



## **CITY OF FORT SASKATCHEWAN**

### **BYLAW NO. C15-17**

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

**WHEREAS** the *Municipal Government Act, R.S.A. 2000, c.M-26* as amended or repealed and replaced from time to time, provides that a municipality has the power to amend the Land Use Bylaw;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, 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 This Bylaw is cited as the Amendment to Bylaw C10-13 Land Use Bylaw as amended or repealed and replaced from time to time.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 the Bylaw C10-13 be amended as follows:
  - A) Replace the following under Part 1 – Title, Purpose and Jurisdiction:
    - 1.3.4 Except as otherwise provided in this Bylaw, a residential site or principal dwelling shall not be declared as non-conforming for failing to have a minimum side yard of 1.5m (4.9ft) provided that:
      - (a) The principal dwelling was constructed with a side yard of 1.2m (3.9ft) or greater prior to the adoption of this Bylaw; and
      - (b) The principal dwelling is constructed after the adoption of this Bylaw on a site that was created and registered in the Land Titles Office prior to the adoption of this Bylaw.
    - 1.5.1 A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out and shall ascertain, comply or carry out development in accordance with:
      - (a) the requirements of any other federal, provincial or municipal enactment or any other law; and
      - (b) the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

The Development Authority is not responsible for nor does the Development Authority have any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce

compliance with such legislation.

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

2.6 Land Use Map Boundaries

- 2.6.1 (h) Where features on the ground area are at variance with those shown on the Land Use Map (Appendix A: Land Use Map) or in other circumstances not mentioned above, the Development Authority shall interpret the Land Use District or Overlay boundary; and/or

2.10 Applications in Progress

- 2.10.1 An application for a Subdivision or Development Permit which is deemed complete on or after the coming into force of the amended Bylaw shall be evaluated under the provisions of this Bylaw.

- 2.10.2 An application for a Subdivision or Development Permit which is deemed complete prior to the coming into force of this Bylaw may be evaluated under the provisions of the preceding Bylaw.

2.18 Compliance Certificates

- 2.18.2 The applicant for a Compliance Certificate shall submit no less than two original Real Property Reports, stamped and signed by a registered Alberta Land Surveyor, for the site; and a copy of a Certificate of Title, no more than 90 days old.

- C) Delete the following under Part 3 – Development Applications and Process:

3.3 Variance to Regulations

- 3.3.2 (b) A variance in excess of 15% of the particular Bylaw requirement.

- 3.3.5 Subject to 3.3.1 and 3.3.2, the Development Authority may grant a variance of no more than 5% of a particular Bylaw regulation for a Development Permit Application. If a variance is requested for greater than 5% but no more than 15%, the variance shall be presented to the Variance Review Committee to decide upon the variance.

3.9 Decision on a Development Permit

- 3.9.11 Subject to Section 3.3 of this Bylaw, the Development Authority may approve an application for a Development Permit even though the proposed use does not comply with this Bylaw.

D) Replace the following under Part 3 – Development Applications and Process:

3.1 Development Permits

3.1.4 The Development Authority may advertise and shall notify adjacent property owners about any Development Permit applications for discretionary uses and/or any Development Permit applications involving variances.

3.4 Requirements for a Development Permit Application

3.4.2 (f) Two hard copies of a site plan to an engineer or architect scale and one digital copy of a site plan showing all of the following in metric measurements:

3.4.2 (l) A Phase 1 and/or Phase 2 environmental site assessment, conducted according to Canadian Standards Association (CSA) guidelines to determine potential contamination and mitigation;

3.13 Suspension and Cancellation of a Development Permit

3.13.2 A development shall be completed to the satisfaction of the Development Authority within 24 months of the issuance of the Development Permit, unless the applicant, within 30 days prior to the expiry, applies for and is granted an extension from the Development Authority. The Development Authority may grant one (1) extension of the effective period and the extension period shall not exceed twelve (12) months.

E) Add the following under Part 3 – Development Applications and Process:

3.2 Development Permit Not Required

Table 3.2: Development, Activities and Uses for which a Development Permit is Not Required

Development Activity or Use	Condition Under which a Development Permit is Not Required
Fences	Shall comply with the provisions of Section 4.7, 5.8, 6.4, 7.2, 8.2 and 13.5.
Hard Surfacing	Shall comply with the provisions of Section 5.9, if applicable.

F) Delete the following under Part 4 – General regulations for All Land Use Districts:

4.29 Garbage and Recycling Enclosures

- 4.29.1 (c) Enclosures shall include a gate for service/collection and walk-in access; and
  - 4.29.1 (d) Enclosure areas shall be designed and located to provide adequate, safe and efficient access for service vehicles.
- G) Replace the following under Part 4 – General Regulations for All Land Use Districts:
  - 4.9 Landscaping Plans
    - 4.9.1 Except in Low Density Residential Land Use Districts, where landscaping is required to be provided for an area in excess of 500.0m<sup>2</sup> (5,382.0ft<sup>2</sup> ) by this Bylaw, the required landscaping plan shall be prepared by a designated Landscape Architect or Landscape Architectural Technologist.
  - 4.29 Garbage and Recycling Enclosures
    - 4.29.1 (b) Garbage and recycling areas in proximity of adjacent public roadways, residential and commercial sites shall be screened appropriately. The screening shall take into consideration the site characteristics, to the satisfaction of the Development Authority.
  - 4.33 Home Office
    - 4.33.1 As determined by the Development Authority, home office shall:
      - (a) Not be a cause of inconvenience to adjacent landowners or tenants;
      - (b) Not employ any person on-site other than a resident of the dwelling;
      - (c) Not have outside storage of material, equipment or products;
      - (d) Not extend the business activity to the garage, accessory buildings or outside yard;
      - (e) Not be detectable from outside the dwelling;
      - (f) Have signs only in accordance with Part 12 – Signs of this Bylaw;
      - (g) Require separate Development Permits and Alberta Building Code approvals where alterations to the dwelling or accessory building associated with a home office are required;
      - (h) Not involve any business associated visits; and

- (i) Not involve any parking of commercial vehicles.

#### 4.35 Secondary Suites

##### 4.35.1 Secondary Suites shall:

- (a) Be subordinate, incidental to, and exclusively devoted to a principal dwelling unit;
- (b) Not be approved if a Development Permit has been issued and is still valid for a Bed and Breakfast, Group Home, Group Home (limited), or Boarding Facility;
- (c) Be permitted only within a Single Detached Dwelling and shall not be permitted within any other use class;
- (d) Be restricted to a maximum of one secondary suite per dwelling;
- (e) Be developed in such a manner that the exterior of the principal dwelling containing the secondary suite shall appear as a single dwelling unit;
- (f) Be located only on sites with a minimum width of 11.2m (36.7ft);
- (g) Provide a minimum floor area of not less than 30m<sup>2</sup> (322.9ft<sup>2</sup>) and not more than the total floor area of the principal dwelling unit;
- (h) Not be separated from the principal dwelling through a condominium conversion or subdivision;
- (i) Have a separate entry from the principal dwelling unit, either from a common indoor landing or from the exterior. If the entry to the Secondary Suite is direct from the exterior, such entry shall not be from the front or flanking front of the principal dwelling unit;
- (j) Have a maximum of two bedrooms; and
- (k) Provide parking in accordance with Section 11.
- (l) (Deleted)
- (m) (Deleted)

- H) Add the following under Part 4 – General Regulations for All Land Use Districts
  - 4.8 General Landscaping Requirements
    - 4.8.9 Required landscaping shall include a variety of trees, shrubs and planted ground cover.
  - 4.30 Communication Tower
    - 4.30.11 A letter of concurrence or non-concurrence shall be provided to the applicant with the development permit decision.
  - 4.41 Veterinary Clinic, Kennel and Pet Care Service Uses
    - 4.41.3 (d) Not be permitted within Commercial Land Use Districts.
- I) Delete the following under Part 5 – Residential Land Use Districts:
  - 5.3 Accessory Uses and Buildings: General
    - 5.3.6 (c) Not have a total lot coverage which exceeds 15%;
  - 5.11 Objects Prohibited or Restricted in Residential Land Use Districts
    - 5.11.1 (a) Any inoperable, unlicensed, unregistered or derelict vehicle for more than 14 successive days;
    - 5.11.1 (b) Any vehicle weighing in excess of 4000kg (3.9tons) (excepting recreation vehicles) for longer than is reasonably necessary to load or unload such a vehicle;
    - 5.11.1 (c) Any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the neighbourhood; or
  - 5.15 R1 – Large Lot Residential District
    - 5.15.2 (a) R1 Permitted
      - Swimming Pool
  - 5.16 R2 – Medium Lot Residential District
    - 5.16.2 (a) R2 Permitted
      - Swimming Pool

- 5.17 R3 – Small Lot Residential District
  - 5.17.2 (a) R3 Permitted
    - Swimming Pool
- 5.18 R4 – Lane Lot Residential District
  - 5.18.2 (a) R4 Permitted
    - Swimming Pool
- 5.19 R5 – Semi-Detached and Duplex Residential District
  - 5.19.2 (a) R5 Permitted
    - Swimming Pool
- 5.20 RE – Residential Estate Lot District
  - 5.20.1 (a) RE Permitted
    - Swimming Pool
- 5.21 RC – Comprehensively Planned Residential District
  - 5.21.9 (b) No vehicular access to the street shall be permitted from the front yard when a rear lane is provided.
  - 5.21.10 (d) Subsections 5.21.9 (b) and (c) shall not apply if sites on which Multi-Attached Dwellings are proposed abuts a site designated as commercial, medium density, high density, or institutional land use districts.
- 5.23 RMM – Medium Density Multiple Residential Districts
  - 5.23.2 (a) RMM Permitted
    - Show Suite in an apartment dwelling
- 5.24 RMH – High Density Multiple Residential District
  - 5.24.2 (a) RMH Permitted
    - Show Suite in an apartment dwelling
  - 5.24.2. (b) RMH Discretionary
    - Day Care Facility (limited)

- Semi-Detached Dwelling

5.25 RHR – High Rise Residential District

5.25.2 (a) RHR Permitted

- Show Suite in an apartment dwelling

J) Replace the following under Part 5 – Residential Land Use Districts:

5.3 Accessory Uses and Buildings: General

5.3.9 (b) ii. The detached garage is facing a rear lane and is contained within 9.0m (29.5ft) of the rear property line.

5.3.9 (c) Such that a roof overhang projects no more than 0.3m (0.98ft) into a rear or side yard setback area.

5.3.11 (b) Such that a roof overhang projects no more than 0.3m (0.98ft) into a rear or side yard setback area.

5.5 Building and Structure Projections in Residential Land Use Districts

5.5.2 A Room-Enhancing Cantilever may not project into any setback areas, except:

- (a) project up to a maximum of 0.6m (2.0ft) in to a front flanking yard setback area, provided that the width of any single room-enhancing cantilever does not exceed 3.0m (10.0ft) and that the cumulative total of all room-enhancing cantilevers does not cover more than 50% of the front flanking building facade.

5.6 Decks and Patios

5.6.2 Decks within Residential Land Use Districts shall require a Development Permit if located 0.6m (2.0ft) or greater above grade and shall adhere to all setbacks for the principal building when attached to the principal building, except for the projections noted in Table 5.5.

5.8 Fences, Walls and Hedges in Residential Districts

5.8.2 Where a property in a Residential Land Use District abuts or faces an arterial roadway or a railway line the Development Authority may approve a fence height greater than 1.8m (6.0ft).

5.8.3 Notwithstanding Section 4.23 Corner Site Restrictions, fences, walls and hedges within Residential Land Use Districts on corner or double fronting lots may be increased to a height of 1.8m (6.0ft) along the flanking front yard property line, provided that the



fence, wall or hedge is not located within any portion of the defined front yard.

5.9 Landscaping Requirements for Residential Land Uses

5.9.2 No more than 75% of the front yard of any single detached, semi-detached, duplex or multi-attached dwelling shall be covered in hard landscaping.

5.17 R3 – Small Lot Residential District

5.17.3 RS Site Subdivision Regulations

	Interior Site	Corner Site
(c) Site Depth	34.0m (111.6ft) minimum	

5.18 R4 – Lane Lot Residential District

5.18.3 R4 Site Subdivision Regulations for Single Detachment and Duplex Dwellings

	Interior Site	Corner Site
(c) Site Depth	34.0m (111.6ft) minimum	

5.19 R5 – Semi-Detached and Duplex Residential District

5.19.3 R5 Site Subdivision Regulations for Duplex Dwellings

	Interior Site	Corner Site
(c) Site Depth	34.0m (111.6ft) minimum	

5.19.4 R5 Site Subdivision Regulations for Semi-Detached Dwellings

	Interior Site	Corner Site
(c) Site Depth	34.0m (111.6ft) minimum	

5.22 RML – Low Density Multiple Residential District

5.22.1 RML Purpose

\* Day care facility (limited), home business and group home (limited) uses may not occur within an apartment dwelling.

5.23 RMM – Medium Density Multiple Residential District

5.32.2 RMM Permitted and Discretionary Uses

\* Day care facility (limited) and home business uses may not occur within an apartment dwelling.

5.24 RMH – High Density Multiple Residential District

5.24.2 RHM Permitted and Discretionary Uses

- \* Home business uses may not occur within an apartment dwelling.

K) Add the following under Part 5 – Residential Land Use Districts:

5.15 R1 – Large Lot Residential District

5.15.4 R1 Site Development Regulation for Single Detached Dwellings

	Interior Site	Corner Site
(e) Site Coverage	15% maximum total lot coverage for all accessory buildings	

5.16 R2 – Medium Lot Residential District

5.16.4 R2 Site Development Regulations

	Interior Site	Corner Site
(e) Site Coverage	15% maximum total lot coverage for all accessory buildings	

5.22 RML – Low Density Residential District

5.22.1 (b) RML Discretionary Uses

- Duplex Dwelling

5.24 RMH – High Density Multiple Residential District

5.24.2 (b) RMH Discretionary Uses

- Day Care Facility

5.25 RHR – High Rise Residential District

5.25.2 (b) RHR Discretionary Uses

- Personal Service

L) Delete the following under Part 6 – Commercial Land Use Districts:

6.10 C2 – Vehicle Oriented Retails and Service District

6.10.2 (a) C2 Permitted

- Vehicle sales, leasing and rental facility

6.13 C5 – Fort Mall Redevelopment District

6.13.2 (a) C5 Permitted Uses

- Seasonal Garden Centre (temporary)

M) Replace the following under Part 6 – Commercial Land Use Districts:

6.5 Interface with Residential Land Uses

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

6.6 Landscaping Requirements for Commercial Land Uses

- 6.6.2 A minimum of 20% of the total site area of all commercial sites shall be landscaped, including all areas not occupied by buildings, parking areas or vehicular access areas. One tree for each 35 m<sup>2</sup> (376.7 ft<sup>2</sup>) and one shrub for each 15 m<sup>2</sup> (161.5 ft<sup>2</sup>) of landscape area shall be provided.

6.6.8 Parking Lots

As part of Section 6.6.2, landscaping within parking areas must be planted in accordance with the following standards:

- (b) Landscaping within the parking area shall include one tree for each 35 m<sup>2</sup> (376.7 ft<sup>2</sup>) of required landscaping and one shrub for each 15 m<sup>2</sup> (161.5 ft<sup>2</sup>) of required landscaping.

6.10 C2 – Vehicle Oriented Retail and Service District

6.10.2 (b) C2 Discretionary Uses

- Kennel\*

\* Outside enclosures, pens or exercise areas are not permitted

#### 6.10.4 C2 Site Development Regulations

	Interior or Corner Site
(b) Rear Yard Setback	3.0m (9.8ft) minimum for sites abutting a non-Residential Land Use District

#### 6.11 C3 – Commercial Shopping Centre District

##### 6.11.2 (b) C3 Discretionary Uses

- Kennel\*

\* Outside enclosures, pens or exercise areas are not permitted

#### 6.13 C5 – Fort Mall Redevelopment District

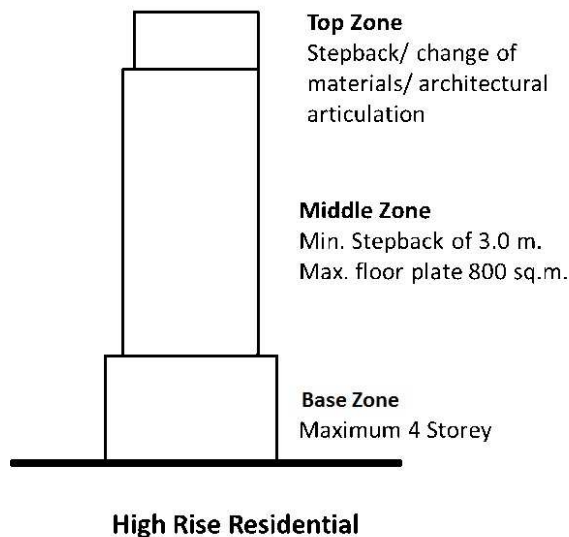
##### 6.13.2 (a) C5 Permitted Uses

Pet Care Service\*\*\*

\*\*\* Outside enclosures, pens or exercise areas are not permitted

#### 6.13 C5 – Fort Mall Redevelopment District

Figure 6.13e: Vertical Zones in Mid-rise and High-rise Buildings



N) Add the following under Part 6 – Commercial Land Use Districts

6.9 C1 – Neighbourhood Retail and Service District

6.9.2 (a) C1 Permitted

- Sign, Channel Letter
- Vehicle sales, leasing and rental facility (limited)

6.9.2 (b) C1 Discretionary

- Government Services

6.10 C2 – Vehicle Oriented Retails and Service District

6.10.2 (a) C2 Permitted

- Sign, Channel Letter
- Vehicle sales, leasing and rental facility (limited)

6.11 C3 – Commercial Shopping Centre District

6.11.2 (a) C3 Permitted

- Sign, Channel Letter

6.11.2 (b) C3 Discretionary Uses

- Vehicle sales, leasing and rental facility (limited)

6.13 C5 – Fort Mall Redevelopment District

6.13.2 (a) C5 Permitted Uses

- Assisted Living Facility (limited)
- Home Business\*
- Sign (Channel Letter)
- Sign (Fascia)
- Sign (Specialty Projecting)
- Seasonal Garden Centre

O) Replace the following under Part 7 – Industrial Land Use Districts:

7.1 Accessory Developments in Industrial Districts

7.1.6 Shipping containers shall not be stacked in the IL – Light Industrial District.

#### 7.4 Landscaping Requirements for Industrial Land Uses

##### 7.4.3 Landscaped buffers and areas shall be developed as follows:

- a) Landscaped buffers between parking, loading or other hard surfaced areas and adjacent public roadways shall be a minimum of 3.0 m (9.8 ft) in width.
- b) Landscape areas adjacent to principal buildings, if required under section 7.4.2, shall be a minimum of 2.5 m (8.2 ft) in width.
- c) Landscaped areas between parking, loading or other hard surfaced areas and adjacent residential sites shall be a minimum of 6.0 m (19.7 ft) in width and include shrubs or hedges, fencing and/or berms in order to interfere with vehicle headlights shining across property lines, to the satisfaction of the Development Authority.

#### 7.9 IM – Medium Industrial District

##### 7.9.2 (a) IM Permitted Uses

- Surveillance Suite

##### 7.9.4 IM Site Development Regulations

	Interior Site	Corner Site
(b) Rear Yard Setback	5.0m (16.4ft) minimum  May be reduced to 1.5m (4.9ft) at the discretion of the Development Authority, if it can be demonstrated that the reduction would have no adverse impacts on adjacent lands and that all federal or provincial requirements are adhered to	

P) Add the following under Part 7 – Industrial Land Use Districts:

#### 7.8 Surveillance Suites

7.8.1 A maximum of one (1) surveillance suite is permitted per side in Industrial Land Use Districts.

#### 7.8 IL – Light Industrial District

##### 7.8.2 (a) IL Permitted Uses

- Custom Manufacturing Establishment
- Recycling drop-off

7.9 IM – Medium Industrial District

7.9.2 (a) IM Permitted Uses

- Custom Manufacturing Establishment

Q) Add the following under Part 8 – Institutional Land Use Districts:

8.6 PS – Public Service District

8.6.2 (a) PS Permitted Uses

- Assisted Living Facility (limited)
- Sign, Electronic Message

8.6.2 (b) PS Discretionary Uses

- Recycling drop-off

8.10 SH – Seniors Housing (Site Specific Zoning for Turner Lodge Property)

8.10.3 (b) SH Discretionary Uses

- Personal Service

R) Replace the following under Part 9 – Direct Control Land Use Districts:

9.13 DC(A)-08 Direct Control – 99<sup>th</sup> Avenue Residential Mixed Use Centre

9.13.3 DC(A)-08 Permitted and Discretionary Uses:

- \* Day care facility (limited) may not occur within an apartment dwelling.
- \*\* Home business uses may not occur within an apartment dwelling.

S) Delete the following under Part 11 – Parking and Loading:

11.3 General Parking Regulations for Downtown

- 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.

T) Replace the following under Part 11 – Parking and Loading:

11.2 Minimum Parking Requirements

- 11.2.5 Designated parking spaces for persons with physical disabilities shall be provided in accordance with appropriate provisions of any other Provincial or Federal requirement and shall be included as

part of, and not in addition to, the applicable minimum parking requirements.

- 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. The Development Authority may consider the preliminary shared use parking framework in Appendix E to determine an overall site peak parking requirement. In no case shall shared parking include the parking required for residential uses, except in the Downtown Districts.

Table 11b: Minimum Parking Requirements for Commercial Uses:

Land Use Class	Minimum Number of Parking Spaces
Professional, financial and office service	2 per 100m <sup>2</sup> (1,076 ft <sup>2</sup> ) of GFA for customers plus 1 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA, for staff

#### 11.6 Parking and Loading Requirements for Residential Land Uses

- 11.6.3 a) 3.1 m (10.2 ft) in width by 6.0 m (19.7 ft) in depth for a single garage or carport; or, 3.4m (11.2ft) in width by 6.3m (20.7ft) in depth for the exterior of a single garage or carport; and
- 11.6.3 b) 2.9 m (9.5 ft) in width by 6.0 m (19.7 ft) in depth for each stall within a double garage or carport, or 6.1m (20.0ft) in width by 6.3m (20.7ft) in depth for the exterior of a double garage or carport.
- 11.6.5 For single detached, semi-detached dwellings and secondary suite dwellings, parking stall dimensions for stalls not inside a garage or carport and not on a parking pad intended to accommodate a future garage shall be 2.75 m (9.0 ft) in width by 5.8 m (19 ft) in depth.

#### 11.8 Parking and Loading for Non-Residential Uses

- 11.8.3 Except in the IL – Light Industrial District, IM – Medium Industrial District, IH – Heavy Industrial District and PR – Parks and Recreation District, parking and loading spaces required by this Bylaw for non-residential uses, including maneuvering aisles and driveways shall be:



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

11.2 Minimum Parking Requirements

Table 11b: Minimum Parking Requirements for Commercial Uses:

Land Use Class	Minimum Number of Parking Spaces
Business support service	2.2 per 100m <sup>2</sup> (1076ft <sup>2</sup> ) of GFA

- V) Delete the following under Part 12 – Signs:

12.1 General Sign Regulations

12.1.8 The Development Authority shall not approve an application for any sign for a business that does not have a valid Business License to operate in the City of Fort Saskatchewan.

12.1.11 Signs shall not contain statements, words or pictures that are undesirable, offensive, or contrary to the amenities of the neighbourhood in which they are located. The sign owner shall be responsible to remove the copy of any sign deemed to be inappropriate or offensive by the City or be subject to the cancellation of the Development Permit for the sign.

12.1.13 The City may remove any sign located on public property that does not comply with this Bylaw.

12.12 Portable Signs

12.12.7 A portable sign shall be wholly situated upon the site that is the subject of the advertising displayed on the sign, and shall not be located within 1.5m (4.9ft) of any property line, or within 3.0m (9.8ft) of any access to the site, or within 5.0m (16.4ft) from a corner intersection.

12.13 Projecting Signs

12.13.5 Only one projecting sign shall be permitted on a site, except:

- (a) On corner sites where the signs are located on separate frontages; or
- (b) Provided that the projecting signs are located no less than 90.0m (295.3ft) apart.

12.16 Signs Located On or Projecting Over Public Property

- 12.16.3 Signs on City public roadway rights-of-way may be approved with a size and location determined at the discretion of the Development Authority.
- 12.16.4 No signs shall be permitted on the Highway 21 or Highway 15 medians.
- 12.16.5 The City may, without notice, remove any sign located on public property that does not comply with this Bylaw.
- 12.16.6 Any sign removed by a Designated Officer shall be delivered to the Public Works Yard where it shall remain until claimed by an individual, business or organization referenced on the sign who shall pay the City's impoundment fee in accordance with the City's Fees and Charges Bylaw, as amended.
- 12.16.7 Where an impounded sign is not claimed within 30 days of the sign's removal, the City may dispose of the sign in any manner it deems appropriate.
- 12.16.8 A fascia sign may be installed on City buildings or Infrastructure on a temporary basis at the discretion of the Development Authority.
- 12.16.9 Portable signs on public property, excluding signs for community or civic projects, trade shows, site specific construction projects, or real estate for sale or lease require a Development Permit.

W) Replace the following under Part 12 – Signs:

12.1 General Sign Regulations

- 12.1.5 All sign structures shall be securely built, constructed and erected to conform to the standards set forth in this Bylaw.

12.12 Portable Signs

- 12.12.1 A portable sign shall be wholly located upon the site, and shall not be located within 1.5m (4.9ft) of any property line, or within 3.0m (9.8ft) of any access to the site, or within 5.0m (16.4ft) from a corner intersection.
- 12.12.3 More than one portable sign may be permitted on a site provided that they are placed no closer than 50.0m (164.0ft) apart. Two portable signs may be permitted on a corner site, with one on each frontage.

12.16 Signs Projecting Over Public Property

- 12.16.1 When application is made for a Development Permit for a sign projecting over public property, the applicant shall file with the City, in a form and in an amount satisfactory to the City, a Public Liability and Property Damage Insurance Policy in favour of the City inclusive in respect of loss sustained by one or more persons or damage to property. The City may require the sign owner to enter into a license of occupation or a lease agreement with the City.

X) Add the following under Part 12 – Signs:

12.7 Electronic Message Signs

- 12.7.13 An electronic message sign shall not project beyond the property upon which the sign is located. The sign shall be wholly situated upon the site that is subject to the advertising displayed on the sign, and the sign shall not be located within 1.5m (4.9ft) of any property line, or within 3.0m (9.8ft) of any access to the site and not within 5.0m (16.4ft) from a corner intersection.
- 12.7.14 The maximum height of an electronic message sign shall be 7.9 m (26 ft). The Development Authority may allow an electronic message sign up to 10.0 m (32.8 ft) in height if a Residential District is not within 60.0 m from the Sign location;
- 12.7.15 The maximum allowable copy area for an electronic message sign shall not exceed 32.5 m<sup>2</sup> (350 ft<sup>2</sup>).
- 12.7.16 The height of an electronic message sign shall be measured from the finished grade at the base of the sign column to the uppermost part of the sign. Superficial ornamentation, trim, column or column covers or symbol-type appendages that are non-message bearing shall not be included in determining the height of the sign.
- 12.7.17 More than one electronic message sign may be permitted per site, provided that they are placed no closer than 90.0m (295.3ft) apart, providing they do not face the same oncoming traffic.
- 12.7.18 For a site with a frontage less than 30.0m (98.4ft), but not less than 15.0m (49.2ft), one electronic message sign, not exceeding 3.0m (9.8ft) in height and not exceeding 3.0m<sup>2</sup> (32.3ft<sup>2</sup>) in area, shall be permitted. An electronic message sign shall not be permitted for a business

premise or a site with a frontage of less than 15.0m (49.2ft).

- 12.7.19 An electronic message sign may be located within a yard that separates a building from an adjacent public roadway.
- 12.7.20 An electronic message sign shall have a minimum clearance of 1.8m (6.0ft) from grade to the bottom clearance of the sign copy area.
- 12.7.21 An electronic message sign shall not contain general advertising or the advertising of a product or service offered off-site, except for an electronic message component for the sole benefit of a non-profit society or organization.

Y) Delete the following under Part 13 – Downtown Land Use Districts:

13.11 CC-D – Core Commercial – Downtown

13.11.2 (a) CC-D Permitted

- Seasonal Garden Centre (temporary)

13.12 MP-D – Mall Precinct – Downtown

13.12.2 (a) MP-D Permitted

- Sign, General Advertising
- Seasonal Garden Centre (temporary)

13.12.2 (b) MP-D Discretionary

- Green House (Permanent)
- Minor Impact Utility Service

13.16 99C-D – 99 Commercial – Downtown

13.16.2 (a) 99C-D Permitted

- Seasonal Garden Centre (temporary)

13.18 HP-D – Historic Precinct – Downtown

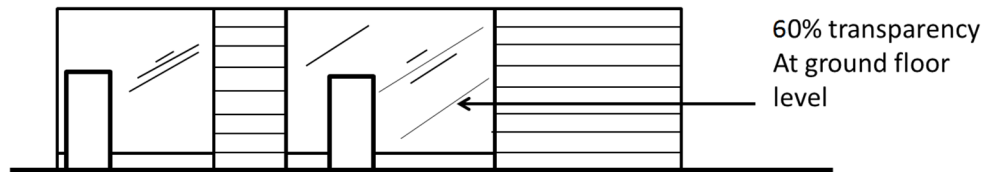
13.18.2 (b) HP-D Discretionary

- Accessory Development

Z) Replace the following under Part 13 – Downtown Land Use Districts:

13.3 Design and Appearance of Buildings and Structures

Figure 13.3a: Ground Floor Treatment



13.15 TR-D – Transitional Residential – Downtown

13.15.2 TR-D Permitted and Discretionary Uses

b) TR-D Discretionary

- Pet Care Service\*\*\*

\*\*\* Outside enclosures, pens or exercise areas are not permitted

AA) Add the following under Part 13 – Downtown Land Use Districts:

13.7 Landscaping Requirements for Downtown Uses

13.7.5 The required landscaping shall be at the discretion of the Development Authority.

13.11 CC-D – Core Commercial – Downtown

13.11.2 (a) CC-D Permitted

- Seasonal Garden Centre

13.12 MP-D – Mall Precinct – Downtown

13.12.2 (a) MP-D Permitted

- Seasonal Garden Centre

13.12.2 (b) MP-D Discretionary

- Greenhouse  
- Vehicle Sales, Leasing or Rental Facility (limited)

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

#### 13.15.3 TR-D Site Subdivision Regulations for Single Detached Dwellings and Duplex Dwellings

	Interior Site	Corner Site
a) Site Area	309.4m <sup>2</sup> (3,330.4ft <sup>2</sup> ) minimum	342.4m <sup>2</sup> (3,685.6ft <sup>2</sup> ) minimum
b) Site Width	9.1m (29.9ft) minimum	10.6m (34.8ft) minimum
c) Site Depth	30.0m (98.4ft) minimum	

#### 13.15.4 TR-D Site Subdivision Regulations for Semi-Detached Dwellings

	Interior Site	Corner Site
a) Site Area	238.0m <sup>2</sup> (2,561.8ft <sup>2</sup> ) minimum	271.0m <sup>2</sup> (2,917.0ft <sup>2</sup> ) minimum
b) Site Width	7.3m (24.0ft) minimum	9.1m (29.9ft) minimum
c) Site Depth	30.0m (98.4ft) minimum	

#### 13.15.5 TR-D Site Subdivision Regulations for Multi-Attached Dwellings

	Interior Site	Corner Site
a) Site Area	187.0m <sup>2</sup> (2,011.9ft <sup>2</sup> ) minimum	271.0m <sup>2</sup> (2,917.0ft <sup>2</sup> ) minimum
b) Site Width	6.1m (20.0ft) minimum for an Internal unit 7.3m (24.0ft) minimum for an End unit	8.5m (27.9ft) minimum
c) Site Depth	30.0m (98.4ft) minimum	

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

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

- Seasonal Garden Centre

BB) Delete the following under Part 14 – Definitions:

#### 14.1 General Definitions

**CHANGE OF USE** means the act of changing the use occupying a tenant space, building or parcel of Land to a different use.

**SURVEILLANCE SUITE** means a single residential unit, forming part of a development, which is accessory to the principal use and is used solely to

accommodate persons whose official function is to provide surveillance required for the maintenance and safety of the development.

#### 14.2 Use Class Definitions

**DAY CARE FACILITY** means a development licensed by the Province to provide personal care, maintenance, supervision or education, without overnight accommodation, for seven or more children under the age of 13 years at one time. This includes daycare centres, nurseries, kindergartens, nursery schools and play schools and other similar uses but does not include an institution operated by or under the authority of the Director of Child Welfare.

**DAY CARE FACILITY (LIMITED)** means an accessory use that may be licensed by the Province, in a dwelling unit that is intended to provide temporary care, educational services and supervision for up to six children, by an individual other than the child's parent or guardian, but does not include Assisted Living Facilities.

CC) Replace the following under Part 14 – Definitions:

#### 14.1 General Definitions

**LANDSCAPING** means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of the following:

- (a) Soft landscaping elements such as, but not limited to, trees, shrubs, plants, lawns, xeriscaping and ornamental plantings;
- (b) Hard landscaping elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
- (c) Architectural elements such as decorating fencing, walls and sculptures.

**MODULAR CONSTRUCTION** means a building or section of a building consisting of one or more sections constructed off-site often in a factory which meets Canadian Standards Association (CSA) standards and the requirements of the Alberta Building Code. The building is transported to a site where the section(s) are permanently assembled and anchored to a permanent foundation. A modular unit has no chassis, running gear or wheels. The units or sections may be stacked horizontally or vertically and completed to form one or more complete units for year round occupancy. Modular construction does not include a manufactured home but any other structures can be built using modular construction.

**RECREATIONAL VEHICLE** means a portable structure designed and built to be transported on its own wheels or carried on a vehicle to provide temporary living accommodation for recreational or travel purposes and/or for motorized sports activities conducted outdoors on both land and

water. This use includes, but is not limited to: motor homes or travel trailers; fifth wheel trailers; campers, whether located on a truck or other vehicle or not; tent trailers; park model trailers; boats; off-highway vehicles, as defined by the *Traffic Safety Act*, as amended; utility trailers; and a trailer used to transport any of the above. This use does not include a manufactured home.

#### 14.2 Use Class Definitions

**AGRICULTURE** means the cultivation of soil for the growing of crops and all related activities, or the raising of animals to provide food or other products.

**DWELLING, GARAGE SUITE** means a dwelling located above a detached garage; or a one to two-storey dwelling attached to the side or rear of a detached garage. This land use does not include secondary suites or Garden suites.

**DWELLING, GARDEN SUITE** means a single storey dwelling which is located in a building separate from the principal use which is single detached dwelling. This land use does not include secondary suites or garage suites.

**DWELLING, SECONDARY SUITE** means development consisting of a dwelling unit located within and accessory to a principal residential use. This Use Class includes the Development or Conversion of Basement space or above-grade space to a separate Dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. A Secondary Suite does not include Semi-detached, Apartment Dwelling, Garage Suites, Garden Suites, or Boarding Facilities.

**GOVERNMENT SERVICE** means a development providing Crown Corporation, or municipal, provincial or federal government services directly to the public. Typical uses include, but are not limited to taxation offices, courthouses, postal stations, manpower and employment offices, food banks and social service offices. This use does not include emergency response service, detention and correctional service or education facilities.

**HOME BUSINESS** means the accessory use of a principal dwelling, or a combination of a principal dwelling and an accessory building, in a residential neighbourhood to operate an enterprise or related uses.

**HOME OFFICE** means an accessory use located within a dwelling unit for the purpose of office uses.

**MANUFACTURED HOME** means a prefabricated detached dwelling unit that meets Canadian Standards Association (CSA) standards and meets the requirements of the Alberta Building Code. This applies to both single section and multi-section models, but does not apply to modular



construction, recreational vehicles or industrial camp trailers.

**PET CARE SERVICE** means a development where small animals normally considered as household pets are washed, groomed, trained and/or boarded, but not overnight. This land use may also include the retail sales of associated products.

DD) Add the following under Part 14 – Definitions:

14.1 General Definitions

**LANDSCAPE BUFFER** means an area landscaped with sod and any other soft landscaping elements.

**XERISCAPING** means a method of landscaping that uses plants, soils & mulches whose natural requirements are appropriate to the local climate, resulting in the reduction or elimination of supplemental water, fertilizer or other maintenance.

14.2 Use Class Definitions

**CHILD CARE FACILITY** means a development licensed by the Province to provide personal care, maintenance, supervision or education, without overnight accommodation. This includes daycare centres, nurseries, kindergartens, nursery schools and play schools and other similar uses but does not include an institution operated by or under the authority of the Province.

**DAY HOME** means an accessory use that may be licensed by the Province, in a Dwelling Unit that is intended to provide temporary care, educational services and supervision that shall follow the regulations of the Province.

**PARK MODEL TRAILER** means a recreational unit designed for seasonal use. Park Model Trailers are built on a single chassis mounted on wheels, are designed to facilitate occasional relocation and must be connected to utilities to operate installed fixtures and appliances.

**SURVEILLANCE SUITE** means a single residential unit, forming part of a development, which is accessory to the principal use and is used solely to accommodate persons whose official function is to provide surveillance required for the maintenance and safety of the development

**TEMPORARY SHELTER SERVICE** means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time.

3. That Appendix A – Land Use Map of Land Use Bylaw C10-13 be amended as shown on attached Schedule “A”.
4. That Appendix D - Guidelines for the Placement of Election Signs upon City of Fort Saskatchewan Road Rights-of-Way be deleted.
5. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion must then 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                      day of                      2017.

READ a second time this                      day of                      2017.

READ a third and passed this                      day of                      2017.

---

MAYOR

---

DIRECTOR, LEGISLATIVE SERVICES

Date Signed: \_\_\_\_\_