed in the R-D Zone, a 3-unit Townhouse as a Discretionary Use on Lots A, 1 and 2, Block B, Plan 7068W (5835-60A Street), where:

13.20.6.11.1 Development Officers are the Development Authority; and

13.20.6.11.2 the R-D Zone requirements apply.

13.20.6.12 In addition to the Permitted Uses and Discretionary Uses allowed in the R-L Zone, a Professional Office, including but not limited to an insurance broker business as a Discretionary Use on Lot 76, Block 7, Plan 9823705, where:

13.20.6.12.1 C-3 Zoning requirements apply to the Development of an Office including but not limited to an insurance broker business; and

13.20.6.12.2 a use which serves residents beyond the adjoining neighbourhood may also be allowed provided the use:

13.20.6.12.2.1 will not result in excess traffic or Parking demand that cannot be managed on the Site; and

13.20.6.12.2.2 will not operate business between 10:00 p.m. and 7:00 a.m.; and

13.20.6.12.2.3 will not, in the Development Authority's opinion, result in excessive noise or otherwise unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring Sites.

13.20.6.12.3 the Development Officer will serve as the Development Authority in determining adherence to the regulations.

13.20.6.13 Motor vehicle service or repair, excluding sales, at Lot 3, Block 14, Plan 152 2440 (70 Thorburn Ave);

13.20.6.14 Professional Office, in addition to the Permitted Uses and Discretionary Uses in the I-1 Industrial Zone, on Unit 1, Plan 062 2110. Those uses listed as Permitted Uses in the I-1 Zone will remain Permitted Uses on this land. The Development Officer is the Development Authority;

13.20.6.15 [80]Temporary Care Facility or Emergency Shelter at 5239 – 53 Avenue (Lots 4-5, Plan 6233RS), in the existing Building and the corresponding areas for Parking, fenced Courtyard, and North door outdoor areas, until May 1, 2027, as identified in Zoning Bylaw Map L15, subject to the following requirements:

13.20.6.15.1 use must have a security system and personnel to perform regular surveillance operation; and

13.20.6.15.2 use must comply with the design elements that incorporate Crime Prevention Through Environmental Design principles as a result of a corresponding analysis, incorporating natural surveillance, access control and territorial reinforcements; and

13.20.6.15.3 fencing to enclose area and provide visual screening; and

13.20.6.15.4 the Site Plan and the relationship between Buildings will be subject to approval by City Council.

13.20.6.16 Commercial Service Facility limited to massage therapy and Health and Medical Services limited to physical therapy, on Lot 23, Block 5, Plan 052 0190 (7575 Edgar Industrial Drive);

13.20.6.17 a Commercial School delivering massage therapy instruction, and a massage therapy clinic on 6204 46 Avenue (Lot 34, Block 4, Plan 962 0837);

13.20.6.18 [81]1 storey Commercial Service Facility and Day Care Facility with Site area for Parking located at the front of the Site and 20.4m of the Façade running the length of the Frontage at 5441 45 Street (Lot 13A, Blk 9, Plan 536 5NY).

13.20.6.19 [82] Despite subsections 10.10.3 and 10.40.4.1, Drive-Through, as an Accessory Use to a Commercial Service Facility limited to a

[80] 3357/WW-2024
[81] 3357/QQ-2024
[82] 3357/B-2026, 3357/K-2025

financial institution, at 5402 47 Street (Lot 12, Block 7, Plan 152 3586) and 4837 54 Avenue (Lot 1, Block 7, Plan 182 1266).

13.20.7 On the following Sites, or parts thereof, the following uses may be allowed as Permitted Uses in the existing Building only:

13.20.7.1 hair salon on Lot 9, Block 43, Plan 157 HW (4407-48 Avenue);

13.20.7.2 House with 2 basement units on Lot 21, Block F, Plan K9 (5311-44 Avenue);

13.20.7.3 contractor's business on Lot 10C, Block 5, Plan 792-1541 (#3, 7887-50 Avenue);

13.20.7.4 1 basement dwelling suite on:

13.20.7.4.1 Lot 13, Block 36, Plan 5187 KS (5702 West Park Crescent);

13.20.7.4.2 Lots 25-26, Block 3, Plan 4516AC (4018 50 Street).

13.20.7.5 a Commercial Service Facility, Health and Medical Services, or Office along with a Building Sign or a Freestanding Sign in accordance applicable Residential regulations, on Lot 1, Block 3, Plan 6759ET (3702 50 Avenue), but not including the following:

13.20.7.5.1 fitness centre;

13.20.7.5.2 cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet;

13.20.7.5.3 care of small animals such as a small animal veterinary;

13.20.7.5.4 Commercial School; and

13.20.7.5.5 Day Care Facility.

13.20.7.6 when considering the uses for subsection 13.20.7.5, the Development Authority will consider the need to impose such conditions as it deems necessary or appropriate, including conditions to:

13.20.7.6.1 prohibit uses that would result in associated noises, or odors extending beyond the interior of the Building; or

13.20.7.6.2 prohibit Outdoor Storage or display of materials associated with business.

13.20.8 On those Sites, or parts thereof herein listed, the following uses may be allowed as Discretionary Uses in the existing Building only:

13.20.8.1 Restaurant at 4501-48 Avenue (Lot 18, Block 42, Plan 182 2251), where the Development Authority, at its discretion, may apply the C-1 Zone regulations to the Restaurant use;

13.20.8.2 a photography studio, Commercial Service Facility along with a Building Sign or a Freestanding Sign in accordance with the maximum Sign Height and Sign Area prescribed in applicable Residential regulations on Lot 7, Block E Plan K0 (4419 55 Street) but not including the following:

13.20.8.2.1 cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet;

13.20.8.2.2 kennelling of animals;

13.20.8.3 When considering the uses for subsection 13.20.8.2, the Development Authority will consider the need to impose such conditions as it deems necessary or appropriate, including conditions to:

13.20.8.3.1 prohibit uses that would result in associated noises, or odours extending beyond the interior of the Building;

13.20.8.3.2 prohibit Outdoor Storage or display of materials associated with the business;

13.20.8.3.3 prohibit uses that operate outside the hours of 7:00 a.m. to 10:00 p.m.;

13.20.8.3.4 avoid the need for customers to park on 45 Avenue.

13.20.8.4 the Development Authority must refer all applications for proposed new uses on the Site outlined in subsection 13.20.8.2 to landowners of Sites within 100m of this Site, and to applicable community associations, for comment;

13.20.8.5 Canadian Cancer Society and Fanta Homes on Lot 8 Block1 Plan 6784KS;

13.20.8.6 a Cannabis Production Facility on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following Development regulations:

13.20.8.6.1 no other use will be allowed on the Site;

13.20.8.6.2 the licensed processes and functions of the use must be fully enclosed in the Building;

13.20.8.6.3 no Outdoor Storage will be allowed on the Site;

13.20.8.6.4 all loading facilities must be fully enclosed in the Building;

13.20.8.6.5 all waste containers and waste material must be fully enclosed in the Building;

13.20.8.6.6 the Site must be fully enclosed by a fence;

13.20.8.6.7 the use must not emit any odour or other substance which is harmful or injurious to health or physical well-being;

13.20.8.6.8 the use must not emit nuisances including, but not limited to, odour, noise, and light, that may have a negative impact to Adjacent Sites or the surrounding area; and

13.20.8.6.9 the Site Plan, the Site access, the relationship between Buildings and Open Space, the architectural treatment of Buildings, landscaping, the minimum required loading spaces and Parking spaces and the Parking layout and surfacing will be at the discretion of the Development Authority.

13.20.9 Despite any provisions in this Bylaw, a Duplex will be included in the list of Permitted Uses for the following Sites, but where the Duplexes comply with the requirements applicable to the R-D Zone:

13.20.9.1 Lot 47 (4635 – 48 Street) and Lot 48 (4631 – 48 Street) Block C Plan 992 6203;

13.20.9.2 Lot 22 and Lot 23 Block C Plan K8 (4602B and 4602A – 47 Street);

13.20.9.3 Lot 33 and Lot 34 Block D Plan K10 (4621A and 4621B – 47 Street);

13.20.9.4 Lot 19A Block F Plan 3591 P (4612 – 44 Street);

13.20.9.5 Lots 11A and 12A, Block F, Plan 022 0547 (4623A and 4623B – 45 Street);

13.20.9.6 Lot 19A (4309 – 46 Avenue) and Lot 20A (4310 – 45A Avenue) Block A Plan 2354 AE;

13.20.9.7 Lot 1 (4505 – 46 Avenue) and Lot 2 (4503 – 46 Avenue) Block K Plan 4900 R;

13.20.9.8 the most southerly 19.05m of Lots 1, 2, 3 and 4 and all of Lot 5, Block J Plan 4900 R (4601 – 46 Avenue);

13.20.9.9 Lots 45 and 46 Block J Plan 922 1244 (4519A and 4519B – 47 Street);

13.20.9.10 Lot 1A, Block I, Plan 4900 R (4536 – 47 Street);

13.20.9.11 Lots 4 and 5, Block I, Plan 4900 R (4532A and 4532B – 47 Street);

13.20.9.12 Lots 10 and 11, Block I, Plan 4900 R (4520 – 47 Street);

13.20.9.13 Lots 49 and 50, Block B, Plan 042 1756 (4644 – 48 Street and 4801 – 47 Avenue);

13.20.9.14 proposed Lots 5A and 6A Block F Plan 042 6407 (4642 – 44 Street).

13.20.10 On the following Sites, the uses listed will be added to the list of Permitted Uses set out in the applicable Zone, under condition the Developments must comply with the requirements applicable to the R-M Zone and to the density and height restrictions specified:

13.20.10.1 Lot 19A Block C Plan 2648 TR – a 4-unit Townhouse (4606 – 47 Street);

13.20.10.2 Lots 6 and 7 Block I Plan 4900 R – a 4-unit Townhouse (4526 – 47 Street);

13.20.10.3 the south 100 feet of Lots 1 to 4, Block F, Plan 3591 P – a 6-unit Townhouse with a maximum height of 2.0 storeys (4405 – 47 Avenue);

13.20.10.4 Lot Z, Block E, Plan 3591 P (4624 – 45 Street) – a 17-unit Apartment Building at a maximum density of 95 units per hectare and maximum height of 3.0 storeys;

13.20.10.5 Lot 23, Block F, Plan 792 3231 (4616 – 44 Street) – an 8-unit Apartment Building at a maximum density of 87 units per hectare and maximum height of 2.0 storeys.

13.20.11 On those Sites or potions thereof listed, the following uses may be allowed as Permitted Uses:

13.20.11.1 built in compliance with the regulations of DC(34) of this Bylaw, Warehouse, and storage in a Building in existence as of July 15, 2003, may be allowed as a Permitted Use on Lot 22 and 29, Block 17, Plan 7604S (5904-54 Avenue).

13.20.12 Built in compliance with the regulations of DC(34), structural alterations, exterior renovations, expansions, or additions are Permitted Uses for existing Buildings on the Sites listed in subsections 11.340.6 and 11.340.7, provided they comply with the general-purpose Zone set and subject to Municipal Planning Commission approval of the Site Development.

13.20.13 Signs, as listed in the C-3 Commercial Zone, may be allowed as a Discretionary Use on Lot 1, Block 23, Plan 892 1574 (4820 45 Street).

13.20.14 Provided it otherwise complies with C-4 Zoning of this Bylaw, on Lot 5, Block 1, Plan 972-4056 a combined commercial Restaurant and maximum 230-unit Supportive Living Accommodation will be a Permitted Use. This mixed-use Development requires approval by the Development Authority and is subject to the following requirements:

13.20.14.1 floor areas minimum in the Supportive Living Accommodation for a 1-bedroom unit must be 46.5m^2, and for a unit of more than 1-bedroom, 65.0m^2;

13.20.14.2 Landscaped Area minimum: 30% of Site;

13.20.14.3 Building Height maximum: 4.0 storeys;

13.20.14.4 Front Yard Minimum: 15.0m;

13.20.14.5 Side Yard Minimum: 4.5m;

13.20.14.6 Rear Yard Minimum: 3.0m;

13.20.14.7 Parking: general Parking requirements apply;

13.20.14.8 Loading Spaces: 1 opposite each loading door with a minimum of 1;

13.20.14.9 Site Area Minimum: Existing Site;

13.20.14.10 Site Frontage Minimum: 30.0m;

13.20.14.11 any regulations not specifically referred to above including Building elevations, will be subject to approval by the Municipal Planning Commission; and

13.20.14.12 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, will be subject to approval by the Municipal Planning Commission.

13.20.15 To allow for compatible redevelopment on Sites listed below, Townhouses and Apartments will be added to the list of Discretionary Uses in the applicable Zone to allow redevelopment of the Site to less than, or equivalent, Gross Floor Area as the existing Building and to a maximum height of 2.0 storeys or 10.0m measured from the average of the Site Grade. The Riverside Meadows Overlay will continue to apply:

Lot	Block	Plan	Street Address
29	1	7621574	5963 60A Street
1-2	15	7604S	5514 60 Street
15-17	1	297BH	5904 60 Avenue
18	D	1846TR	5841 60 Avenue
19	D	1846TR	5837 60 Avenue
20	D	1846TR	5833 60 Avenue
22	D	1846TR	5829 60 Avenue
1A	2	1030NY	5713 60 Avenue
28-30	A	4359AH	5922 59 Avenue
9	4	4963TR	6042 58A Street
8	4	4963TR	6038 58A Street
7	4	4963TR	6034 58A Street
6	4	4963TR	6030 58A Street
5	4	4963TR	6026 58A Street
4	4	4963TR	6022 58A Street
3	4	4963TR	6018 58A Street
2	4	4963TR	6014 58A Street
1	4	4963TR	6010 58A Street

1-3	3	934AJ	5804 58 Avenue
9-10	5	7604S	5921 58 Avenue
14	C	5534HW	5920 58 Avenue
21	3	9720243	5816 58 Avenue
26	4	8022765	5811 58 Avenue
19A	2	7621867	5804 58 Avenue
19B	2	7621867	5802 58 Avenue
Z	5	7604S	5918 57 Avenue
13-14	5	7604S	5910 57 Avenue
15-16	5	7604S	5906 57 Avenue
9	9	5692KS	5819 57 Avenue
7-8	9	7604S	5815 57 Avenue
25	4	8020600	5812 57 Avenue
27	3	7923071	5714 57 Avenue
25-26	3	7604S	5704 57 Avenue
1-3	1	3331AJ	5639 56 Street
9-11	1	3331AJ	5621 56 Street
25-26	7	7604S	6010 56 Avenue
3-4	15	7604S	6005 56 Avenue
1-2	15	7604S	6001 56 Avenue
18-19	9	7604S	5816 56 Avenue
20-21	9	7604S	5812 56 Avenue
1-2	13	2800AJ	5805 56 Avenue
10-11	12	5296HW	5721 56 Avenue
8A	12	7921790	5715 56 Avenue
25-30	1	3331AJ	5608 55 Street
Z	23	7604S	5914 52 Avenue

13.20.16 On the Sites listed below, semi-detached housing with a common rear wall (back-to-back Duplex) will be added to the list of Discretionary Uses set out in the applicable Zone:

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

13.20.17 To allow diverse forms of advertising in the C-1 and C-4 Zones for Sites that have no less than 100.0m Frontage on Gaetz Avenue and offer conference and convention space, Dynamic Signs which comply with Sign regulations may be allowed as a Discretionary Use on the following Sites:

13.20.17.1 Lot E, Plan 5009KS (3310 50 Avenue);

13.20.17.2 Lot 5, Block 15, Plan 4436TR (2929 50 Avenue);

13.20.17.3 Lot 1A, Block 44, Plan 812 1177 (4311 49 Avenue).

13.20.18 On Lot 1-3, Block 5, Plan H (4802-51 Avenue), the relocation of a Dynamic Fascia Sign, lawfully in existence on September 30, 2010, to another location on the same Site, is a Discretionary Use provided the Dynamic part of the Sign is not altered and provided the Sign complies with the applicable Sign regulations.

13.20.19 To allow for the compatible redevelopment on Sites listed below, Townhouses and Apartments will be added to the list of Discretionary Uses to allow redevelopment of the Site to less than or equivalent Gross Floor Area as the existing Building and to a maximum height of 2.0 storeys or 10.0m or to the maximum height of the existing Building, with the Riverside Meadows and West Park Overlay continuing to apply:

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

13.20.20 Subject to the approval of the Municipal Planning Commission, on Lot 6A, Block 18, Plan H (4922 49 Street), 2 Dynamic Fascia Signs are allowed on the existing Building, provided the overall signage, including the Dynamic Fascia Signs, otherwise complies with Sign regulations.

13.20.21 The location highlighted below, south of Timberlands Drive and Abutting the Road right of way, will be restricted to a Mixed-Use Building as described herein:

13.20.21.1 a part of the Building must Abut Timberlands Drive;

13.20.21.2 the Building must be comprised of Main Floor Commercial use and 3.0 storeys of Apartment;

13.20.21.3 the Building must have an active Commercial street face built close to or Abutting Timberlands Drive;

13.20.21.4 for further clarity, the restrictions of subsection 13.20.21 will be considered fundamental land use restrictions applicable to this location highlighted below; and the restrictions of subsection 13.20.21 will 'overlay' or restrict and limit the listed Permitted and Discretionary Uses of any general Land Use Zone that may otherwise apply to the location highlighted;

13.20.21.5 no Cannabis Retails Sales will be permitted.

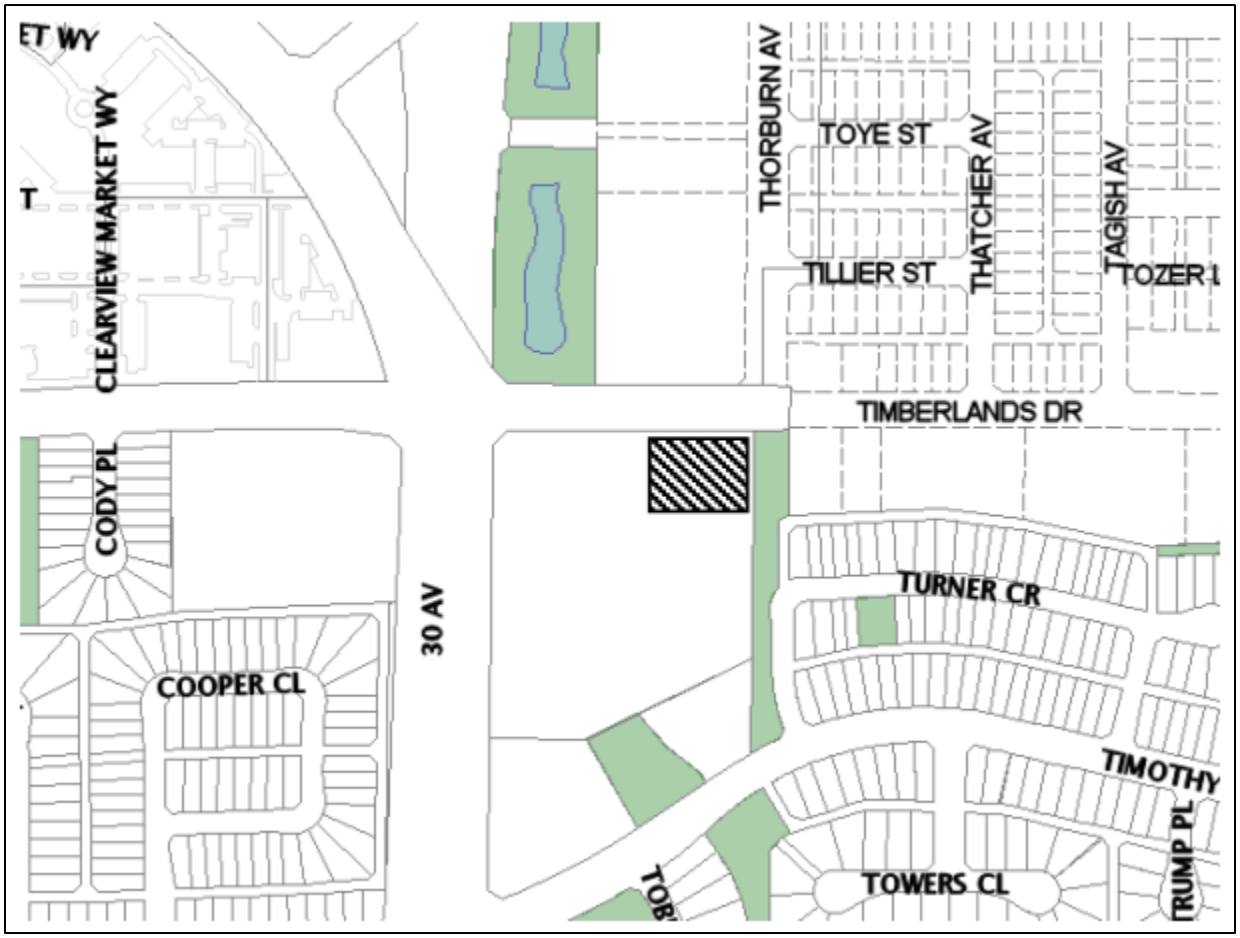


Figure 13.20-1: Timberlands Drive Site Exception Map

13.20.22 [83]Deleted

13.20.23 In accordance with the I-2 Zone, the following exceptions apply to the Site located at 27251 Township Road 391 (short legal: NW ¼ Sec 3-39-27-W4, Linc 0018975856):

13.20.23.1 any expansion of the use or Development will require the submission of a detailed noise impact study by the proponent, prepared by a qualified consultant, to determine what Site mitigation measures are required to avoid excess sound emissions to the satisfaction of the Development Officer.

13.20.24 In accordance with the C-4 Zoning of this Zoning Bylaw, on Lot 1, Block 2, Plan 932 1800 (2506 19 Street) Development requires approval by the Development Authority and is subject to the following regulations:

13.20.24.1 **Requirements**

13.20.24.1.1 Site Coverage: maximum of 25%;

13.20.24.1.2 Building Height: maximum of 2 storeys (maximum 9.0m);

13.20.24.1.3 Landscaped Area minimum: 20% of Site Area;

13.20.24.1.4 Parking Spaces: general Parking requirements apply;

13.20.24.1.5 Design Criteria: subject to subsection 13.20.24.3.

13.20.24.2 **Development Authority**

13.20.24.2.1 Development Officers are the Development Authority for all uses and Development on this Site. In exercising its approval powers, the Development Authority must ensure that Development, in addition to the above Requirements, also complies with any design criteria;

13.20.24.2.2 Variances to the requirements or design criteria will not be considered;

13.20.24.2.3 All regulations, Site Plan, Site access, the relationship between Buildings, structures and Open Space, the architectural treatment of any Building, the provision and architecture of Landscaped Areas, and the Parking

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layout will be subject to approval by the Development Authority.

13.20.24.3 **Design Criteria**

13.20.24.3.1 The Design Criteria in this Site exception will prevail over any underlying Zone design criteria;

13.20.24.3.2 The physical relationship of Building with the Road is critical in establishing the overall character of the area. The Building must have a strong presence along its Road fronting Boundary and an inviting interface with the Sidewalk and Road;

13.20.24.3.3 Developments must create variety, character, comfortable scale, and visual interest by incorporating a variety of Building styles;

13.20.24.3.4 The Principles of Crime Prevention Through Environmental Design must be applied to all Development;

13.20.24.3.5 High quality hard and soft landscaping elements must be provided including trees and shrubs that add value throughout all seasons;

13.20.24.3.6 Developments must be designed with green technologies and materials that reduce energy, waste and conserve water such as green roofs, solar energy systems, Zone energy;

13.20.24.3.7 Building fronting collector Roads will have minimal Front Yard Setbacks unless additional space is required for such things as an eating patio, major private art display, water feature or other amenity;

13.20.24.3.8 The Rear Yard Setbacks will be flexible and as required to allow for Site access, Site Parking, loading, and servicing. The west Yard Setback to Building to be a minimum of 23.0m, except for the southwest corner of the Site permitting a minimum Setback of 7.0m to Building Façade;

13.20.24.3.9 Developers must create opportunities for pedestrian linkages to the east and south only;

13.20.24.3.10 Street elevations of Buildings on Corner Sites must have equal Sidewalk interface and architectural corner features and high-quality elevation treatments along each side;

13.20.24.3.11 Building walls facing a Road must be articulated at approximately 6.0-8.0m intervals containing varied design elements such as entrances, windows, vertical accents, Setbacks, canopies, Signs, Projections, and roof lines;

13.20.24.3.12 All businesses or stores must have their own clearly identifiable Road level entry;

13.20.24.3.13 All Commercial ground floor elevations facing a Road must contain un-tinted glass windows;

13.20.24.3.14 Underground Parking is encouraged. All surface Parking must be paved and located behind the Building in carefully designed, landscaped lots with defined, integrated pedestrian connections to Sidewalks and trails. No surface Parking will be allowed between a Road and a Building;

13.20.24.3.15 To assist in establishing a sustainable urban environment, internal private lanes are encouraged as part of the design to allow servicing, access to Parking, as well as key pedestrian linkages;

13.20.24.3.16 Signs must comply with the Sign requirements of this Bylaw for the C-1 Zone;

13.20.24.3.17 Illuminated Signs mounted on Buildings will not be permitted, except for a fuel sales Site. Signs may be accentuated by lighting fixtures projecting light either back at the Building or down towards the ground;

13.20.24.3.18 A 2.4m high solid opaque fence is required along the entire west Boundary;

13.20.24.3.19 Waste containers must be part of a partially or wholly underground waste disposal system.

13.20.24.3.20 The majority of the tree buffer along the northwest Boundary be retained;

13.20.24.3.21 The location of fuel sales and accessory car wash are located Adjacent to the arterial and collector Roads away from the R-L Zoning to the west.

13.20.25 On Lot 1, Block 7, Plan 8621676 (3942 50A Avenue), a Supervised Consumption Services may be considered as a Discretionary Use with City Council as the Development Authority.

13.20.26 At 6300 Cronquist Drive (Heritage Ranch, in the SW ¼ Sec 18; 38-27-W4), any legally existing use prior to January 8, 2017, will be considered a Discretionary Use.

13.20.27 On Lots 4 & 5, Block 7, Plan 0122229 (6359 50 Avenue), and on Lot 1, Block 6, Plan 0423742 (4900 Molly Bannister Drive), Sign dimensions will be permitted at the following:

Maximum Sign Height	Maximum Sign Area
9.0m where the Site is Adjacent to an arterial Road, 25.0m where the Site is Adjacent to a service Road.	First Sign: 36.0m^2, Additional Signs: 25.0m^2.

13.30 Areas Specifically Exempted from a Particular Use

13.30.1 No new or used car lot or Trailer sales establishment will be permitted on any Site situated on any of the following areas:

Abutting	Between	And
Ross Street	48 Avenue	51 Avenue
Gaetz Avenue	47 Street	53 Street
49 Avenue	Lane South of 49 Street	Lane North of 51 Street

13.30.2 On those Sites in the Heritage Business Park, or parts thereof in subsection 13.30.2, the following uses will not be allowed:

13.30.2.1 a Gaming Establishment or Drinking Establishment on:

13.30.2.1.1 Lot 3, Block 13, Plan 832-2275 (6290-67A Street);

13.30.2.1.2 Lot 6, Block 13, Plan 912-1753 (6284-67A Street);

13.30.2.1.3 Lot 8, Block 13, Plan 952-4412 (6264-67A Street);

13.30.2.1.4 Lot 7, Block 13, Plan 952-4124 (6104-67A Street).

13.30.3 On Lot 174, Block 2, Plan 142 1595 (42 Timberstone Way) no uses of the R-M Residential (Medium Density) Zone will be allowed except for Supportive Living Accommodations and 'big house' styled Apartment up to 3 storeys, both of which will be Discretionary Uses on this Site.

13.30.4 On Lot 1, Block 7, Plan 952 0967 (2827-30 Avenue) the following uses will not be allowed as either Permitted Uses or Discretionary Uses:

13.30.4.1 Liquor, Beer, and Wine Sales;

13.30.4.2 Service Station.

13.30.5 On Lot 1, Block 2, Plan 932 1800 (2506 19 Street) the following will not be allowed as either Permitted Uses or Discretionary Uses:

13.30.5.1 Mixed-Use Building;

13.30.5.2 Home Occupation Minor;

13.30.5.3 Home Occupation Major;

13.30.5.4 Apartment with a minimum density of 35 Dwelling Units per hectare;

13.30.5.5 Townhouse with a minimum density of 35 Dwelling Units per hectare;

13.30.5.6 Show Home;

13.30.5.7 Accessory Building;

13.30.5.8 Accessory Use;

13.30.5.9 Supportive Living Accommodations;

13.30.5.10 Commercial Entertainment Facility;

13.30.5.11 Drinking Establishment (Adult Entertainment Prohibited);

13.30.5.12 Parking Lot;

13.30.5.13 Parking Structure;

13.30.5.14 Public Assembly;

13.30.5.15 Outdoor Display or Sale of Goods;

13.30.5.16 Restaurant with Drive-Through;

13.30.5.17 Cannabis Retail Sales.

13.30.6 On 4718-19 Street, Motor Vehicle Sales will not be allowed as either a Permitted or Discretionary Use.

13.30.7 At 6300 Cronquist Drive (Heritage Ranch, in the SW ¼ Sec 18; 38-27-W4), no uses or Development will be permitted in the Restricted Development Area as shown in Figure 13.30-1 and "Land Use Constraints Map I14". All other uses and Development are subject to the provisions of DC(32).

13.30.8 [84]On Lot 1, Block 1, Plan 112 1863 (3523 67 Street) the following uses will not be allowed as either Permitted Uses or Discretionary Uses:

13.30.8.1 Apartment;

13.30.8.2 Townhouse, in one or more Buildings, with more than 40 Dwelling Units in total.

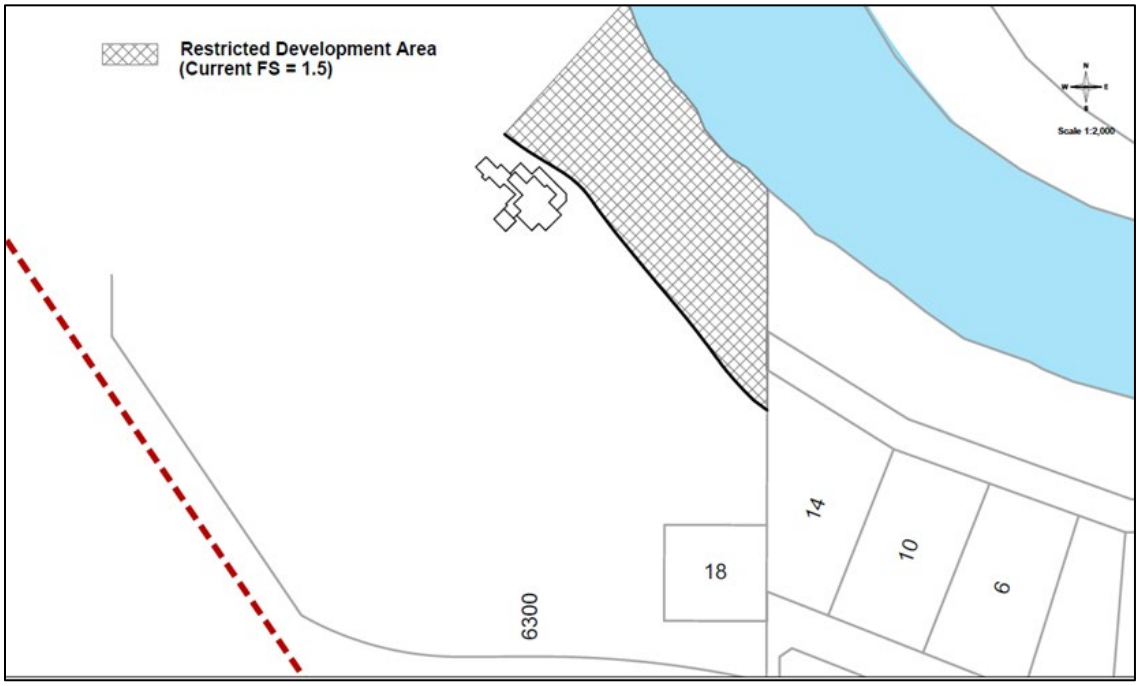


Figure 13.30-1: Heritage Ranch Restricted Development Area

[84] 3357/J-2025