



## CITY OF FORT SASKATCHEWAN

### A BYLAW OF THE CITY OF FORT SASKATCHEWAN IN THE PROVINCE OF ALBERTA TO AMEND BYLAW C10-13, LAND USE BYLAW TO INCLUDE A DOWNTOWN LAND USE DISTRICT

#### BYLAW C4-16

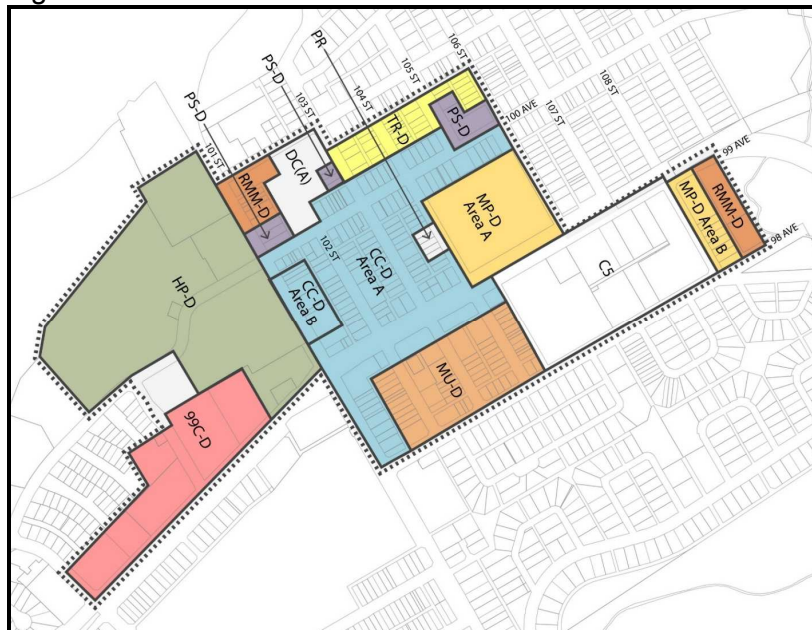
**WHEREAS** the *Municipal Government Act, R.S.A. 2000, c.M-26* as amended or repealed and replaced from time to time, provides that a municipality has the power to amend the Land Use Bylaw;

**NOW THEREFORE**, the Council of the City of Fort Saskatchewan, in the Province of Alberta, duly assembled, enacts as follows:

1. This Bylaw is cited as the Amendment to Bylaw C10-13 Land Use Bylaw as amended or repealed and replaced from time to time.
2. That Schedule “A” of Bylaw C10-13 be amended as follows:
  - A) Add the following to Schedule “A” of Bylaw C10-13:

#### Part 13 – Downtown Land Use Districts

Figure 13.0a: Downtown Land Use Districts



## General Regulations for All Downtown Districts

### 13.1 Accessory Buildings in Downtown Districts

The following regulations establish standards regarding the interpretation, placement and form of Accessory Buildings within the Downtown District.

- 13.1.1 Where an accessory development is attached to the principal building by a roofed structure that has open or enclosed walls it shall be considered part of the principal building and be subject to the setback requirements for the principal building.
- 13.1.2 Covered decks, covered terraces and/or covered patios shall not be located in any minimum front or side setback. Covered decks, covered terraces and/or covered patios shall be considered part of the principal building.
- 13.1.3 Accessory buildings shall:
- (a) Not be located within a front yard or within a front flanking yard;
  - (b) Not be located closer than 1.2m (3.9ft) from any other building, on-site, unless attached to or located thereon;
  - (c) Not be located closer than 1.0m (3.3ft) from the rear property line;
  - (d) Not be located closer than 1.0m (3.3ft) from the side property line;
  - (e) Not be located such that eaves or foundation encroaches onto a public utility lot or easement;
  - (f) Not exceed 5.0m (16.4ft) in height;
  - (g) Not exceed 3.0m (9.8ft) in height for vertical exterior walls;
  - (h) Be finished with an exterior treatment complementing that of the principal building with respect to colour, finish, materials and texture; and
  - (i) Have hard surfaced access from the street to the accessory building when intended for vehicular use.

### Shipping Containers

- 13.1.4 Shipping containers shall not be allowed in any downtown districts except for temporary use as waste receptacles during construction periods.

## 13.2 Decks and Patios

- 13.2.1 Decks for residential uses shall require a Development Permit if located more than 0.6m (2.0ft) above grade and shall adhere to all setbacks of the principal building when attached to the principal building, except for the projections noted in Table 2.
- 13.2.2 Decks within Residential Land Use Districts that are less than 0.6m (2.0ft) above grade shall not be included in the calculation of combined site coverage on a lot.
- 13.2.3 For non-residential uses, uncovered decks below 0.61m (2.0ft) from grade, uncovered terraces and/or uncovered patios may be located within a minimum front or side setback area provided that:
- (a) The area is used by clientele on a seasonal basis; and
  - (b) The area shall be fenced off from adjoining public areas.

## 13.3 Design and Appearance of Buildings and Structures

The following regulations establish standards regarding the design and appearance of structures with respect to build form, ground floor treatment, entrances, signage and amenity areas.

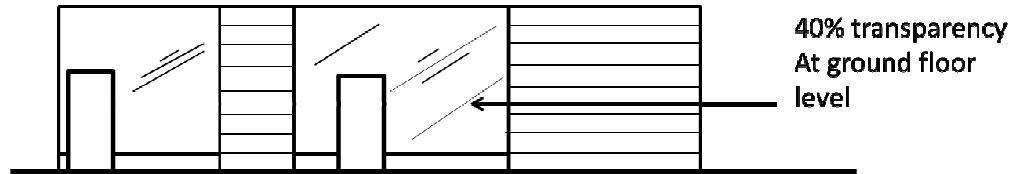
- 13.3.1 Exterior building finishes shall be of high quality, durable and attractive materials such as brick, brick veneer, stone, marble, tile, or a combination thereof.
- 13.3.2 Open spaces shall be developed and landscaped in accordance with Section 4.8 to 4.11 of this Bylaw. In addition, urban design features such as art, walls, fences, benches, waste receptacles, garden lighting or similar may be required to ameliorate any design matters of non-compliance with the Land Use Bylaw.
- 13.3.3 Building facades on corner sites shall address both public roadways. Large blank facades with opaque surfaces shall be minimized to the satisfaction of the Development Authority.

### 13.3.4 Ground Floor Treatment

The intent of the following regulation is to ensure active street fronts are provided adjacent to pedestrian zones.

- (a) Facade improvements or facades for newly constructed non-residential use buildings with non-residential uses located on the ground floor facing a public street or public area shall provide a minimum of 60% transparency on the ground floor level to encourage pedestrian interaction and safety, as per Figure 13.3a.

Figure 13.3a: Ground Floor Treatment



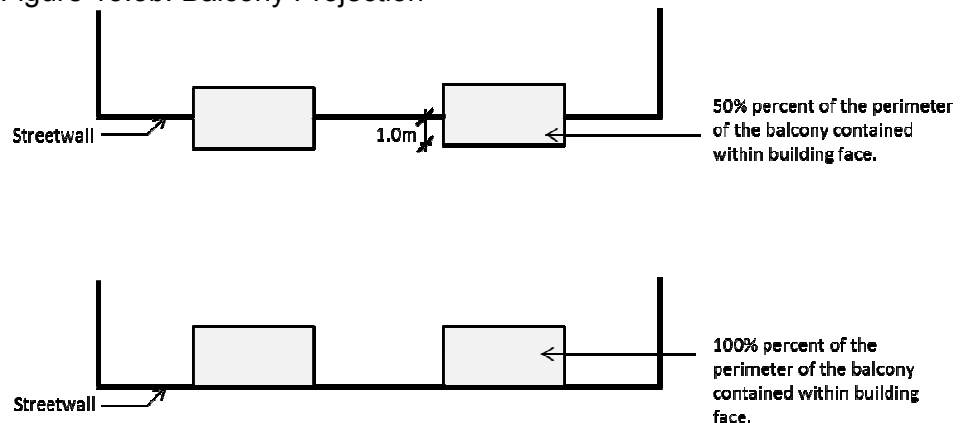
- 13.3.5 Building entrances are to be visible from adjacent streets, and highlighted through the use of architectural and landscaping devices such as benches, low walls, steps, a variety of paving materials, planting features, architecturally-integrated canopies projecting from the building, architectural lighting, and so forth.

13.3.6 Balcony Projections

The intent of the following regulations are to ensure that the projection of balconies positively contribute to the vertical articulation of the streetwall.

- (a) Balconies on the streetwall shall be partly or fully recessed from the building face with approximately 50% of their perimeter contained within the building face as per Figure 13.3b.

Figure 13.3b: Balcony Projection



- (b) Balcony projections may project a maximum of 1.0 m. (3.3ft) beyond the streetwall and shall in no case project beyond the property line.

### 13.3.7 Signage

The intent of the following regulations are to direct the Development Authority to have regard for the visual harmony and compatibility of the proposed signs with the architectural character of a development and with the design, location and appearance of other signs within Downtown Districts.

- (a) Signage shall be designed and built at a scale suitable for pedestrian interaction.
- (b) Additional signage identifying building names may be provided at the entrance areas of buildings, or on any wall facing a public area, well-integrated with building facades and or landscape features to the satisfaction of the Development Authority.
- (c) Projecting signs should be encouraged to improve the pedestrian experience.
- (d) Billboard, balloon, and rooftop or any variation shall be prohibited.

### 13.3.8 Outdoor Amenity Areas

The intent of the following regulations are to establish the provision of outdoor amenity area features of developments within the Downtown Districts.

- (a) New developments may be required to provide Outdoor Amenity Areas such as seating areas, walkways and small scale corner/front plazas in accordance with the development regulations of the specific Downtown Land Use District and to the satisfaction of the Development Authority.
- (b) The landscape and street furniture elements provided in on-site outdoor amenity areas should complement the architectural style of the principal buildings.

## 13.4 Emergency Access to Downtown Buildings

- 13.4.1 A lane or lanes for the purpose of permitting the access of fire-fighting equipment to all major access points of multi-tenant developments, such as shopping centre buildings, and to all fire risk utilities on the site shall be provided and no permanent structure or vehicular parking shall be provided thereon.
- 13.4.2 Emergency access routes and fire lanes shall be appropriately signed to prohibit obstruction.

### 13.5 Fences and Walls in Downtown Districts

The following regulations are intended to ensure appropriate use and placement of fences and walls within Downtown Districts. The regulations are specific to fences and walls typically used to delineate property boundaries.

13.5.1 Except for purposes of urban design and providing appropriate screening for waste storage areas, fences and walls shall be prohibited in all Downtown Districts except Transitional Residential-Downtown (TR-D) and Medium Density Residential-Downtown (RMM-D) Districts.

13.5.2 Fences shall not be allowed in the front yard except for within the TR-D District, the RMM-D District, and to delineate patios. All fences shall be no higher than 0.9m (3.0ft). Patio fences should provide visual transparency to the satisfaction of the Development Authority.

### 13.6 Interface with Residential Land Uses Adjacent to Downtown Boundary

13.6.1 Where a proposed commercial use will be located on a site adjacent to a residential Land Use District, the Development Authority may require mitigation of potential development impacts on the residential use, including:

- (a) Provision of noise attenuation mechanisms;
- (b) Increased landscaping with a landscaped buffer as directed by the Development Authority. Additional landscaping shall meet the requirements outlined in Section 4.8 and Section 6.6;
- (c) Location of parking areas, walkways, business entrances or other high activity areas away from residential property lines;
- (d) Screening or locating on-site lighting to avoid spillage onto residential sites;
- (e) Restricting the location of outdoor speakers; and
- (f) Designing the proposed building or structure to mitigate noise, light or glare impact.

### 13.7 Landscaping Requirements for Downtown Uses

The following regulations establish specific landscaping standards within all Downtown Districts in order to positively contribute to the public realm.

- 13.7.1 The front/flanking building setbacks in Downtown Districts with commercial uses at ground floor shall be required to provide hard landscaping. The landscaping design should complement the design of the adjacent public sidewalk to the satisfaction of the Development Authority.
- 13.7.2 Parking areas may not contain more than 25 contiguous parking spaces without incorporating landscaped traffic islands.
- 13.7.3 Landscaping buffers between parking, loading and other hard surfaced areas and abutting a residential sites should be a minimum of 6.0 m (19.7ft) in width and include coniferous trees or shrubs, fencing and/or berms in order to interfere with vehicle headlights shining across property lines to the satisfaction of the Development Authority.
- 13.7.4 If existing mature trees of at least 15.0cm (6.0 inches) or larger in calliper are retained on a development site, they may count as double towards the final number of trees required pursuant to this Bylaw.

### 13.8 Site Planning for Downtown Land Uses

The following regulations establish specific requirements for site planning within Downtown Districts regarding site connectivity, pedestrian access, parking areas and service areas.

- 13.8.1 Mixed Use Commercial sites shall be planned and designed to:

- (a) Ensure a coordinated and coherent pattern of roadways, outdoor spaces, landscaping, building forms and land uses with adjacent commercial developments;
- (b) Provide appropriate transitions in scale and intensity to adjacent Residential Land Use Districts;
- (c) Provide direct pedestrian access to building entrances as well as other uses and buildings within the site;
- (d) Link on-site pedestrian walkways and sidewalks with adjacent sidewalks on public roadways and trails; and
- (e) Ensure new access points and location of roadways align with surrounding road network.

13.8.2            Developments with residential uses at ground level shall be planned and designed to:

- (a) Provide a grade separation of minimum 1.0m (3.3ft ) for residential units located at the ground floor level;
- (b) Provide natural surveillance from the building to the street; and
- (c) Complement the adjacent commercial developments by providing active building frontages characterized by porches, entrances and other special architectural features that contribute positively to pedestrian realm.

13.8.3            Ground floor entrances for non-residential uses or a common vestibule to an apartment building shall be level with the grade.

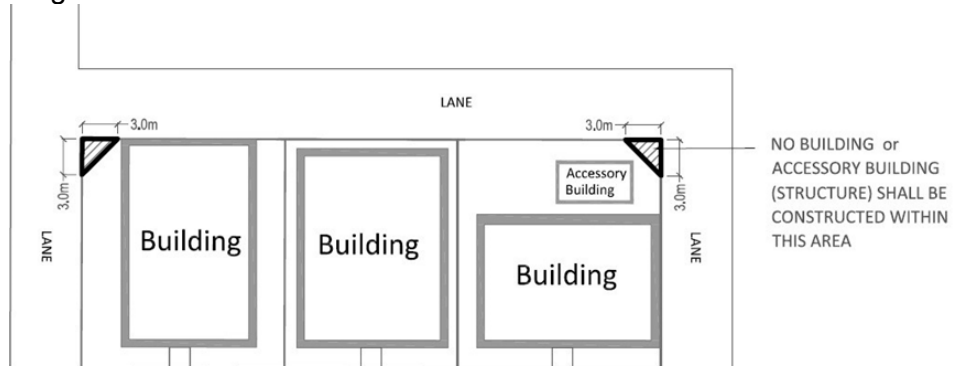
13.8.4            Negative impacts of parking ramps and vehicular entrances are to be minimized through treatments such as enclosure, screening, high quality finishes, sensitive lighting, and landscaping.

13.8.5            Service areas are to be screened from view from the street by architecturally-compatible solid walls or landscaping treatments. Acceptable approaches could include landscape berms, brick masonry walls, cedar or painted wood fences, or trellises, ideally in combination with planting initiatives.

13.8.6            In the case of those parcels that have intersecting lanes abutting on two sides of the parcel, no buildings shall be constructed within a triangular area formed by the intersecting rights-of-way and a

straight line joining the points on a line 3.0m (9.8ft) from the intersection, as shown in Figure 13.8a.

Figure 13.8a: Corner Site Restrictions on Lanes



### 13.9 Crime Prevention Through Environmental Design (CPTED)

- 13.9.1 Any developments may be required to submit a Crime Prevention through Environmental Design (CPTED) assessment prepared by a qualified professional architect or planner at the Development Permit stage at the discretion of the Development Authority.

### 13.10 Urban Design Regulations

The following regulations establish specific standards regarding urban design to create an attractive physical character at the pedestrian scale.

- 13.10.1 New development may provide urban design features, such as public art within the site or incorporate it into the building facades to the satisfaction of the Development Authority. The Development Authority may consider such urban design features in lieu of any non-compliance matters as set out under this part.
- 13.10.2 Except within the TR-D District, newly constructed buildings should provide a minimum streetwall height of 2 storeys (7.5m or 24.6ft) to a maximum height of 4 storeys (13.5m or 44.3ft).
- 13.10.3 Commercial buildings and structures shall be designed to:
- (a) Complement and be compatible with adjacent development;
  - (b) Where located in a multi-unit development, utilize common characteristics and building forms to

provide a cohesive identity throughout the development;

- (c) Provide interesting facades, generally avoiding blank walls over 30.0m (98.4ft) in length, and provide a high degree of transparency on the ground floor in accordance with Section 13.2;
- (d) Provide a similar level of architectural and design treatment on corner sites for all street frontages;
- (e) Provide appropriate transitions in height, scale and massing to adjacent lower intensity or residential sites; and
- (f) Provide highly visible, barrier-free entrances with direct access from pedestrian walkways and sidewalks.

13.10.4 Additions and alterations to existing buildings shall be compatible with the existing architectural character of the buildings.

13.10.5 Sites shall be designed to reduce the building and site development footprints, maximize the use of permeable surfaces and walkways, minimize paving, and provide natural shading of buildings and paved areas with trees and other landscape features to minimize the heat island effect.

13.10.6 Waste Collection

The intent of following regulations are to ensure the placement and treatment of waste storage areas are hidden from public view and or appropriately screened.

- (a) Waste storage areas located outside buildings shall be provided within the rear yard with a minimum setback of 1.0m (3.3ft) from all property lines and be screened using appropriate architectural or landscaping treatment to the satisfaction of Development Authority.
- (b) Not to be placed within a front yard, side yard, or a landscape buffer unless approved by, and at the discretion of the Development Authority, taking into consideration architectural treatment, screening, and site characteristics.
- (c) Waste collection and storage areas shall not be located within the front yard along 99 Avenue, 100 Street and 100 Avenue.

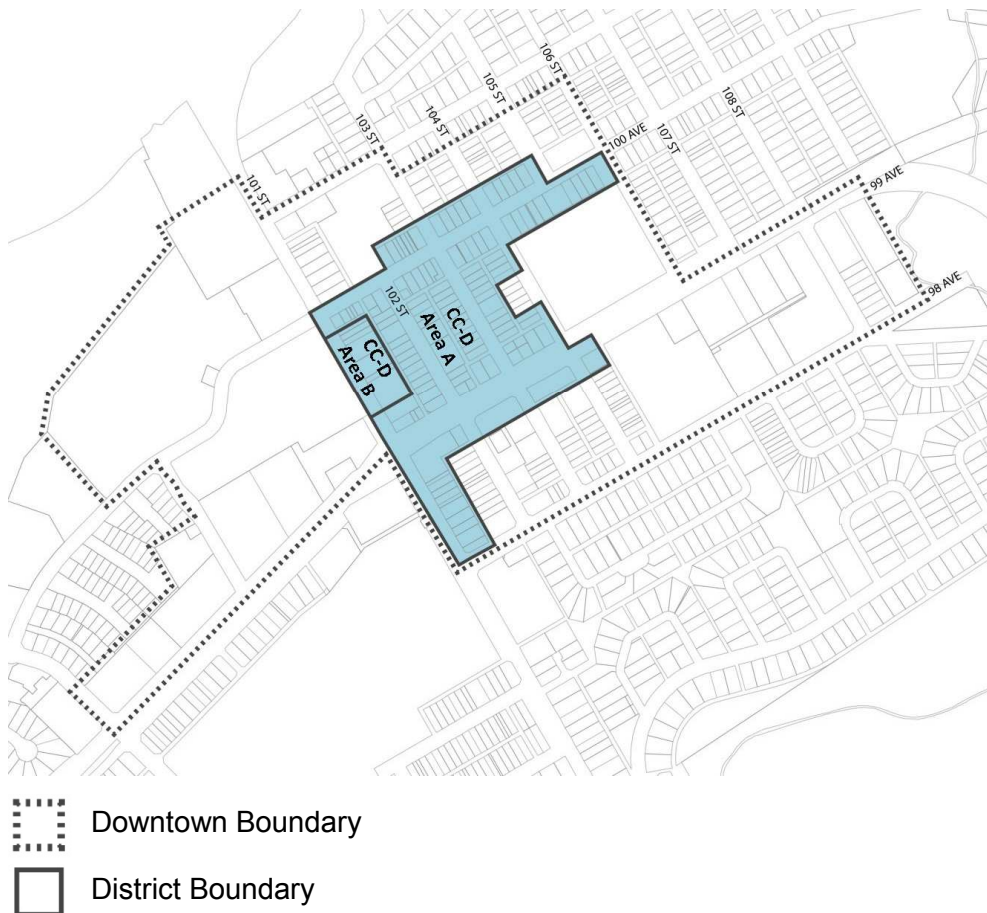
### 13.10.7 Open Space and Linkages

The following regulation is intended to ensure developments provide open spaces that extend the open space network of the City.

- (a) Sites over 2.0 Ha in size shall be required to provide a minimum 15% of the site area as publicly-accessible open space that is connected to wider City level open space network that encompasses landscaped entrance areas, outdoor patio areas, forecourts, court yards, squares, plazas, and play areas.

### 13.11 CC-D – Core Commercial – Downtown

Figure 13.11a: Applicable Area for CC-D District



#### 13.11.1 Purpose

This District is intended to provide mixed use commercial developments in the heart of downtown and enhance its role as a key commercial and business centre within the City. Development in this area, particularly at street level, will be focused on

retail, office, eating and drinking establishments, and service uses, with opportunities for residential above the ground floor of buildings. A mix of uses and urban design standards are intended to promote walkability and activity in the downtown core.

13.11.2 CC-D Permitted and Discretionary Uses

13.11.2 (a) CC-D Permitted

- Above Ground Floor Dwelling
- Assisted Living Facility
- Assisted Living Facility (Limited)
- Business Support Service\*
- Commercial School
- Day Care Facility\*\*
- Eating & Drinking Establishment
- Eating & Drinking Establishment (Limited)
- Eating & Drinking Establishment (Outdoor)
- Health Service
- Home Office
- Hotel
- Indoor Entertainment Facility
- Parking Facility
- Personal Service
- Pet Care Service
- Place of Worship
- Professional, Financial and Office Service
- Public Facility
- Retail Store (Convenience)
- Retail Store (General)
- Retail Store (Liquor)
- Seasonal Garden Centre (Temporary)
- Show Home
- Sign, Channel Letter
- Sign, Fascia
- Sign, Identification
- Sign, Portable
- Sign, Projecting
- Sign, Specialty Projecting
- Veterinary Clinic

13.11.2 (b) CC-D Discretionary

- Community Garden
- Community Service Facility
- Custom Manufacturing Establishment
- Emergency Response Service
- Funeral Home
- Government Service
- Indoor Recreation Facility
- Live Work Unit
- Late Night Club

- Outdoor Entertainment Facility
- Outdoor Recreation Facility
- Pawn Shop
- Private Club
- Recycling Drop-off
- Service Station (Limited)
- Sign, Freestanding\*\*\*
- Temporary Outdoor Event
- Temporary Sales Centre
- Vehicle Repair Facility (Limited)\*\*\*
- Vehicle Wash\*\*\*
- Accessory development to any use listed in subsection 13.11.2(a)(b)

\* Not permitted on ground floor.

\*\* Not permitted within an 'Above Ground Floor Dwelling'.

\*\*\* Limited to sites adjacent to 99 Avenue.






#### 13.11.3 CC-D Site Subdivision Regulations

	<b>Interior or Corner Site</b>	
Site Area	Minimum	150.0m <sup>2</sup> (1,614.6ft <sup>2</sup> )
Site Width	Minimum	5.0m (16.4ft)
Site Depth	Minimum	30.0m (98.4ft)

#### 13.11.4 CC-D Site Development Regulations

	<b>Interior or Corner Site</b>	
Front Setback and Flanking Front Setback	Minimum	0.0m (0.0ft) to 2.0m (6.6ft) in order to achieve a continuous pedestrian zone.
	Maximum	3.0m (9.8ft)
Side Setback	Minimum	0.0m (0.0ft) or 2.0m (6.6ft)
Rear Setback	Minimum	0.0m (0.0ft) for sites adjacent a Non-Residential Land Use District.
	Minimum	4.5m (14.8ft) for sites adjacent to a Residential Land Use District.
Site Coverage	Maximum	100%
Floor Area Ratio (FAR)	Maximum	<b>CC-D Area A</b> 4.0
	Maximum	<b>CC-D Area A Residential</b> 3.0
	Maximum	<b>CC-D Area B</b> 4.0
Unit Density	Maximum	<b>CC-D Area A</b> 250 Units/Ha
	Maximum	<b>CC-D Area B</b>



	Downtown Boundary		3 Storeys (10.5m or 34.4ft)
	District Boundary		4 Storeys (13.5m or 44.3ft)
			8 Storeys (25.5m or 83.7ft)

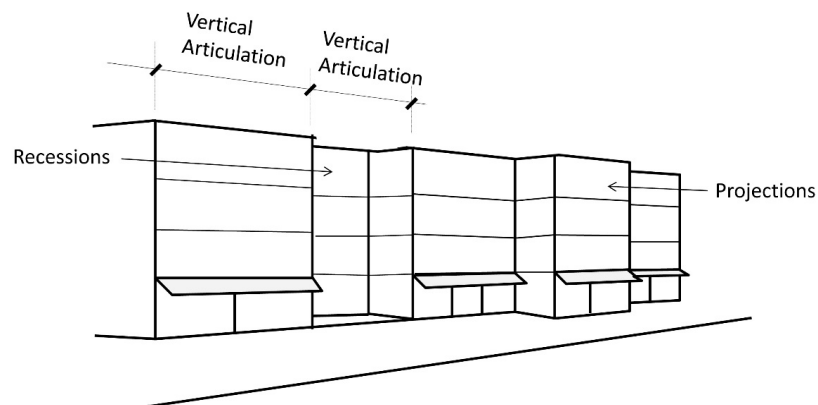
- (b) The maximum parapet height for the top storey shall not exceed 1.5m (4.9ft).
- (c) Vents, mechanical rooms and equipment, elevator penthouses etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building to reduce visibility from street level.

#### 13.11.6 Street Character and Pedestrian Realm

The following regulations are intended to ensure buildings relate to human-scale proportions to improve walkability and create a pedestrian orientated character.

- (a) The front setback shall be hard surfaced from the City sidewalk to the front of the building with a consistent treatment and theme to the satisfaction of Development Authority.
- (b) All buildings shall be required to provide a vertical articulation in the streetwall using techniques to create visual interest along the streetface including a variety of colours, materials, projections or recessions in the building facade to avoid monotony, as per Figure 13.11c.

Figure 13.11c: Vertical Articulation and Building Entrances



- (c) Building façades and landscapes fronting 101 Street should include architectural elements that

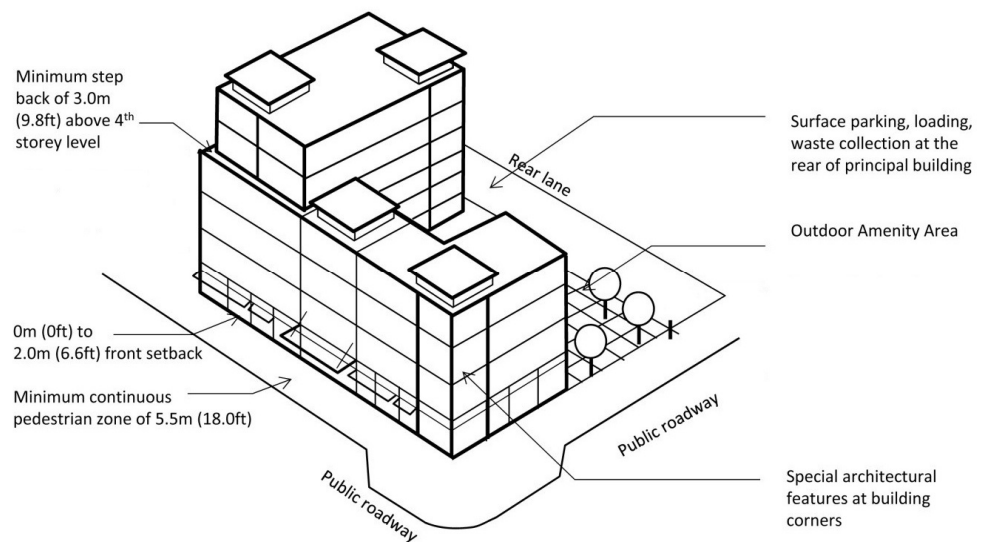
may complement the historic buildings and landscape elements within the Historic Precinct Site.

### 13.11.7 Building Massing and Architectural Character

The following regulations are intended to ensure buildings contribute to a sense of place by providing visual interest along the street level, interesting building forms, and human scale dimensions.

- (a) New development or redevelopment at the intersection of the following streets shall incorporate special architectural treatment to establish a sense of arrival to the downtown:
  - i. 99 Avenue and 101 Street.
- (b) The base zone shall be a minimum height of 2 storeys (7.5m or 24.6ft) and a maximum height of 4 storeys (13.5m or 44.3ft)
- (c) For buildings above four storeys, the middle zone shall include any storeys above the base zone and shall provide a minimum stepback of 3.0m (9.8ft) for any façade that faces a public realm, as per Figure 13.11d.
- (d) Buildings located on corner lots shall be designed with expressive massing and architectural features that relate to and enforce the street corner, as per Figure 13.11d.

Figure 13.11d: Building Massing

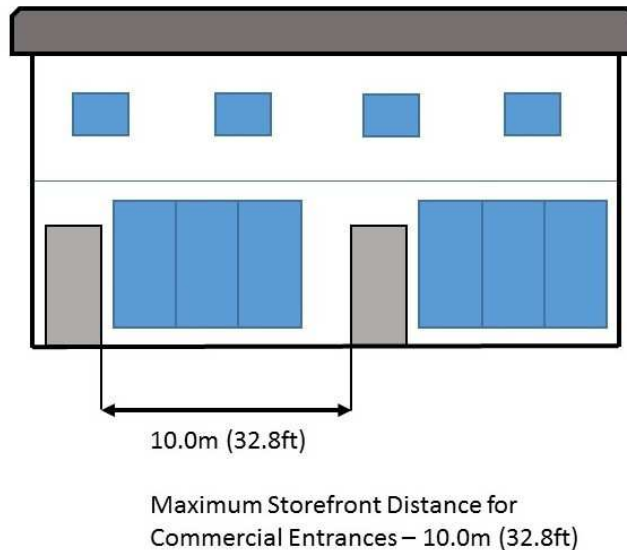


### 13.11.8 Pedestrian Entrances

The following regulations are intended to ensure building entrances are positioned and treated appropriately in order to create visual interest along streets.

- (a) Entrances for non-residential uses should be located with a separation of no more than 10.0m (32.8ft) along building facades fronting public roadway, as per Figure 13.11e.

Figure 13.11e: Maximum Separation Distance for Non-Residential Entrances



- (b) Ground floor entrances for non-residential uses or a common vestibule to an apartment building shall be level with the grade.
- (c) Ground floor entrances for residential units shall be 1.0m (3.3ft) above grade with a display garden incorporated in the front setback.
- (d) Entrances to non-residential uses at ground floor and residential uses above ground floor should be identifiable from each other through architectural design.

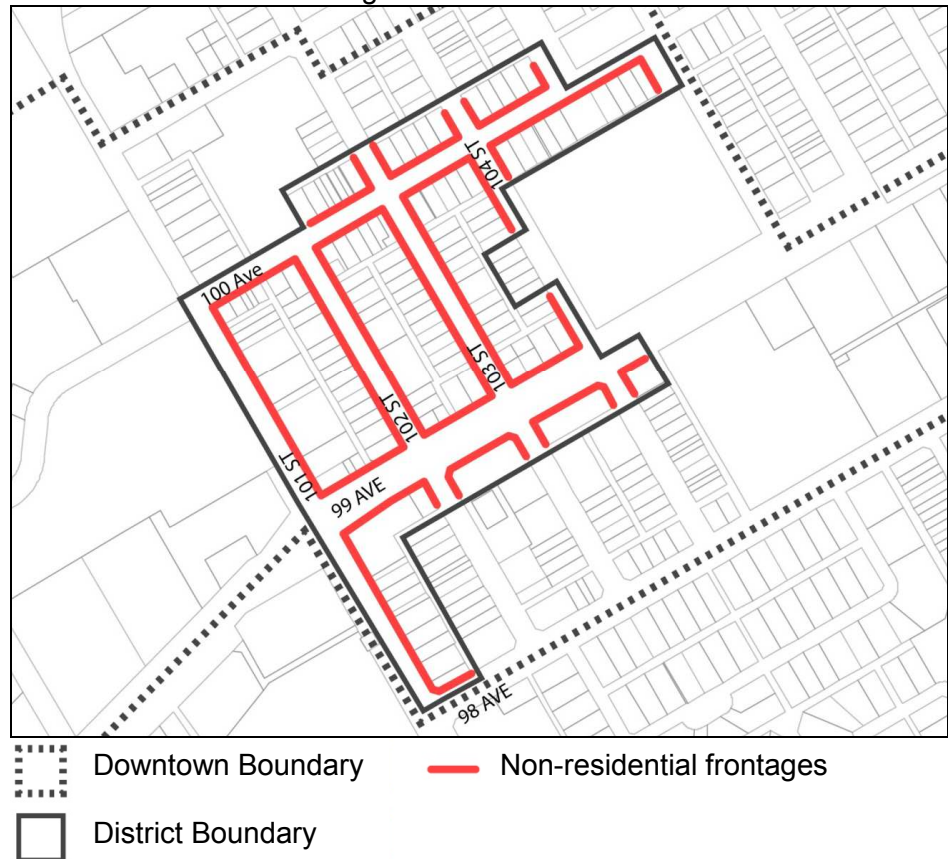
### 13.11.9 Ground Floor Frontages

The intent of the following regulations is to ensure active street fronts are provided adjacent to pedestrian zones.

- (a) The land uses along ground floors of all buildings in this District shall be in accordance with Figure 13.11f, whereas:

- i. New residential development shall be required to provide non-residential uses at the ground floor level; and
- ii. Surface and structure parking areas shall be located behind ground floor uses, or at the rear of the building and screened from the street.

Figure 13.11f: Core Commercial District – Downtown Ground Floor Frontage

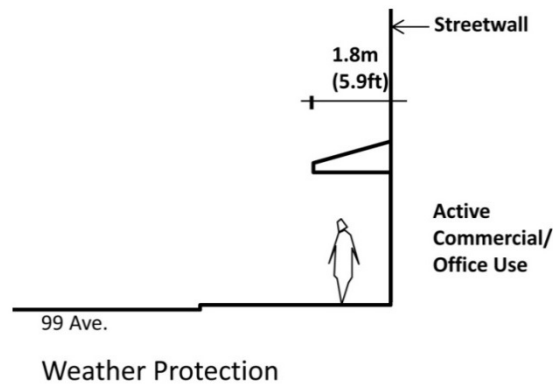


#### 13.11.10 Canopies and Weather Protection

The following regulation is intended to ensure building facades provide appropriate weathering protection to positively contribute to the public realm.

- (a) A continuous weather protection of minimum 1.8 m (5.9ft) width or other means of weather protection at the discretion of the Development Authority shall be encouraged at the ground floor of all building facades fronting 99 Avenue and 100 Avenue, as per Figure 13.11g.

Figure 13.11g: Weather Protection along 99 Avenue



#### 13.11.11 Additional Development Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 13 - Downtown Land Use Districts – General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) Where lane access is provided, sites shall be designed to use the lane.
- (c) Vehicular access to on-site parking areas of properties that front 99 Avenue, 100 Avenue, 101 Street, 102 Street, 103 Street, 104 Street, 105 Street and 106 Street shall be from rear lanes. Where vehicle access to on-site parking areas from rear lanes is not feasible, the Development Authority may allow access from streets provided the applicant provides additional design features to screen the on-site parking lot from the street.

### 13.12 MP-D – Mall Precinct – Downtown

Figure 13.12a: Applicable Area for MP-D District



#### 13.12.1 Purpose

This District is intended to guide redevelopment of MP-D Areas A and B within the downtown and allow for new medium to high density residential, commercial, office, institutional, and mixed use developments. The area is to be integrated with the lands districted C5, south of MP-D Area A and West of MP-D Area B. Higher densities and scales greater than seen elsewhere in Fort Saskatchewan are supported, with high rise buildings accommodated in specific locations provided that the design ensures development relates to the adjacent areas and provides harmonious transitions. Open space and pedestrian connections will be provided to ensure ease of movement to and from the area, and opportunities for recreation. Special emphasis should be given

for the creation of a high quality public realm including urban plazas, outdoor amenity areas and interactive streetscapes.

13.12.2 MP-D Permitted and Discretionary Uses

13.12.2 (a) MP-D Permitted

- Above Ground Floor Dwelling
- Apartment Dwelling
- Assisted Living Facility
- Assisted Living Facility (Limited)
- Business Support Service
- Commercial School
- Community Service Facility
- Day Care Facility\*
- Eating & Drinking Establishment
- Eating & Drinking Establishment (Limited)
- Eating & Drinking Establishment (Outdoor)
- Emergency Response Service
- Health Service
- Home Office
- Hotel
- Indoor Entertainment Facility
- Indoor Recreation Facility
- Parking Facility
- Personal Service
- Place of Worship
- Private Club
- Professional, Financial and Office Service
- Public Facility
- Retail Store (Convenience)
- Retail Store (General)
- Retail Store (Liquor)
- Seasonal Garden Centre (Temporary)
- Show Home
- Sign, Channel Letter
- Sign, Fascia
- Sign, General Advertising
- Sign, Identification
- Sign, Portable
- Sign, Projecting
- Sign, Specialty Projecting
- Temporary Sales Centre

13.12.2 (b) MP-D Discretionary

- Communication Tower (Limited)
- Custom Manufacturing Establishment
- Government Service
- Greenhouse (Permanent)
- Late Night Club
- Live Work Unit

- Minor Impact Utility Service
- Multi-attached Dwelling
- Outdoor Entertainment Facility
- Outdoor Recreation Facility
- Pawn Shop
- Pet Care Service
- Sign, Electric Message
- Sign, Freestanding
- Temporary Outdoor Event
- Vehicle Sales, Leasing or Rental Facility
- Veterinary Clinic
- Accessory Development to those uses listed in 13.12.2(a) and (b)

\* Day care facility may not occur within an apartment dwelling.

### 13.12.3 MP-D Site Subdivision Regulations

	<b>Interior or Corner Site</b>	
Site Area	Minimum	300.0m <sup>2</sup> (3229.2ft <sup>2</sup> )
Site Width	Minimum	At the discretion of Development Authority.
Site Depth	Minimum	At the discretion of Development Authority.

### 13.12.4 MP-D Site Development Regulations

	<b>Interior or Corner Site</b>	
Front Setback and Flanking Front Setback	Minimum	0.0m (0.0ft) to 1.4m (4.6ft) to achieve a continuous pedestrian zone of 3.4m (11.2ft) for buildings with non-residential uses at the ground floor.
	Maximum	3.0m (9.8ft) for residential unit developments at the ground floor level with display gardens.  Notwithstanding 13.12.5(d)
Side Setback	Minimum	0.0m (0.0ft)  Notwithstanding 13.12.5(d)
Rear Setback	Minimum	0.0m (0.0ft) for sites abutting a Non-Residential Land Use District.  4.5m (14.8ft) or one-half (1/2) the height of the building, whichever is greater, for sites abutting a Residential Land Use District.  Notwithstanding 13.12.5(d)
Site Coverage	Maximum	70%

	<b>Interior or Corner Site</b>	
Floor Area Ratio (FAR)	Maximum	4.0
Unit Density	Maximum	200 units/net residential hectare for sites less than 1500.0m <sup>2</sup> .  350 units/net residential hectare for sites greater than 1500.0m <sup>2</sup> .
Building Height	Maximum	<b>Area A</b> 15 Storeys (46.2m-151.6ft)  <b>Area B</b> 4 Storeys (13.5m or 44.3ft)  Refer to Section 13.12.5
Common Amenity Area	Minimum	4.5m <sup>2</sup> (48.4ft <sup>2</sup> ) per dwelling unit.
Private Amenity Area	Minimum	3.0m <sup>2</sup> (32.3ft <sup>2</sup> ) per dwelling unit shall be provided for balconies.

## Built Form Regulations

### 13.12.5 Building Height Limits

The following regulations are intended to ensure buildings are of a proportionate scale with the street and respect building heights of surrounding land uses.

- (a) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft).
- (b) No building above 4 storeys in height shall be located within 23.0m (75.5ft) of a property line abutting a public roadway, as per Figure 13.12a.
- (c) Notwithstanding (b) above, the maximum building height for 5 – 15 storey buildings shall be determined by application of 45 degree angular plane applied at the nearest property line of the parcel that allows low density residential. Subsequent storeys must fit within this angular plane as per Figure 13.12b.

Figure 13.12b: Application of 45 Degree Angular Plane



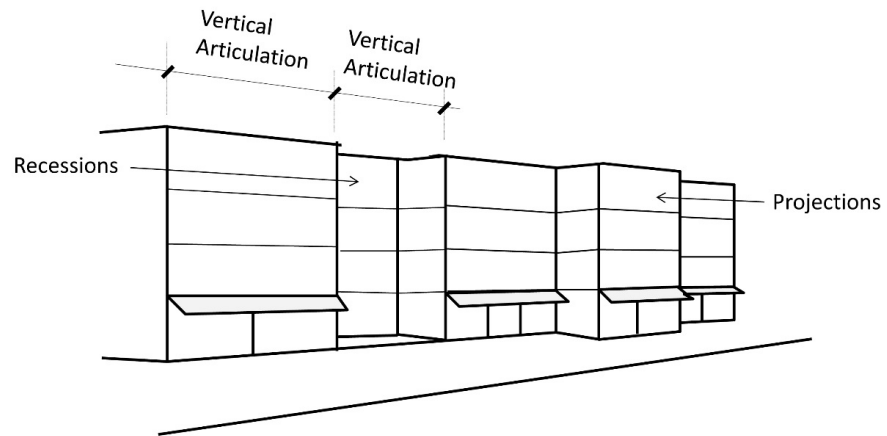
- (d) Vents, mechanical rooms and equipment, elevator, penthouses, etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building.

#### 13.12.6 Street Character and Pedestrian Realm

The following regulations are intended to ensure buildings relate to human-scale proportions to improve walkability and create a pedestrian orientated character.

- (a) For buildings with non-residential uses at the ground floor, the front setback shall be hard surfaced with a consistent treatment and theme to the satisfaction of Development Authority.
- (b) All buildings shall be required to provide a vertical articulation in the streetwall using a variety of colours, materials, projections as well as recessions in the building façade to avoid monotony, as per Figure 13.12c.

Figure 13.12c: Vertical Articulation and Building Entrances



- (c) Display gardens shall be provided within the front setback for buildings with residential use at the ground floor level.

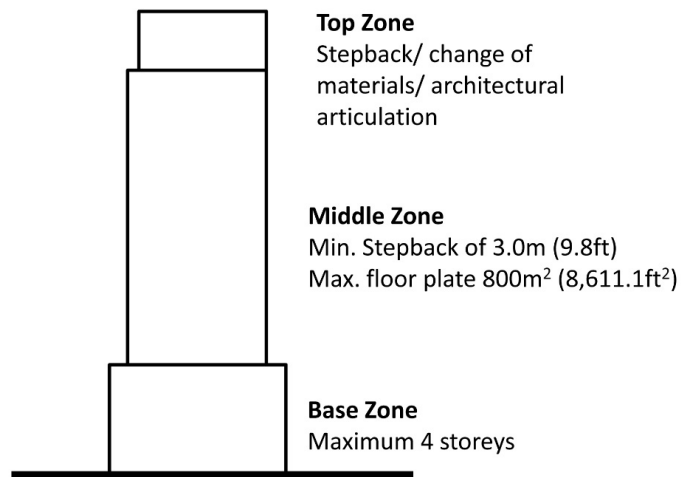
#### 13.12.7 Building Massing and Architectural Character

The following regulations are intended to ensure buildings contribute to a sense of place by providing visual interest along the street level, interesting building forms, and human scale dimensions.

- (a) New buildings at the intersection of the following streets shall be required to incorporate special architectural treatment in order to reinforce the street corner by marking key focal points and entrances to the downtown through using expressive massing and vertical elements:
  - i. 99 Avenue and 106 Street;
  - ii. 99 Avenue and 108 Street; and
  - iii. 99 Avenue and 104 Street.
- (b) Buildings above 4 storeys shall provide three distinct vertical zones, as per Figure 13.12d:
  - i. The base zone shall be a minimum height of 2 storeys and a maximum height of 4 storeys;
  - ii. For buildings above 4 storeys, the middle zone shall include any storeys above the base zone but below the top zone and shall provide a minimum setback of 3.0m (9.8ft) for any façade that faces a public realm. The floor plate shall be a maximum of 800m<sup>2</sup> (8,611.1ft<sup>2</sup>); and

- iii. For buildings above 12 storeys, the top zone shall include the top 3 storeys and shall incorporate either an additional stepback or a change in material/colour or special architectural treatment to the satisfaction of the Development Authority.

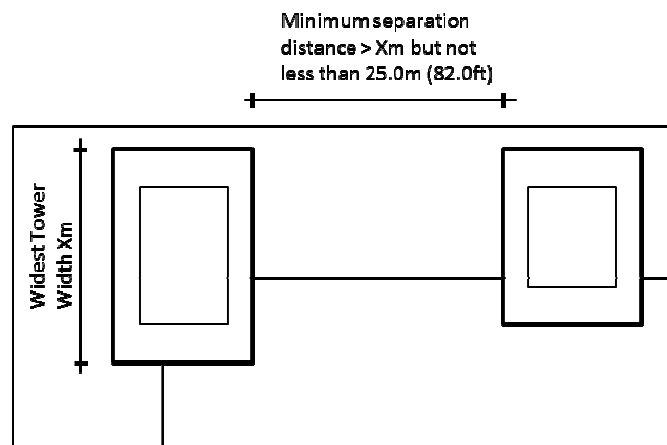
Figure 13.12d: Requirement for Distinct Vertical Zones



#### High Rise Residential

- (c) Where 2 buildings that are 9 storeys and above are in close proximity to each other, the minimum distance between the middle zones will equal the widest building width measured at the building face but shall be no less than 25.0m (82.0ft), as per Figure 13.12e

Figure 13.12e: Minimum Separation Distance between two Towers

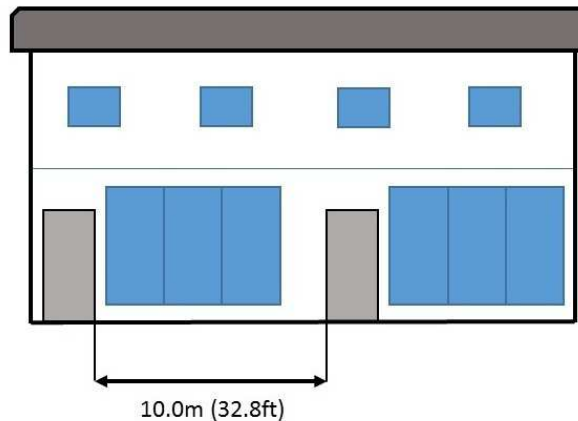


### 13.12.8 Pedestrian Entrances

The following regulations are intended to ensure building entrances are positioned and treated appropriately in order to create visual interest along streets.

- (a) Entrances for non-residential uses should be located with a separation of no more than 10.0m (32.8ft) apart along building facades fronting public roadways, as per Figure 13.12f.

Figure 13.12f: Minimum Separation Distance for Non-Residential Entrances



Maximum Storefront Distance for  
Commercial Entrances – 10.0m (32.8ft)

- (b) Ground floor entrances for non-residential uses or a common vestibule to an apartment building shall be level with grade.
- (c) Ground floor entrances for residential uses shall be 1.0m (3.3ft) above grade with a display garden incorporated in the front setback.
- (d) Entrances to non-residential uses at ground floor and residential uses above ground floor shall be identifiable from each other through architectural design.

### 13.12.9 Ground Floor Frontages

The intent of the following regulation is to ensure active street fronts are provided adjacent to pedestrian zones.

- (a) For new construction the land uses along ground floors of all buildings in this District shall be as per Figure 13.12g, whereas:
- Ground floor uses along 99 Avenue, east side of 104 Street and east side of 108 Street shall be limited to non-residential uses;
  - Ground floor uses along west side of 106 Street shall be limited to residential uses; and
  - Surface and structure parking shall be located at the rear of buildings, screened from public view, and located behind the pedestrian orientated uses.

Figure 13.12g: MP-D – Ground Floor Frontages

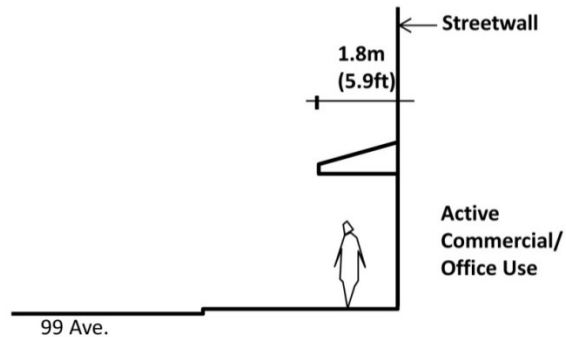


### 13.12.10 Canopies and Weather Protection

The following regulation is intended to ensure building facades provide appropriate weathering protection to positively contribute to the public realm.

- (a) A continuous weather protection of minimum 1.8m (5.9ft) width at the ground floor of all building facades fronting 99 Avenue shall be encouraged, as per Figure 13.12h.

Figure 13.12h: Weather Protection along 99 Avenue



### 13.12.11 Parking and Access

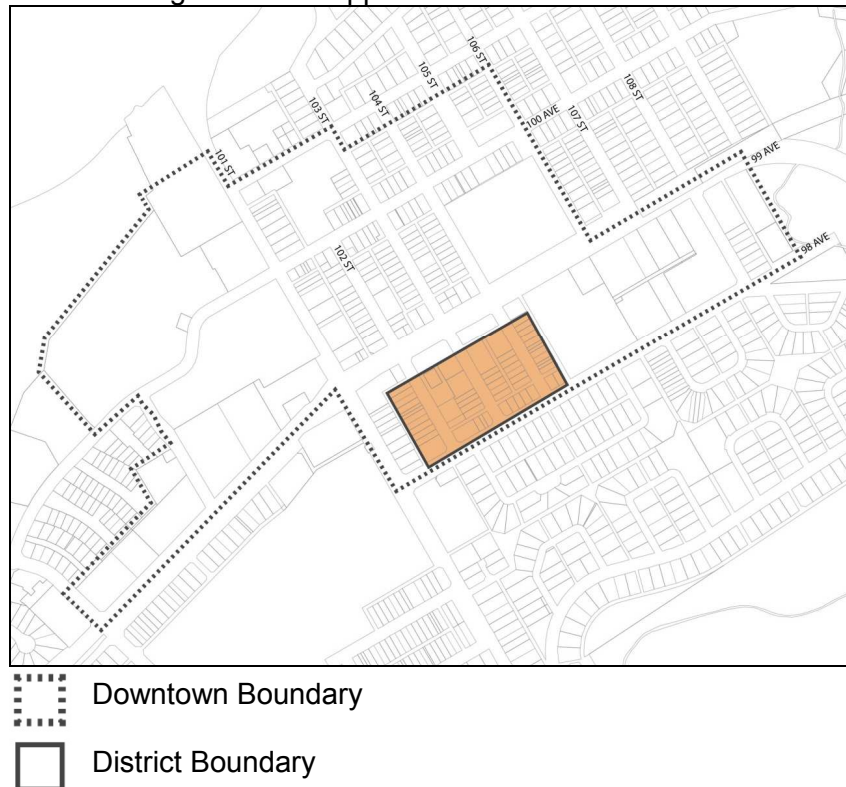
- (a) Vehicular accesses from 99 Avenue to on-site parking areas within individual sites shall be minimized.
- (b) Where possible, vehicular entrances to underground parking facilities and passenger drop-off areas shall be provided from the rear of buildings.
- (c) Structured parking facilities shall generally be provided at locations internal to the site. If such parking facilities are located fronting a public roadway, then the following design considerations shall be utilised:
  - i. Ground floor shall include retail uses with multiple entrances;
  - ii. Entrance to the parking facility shall be designed with special architectural treatment to maintain the integrity of retail frontage; and
  - iii. The façade of the upper storeys of the parking facility shall be designed to reflect residential or commercial building character.
- (d) Landscaped buffers between parking, loading and other hard surfaced areas and adjacent public roadways shall be a minimum of 3.0m (9.8ft) in width.

### 13.12.12 Additional Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 13 - Downtown Land Use Districts – General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) Where lane access is provided, the site shall be designed to provide access to onsite parking from the lane.
- (c) The siting and appearance of all buildings or improvements, and the landscaping of the site shall be to the satisfaction of the Development Authority in order that there shall be general conformity with adjacent buildings, and that there may be adequate protection afforded to the amenities of adjacent buildings and sites. The form and character of buildings shall complement adjacent residential character of the neighbourhood.

### 13.13 MU-D – Mixed Use – Downtown

Figure 13.3a: Applicable Area for MU-D District



13.13.1 Purpose

This District is intended to allow for a variety of mixed use developments in the southwest corner of the downtown. Any combination of building types such as stand-alone residential multifamily buildings, mixed use residential/commercial buildings and stand-alone commercial buildings may be considered. A special emphasis should be placed in promoting live work units at the ground level.

13.13.2 MU-D Permitted and Discretionary Uses

13.13.2 (a) MU-D Permitted

- Above Ground Floor Dwelling
- Apartment Dwelling
- Assisted Living Facility
- Assisted Living Facility (Limited)
- Community Garden
- Day Care Facility\*\*
- Eating & Drinking Establishment (Limited)
- Eating & Drinking Establishment (Outdoor)
- Health Service
- Home Office
- Live Work Unit
- Multi-Attached Dwelling
- Personal Service
- Place of Worship
- Professional, Financial and Office Service
- Public Facility
- Retail Store (Convenience)
- Retail Store (General)
- Show Home
- Sign Channel Letter
- Sign, Fascia
- Sign, Identification
- Sign, Portable
- Sign, Projecting
- Sign, Specialty Projecting

13.13.2 (b) MU-D Discretionary

- Bed and Breakfast
- Business Support Service
- Commercial School\*
- Community Service Facility
- Custom Manufacturing Establishment
- Emergency Response Service
- Government Service
- Group Home
- Group Home (Limited)

- Parking Facility
- Pet care Service
- Retail Store (Liquor)
- Temporary Outdoor Event
- Temporary Sales Centre
- Veterinary Clinic
- Accessory Development to those uses listed in 13.13.2(a) and (b)

\* No greater than 557.4m<sup>2</sup> (6000 ft<sup>2</sup>)

\*\* Not permitted in apartment dwellings or above ground floor dwellings

#### 13.13.3 MU-D Site Subdivision Regulations

	<b>Interior or Corner Site</b>	
Site Area	Minimum	300.0m <sup>2</sup> (3229.2ft <sup>2</sup> )

#### 13.13.4 MU-D Site Subdivision Regulations

	<b>Interior or Corner Site</b>	
Front Setback and Flanking Front Setback	Minimum	0.0m (0.0ft) to 3.0m (9.8ft) in order to achieve a continuous pedestrian zone of 3.5m (11.5ft).
Side Setback	Minimum	0.0m (0.0ft) or 2.0m (6.6ft)
Rear Setback	Minimum	0.0m (0.0ft) for sites abutting a Non-Residential Land Use District.
	Minimum	4.5m (14.8ft) or one-half (1/2) the height of the building, whichever is greater, for sites abutting a Residential Land Use District.
Site Coverage	Maximum	70%
Floor Area Ratio (FAR)	Maximum	2.0
Unit Density	Maximum	200 units/net hectares
Building Height		Refer to Section 13.13.5.
Common Amenity Area	Minimum	4.5m <sup>2</sup> (48.4ft <sup>2</sup> ) per dwelling unit.
Private Amenity Area	Minimum	3.0m <sup>2</sup> (32.3ft <sup>2</sup> ) per dwelling unit shall be provided for balconies.

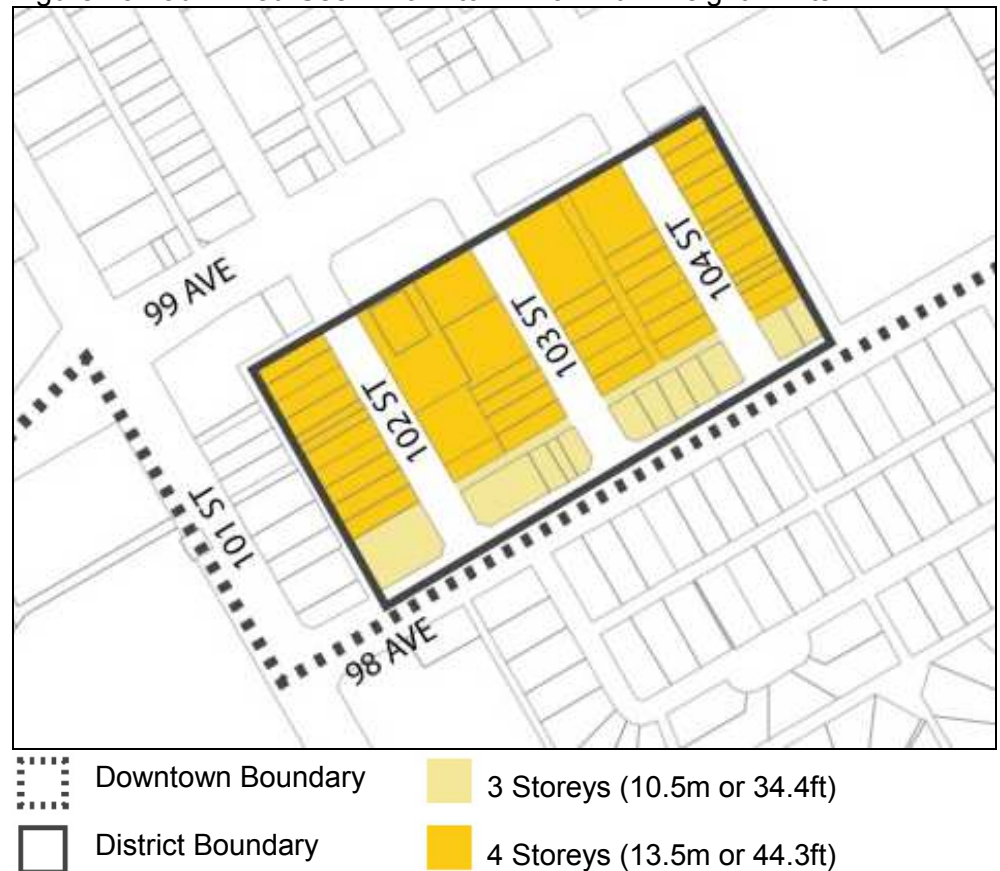
## Built Form Regulations

### 13.13.5 Building Height Limits

The following regulations are intended to ensure buildings are of a proportionate scale with the street and respect building heights of surrounding land uses.

- (a) New development shall be in accordance with the height limits established in Figure 13.13b.

Figure 13.13b: Mixed-Use – Downtown Maximum Height Limits



- (b) The maximum parapet height for all buildings shall not exceed 1.5m (4.9ft).
- (c) Vents, mechanical rooms and equipment, elevator, penthouses, etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building to reduce visibility from street level.

### 13.13.6 Street Character and Pedestrian Realm

The following regulation is intended to ensure buildings relate to human-scale proportions to improve walkability and create a pedestrian orientated character.

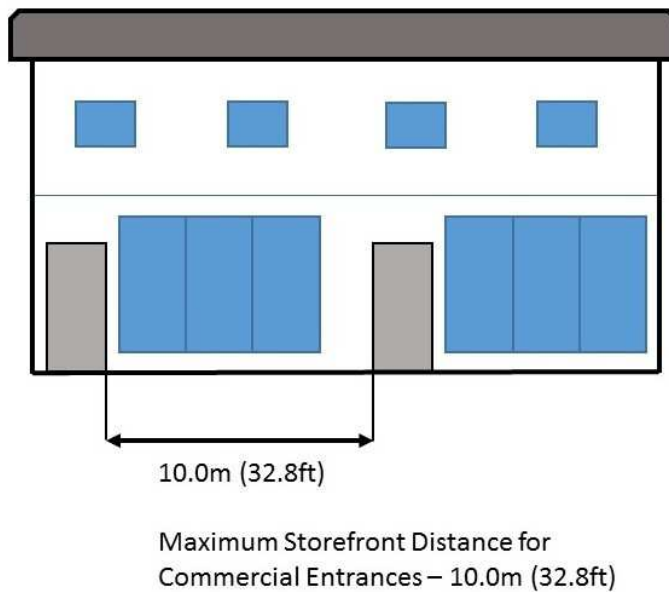
- (a) For buildings with non-residential uses at the ground floor, the front setback shall be hard surfaced with a consistent treatment and theme to the satisfaction of Development Authority.

### 13.13.7 Pedestrian Entrances

The following regulations are intended to ensure building entrances are positioned and treated appropriately in order to create visual interest along streets.

- (a) Entrances for non-residential uses should be located with a separation of no more than 10.0m (32.8ft) apart along building façades fronting public roadway, as per Figure 13.13c.

Figure 13.13c: Maximum Separation Distance for Non-Residential Entrances



- (b) Ground floor entrances to non-residential uses or a common vestibule to an apartment building shall be level with the grade.
- (c) Ground floor entrances for residential uses shall be 1.0m (3.3ft) above grade with a display garden incorporated in the front setback.

- (d) Entrances to non-residential uses at ground floor and residential uses above ground floor should be identifiable from each other through architectural design.
- (e) All building entrances shall be clearly visible, incorporate special architectural features including special lighting and landscape elements to provide a strong sense of arrival.

#### 13.13.8 Ground Floor Frontages

The intent of the following regulations are to ensure active street fronts are provided adjacent to pedestrian zones and that parking areas are designed to be hidden from sight of the pedestrian zone.

- (a) The land uses along ground floors of all buildings in this district shall be:
  - i. Residential, commercial or integrated live work units shall be permitted at the ground floor level;
  - ii. Buildings shall accommodate a convertible space on the ground floor by providing a minimum ceiling height of 4.0m (13.1ft) and large doorways to accommodate a variety of use.
- (b) Structured parking facilities shall generally be provided at locations internal to the site. If such parking facilities are located fronting a public roadway, then the following design considerations shall be utilised:
  - i. Ground floor shall include retail uses;
  - ii. Entrance to the parking facility shall be designed with special architectural treatment to maintain the integrity of retail frontage; and
  - iii. The façade of the upper storeys of the parking facility shall be designed to reflect residential or commercial building character.

13.13.9            Parking and Access

- (a) Surface parking area shall not be located in the front yard of the principal building.
- (b) Vehicular accesses from 101 Street, 102 Street, 103 Street and 104 Street to on-site parking areas within individual sites shall be minimized. Where possible, vehicular access should be provided from rear lanes.

13.13.10          Live Work Units

The intent of the following regulations is to ensure buildings with live/work units provide commercial frontages adjacent to the pedestrian zone.

- (a) 2 storey integrated live work units shall be limited to the ground level and first floor level, with the business operations contained within the ground level.
- (b) Live work units with residential and commercial components at the same level shall be permitted on all floors of the buildings.
- (c) Ground floor of live work units shall provide entrances at grade to the public sidewalk.
- (d) Live work units with onsite retail sales shall only be permitted at ground floor level.

13.13.11          Additional Development Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 13 - Downtown Land Use Districts-General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) Where lane access is provided, sites shall be designed to provide access to onsite parking from the lane.

### 13.14 RMM-D – Medium Density Multiple Residential – Downtown

Figure 13.14a: Applicable Area for RMM-D District



#### 13.14.1 Purpose

This District intended to provide medium density residential uses. The purpose of these areas is to accommodate primarily apartment style buildings with some commercial uses. Development is intended to support the concept of a livable urban setting with a strong sense of identity and place.

#### 13.14.2 RMM-D Permitted and Discretionary Uses

##### 13.14.2 (a) RMM-D Permitted

- Apartment Dwelling
- Community Garden
- Home Office
- Multi-Attached Dwelling
- Show Home
- Sign Channel Letter
- Sign, Fascia
- Sign, Identification
- Sign, Projecting

- Sign, Specialty Projecting

#### 13.14.2 (b) RMM-D Discretionary

- Assisted Living Facility (Limited)
- Day Care Facility (Limited)\*
- Eating & Drinking Establishment (Limited)
- Eating & Drinking Establishment (Outdoor)
- Group Home (Limited)\*
- Home Business\*
- Live Work Unit
- Personal Service
- Professional, Financial and Office Service
- Retail Store (Convenience)
- Temporary Outdoor Event
- Temporary Sales Centre
- Accessory Development to those uses listed in 13.14.2 (a) and (b)

\* Not permitted within apartment dwelling

#### 13.14.3 RMM-D Development Regulations for Multi-Attached Dwellings

	<b>Interior or Corner Site</b>	
Front Yard Setback	Minimum	<b>Interior Site</b> 3.0m ( 9.8ft)
	Maximum	4.5m (14.8ft)
Rear Yard Setback	Minimum	8.0m (26.2ft)
		6.0m (19.7ft) where a garage or Carport is attached to the principal building and is accessed from a lane at the rear of the property
Side Yard Setback	Minimum	1.5m (4.9ft)
Building Height		Refer to Section 13.14.5.
Site Coverage	Maximum	45% for principal building over 1 storey, excluding decks
		50% for principal building of 1 storey, excluding decks
		52% for all buildings and structures where principal building is over 1 storey
		57% for all buildings and structures where principal building is 1 storey

Floor Area Ratio (FAR)	Maximum	2.0
Density	Maximum	150 units/net hectare.

#### 13.14.4 RMM-D Development Regulations for Apartment Dwellings

	<b>Interior or Corner Site</b>	
Front Setback and Flanking Front Setback	Minimum	3.0m (9.8ft)
Rear Yard Setback	Minimum	7.0m (23.0ft)
Side Yard Setback	Minimum	3.0m (9.8ft)
Building Height		Refer to Section 13.14.5.
Site Coverage	Maximum	50%
Floor Area Ratio (FAR)	Maximum	2.0
Density	Maximum	150 units/net hectare

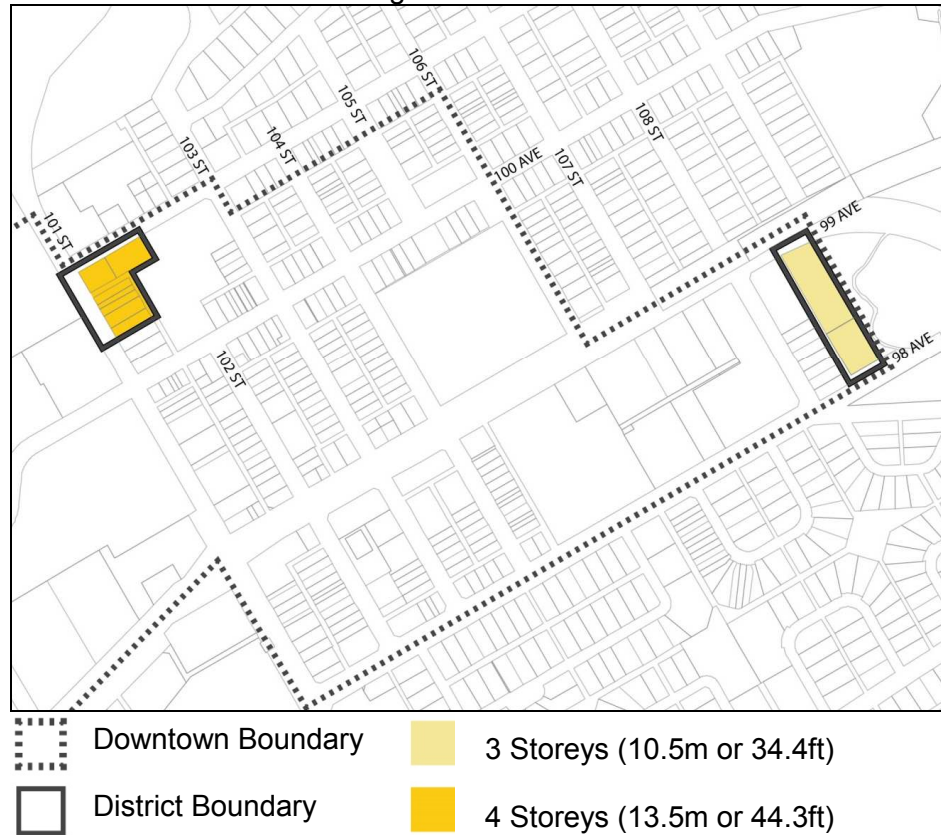
#### Built Form Regulations

##### 13.14.5 Building Height Limits

The following regulations are intended to ensure buildings are of a proportionate scale with the street and respect building heights of surrounding land uses.

- (a) New development shall be in accordance with the height limits established in Figure 13.14b.

Figure 13.14b: Medium Density Multiple Residential – Downtown  
Maximum Height Limits



- (b) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft).
- (c) Vents, mechanical rooms and equipment, elevator penthouses etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building.

#### 13.14.6 Building Massing and Architectural Character

The following regulations are intended to ensure buildings contribute to a sense of place by providing visual interest along the street level, interesting building forms, and human scale dimensions.

- (a) New buildings at the intersection of the following streets shall incorporate special architectural treatment to achieve a sense of arrival to the downtown.
  - i. 101 Avenue and 101 Street;
  - ii. 99 Avenue and 108/108A Street; and
  - iii. 98 Avenue and 108/108A Street.

#### 13.4.7 Pedestrian Entrances

The following regulations are intended to ensure building entrances are positioned and treated appropriately in order to create visual interest along streets.

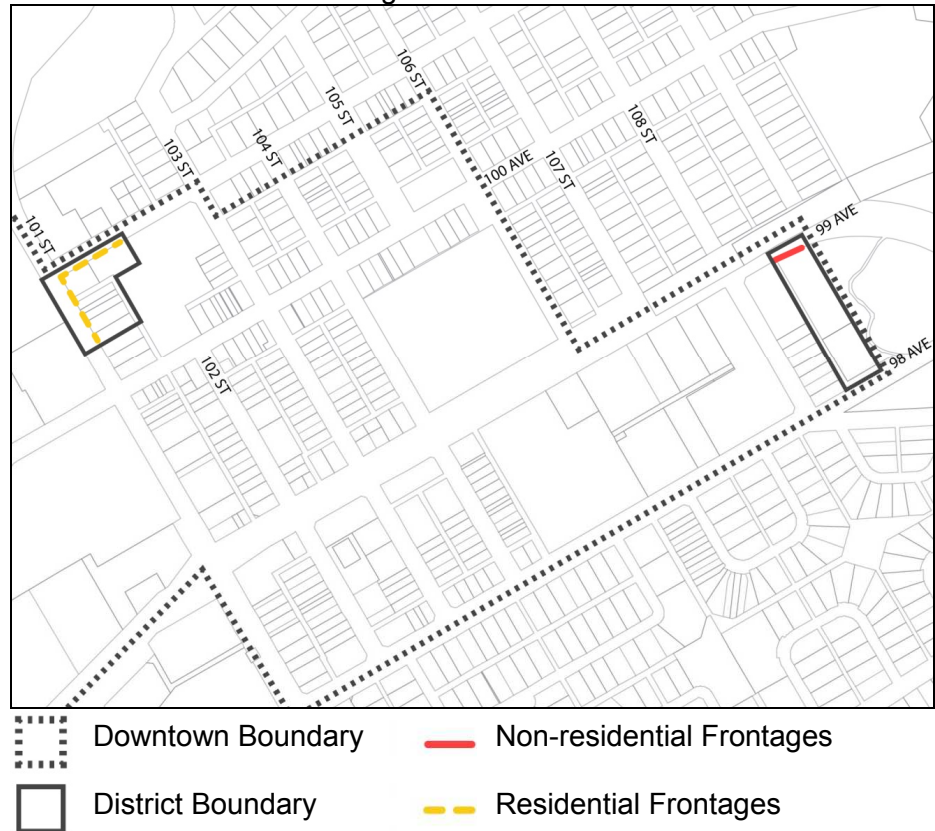
- (a) Common vestibules to an apartment building shall be level with the grade.
- (b) Ground floor entrances to residential units shall be at least 1.0m (3.3ft) above grade and shall provide active frontages including porches, decks, or other architectural features.

#### 13.14.8 Ground Floor Frontages

The intent of the following regulations are to ensure active street fronts are provided adjacent to pedestrian zones.

- (c) The land uses along ground floors of all buildings in this District shall be in accordance with Figure 13.14c, whereas:
  - i. Ground floor uses along east side of 101 Street and south 101 Avenue shall be limited to residential uses;
  - ii. Ground floor uses along the south side of 99 Avenue shall be limited to non-residential uses; and
  - iii. Surface and structure parking areas shall be located at the rear of the building and partially screened from public roadway on corner sites using appropriate landscaping methods.

Figure 13.14c: Medium Density Multiple Residential – Downtown  
Street Frontages

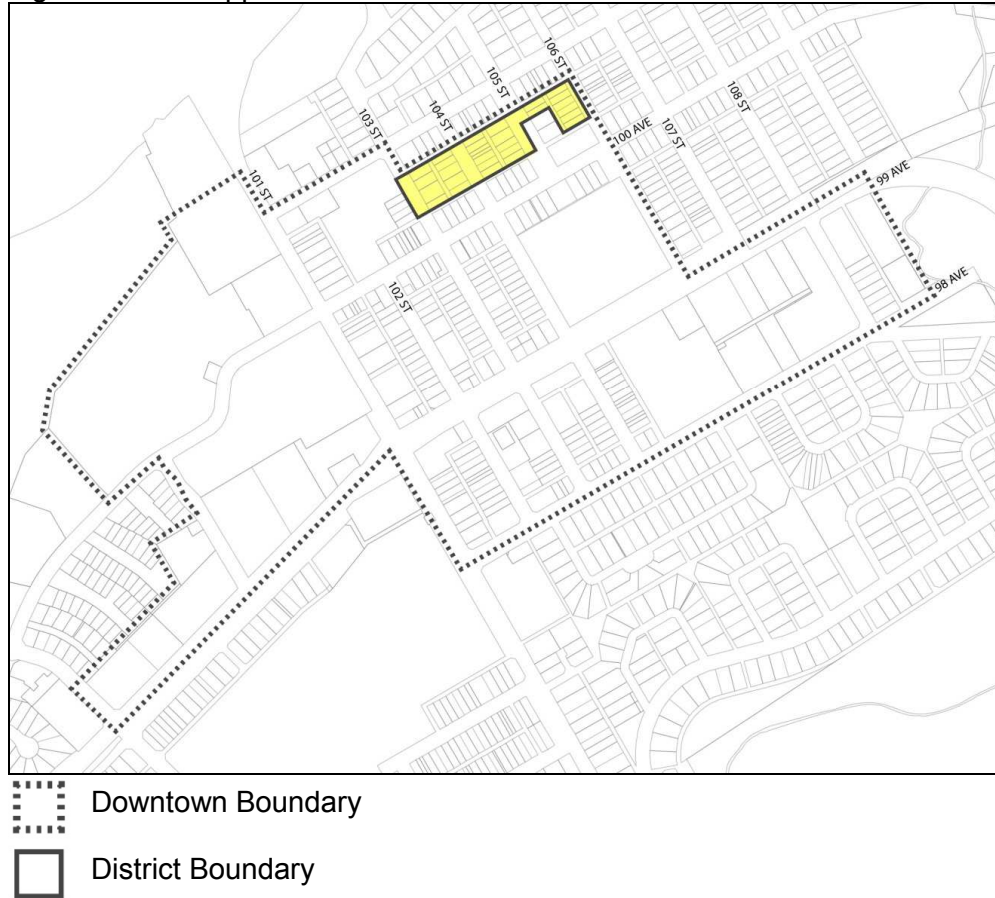


#### 13.14.9 Additional Development Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 13 - Downtown Land Use Districts-General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) Where lane access is provided, sites shall be designed to provide access to onsite parking from the lane.
- (c) Vehicular accesses from 101 Street and 101 Avenue to on-site parking areas within individual sites shall be minimized.

### 13.15 TR-D – Transitional Residential – Downtown

Figure 13.15a: Applicable Area for TR-D District



#### 13.15.1 Purpose

This District is intended to allow low to medium residential development and small scale commercial developments in the northeast portion of the downtown. The District also establishes regulations to provide appropriate transition from higher density mixed land uses in the downtown core to lower density residential neighbourhoods located immediately adjacent to the downtown. Infill residential redevelopment is encouraged in this area. Stand-alone small scale commercial buildings may be considered.

#### 13.15.2 TR-D Permitted and Discretionary Uses

- 13.15.2 (a) TR-D Permitted
- Community Garden
  - Duplex Dwelling
  - Home Office

- Multi-Attached Dwellings\*
- Semi-Detached Dwelling
- Single Detached Dwelling
- Swimming Pool

- 13.15.2 (b) TR-D Discretionary
- Bed and Breakfast
  - Day Care Facility (Limited)
  - Government Service
  - Group Home (Limited)
  - Home Business
  - Personal Service
  - Pet Care Service
  - Place of Worship
  - Professional, Financial and Office Service
  - Secondary Suites\*\*
  - Show Home
  - Temporary Outdoor Event
  - Temporary Sales Centre
  - Accessory Development to those uses listed in 13.15.2(a) and (b)

\* Up to a maximum of four attached dwellings

\*\* Only allowed in single detached dwellings

### 13.15.3 TR-D Development Regulations

	Site and Building Criteria	
Site Area	Minimum	150m <sup>2</sup> (1,614.6ft <sup>2</sup> )
Front Setback and Flanking Front Setback	Minimum	3.0m (9.8ft)
	Maximum	4.5m (14.8ft)
Side Setback	Minimum	1.5m (4.9ft)
Rear Setback	Minimum	8.0m (26.2ft)
	Minimum	6.0m (19.7ft) where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the site.
Site Coverage	Maximum	40% for principal building over 1 storey, excluding decks.
		45% for principal building of 1 storey, excluding decks.
		45% for all buildings and structures where principal building is over 1 storey.

Site and Building Criteria		
		50% for all buildings and structures where principal building is 1 storey.
Building Height	Maximum	3 Storeys (11.0m or 36.1ft). A maximum differential of 1 storey shall be allowed between adjacent sites.  Refer to Section 13.15.4

## Built Form Regulations

### 13.15.4 Building Height Limits

The following regulations are intended to ensure buildings are of a proportionate scale with the street and respect building heights of surrounding land uses.

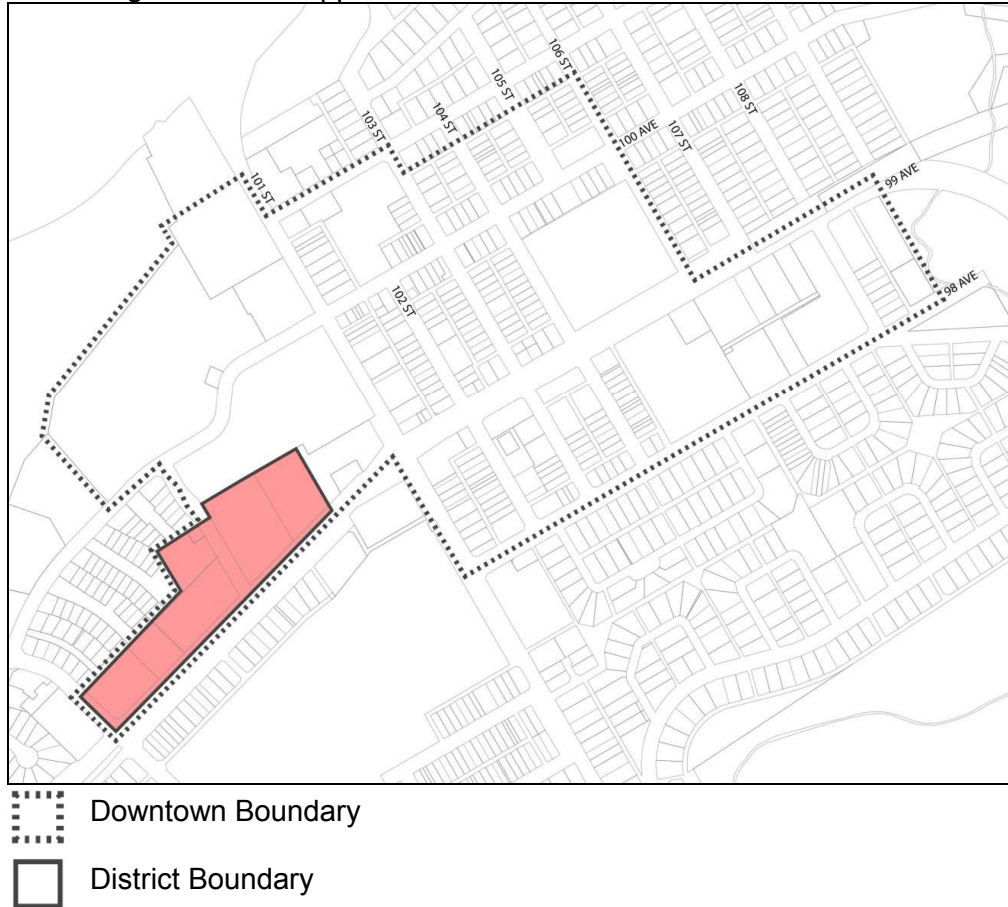
- (a) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft).
- (b) Vents, mechanical rooms and equipment, elevator, penthouses, etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building to reduce visibility from street level.

### 13.15.5 Additional Development Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 13 - Downtown Use Districts – General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) Where lane access is provided, sites shall be designed to use the lane. Where vehicle access from the lane is not feasible, the Development Authority may allow access from the street.

### 13.16 99C-D – 99 Commercial – Downtown

Figure 13.16a: Applicable Area for 99C-D District



#### 13.16.1 Purpose

This District is intended to allow for a variety of commercial developments with a strong emphasis on pedestrian friendly spaces and streetscapes. Buildings and landscapes fronting 99 Avenue may contribute positively to improve the image of the entrance corridor leading to the downtown core. Mixed use developments with retail at ground level and residential/office uses on upper storeys shall be considered.

#### 13.16.2 99C-D Permitted and Discretionary Uses

##### 13.16.2 (a) 99C-D Permitted

- Above Ground Floor Dwelling
- Business Support Service
- Community Service Facility
- Day Care Facility\*
- Drive Through Service
- Eating & Drinking Establishment

- Eating & Drinking Establishment (Limited)
- Eating & Drinking Establishment (Outdoor)
- Emergency Response Service
- Home Office
- Indoor Entertainment Facility
- Indoor Recreation Facility
- Parking Facility
- Pet Care Service
- Personal Service
- Professional, Financial and Office Service
- Public Facility
- Retail Store (Convenience)
- Retail Store (General)
- Retail Store (Liquor)
- Seasonal Garden Centre (Temporary)
- Show Home
- Sign, Channel Letter
- Sign, Fascia
- Sign, Identification
- Sign, Portable
- Sign, Projecting
- Temporary Sales Centre

- 13.16.2 (b) 99C-D Discretionary
- Commercial School
  - Government Service
  - Health Service
  - Outdoor Entertainment Facility
  - Outdoor Recreation Facility
  - Place of Worship
  - Recycling Drop-off
  - Service Station (Limited)
  - Sign, Electric Message
  - Sign, Freestanding
  - Temporary Outdoor Event
  - Vehicle Wash
  - Veterinary Clinic
  - Accessory Development to those uses listed under 13.16.2(a) and (b)

\* Not permitted within apartment dwelling

13.16.3 99C-D Site Subdivision Regulations

	<b>Interior or Corner Site</b>	
Site Area	Minimum	180.0m <sup>2</sup> (1,937.5ft <sup>2</sup> )

### 13.16.4 99C-D Site Development Regulations

	<b>Interior or Corner Site</b>	
Front Setback and Flanking Front Setback	Minimum	4.5m (14.8ft)
Side Setback	Minimum	3.0m (9.8ft)
Rear Setback	Minimum	3.0m (9.8ft) for sites abutting a Non-Residential Land Use District.  4.5m (14.8ft) for sites abutting a Residential Land Use District.
Site Coverage	Maximum	50%
Building Height	Maximum	4 storeys (14.0m or 45.9ft).
Floor Area Ratio (FAR)	Maximum	<b>Non-Residential</b> 2.0  <b>Residential</b> 1.5
Unit Density	Maximum	150 units/net hectare
Common Amenity Area	Minimum	4.5m <sup>2</sup> (48.4ft <sup>2</sup> ) per dwelling unit.
Private Amenity Area	Minimum	3.0m <sup>2</sup> (32.3ft <sup>2</sup> ) per dwelling unit shall be provided for balconies.

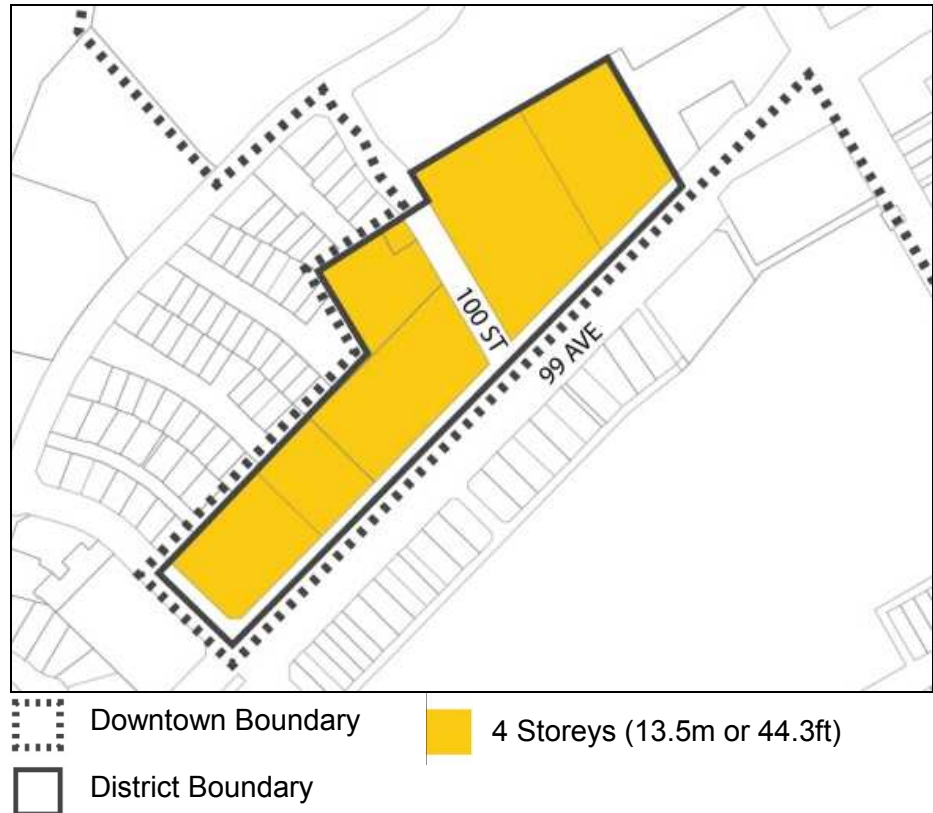
### Built Form Regulations

#### 13.16.5 Building Height Limits

The following regulations are intended to ensure buildings are of a proportionate scale with the street and respect building heights of surrounding land uses.

- (a) New development shall be in accordance with the height limits established in Figure 13.16b.

Figure 13.16b: 99 Commercial – Downtown Maximum Height Limits



- (b) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft).
- (c) Vents, mechanical rooms and equipment, elevator, penthouses, etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building.

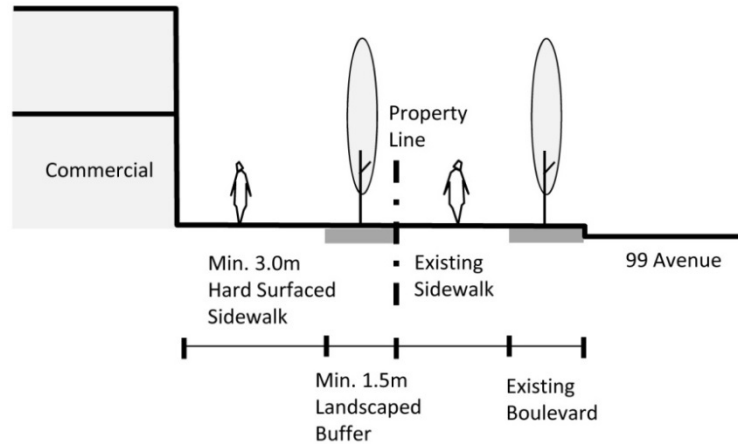
#### 13.16.6 Street Character and Pedestrian Realm

The following regulations are intended to ensure buildings relate to human-scale proportions to improve walkability and create a pedestrian orientated character.

- (a) The front setback along 99 Avenue shall comply with the following landscaping requirements, as per Figure 13.16c:
  - i. A 1.5m (4.9ft) wide landscaped buffer zone shall be provided along the property line;
  - ii. A minimum 3.0m (9.8ft) wide sidewalk shall be provided between the building frontage and the landscaped buffer; and
  - iii. The landscaped buffer area shall include enhanced landscape treatment and should

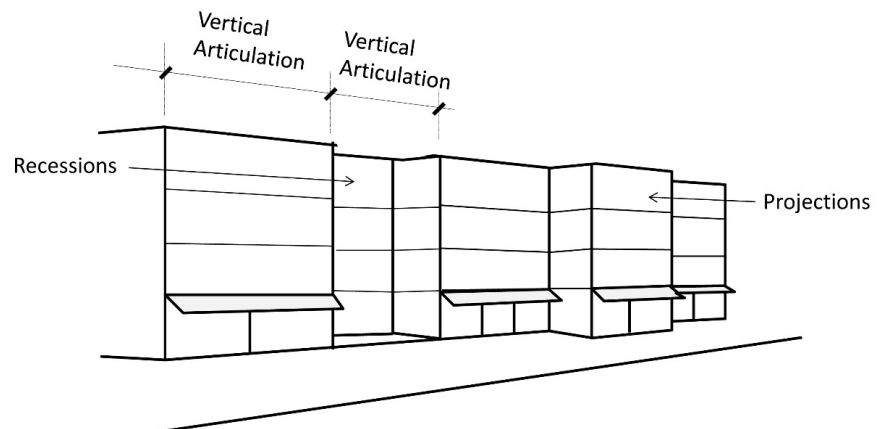
- be lined with trees at 6.0m (19.7ft) interval, but not interfere with site lines at driveways.
- iv. For new construction, parking is not permitted in the front yard.

Figure 13.16c: Front Building Setback Landscape Requirements



- (b) All buildings shall be required to provide a vertical articulation in the streetwall using techniques to create visual interest along the streetface including a variety of colours, materials, projections or recessions in the building facade to avoid monotony, as per Figure 13.16d.

Figure 13.16d: Vertical Articulation and Building Entrances

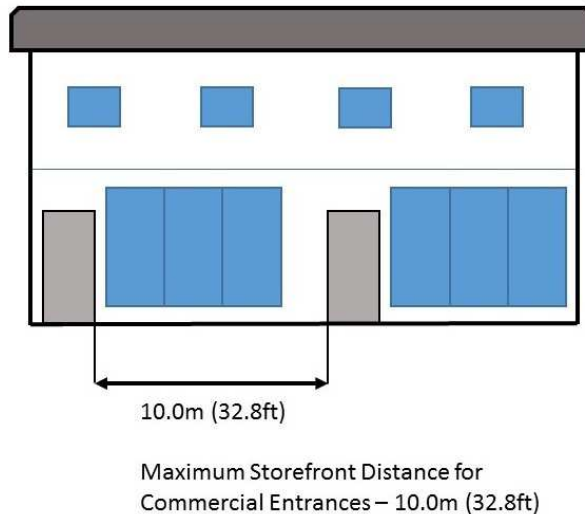


#### 13.16.7 Pedestrian Entrances

To achieve a walkable pedestrian orientated public realm, the following regulations are intended to ensure building entrances are positioned and treated appropriately in order to create visual interest along streets.

- (a) Entrances for non-residential uses should be located with a separation of no more than 10.0m (32.8ft) along building facades fronting public roadway, as per Figure 13.16e.

Figure 13.16e: Maximum Separation Distance for Non-Residential Entrances



- (b) Ground floor entrances for non-residential uses or a common vestibule to an apartment building shall be at level with the grade.
- (c) Entrances to non-residential uses at ground floor and residential uses above ground level shall be identifiable from each other through architectural design.

#### 13.16.8 Ground Floor Frontages

The intent of the following regulations are to ensure active street fronts are provided adjacent to pedestrian zones.

- (a) The land uses along ground floors of all buildings in this District shall be:
- Limited to non-residential uses along 99 Avenue, 100 Street and east side of 100 Avenue;
  - Structure parking facilities shall generally be located internally on the site and shall not front 99th Avenue;
  - The rear wall of the building facing adjacent residential sites shall be architecturally treated to provide appropriate visual transition to surrounding residential uses.

13.16.9 Surface Parking, Access, Loading and Storage

- (a) Surface parking area shall be setback a minimum of 1.5m (4.9ft) from the property line with a landscape buffer between parking, loading and other hard surface areas and adjacent roadways or lanes.
- (b) Vehicular entrances shall be consolidated to serve multiple buildings in each block to minimize the number of interruptions in the street and to reduce the number of potential vehicular conflicts with pedestrians and cyclists;
- (c) Outdoor storage shall be located at the rear of building.

13.16.10 Additional Development Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 13 – Downtown Land Use Districts – General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) Sites shall include connections from 99 Avenue to public pedestrian walkways to the satisfaction of the Development Authority.

13.17 PS-D – Public Services – Downtown

Figure 13.17a: Applicable Area for PS-D District





Downtown Boundary

District Boundary

#### 13.17.1 Purpose

This District is intended to accommodate institutional uses that serve the social needs of the community within a downtown setting.

#### 13.17.2 PS-D Permitted and Discretionary Uses

##### 13.17.2 (a) PS-D Permitted

- Assisted Living Facility
- Assisted Living Facility Limited
- Community Garden
- Community Service Facility
- Day Care Facility
- Education (Private)
- Education (Public)
- Emergency Response Service
- Government Service
- Health Service
- Parking Facility
- Public Facility
- Sign, Channel Letter
- Sign, Fascia
- Sign, Identification
- Sign, Portable
- Sign, Projecting
- Sign, Specialty Projecting

##### 13.17.2 (b) PS-D Discretionary

- Communication Tower
- Communication Tower (Limited)
- Funeral Home
- Group Home
- Indoor Recreation Facility
- Outdoor Entertainment Facility
- Outdoor Recreation Facility
- Place of Worship
- Professional, Financial and Office Service
- Sign, Electric Message
- Temporary Outdoor Event
- Accessory Development to those uses listed under 13.17.2(a) and (b)

#### 13.17.3 PS-D Subdivision Regulations

	<b>Interior or Corner Site</b>
Site Area	At the discretion of the Development Authority.

Site Width	At the discretion of the Development Authority.
Site Depth	At the discretion of the Development Authority.

#### 13.17.4 PS-D Development Regulations

	<b>Site and Building Criteria</b>	
Front Setback and Flanking Front Setback	Minimum	0.0m (0.0ft)
Side Setback	Minimum	3.0m (9.8ft)
Rear Setback	Minimum	8.0m (26.2ft) for sites abutting a Residential Land Use District.  At the discretion of the Development Authority for sites abutting a Non-Residential Land Use District.
Site Coverage	Maximum	60%
Building Height	Maximum	14.0m (45.9ft) for a principal building  30.0m (98.4ft) for towers or structural components of buildings not intended for human occupation.  Refer to Section 13.17.5.

#### Built Form Regulations

##### 13.17.5 Building Height Limits

The following regulations are intended to ensure buildings are of a proportionate scale with the street and respect building heights of surrounding land uses.

- (a) New development shall be in accordance with the height limits established in Figure 13.17b.

Figure 13.17b: Public Services – Downtown Maximum Height Limits



- (b) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft).
- (c) Vents, mechanical rooms and equipment, elevator, penthouses, etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building.

### 13.17.6 Street Character and Pedestrian Realm

The following regulations are intended to ensure buildings relate to human-scale proportions to improve walkability and create a pedestrian orientated character.

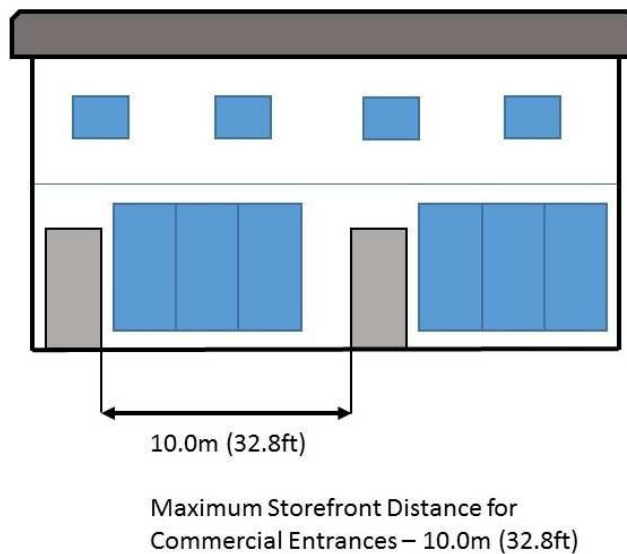
- (a) The front setback shall be hard surfaced from the City sidewalk with a consistent treatment and theme to the satisfaction of Development Authority.
- (b) Commercial uses shall be limited to ground floor only.

### 13.17.7 Pedestrian Entrances

The following regulations are intended to ensure building entrances are positioned and treated appropriately in order to create visual interest along streets.

- (a) Entrances for non-residential uses should be located with a separation of no more than 10.0m (32.8ft) along building facades fronting public roadway, as per Figure 13.17c.

Figure 13.17c: Maximum Separation Distance for Non-Residential Entrances



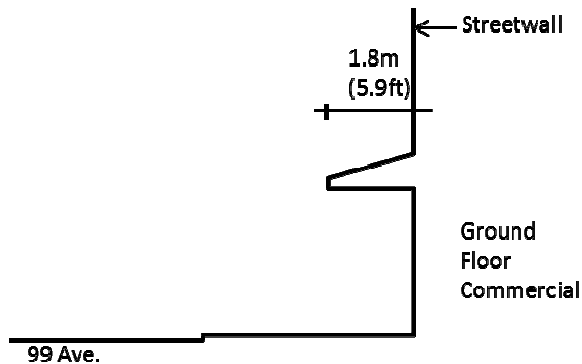
- (b) Ground floor entrances for non-residential uses shall be level with grade.

### 13.17.8 Canopies and Weather Protection

The following regulation is intended to ensure building facades provide appropriate weathering protection to positively contribute to the public realm.

- (a) A continuous weather protection of minimum 1.8m (5.9ft) width or other means of weather protection at the discretion of the Development Authority shall be encouraged at the ground floor of all building facades fronting 99 Avenue and 100 Avenue, as per Figure 13.17d.

Figure 13.17d: Weather Protection



### 13.17.9 Additional Development Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 13 - Downtown Land Use Districts-General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) Where lane access is provided, sites shall be designed to use the lane.
- (c) The siting and appearance of all buildings or improvements, and the landscaping of the site shall be to the satisfaction of the Development Authority in order that there shall be general conformity with adjacent buildings, and that there may be adequate protection afforded to the amenities of adjacent buildings and sites. The form and character of buildings shall complement adjacent residential character of the neighbourhood.
- (d) Vehicular accesses 100 Avenue, 105 Street and 106 Street to on-site parking areas within individual sites shall be minimized. Where possible, vehicular access should be provided from rear lanes.



- Public Facility
- Sign Channel Letter
- Sign, Fascia
- Sign, Identification
- Sign, Portable
- Sign, Projecting
- Sign, Specialty Projecting
- Temporary Outdoor Event

- 13.18.2 (b) HP-D Discretionary
- Accessory Development
  - Communication Tower
  - Communication Tower (Limited)
  - Eating & Drinking Establishment (Limited)
  - Education (Private)
  - Education (Public)
  - Indoor Recreation Facility
  - Place of Worship
  - Sign, Electric Message
  - Sign, Freestanding
  - Accessory Development to those uses listed under 13.18.2(a) and (b)

#### 13.18.3 HP-D Site Subdivision Regulations

	<b>Interior or Corner Site</b>
Site Area	At the discretion of the Development Authority.
Site Width	At the discretion of the Development Authority.
Site Depth	At the discretion of the Development Authority.

#### 13.18.4 HP-D Development Regulations

	<b>Site and Building Criteria</b>	
Front Setback	Minimum	6.0m (19.7ft)
Flanking Front Setback	Minimum	At the discretion of the Development Authority.
Side Yard Setback	Minimum	3.0m (9.8ft)
Rear Yard Setback	Minimum	8.0m (26.2ft)
Site Coverage		At the discretion of the Development Authority.
Building Height	Maximum	14.0m (45.9ft) for a principal building.
	Maximum	30.0m (98.4ft) for towers or structural components of buildings not intended for human occupation.
Floor Area Ratio (FAR)	Maximum	At the discretion of the Development Authority.

13.17.5 Additional Development Regulations

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for all Land Use Districts, Part 8 - Institutional Land Use Districts – General Regulations, and Part 12 – Signs.
- (b) On-site parking for individual parcels shall be at the discretion of the Development Authority.
- (c) General signage and way finding signage shall be consistent with the guidelines established in the Historic Precinct Site Master Plan and the Fort Heritage Precinct branding document.
- (d) The Development Authority may give regard to comments received from the Culture Department for all Development Permit applications.

B) Delete the following under Part 11 – Parking and Loading

- 11.1.1 The requirements of this Section shall apply to all parking and loading facilities required by this Bylaw. Notwithstanding the requirements of this Section, specific standards specified in any Land Use District may supplement or supersede the parking and loading requirements of this Section.
- 11.1.4 In considering a variance to the parking requirements of this Section, the Development Authority may consider a parking assessment prepared by an accredited professional which assesses the parking demand characteristics of a proposed development. Such an assessment shall be provided at the owner/applicant's expense.
- 11.2.1 The minimum required number of vehicle parking spaces for a use shall be as set out in the tables below (Tables 3 - 6).
- 11.2.8 The Development Authority may consider a reduction in the total amount of parking required for a development where a mix of uses creates staggered peak periods of parking demand. Shared parking may be considered for retail, office, institutional and entertainment uses but in no case shall shared parking include the parking required for residential uses.

C) Replace the following under Part 11 – Parking and Loading

- 11.1.1 The requirements of this Section shall apply to all parking, loading facilities and drive aisles required by this Bylaw. Notwithstanding the requirements of this Section, specific standards specified in any Land Use District may supplement or supercede the parking and loading requirements of this Section. Parking spaces must be provided collectively for each use on a lot in an amount that complies with the regulations in this Section.
- 11.1.4 The Development Authority may consider a reduction to the parking requirements of this Section, by considering a parking assessment prepared by an accredited professional which assesses the parking demand characteristics of a proposed development. Such an assessment shall be provided at the owner/applicant's expense. Such a reduction to the parking requirements is not a variance.
- 11.2.1 The minimum required number of vehicle parking spaces for a use shall be as set out in Tables 11.1, 11.2, 11.3, 11.4 and 11.5.
- 11.2.8 The Development Authority may consider a reduction in the total amount of parking required for a development where a mix of uses creates staggered peak periods of parking demand. Shared parking may be considered for retail, office, institutional and entertainment uses but in no case shall shared parking include the parking required for residential uses, except in the Downtown Districts.

D) Add the following under Part 11 – Parking and Loading:

11.3 General Parking Regulations for Downtown

- 11.3.1 Unless otherwise specified in the Land Use District, structured parking facilities shall generally be provided at locations internal to the site. If such parking facilities are located fronting a public roadway, then the following design considerations shall be utilized:
- (a) Ground floor shall include retail uses positioned adjacent to the public realm with multiple entrances;
  - (b) Entrance to the parking facility shall be designed with special architectural treatment to maintain the integrity of retail frontage; and
  - (c) The façade of the upper storeys of the parking facility shall be designed to reflect residential or commercial building character.

11.3.2 All surface parking lots shall be developed in accordance with the general standards Section 11 of the Land Use Bylaw. In addition the following regulations shall apply:

(a) All surface parking lots shall be hard surfaced.

11.3.3 The Development Authority may consider granting additional Floor Area Ratio, if the applicant agrees to provide underground parking stalls to meet all parking requirements of the project. The applicant will be required to provide appropriate parking for the original and additional Floor Area Ratio in accordance with parking standards established within this Bylaw.

11.3.4 The Development Authority may consider a reduction in the total amount of parking required for a development where a mix of uses creates staggered peak periods of parking demand. The Development Authority may consider the preliminary shared use parking framework in Appendix E to determine an overall site peak parking requirement.

11.3.5 Notwithstanding 11.3.4 above, authorization to share parking spaces may only be granted by the Development Authority in the following circumstances:

- (a) The development sites are within 100.0m (328.0ft) of each other;
- (b) The demand for parking spaces generated by each development or use is not likely to occur at the same time; and
- (c) An agreement is signed between the owners of the sites that are sharing the parking spaces for a period of not less than 10 years, and the agreement is registered on the Titles of the properties that are subject to the agreement.

11.3.6 Developments within the Downtown Districts shall be subject to the parking requirements established in Table

11.3.7 Landscaping for parking areas shall include one tree for each 35.0m<sup>2</sup> (376.7ft<sup>2</sup>) of required landscaping and one shrub for each 15.0m<sup>2</sup> (161.5ft<sup>2</sup>) of required landscaping.

Table 11.5: Minimum Parking Requirements for Downtown

Land Use Class	Minimum Number of Parking Spaces
Multi-attached and apartment dwellings with more than four dwelling units	Bachelor Unit – 0.75 spaces/dwelling unit One Bedroom Unit - 1 space/dwelling unit Two Bedroom Unit - 1.5 spaces/dwelling unit Three or More Bedrooms – 1.75 spaces/dwelling unit  Plus 1 for every seven dwelling units for visitors
Professional, financial and office service	2 spaces / 100 m2 of GFA minimum
Eating and drinking establishment, eating and drinking establishment (limited) and eating and drinking establishment (outdoor)	1 for every 4 seats plus a minimum of 5 spaces for staff
Retail store (convenience), (general), and (liquor)	2 spaces / 100 m <sup>2</sup> of GFA minimum
Other Non-residential	Minimum amount of off-street parking shall be as per the parking requirements specified in Tables 11.1-11.4 less 20%.

#### 11.4 Bicycle Parking Requirements for Downtown

11.4.1 Sites shall be designed and maintained to provide bicycle parking and amenities to the satisfaction of the Development Authority.

11.4.2 The bicycle station should be located where it can be safely and conveniently located to ensure compatibility with the surrounding environment, to the satisfaction of the Development Authority.

E) Delete the following under Part 2 – Administration, Procedures and Enforcement:

2.4.1 Land Use Districts and the associated District provisions are established for the City in accordance with Parts 5 through 9 of this Bylaw.

2.5.4 (c) iv. Part 13 - Definitions; and

- F) Replace the following under Part 2 – Administration, Procedures and Enforcement:

2.4.1 Land Use Districts and the associated District provisions are established for the City in accordance with Parts 5 through 9, and 13 of this Bylaw.

2.5.4 (c) iv. Part 14 - Definitions; and

- G) Delete Section 6.12 - C4 – Central Business District

- H) Delete the following under 13.2 - Use Class Definitions:

**SIGN, PORTABLE** means a sign that can be relocated or removed from a site and is used for advertising of a limited duration. This includes any signs that are not attached to a permanent foundation. Typical signs include A-Board signs.

**SIGN, PROJECTING** means a sign which is affixed to or attached to a building or other structure and extends more than 0.4m (1.3ft) beyond the face of the building or structure. Typical signs include awning and canopy signs.

- I) Replace the following under 13.2 – Use Class Definitions:

**SIGN, PORTABLE** means a sign with a total area on one face of no greater than 4.65m<sup>2</sup> (50.1ft<sup>2</sup>) mounted on a frame or on a trailer, stand or similar support which together with the support can be relocated to another location, and may include copy that can be changed manually through the use of detachable characters. A-board signs shall be considered as a Portable Sign.

**SIGN, PROJECTING** means a sign which is attached to a building or structure so that part of the sign projects more than 61.0cm (2.0ft) from the face of the building or structure.

- J) Add the following under 13.2 - Use Class Definitions:

**DWELLING, ABOVE GROUND FLOOR** means a development consisting of one or more Dwellings contained within a building where a non-residential use or uses comprises the ground or street level storey. This does not include an 'Apartment Dwelling'.

**SIGN, CHANNEL LETTER** means a sign where each letter, including logos, is individually shaped, providing a more sophisticated and architectural feel. As each letter is custom designed, they are manufactured to match exactly the letter style that is part of the corporate image. These signs may be used at interior as well as exterior locations.

**SIGN, SPECIALTY PROJECTING** means a sign that is supported by an exterior building and projects outward from the building by more than 0.4m (1.31ft). Specialty projecting signs are designed to catch the attention of those within the pedestrian zone. The copy, icon, or symbolic

message is typically perpendicular to the building façade that it is projecting from.

- K) Add the following under Part 13 - General Definitions:

**ACTIVE STREET FRONT** means a street frontage that enables direct visual and physical contact between the pedestrian zone and the interior of the building. Clearly defined building edges including windows, entrances and store-front features contribute to an Active Street Front.

**COMMON VESTIBULES** means the entrance area before the lobby of an apartment building that is accessed at street level.

**DOWNTOWN** means the area encompassed by the Downtown Area Redevelopment Plan, excluding the Fort Mall or the area zoned C5- Fort Mall Redevelopment District, and the City Hall site.

**FLOOR AREA RATIO (FAR)** means a ratio calculated by dividing gross built up area of a building by the total site area.

**PEDESTRIAN ZONE** means an area dedicated to the movement of pedestrians located between the building façade and street curb edge.

**STEPBACK** means a recession in the building façade from the building façade immediately below it.

**STREETWALL** means the exterior wall of buildings that directly abut or face towards a public right of way.

- 3) That Appendix A – Land Use Map of Land Use Bylaw C10-13 be amended as shown on attached Schedule “A”
- 4) That a new Appendix E – Alternative Compliance for Minimum Parking Requirements be attached to Land Use Bylaw C10-13.
- 5) If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.
- 6) This Bylaw becomes effective upon third and final reading.

READ a first time this                    12<sup>th</sup>                    day of    April                    A.D., 2016

READ a second time this                                       day of                    A.D., 2016

READ a third time and passed this                                       day of                    A.D., 2016

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MAYOR

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DIRECTOR, LEGISLATIVE SERVICES

DATE SIGNED: \_\_\_\_\_