



## 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

#### BYLAW C10-16

**WHEREAS** the *Municipal Government Act, R.S.A. 2000, c.M-26* as amended or repealed and replaced from time to time, provides that a municipality has the power to amend the Land Use Bylaw;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 This Bylaw is cited as the Amendment to Bylaw C10-13 Land Use Bylaw as amended or repealed and replaced from time to time.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:

#### 6.13 C5 – Fort Mall Redevelopment District

- A) Add the following under 6.13.2 (a) C5 Permitted Uses

- Multi-attached Dwelling\*\*

\*\* Multi-attached Dwellings shall be limited to the Periphery Zone, as per **Figure 6.13a**

- B) Delete the following under 6.13.2 (b) C5 Discretionary Uses

- Multi-attached Dwelling

- C) Replace the following under 6.13.3 Site Development Regulations

	Interior or Corner Site	
c) Front Setback	Minimum	<b>Non-residential uses at ground floor</b> 0.0m (0.0ft) to 1.4m (4.6m) to achieve a continuous pedestrian zone of 3.4m (11.2ft)  <b>Residential uses at ground floor</b> 3.0m (9.8ft) with display gardens  <b>Residential uses at ground floor abutting MR</b> 1.0m (3.3ft) with display gardens in the MR

d) Side Setback	Minimum	0.0m (0.0ft)
e) Rear Setback	Minimum	0.0m (0.0ft) when abutting a Non-Residential Land Use District
g) FAR	Maximum	4.0
h) Unit Density	Maximum	200 units/net developable hectare for sites less than 1500.0m <sup>2</sup>  350 units/net developable hectare for sites greater than 1500.0m <sup>2</sup>
k) Private Amenity Area	Minimum	<b>Residential Dwellings at Grade and Above Grade</b> 3.0m <sup>2</sup> (32.3ft <sup>2</sup> ) per dwelling unit to be provided by balconies, decks, patios or rooftop amenity area***  <b>Residential Dwellings Below Grade</b> To be provided through the common amenity area

\*\*\* Private Amenity Area shall only be provided by balconies in Apartment Dwellings

- D) Add the following under 6.13.3 Site Development Regulations

	Interior or Corner Site	
j) Common Amenity Area	Minimum	<b>Apartment Dwellings</b> 4.5m <sup>2</sup> (48.4ft <sup>2</sup> ) per dwelling unit  <b>All other Residential Dwellings</b> At the discretion of the Development Authority. This can include indoor and outdoor amenities such as seating areas and roof top patios

- E) Replace the following under 6.13.4 Urban Form

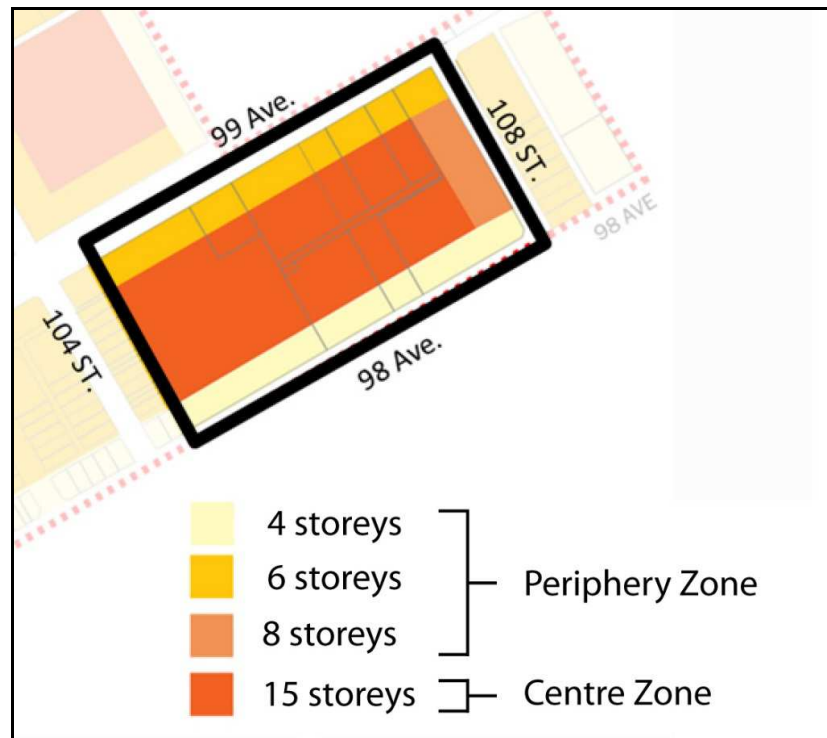
- a) ii. Along 98 Avenue, new development shall have a minimum height of 2 storeys when located in the Periphery Zone, and a minimum height of 4 storeys in the Centre Zone, as per **Figure 6.13a**.

- F) Add the following under 6.13.4 Urban Form

- a) iii. Building heights shall be transitioned through appropriate setbacks as per **Figure 6.13a**.

- G) Replace the following under 6.13.4 Urban Form

Figure 6.13a: Fort Mall Site Maximum Heights Diagram



- b) The maximum building height for buildings greater than 5 storeys shall be limited by the application of a 45 degree angular plane, as per **Figure 6.13b**.
- c) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft)
- 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.
- H) Replace the following under 6.13.7 Building Massing and Architectural Character
  - b) Buildings more than 5 storeys shall provide three distinct vertical zones, as per **Figure 6.13e**, and meet the following step back requirements:
  - I) Remove the following under 6.13.9 Ground Floor Treatment
    - a) iii. Surface and structure parking areas shall be located at the rear of the building and screened from public view.

J) Replace the following under 6.13.9 Ground Floor Treatment

- b) Facade improvement or facades for newly constructed buildings with non-residential uses located on the ground floor facing a public street or public area shall provide a minimum 60% transparency on the ground floor level to encourage pedestrian interactions and safety, as per **Figure 6.13g**.

K) Replace the following under 6.13.11 Building Projections

- a) Balconies on the streetwall shall be partly or fully recessed from the building face with approximately 50% of their perimeter contained by exterior walls of the building, as per **Figure 6.13i**.

L) Add the following new section: 6.13.12 General Parking Requirements

- a) On-site parking should be provided at the rear or sides of buildings, within underground parkade or above-ground parking structures. Surface parking areas should not be developed adjacent to any public roadway other than a lane, unless a suitable interface with the abutting street is provided to the satisfaction of the Development Authority.
- b) Corner sites may have surface parking areas located on the side of the building, facing the flanking roadway when screened from public view.
- c) 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.
- d) Uses and developments not specified in an approved Parking Impact Assessment shall meet the Minimum Parking Requirements for Downtown, as per Table 11e.
- e) 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:
  - 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 facade of the upper storeys of the parking facility shall be designed to reflect residential or commercial building character.

M) Remove the word "Parking" from the Section 6.13.12 heading – Parking, Circulation, Access, Loading and Waste Collection.

N) Remove the following sections under 6.13.12

- a) On-site parking should be provided at the rear or sides of buildings, within underground parkade or above-ground parking structures. Surface parking areas should not be developed adjacent to any public roadway other than a lane, unless a suitable interface with the abutting street is provided to the satisfaction of the Development Authority.
- e) Drive-through service should be limited.
- f) 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:
  - 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 facade of the upper storeys of the parking facility shall be designed to reflect residential or commercial building character.
- g) 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.
- i) Designated areas for storage, temporary truck parking, waste collection, compaction, and loading shall have a minimum setback of 7.5m (24.6ft) from public roadway and a minimum separation of 25.0m (82.0ft) from residential buildings.

O) Replace the following under 6.13.14 – Additional Development Regulations for C5

- 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, Sections 6.1 to 6.7 of Part 6 - Commercial Land Use Districts, Part 11 - Parking and Loading, and Part 12 – Signs.

P) Add the following under Part 13.1 – General Definitions

**DISPLAY GARDENS** means an area dedicated to planting that provides privacy for residential uses, and improves streetscape aesthetics.

**FLOOR AREA RATIO (FAR)** means the numerical value of the gross floor area on all levels of all buildings on a lot, divided by the area of the lot.

Q) Replace the following under Part 13.1 – General Definitions

**<sup>1</sup>HIGH DENSITY RESIDENTIAL** means residential development at a density of over 70 dwelling units per net developable hectare except when located in the Downtown or C5 Districts.

**<sup>12</sup>LOW DENSITY RESIDENTIAL** means residential development at a density up to 35 dwelling units per net developable hectare except when located in the Downtown or C5 Districts.

**<sup>1</sup>MEDIUM DENSITY RESIDENTIAL** means residential development at a density of 36-70 dwelling units per net developable hectare except when located in the Downtown or C5 Districts.

R) That all numbering under the C5 District be updated accordingly.

- 3) 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.
- 4) This Bylaw becomes effective upon third and final reading.

READ a first time this	14 <sup>th</sup>	day of	June	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

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DIRECTOR, LEGISLATIVE SERVICES

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