

## CITY OF FORT SASKATCHEWAN

### APPENDIX A

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#### Summary of Changes:

#### Part 1 – Title, Purpose and Jurisdiction

##### 1.3 Bylaw Compliance

- 1.3.1 Except as otherwise provided in Section 3.2 Development Permit Not Required, no development shall be undertaken within the City unless a Development Permit application has been approved, a Development Permit has been issued and the development is in compliance with the terms and conditions of the Development Permit issued pursuant to this Bylaw.
- 1.3.2 Where a Development Permit is not required, a development shall comply with all regulations of this Bylaw and all other applicable statutes.
- 1.3.3 A license, permit, approval or authorization granted by the Natural Resources Conservation Board (NRCB), Alberta Energy Regulator (AER) or Alberta Utilities Commission (AUC) shall prevail over any Statutory Plan, Land Use Bylaw, subdivision decision or development decision by a Development Authority, Subdivision Authority, Subdivision and Development Appeal Board or the Municipal Government Board, in accordance with Section 619(1) of the MGA.
- 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.
- 1.3.5 Except as otherwise provided in this Bylaw, a residential site or principal dwelling shall not be declared as non-conforming for exceeding the maximum front yard setback provided that:
  - (a) The principal dwelling was constructed prior to the adoption of this Bylaw.

##### 1.5 Compliance with Other Legislation

- 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 the Safety Codes Act, and regulations including the Alberta Building Code and Alberta Fire Code, Environmental Protection and Enhancement Act and Natural Resources Conservation Board Act;~~

(b) the requirements of any other federal, provincial or municipal enactment or any other law; and

(c) 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.

- 1.5.2 Neither the Development Authority nor any City official shall be required to examine the Title to any land or to make any inquiry to discover whether or not a development or the use of land or a building is affected by any applicable federal, provincial or municipal legislation or with the conditions of any caveat, covenant, easement, instrument, building scheme or agreement affecting the land or building. The Development Authority may; however, undertake these measures to confirm ownership if the City's property tax role is in the process of being updated or if this information is required for a subdivision application.

## **Part 2 – Administration, Procedures and Enforcement**

### **2.6 Land Use Map Boundaries**

- 2.6.1 The Land Use District and Overlay boundaries on the Land Use Map (Appendix A: Land Use Map) shall be interpreted as follows:

(a) Where a boundary is shown as following a public roadway, railway, pipeline, power line or utility right-of-way or easement, it shall be deemed to follow the centre line unless otherwise indicated;

(b) Where a boundary is shown as approximately following the City boundary, it shall be deemed to follow the City boundary;

(c) Where a boundary is shown as approximately following the edge or shoreline of any river, lake, creek or other water body, it shall be deemed to follow the edge or shoreline. In the event of a change in the location of the edge or shoreline, the boundary shall move with it;

(d) Where a boundary is shown as approximately following a parcel line or a site line, it shall be deemed to follow the parcel line or site line;

(e) Where Land Use Districts have been established in accordance with a proposed subdivision of land, the Land Use District shall be understood to conform to the Certificate of Title or the Plan of Survey when registered in the Alberta Land Titles Office. Upon registration, the Land Use District boundary shall be adjusted in accordance with the Plan of Survey or descriptive plan;

- (f) When abutting lands are governed by different Land Use Districts, the centre of a roadway shall be the Land Use District boundary, unless the Land Use District boundary is shown clearly following the edge of the roadway;
- (g) Where a boundary is shown as approximately following a topographic contour line or a top of bank line, it shall be deemed to follow such line and in the event of a change in the topographic contour or top of bank line, the boundary shall be deemed as moving with it;
- (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. ~~Any such decision may be appealed to Council;~~ and/or
- (i) For circumstances not covered above, the location of the boundary shall be determined by the Development Authority by any dimensions set out in this Bylaw and by measurement of the Land Use Map (Appendix A: Land Use Map).

2.6.2 Where the application of the interpretations above does not determine the exact location of a boundary and when the undetermined boundary in effect divides or splits a registered parcel of Land, the Development Authority shall determine the exact location of a boundary in doubt or in dispute in a manner consistent with the provisions of this Bylaw and to the degree of detail as to measurements and directions as the circumstance requires.

2.6.3 After the Development Authority has determined the exact location of a boundary, the location of that portion of the boundary shall not be altered, except by an amendment to this Bylaw.

## 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 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 ~~shall be evaluated under the provisions of the City's Land Use Bylaw C10-13 as amended.~~ may be evaluated under the provisions of the preceding Bylaw.

2.10.3 An application for redistricting (whether or not deemed complete) that has not been given third reading by Council prior to the coming into force of this Bylaw shall be considered by Council pursuant to this Bylaw and any other relevant planning consideration.

## 2.18 Compliance Certificates

2.18.1 The registered owner, or a person with a legal or equitable interest in a site, may apply to the Development Authority for a Compliance Certificate.

- 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.**
- 2.18.3 The Development Authority may issue a Compliance Certificate when, in the opinion of the Development Authority, the buildings as shown on the Real Property Report provided by the applicant are located on the site in accordance with the regulations of this Bylaw or the yard or building setbacks specified in any development permit which may have been issued; and the Development Authority is satisfied the use of the land is in accordance with the Land Use Bylaw.
- 2.18.4 The Compliance Certificate shall only cover those buildings, or parts thereof, shown on the Real Property Report as provided by the applicant.
- 2.18.5 The Development Authority may refuse to issue a Compliance Certificate when, in the opinion of the Development Authority, there is insufficient information from the applicant to determine if buildings as shown are located in accordance with the yard and building setback regulations of this Bylaw or the yard or building setbacks specified in any development permit which may have been issued for the site.
- 2.18.6 A Compliance Certificate is not a development permit.
- 2.18.7 The Development Authority may refuse to process an application for a Compliance Certificate if, in the opinion of the Development Authority, processing the Compliance Certificate application may negatively affect the interests of the City. Should the Development Authority not process an application for Compliance Certificate, all fees shall be returned to the applicant.

### **Part 3 – Development Applications and Process**

#### **3.1 Development Permits**

- 3.1.1 Except as provided in Section 3.2 Development Permit Not Required, no person shall commence a development in the City unless a Development Permit has first been issued pursuant to this Bylaw and the development is in accordance with the provisions of this Bylaw and with the terms and conditions of the Development Permit.
- 3.1.2 Pursuant to Section 3.10 Conditions of a Development Permit, when a Development Permit is approved with conditions, all conditions, except those of a continuing nature, shall be satisfied prior to a development commencing.
- 3.1.3 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other Safety Code approvals or licenses that may be required by other regulatory departments or agencies.
- 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.**

- 3.1.5 No Development Permit for a permitted or discretionary use shall be issued in any newly developed subdivision until a Construction Completion Certificate (CCC) on all essential services has been issued by the City's Engineering Section, or a Substantial Completion Certificate has been received by the Engineer working on behalf of the developer for the subdivision.

### 3.2 Development Permit Not Required

- 3.2.1 A Development Permit is not required for the following developments provided that the proposed development complies with the applicable provisions of this Bylaw (Table 1):

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
Accessory Buildings	Shall be less than 10.0m <sup>2</sup> (107ft <sup>2</sup> ) in area  (Deleted)  Shall meet Land Use District provisions
Commercial and Industrial Renovations	Shall not result in an increase in the building footprint  Where the intensity of the use does not change
Construction of public infrastructure	Shall be related to the construction of public infrastructure as authorized by a Development Agreement
Decks	Shall have a Height less than 0.6m (2.0ft)  Shall not be included in calculation of site coverage
Development, Activity or Use	Condition under which a Development Permit is Not Required
Fences	Shall <del>have a height less than 1.8m (6.0ft) and</del> comply with provisions of Section 4.7, 5.8, 6.4, 7.2 <del>and, 8.2 and 13.5</del>
Hard Surfacing	Shall be part of a development for which a Development Permit or Development Agreement has been issued  Shall be for vehicle or pedestrian access or parking  <del>Shall comply with the provisions of Section 5.9, if applicable</del>
Hot Tubs	Shall comply with development regulations
Landscaping	Shall be on private property  Shall have proposed grades which do not adversely impact the site or adjacent property

	Landscaping other than what is required by this Bylaw or a Development Permit
Maintenance of a Building	Shall be routine maintenance not including structural alterations (i.e. painting or replacing siding, windows, roof, etc.)
Parks	Shall be developed by either the City or Provincial or Federal Governments
Play Equipment	Shall meet the required setbacks and maximum height regulations
Public Improvements	Shall include the construction, alteration, maintenance of repair of a public roadway
Residential Renovations	Shall not increase the number of dwelling units  Shall not increase the building footprint
Satellite dishes	Shall be less than 1.2m (3.9ft) in diameter  Shall be attached directly to a roof, side wall or balcony
Solar collectors	Shall meet the provisions for solar collectors of the Land Use District in which they are located and may require building, Plumbing and Electrical Permits  Shall not create more than 10 kilowatts from all solar collectors on a site  Shall be used for thermal energy
<b>Development, Activity or Use</b>	<b>Condition under which a Development Permit is Not Required</b>
Shipping Containers/Moving Pods	Shall be permitted in a residential district for a maximum of 14 days for the purposes of moving.
Stripping, site grading or excavation	Shall be part of a development for which a Development Permit has been issued
Tents	Shall be in place for less than 24 hours
Temporary Construction Buildings (not including Show homes or temporary Sales Centers)	Shall not be used for human occupancy  Shall be incidental to construction for which a Development Permit has been issued

	Shall be removed within 30 days of substantial completion or as determined by the Development Authority
Temporary Government Services	Shall be used in connection with a federal, provincial or municipal election, referendum or census
Temporary outdoor event and associated temporary structures	Shall be incidental to the principal and permitted use of the site. Shall last for no longer than five consecutive days including the time needed to erect and dismantle any temporary structures
Temporary swimming pools	Shall be installed on above grade on a seasonal basis  Shall be removed during winter months  Shall meet Land Use District provisions and the <i>Alberta Safety Codes Act</i>
Temporary Retail Sales	Shall be temporary  May include hawking of food products, Christmas trees, flowers or other miscellaneous goods
Towers, Flag Poles and other Poles	Shall not exceed 4.6m (15.1ft) in height in any Residential Land Use District
Utilities on Private Land	May include railways, pipelines, irrigation ditches, conduit flumes and utility lines  Shall not be integral to an approved development
<b>Development, Activity or Use</b>	<b>Condition under which a Development Permit is Not Required</b>
Utilities on Public Land	Shall be carried out on behalf of federal, provincial or municipal authorities on land that is publicly owned or controlled
Those developments, activities and uses exempted under Section 618 of the MGA and regulations thereto	

### 3.3 Variance to Regulations

3.3.1 The Development Authority may approve or conditionally approve an application for a development that does not comply with this Bylaw, if in the opinion of the Development Authority:

(a) The proposed development would not:

i. Unduly interfere with the amenities of the neighbourhood; or

- ii. Materially interfere with or affect the use, enjoyment, safety or value of neighbouring land; and
- iii. (Deleted)

and

- (b) The proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (c) In consideration of the above, the Development Authority shall consider the specific merits of the application; practical difficulties peculiar to the Use, character, or situation of land or a building, which are not generally common to other land in the same district; and
- (d) The Development Authority may consider if an error occurred in the siting of the building or structure and rectifying the error would create unnecessary hardship to the property owner.

3.3.2 Notwithstanding Section 3.3.1, the Development Authority, shall not approve:

- (a) A development that does not comply with the provisions of this Bylaw in terms of yard setbacks or site coverage, if:
  - i. The development encroaches onto or over any easement, unless an encroachment agreement has been granted in respect of it, and the development meets all other requirements of this Bylaw; or
  - ii. If the development encroaches onto or over any property line nor create any drainage problem.

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

3.3.3 (Deleted)

3.3.4 If a variance is granted, the Development Authority shall specifically detail its nature and extent in the associated Development Permit.

~~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.~~

3.3.6 (Deleted)

3.3.7 The Development Authority shall not refuse a Development on a site that does not meet the provisions of this Bylaw in terms of width, depth, or site area, provided that the site was legally registered at the time of adoption of this Bylaw and that the development meets all other requirements of this Bylaw.



### 3.4 Requirements for a Development Permit Application

#### 3.4.1 An application for a Development Permit shall include:

- (a) An application made to the Development Authority on the prescribed form that shall be signed by the applicant or the applicant's agent as well as the land owner, authorized in writing. The correctness of the information supplied shall, when required by the Development Authority, be verified by a Statutory Declaration; and
- (b) The applicable Development Permit fee as established in the City of Fort Saskatchewan Fees and Charges Bylaw.

#### 3.4.2 The Development Authority may also require:

- (a) The proposed use or occupancy of all parts of the land and building;
- (b) Fully dimensioned plans showing the elevations, floor plans and perspective of the proposed development including a description of the exterior finishing materials and colours;
- (c) A vicinity map indicating the location of the proposed development in relation to nearby public roadways and other significant physical features which may have implications for the proposed development;
- (d) A map showing the designated land use of the site and all properties within 91.4m (299.9ft) of the boundaries of the site;
- (e) A copy of the current Certificate of Title indicating ownership of the site;
- (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**:
  - i. North arrow;
  - ii. Scale of plan, to the satisfaction of the Development Authority;
  - iii. Legal description of property;
  - iv. Municipal address;
  - v. Property lines shown with dimensions;
  - vi. Front, side and rear yard setback areas shown with dimensions;
  - vii. Dimensioned layout of existing and proposed parking areas, driveways, paved areas, entrances and exits abutting public roadways shown and labeled;

- viii. Location of sidewalks and curbs;
  - ix. Location of existing and proposed municipal and private local improvements;
  - x. Location, dimensions and height of principal building and other structures including accessory developments, garages, carports and fences;
  - xi. Location of major landscaped areas including retaining walls and existing trees;
  - xii. Site topography, drainage patterns, grade and special conditions; and
  - xiii. Location of all registered utility easements and rights-of-way.
- (g) Photographic prints showing the site in its existing condition;
  - (h) How the form, mass and character of the proposed development will relate to neighbouring developments;
  - (i) How the exterior finish of the building will relate to existing or planned facades of neighbouring buildings;
  - (j) A detailed landscaping plan of the entire site to show grading, loading and parking areas, tree planting or removal, grassed areas, the location and species of shrubs and trees, playgrounds and parks;
  - (k) A geotechnical or flood plain study prepared by a qualified engineer if, in the opinion of the Development Authority, the site is potentially hazardous or unstable;
  - (l) A ~~level~~ Phase 1 and/or ~~level~~ Phase 2 environmental site assessment, conducted according to Canadian Standards Association (CSA) guidelines to determine potential contamination and mitigation;
  - (m) An environmental impact assessment prepared by a qualified professional if the proposed development may, in the opinion of the Development Authority, result in potentially significant environmental effects;
  - (n) A traffic impact analysis prepared by a qualified engineer specializing in transportation engineering. Such an analysis shall include, but not be limited to, impacts on adjacent public roadways, pedestrian circulation on and off the site, vehicular circulation on and off the site, turning radius diagrams for large truck movements on and off the site, and any other information required by the Development Authority;
  - (o) A parking study prepared by a qualified engineer specializing in transportation engineering;

- (p) A noise attenuation study prepared by a qualified professional;
- (q) A report showing the effect of wind or shadow produced by the proposed development;
- (r) Copies of a Plan of Survey prepared by an Alberta Land Surveyor showing the following:
  - i. the site to be developed; and
  - ii. Provide all elevations derived from geodetic datum
- (s) A reclamation plan for aggregate extraction or other major surface disturbances;
- (t) Information to assist in assessing the impact the proposed development may have on utilities, services, traffic circulation within the site and on adjacent public roadways, land use, tax base, community facilities, employment and other matters;
- (u) Samples of exterior finishing materials;
- (v) Elevation of any signs proposed for the development;
- (w) A Risk Assessment;
- (x) A Fire Safety Plan;
- (y) Information showing that the applicant has discussed the proposal with nearby property owners; and
- (z) Such other plans, photographs, or other documents and information of any kind that the Development Authority may consider necessary to properly evaluate the proposed development.

### 3.9 Decision on a Development Permit

3.9.1 In making a decision on a Development Permit application for a permitted use, the Development Authority:

- (a) Shall approve, with or without conditions, the application if the proposed development conforms to this Bylaw;
- (b) May refuse the application if the proposed development does not conform to this Bylaw; or
- (c) May approve the application with variances to the Bylaw.

3.9.2 In reviewing a Development Permit application for a discretionary use, the Development Authority shall have regard to:

- (a) The circumstances and merits of the application, including but not limited to:
  - i. The impact on properties in the vicinity from such nuisance factors such as traffic, smoke, other airborne emissions, odours and noise;
  - ii. The design, character and appearance of the proposed development and, in particular, whether it is reasonably compatible with, and complementary to the surrounding properties and land use; or
  - iii. The servicing requirements for the proposed development;
- (b) The purpose and intent of any applicable Statutory Plan adopted by the City; and
- (c) The purpose and intent of any non-statutory plan and pertinent policy adopted by the City.

3.9.3 In making a decision on a Development Permit application for a discretionary use, the Development Authority:

- (a) May approve the application, with or without conditions, based on the merits of the application if it conforms to the requirements of this Bylaw and any applicable approved Statutory Plan or approved policy affecting the site;
- (b) May refuse the application even if it conforms to the requirements of this Bylaw; and/or
- (c) May refuse the application if the proposed development does not conform to the requirements of this Bylaw.

3.9.4 When considering a Development Permit application for a permitted or discretionary use, the Development Authority may require conformance to approved subdivision Engineering Drawings including, but not limited to:

- (a) Lot grading;
- (b) Roadway plans;
- (c) Utility servicing plans; and
- (d) Storm water servicing plans.

3.9.5 Notwithstanding any other provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard or requirement for a discretionary use when the Development Authority deems it necessary to do so.

3.9.6 (Deleted)

3.9.7 (Deleted)

3.9.8 Variances shall be processed and notification to adjacent owners given in accordance with Sections 3.11.4 through 3.11.6 of this Bylaw.

3.9.9 (Deleted)

3.9.10 Where a specific use does not conform to the wording of any Use Class definition or generally conforms to the wording of two or more Use Class definitions, the Development Authority may exercise discretion to deem that the use conforms to and is included in that Use Class which he considers to be the most appropriate in character and purpose. In such a case, the use shall be considered a Discretionary Use, whether or not the Use Class is listed as Permitted or Discretionary within the applicable District.

~~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.~~

### 3.13 Suspension and Cancellation of a Development Permit

3.13.1 If the development authorized by an approved Development Permit is not commenced within 12 months from the date of the issuance of the Development Permit, or if the applicant has not obtained an approved Building Permit within 12 months of the date of the issuance of the Development Permit, the Development Permit shall be deemed void unless the applicant advises the Development Authority, within 30 days prior to the expiry of such 12 month period and the Development Authority grants an extension. The Development Authority may grant up to a one year extension 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 ~~prior to the end of the 24 month period~~. ~~The Development Authority may grant one (1) extension of the effective period and the extension period shall not exceed twelve (12) months.~~

3.13.3 The Development Authority may suspend or cancel a Development Permit following its approval or issuance if:

- (a) The Development Permit application contains a misrepresentation;
- (b) Facts have not been disclosed which should have been at the time of consideration of the application for the Development Permit;
- (c) The Development Permit was issued in error;
- (d) The requirements or conditions of the Development Permit have not been complied with; or

- (e) The applicant requests in writing that the Development Authority cancel the Development Permit provided that the use, development or construction has not commenced.
- 3.13.4 If the Development Authority suspends or cancels a Development Permit, written notice of the suspension or cancellation shall be provided to the applicant;
- 3.13.5 Upon receipt of the written notice of suspension or cancellation of a Development Permit, the applicant shall cease all development and activities related to the development.
- 3.13.6 Notice of the Development Authority's decision to cancel the Development Permit, shall be provided in writing by ordinary mail to the property owner and to the applicant of the Development Permit and such notice shall state the reasons for cancellation of the Development Permit.

#### **Part 4 – General Regulations for All Land Use Districts**

##### **4.8 General Landscaping Requirements**

- 4.8.1 Landscaping required pursuant to Sections 5.9, 5.10, 6.6, 7.4 and 8.3 of this Bylaw shall be completed within the time specified in a Development Permit, at the discretion of the Development Authority, or within two years from the date of a Development Permit, whichever is earlier.
- 4.8.2 All plants used to complete landscaping required by this Bylaw shall be tolerant to District 3A and to specific site conditions, such as sun, shade, excessive wind, road salts, etc. Landscaping shall be designed to provide for the long-term health, viability and coverage of plantings through methods including, but not limited to size and spacing of plants, depth and quality of soil and access to light and air.
- 4.8.3 Landscaping required by this Bylaw shall be provided, at the time of planting, according to the following specifications:
  - (a) 50.0mm (1.97in) minimum caliper for deciduous trees;
  - (b) 2.0m (6.6ft) minimum height for coniferous trees;
  - (c) 600.0mm (23.62in) minimum height and 400.0mm (15.75 in) minimum spread for shrubs; and
  - (d) A proportion of deciduous to coniferous trees approximately equal to 60:40, unless otherwise specified by the Development Authority.
- 4.8.4 Landscaping on public property shall adhere to the City's Engineering Standards.
- 4.8.5 (Deleted)
- 4.8.6 In the event that the landscaping required in an approved development is inappropriate or fails to survive within the warranty period following planting, the

Development Authority may allow or require alternative landscaping materials to be substituted.

4.8.7 The use of potable water for landscaping irrigation should be minimized through methods including, but not limited to harvesting, processing and recycling of rainwater, stormwater and building grey water and the use of indigenous, drought-resistant and hardy trees, shrubs, plants and turf that require no irrigation, fertilizers, pesticides or herbicides.

4.8.8 Landscaping should be used to enhance the quality and human experience of public spaces and highlight major circulation patterns, pedestrian pathways and the overall development.

4.8.9 Required landscaping shall include a variety of trees, shrubs and planted ground cover.

#### 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.

4.9.2 Where landscaping is required by this Bylaw the applicant shall provide a detailed landscaping Plan at the time of Development Permit application. The landscaping plan shall include the following information:

- (a) Existing and proposed site features, including but not limited to property lines, easements, utility lines, poles and boxes, adjacent rights-of-way and public spaces, berms, retaining walls, and fences;
- (b) Existing and proposed buildings and structures;
- (c) Calculations of the total landscaping area and plant quantities;
- (d) Existing and proposed topography and site grading;
- (e) Existing vegetation on the site and whether it is to be retained or removed;
- (f) Proposed landscaping, including the type, species, sizes and number of plant materials and the types of hard surfaced landscaped areas; and
- (g) Proposed screening of trash collection areas, open storage areas, or outdoor services areas including any loading, unloading and vehicular service areas that are visible from an adjoining site in a Residential or Commercial Land Use District or from a public roadway other than a lane. Screening shall be designed to provide a visual buffer from the ground to a height of 1.8m (5.9ft) and the location, length, thickness and height of screening materials shall be indicated on the landscaping plan.

- 4.9.3 If a development is completed in phases, required landscaping shall be completed in sequence with development phases. These phases shall be shown on the landscaping plan.
- 4.9.4 Where a landscaping plan is required, no landscaping work shall be commenced until the landscaping plan is approved by the Development Authority.
- 4.9.5 The Development Authority may approve, deny, or require changes to a landscaping plan if, in their opinion, it is not in compliance with the requirements of this Bylaw. Provided that the purposes of this Section are still achieved, written requests for alternative landscaping schemes may be submitted to the Development Authority and may be justified only when one or more of the following conditions apply:
- (a) The site has space limitations or an unusual shape;
  - (b) Topography, soil, or other site conditions are such that full compliance is impossible or impractical;
  - (c) It can be demonstrated that the alternative proposal will result in better environmental or aesthetic quality and conditions; or
  - (d) Safety considerations are involved and no other alternative exists to reduce potential hazards.

#### 4.29 Garbage and Recycling Enclosures

- 4.29.1 Areas on a site used for garbage and recycling storage shall be developed and maintained as follows, to the satisfaction of the Development Authority:
- (a) Areas for storage of garbage and recyclable materials shall be adequate in capacity, number and distribution to serve the development;
  - (b) Garbage and recycling areas ~~that are visible from adjacent public roadways, residential and/ commercial sites shall be screened with an enclosure a minimum of 1.8m (6.0ft) in height consisting of a solid wood board fence, a chain link fence with privacy slats, or a combination of fencing and landscaping;~~ in proximity of adjacent public roadways, residential and/or commercial sites shall be screened appropriately. The screening shall take into consideration the site characteristics, to the satisfaction of the Development Authority
  - (c) ~~Enclosures shall include a gate for service/collection and walk-in access; and~~
  - (d) ~~Enclosure areas shall be designed and located to provide adequate, safe and efficient access for service vehicles.~~



- (e) For sites with lane access, garbage and recycling storage shall not be located within a front or flanking front yard.
- (f) For commercial and industrial districted sites without lane access, the Development Authority may require garbage and recycling storage to be located within the rear yard taking into consideration the merits of the application and site characteristics.

#### 4.30 Communication Tower

- 4.30.1 In all cases, the process outlined in this Section shall not transfer any Federal decision making authority, nor confer any right of veto to the City in the location of the communication tower.
- 4.30.2 Communication tower development shall require a municipal land use consultation attestation.
- 4.30.3 Applicants shall submit a Development Permit application to the Development Authority along with the appropriate fees.
- 4.30.4 The applicant shall be responsible for holding an open house following the submission of a complete Development Permit application to the Development Authority. Notices shall be sent to property owners within a radius of six times the height of the proposed communication tower. In addition, the applicant shall advertise the open house in two consecutive editions of the local newspaper.
- 4.30.5 Industry Canada is responsible for regulating communication towers in Canada and for authorizing the location of communication towers. In making its decision regarding communication towers, Industry Canada considers the following:
  - (a) The input provided by the affected municipality;
  - (b) Compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
  - (c) Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and
  - (d) An environmental impact assessment that may be required in order to comply with the *Canadian Environmental Assessment Act*.
- 4.30.6 Communication towers shall be located in a manner that minimizes the impact on the natural environment and residential communities while recognizing the unique location requirements for siting communication tower.
- 4.30.7 Unless demonstrated by the applicant to be impractical, transmission antennae shall be mounted on existing structures (including buildings and towers) or within transportation and utility corridors.

4.30.8 To the maximum extent feasible, co-location of communication towers shall be explored.

4.30.9 The Development Authority may provide recommendations to Industry Canada with respect to how the proposed development complies with the following development standards, to the maximum extent feasible:

- (a) The minimum separation from Residential Land Use District shall be 200.0m (646.2ft);
- (b) Shall be camouflaged and have the appearance and aesthetic of the buildings allowed in the Land Use District;
- (c) Shall not be located in a front yard;
- (d) Shall meet the setback requirements of the Land Use District , or meet setback requirements that are satisfactory to the Development Authority;
- (e) Shall be enclosed with a minimum 1.8m (5.9ft) high fence with a locking gate; and
- (f) Shall have landscaping that reflects the typical landscaping in the neighbourhood.

4.30.10 (Deleted)

4.30.11 A letter of concurrence or non-concurrence shall be provided to the applicant with the development permit decision.

#### 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 ~~nor shall the business be conducted on the lot outside the dwelling unit;~~
- (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.

4.33.2 The Development Authority may impose such conditions on the approval of an application as, within their opinion, are necessary to ensure that home offices permit residents of the community a broad choice in the use of their homes as a place of livelihood and supplemental income while protecting residential areas from potential adverse impacts.

#### 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)

4.35.2 The applicant/owner in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with relevant requirements of the Alberta Building Code and *Safety Codes Act*.

4.35.3 (Deleted)

#### 4.41 Veterinary Clinic, Kennel and Pet Care Service Uses

4.41.1 Veterinary clinics, kennels and pet care services shall (unless otherwise specified in the Land Use District):

- (a) Be adequately designed and located to suppress annoying emissions. Pens, rooms and runs shall be adequately soundproofed;
- (b) Be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed overnight; and
- (c) Have a separate air exchange system in the animal holding area so that heating and air conditioning are not shared with other businesses.

4.41.2 Kennels shall not be within 150.0m (492.1ft) of any residential development.

4.41.3 Outside enclosures, pens, runs or exercise areas shall:

- (a) Not be located within a front or flanking front yard;
- (b) Be visually and acoustically screened to the satisfaction of the Development Authority; and
- (c) Not be allowed if, in the opinion of the Development Authority, the existence of outdoor pens, runs or exercise areas will materially interfere with or affect with the use, enjoyment, or value of adjacent parcels of land.
- (d) **Not be permitted within Commercial Land Use Districts**

### **Part 5 – Residential Land Use Districts**

#### 5.3 Accessory Uses and Buildings: General

5.3.1 Where an accessory building is attached to the principal building by an open or enclosed roofed structure it is to be considered part of the principal building and is subject to the setbacks required for the principal building.

5.3.2 Accessory uses and buildings shall be considered as a permitted use in a Land Use District when the principal use is a permitted use in that same Land Use District and for which a Development Permit has been issued.

- 5.3.3 Accessory uses and buildings shall be considered as a discretionary use in a Land Use District when the principal use is a discretionary use in that same Land Use District and for which a Development Permit has been issued.
- 5.3.4 Where an accessory building is to be located on or attached to another accessory development, the combined structure is to be considered as a single accessory building.
- 5.3.5 Unless otherwise provided in a specific Land Use District, accessory buildings within Residential Land Use Districts shall be located:
- (a) Not within a front yard area or within a front flanking yard area;
  - (b) No closer than 1.2m (3.9ft) from any other building, on-site, unless attached to or located thereon;
  - (c) No closer than 1.0m (3.3ft) from the rear property line;
  - (d) No closer than 1.0m (3.3ft) from the side property line; and
  - (e) Such that eaves and foundations do not encroach onto public utility lots or easement;
- 5.3.6 Unless otherwise provided for in a specific Land Use District, accessory buildings shall:
- (a) Not exceed 5.0m (16.4ft) in height;
  - (b) Not exceed 3.0m (9.8ft) in height for vertical exterior walls;
  - ~~(c) Not have a total lot coverage which exceeds 15%;~~
  - (d) Be finished with an exterior treatment complementing that of the principal building with respect to colour, finish, materials and texture;
  - (e) Have hard surfaced access from the street to the accessory development when intended for vehicular use; and
  - (f) Attached and detached garages shall meet the minimum size requirements of Section 11.4.3.
- 5.3.7 Accessory buildings in Residential Land Use Districts may include, but are not limited to, detached garages, carports, sheds, storage buildings, gazebos and swimming pools and hot tubs not attached to the principal building. Any Accessory building not specifically identified herein shall meet the minimum height and setback requirements for a residential detached garage.
- 5.3.8 The maximum site coverage permitted in a Land Use District shall be inclusive of the combined total area used for all accessory developments, with the exception of accessory developments under 10.0m<sup>2</sup> (107.6ft<sup>2</sup>).

## Detached Garages

5.3.9 Unless otherwise provided in a specific Land Use District, detached garages within Residential Land Use Districts shall be located:

- (a) No closer than 1.0m (3.3ft) from a rear lot line or side lot line, unless:
  - i. Located on a corner site, in which case in conformity with the front flanking yard setback for a dwelling; and
  - ii. Adjoining rear detached garages are constructed with a party wall, in which case an appropriate legal agreement shall be in place between the two landowners and a copy of such agreement shall be provided to the Development Authority along with any application for Development and Building Permits.
- (b) Notwithstanding Section 5.3.9(a)(i), no closer than 1.0m (3.3ft) from the flanking property line provided that
  - i. The rear property line of the corner site is 10.1m (33.1ft) or less; and
  - ii. The detached **garage** is facing a rear lane and is contained within 9.0m (29.5ft) of the rear property line.
- (c) No closer than 1.2m (3.9ft) from a rear lane when facing a rear lane, unless otherwise specified in the Land Use District in which it is located; and
- (d) Such that a roof overhang projects no more than ~~0.6m (2.0ft)~~ 0.3m (0.98ft) into a rear or side yard setback area.

5.3.10 Where a site requires vehicular access from the front public roadway to a detached garage at the rear of the site, one side yard setback to the principal building shall be a minimum of 3.0m (10.0ft).

## Sheds

5.3.11 Unless otherwise provided in a specific Land Use District, Sheds within Residential Land Use Districts shall be located:

- (a) No closer than 1.2m (3.9ft) from the principal building; and
- (b) Such that a roof overhang projects no more than ~~0.6m (2.0ft)~~ 0.3m (0.98ft) into the side or rear yard setback area.

## 5.5 Building and Structure Projections in Residential Land Use Districts

5.5.1 Subject to the approval of the Development Authority, the following maximum projections into required yard setback areas may be permitted (Table 5.5):

Table 5.5: Maximum Residential Building and Structure Projections

Projection	Front Yard Setback Area	Rear Yard Setback Area	Side Yard Setback Area
Air Conditioning Unit	Not permitted	1.2m (3.9ft) max	0.6m (2.0ft) max
Bay window	0.6m (2.0ft) max	1.2m (3.9ft) max	0.6m (2.0ft) max
Chimney, including eave, 1.83m (6.0ft) in width or less	1.2m (3.9ft) max	1.2m (3.9ft) max	0.6m (2.0ft) max
Eaves of a Principal Building	0.6m (2.0ft) max	0.6m (2.0ft) max	0.6m (2.0ft) max
Eaves of an Accessory Building	0.3m (1.0ft) max	0.3m (1.0ft) max	0.3m (1.0ft) max
Landing less than 2.5m <sup>2</sup> (26.7ft <sup>2</sup> ) in area providing access to the main or lower level of the dwelling to which it is attached	To the lot line	To the lot line	To the lot line
Patio	To the lot line	To the lot line	To the lot line
Uncovered deck or balcony	1.5m (4.9ft) max	2.4m (7.9ft) max	Not Permitted
Unenclosed Stairway	1.2m (3.9ft) max	1.2m (3.9ft) max	0.6m (2.0ft) max
Wheelchair Ramp	To the lot line	To the lot line	To the lot line
Window Well	0.6m (2.0ft) max	0.6m (2.0ft) max	0.6m (2.0ft) max

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

- (a) Subject to the approval of the Development Authority, a Room-Enhancing Cantilever may 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**

- 5.6.1 Decks within Residential Land Use Districts shall be located to preserve the privacy on adjacent properties.
- 5.6.2 Decks within Residential Land Use Districts shall require a Development Permit if located ~~more than~~ 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 **2 5.5**.
- 5.6.3 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.

**5.8 Fences, Walls and Hedges in Residential Districts**

- 5.8.1 Fences, walls or hedges within Residential Land Use Districts on interior lots shall be no higher than:
- (a) 1.8m (6.0ft) along a rear or side yard property line; and
  - (b) 0.91m (3.0ft) along the front yard property line.
- 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 (~~5.9~~ 6.0 ft).
- 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 (~~5.9~~ 6.0 ft) 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.
- 5.8.4 There shall be no electrification of fences nor barbed wire in Residential Land Use Districts.
- 5.8.5 Notwithstanding anything in this section, no fence is permitted in the front or side yard of a corner lot if, in the opinion of the Development Officer, the fence will block or impede traffic sight lines.

## 5.9 Landscaping Requirements for Residential Land Uses

- 5.9.1 Any portion of a site located in any Residential Land Use District that is not occupied by buildings, structures, parking, vehicular circulation, or loading areas shall be landscaped or maintained in its natural state (if the natural portion of the site consists of a body of water, swamp, gully, ravine, coulee, natural drainage course, or other environmentally sensitive area).
- 5.9.2 ~~No less than 25% No more than 75%~~ of the front yard of any single detached, semi-detached, duplex or multi-attached dwelling shall be ~~landscaped with soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings covered in hard landscaping.~~

## 5.11 Objects Prohibited or Restricted in Residential Districts

- 5.11.1 No person shall keep or permit to be kept in any part of a yard in any Residential Land Use District:
- ~~(a) Any inoperable, unlicensed, unregistered or derelict vehicle for more than 14 successive days;~~
  - ~~(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;~~



~~(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~~

(d) Any excavation, storage or piling up of materials required during construction unless all necessary safety measures are undertaken. The owner of such materials or excavations shall assume full responsibility to ensure that the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

## 5.15 R1 – Large Lot Residential District

### 5.15.1 R1 Purpose

This District is generally intended to recognize existing single detached dwellings in mature neighbourhoods while allowing new, low density redevelopment that is sensitive to the scale, character and design of existing development on the block face.

### 5.15.2 R1 Permitted and Discretionary Uses

<b>(a) R1 Permitted</b>	<b>(b) R1 Discretionary</b>
<ul style="list-style-type: none"> <li>- Home Office</li> <li>- Secondary Suite Dwelling</li> <li>- Single Detached Dwelling</li> <li>- <del>Swimming Pool</del></li> <li>- Accessory development to any use listed in subsection 5.15.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast</li> <li>- Community Garden</li> <li>- Day Care Facility (limited)</li> <li>- Group Home (limited)</li> <li>- Home Business</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.15.2(b)</li> </ul>

### 5.15.3 R1 Site Subdivision Regulations for Single Detached Dwellings

	<b>Interior Site</b>	<b>Corner Site</b>
(a) Site Area	578.0m <sup>2</sup> (6,211.5.2ft <sup>2</sup> )	646.0m <sup>2</sup> (6,953.5ft <sup>2</sup> )
(b) Site Width	17.0m (55.7ft) minimum with a lane  20.0m (65.6ft) minimum without a lane	19.0m (62.3ft) minimum with a lane  21.0m (68.9ft) minimum without a lane
(c) Site Depth	34.0m (111.6ft) minimum	

### 5.15.4 R1 Site Development Regulations for Single Detached Dwellings.

	<b>Interior Site</b>	<b>Corner Site</b>	
(a) Front Yard Setback	7.0m (23.0ft) minimum  8.0m (26.3ft) maximum	Front	7.0m (23.0ft) minimum
			8.0m (26.3ft) maximum
		Flanking	6.0m (19.7ft) minimum  7.0m (23.0ft) maximum
(b) Rear Yard Setback	8.0m (26.2ft) minimum  6.0m ( 19.6ft) minimum where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the site		
(c) Side Yard Setback	2.3m (7.6ft) minimum		
	Where a site has a rear detached garage with vehicular access from the front only, one side yard setback shall be a minimum of 3.0m (10.0ft)		
(d) Principal Building Height	Two and one half (2 ½) storeys not to exceed 10.0m (32.8ft) maximum		
(e) Site Coverage	40% maximum for principal building over one storey, excluding decks		

	45% maximum for principal building of one storey, excluding decks
	45% maximum for all buildings and structures where principal building is over one storey
	50% maximum for all buildings and structures where principal building is one storey
	15% maximum total lot coverage for all accessory buildings
(f) Density	Maximum of one dwelling unit per site, plus one secondary suite dwelling unit where permitted

#### 5.15.5 Additional Development Regulations for R1:

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs; and
- (b) Subject to Section 1.3.5, where a dwelling constructed prior to the adoption of this Bylaw exceeds the maximum front yard setback, it shall be considered to be in conformity with the Land Use Bylaw.

### 5.16 R2 – Medium Lot Residential District

#### 5.16.1 R2 Purpose

This District is generally intended to accommodate single detached dwellings and accessory uses on medium sized lots.

#### 5.16.2 R2 Permitted and Discretionary Uses

(a) R2 Permitted	(b) R2 Discretionary
<ul style="list-style-type: none"> <li>- Home Office</li> <li>- Secondary Suite Dwelling</li> <li>- Single Detached Dwelling</li> <li>- <del>Swimming Pool</del></li> <li>- Accessory development to any use listed in subsection 5.16.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast</li> <li>- Boarding Facility</li> <li>- Community Garden</li> <li>- Day Care Facility (limited)</li> <li>- Group Home (limited)</li> <li>- Home Business</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.16.2(b)</li> </ul>

### 5.16.3 R2 Site Subdivision Regulations

	Interior Site	Corner Site
a) Site Area	493.0m <sup>2</sup> (5,306.6ft <sup>2</sup> ) minimum	544.0m <sup>2</sup> (5,855.6ft <sup>2</sup> ) minimum
b) Site Width	14.5m (47.6ft) minimum	16.0m (52.5ft) minimum
c) Site Depth	34.0m (111.6ft) minimum	

### 5.16.4 R2 Site Development Regulations

	Interior Site	Corner Site	
a) Front Yard Setback	6.0m (19.7ft) minimum  7.0m (23.0ft) maximum	Front	6.0m (19.7ft) minimum
			7.0m (23.0ft) maximum
		Flanking	3.0m (9.8ft) minimum  4.5m (14.8ft) maximum
b) Rear Yard Setback	8.0m (26.3ft) minimum  6.0m (19.6ft) minimum where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the site		
c) Side Yard Setback	1.5m (4.9ft) minimum		
	Where a site has a rear detached garage with vehicular access from the front only, one side yard setback shall be a minimum of 3.0m (9.8ft)		
d) Principal Building Height	Two and one half (2 ½) storeys not to exceed 10.0m (32.8ft) maximum		
e) Site Coverage	40% maximum for principal building over one storey, excluding decks		
	45% maximum for principal building of one storey, excluding decks		
	45% maximum for all buildings and structures where principal building is over one storey		
	50% maximum for all buildings and structures where principal building is one storey		
	<b>15% maximum total lot coverage for all accessory buildings</b>		
f) Density	Maximum of one dwelling unit per site, plus one secondary suite dwelling unit where permitted		

### 5.16.5 Additional Development Regulations for R2

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs; and

- (b) Subject to Section 1.3.5, where a dwelling constructed prior to the adoption of this Bylaw exceeds the maximum front yard setback, it shall be considered to be in conformity with the Land Use Bylaw.

## 5.17 R3 – Small Lot Residential District

### 5.17.1 R3 Purpose

This District is generally intended to accommodate single detached dwellings and accessory uses on small lots.

### 5.17.2 R3 Permitted and Discretionary Uses

(a) R3 Permitted	(b) R3 Discretionary
<ul style="list-style-type: none"> <li>- Home Office</li> <li>- Secondary Suite Dwelling</li> <li>- Single Detached Dwelling</li> <li>- <del>Swimming Pool</del></li> <li>- Accessory development to any use listed in subsection 5.17.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast</li> <li>- Community Garden</li> <li>- Day Care Facility (limited)</li> <li>- Group Home (limited)</li> <li>- Home Business</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.17.2(b)</li> </ul>

### 5.17.3 R3 Site Subdivision Regulations

	Interior Site	Corner Site
a) Site Area	374.0m <sup>2</sup> (4,024.0ft <sup>2</sup> ) minimum	435.2m <sup>2</sup> (4,684.6ft <sup>2</sup> ) minimum
b) Site Width	11.6m (38.0ft) minimum	11.8m (38.7ft) minimum
c) Site Depth	34.0m (111.6ft) minimum	

### 5.17.4 R3 Site Development Regulations

	Interior Site	Corner Site	
a) Front Yard Setback	6.0m (19.7ft) minimum  7.0m (23.0ft) maximum	Front	6.0m (19.7ft) minimum
			7.0m (23.0ft) maximum
		Flanking	3.0m (9.8ft) minimum  4.5m (14.8ft) maximum
b) Rear Yard Setback	8.0m(26.2ft) minimum  6.0m (19.6ft) minimum where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the site		
c) Side Yard Setback	1.5m (4.9ft) minimum		

d) Principal Building Height	Two and one half (2 ½) storeys not to exceed 10.0m (32.8ft) maximum
e) Site Coverage	45% maximum for principal building over one storey, excluding decks 50% maximum for principal building of one storey, excluding decks 50% maximum for all buildings and structures where principal building is over one storey 55% maximum for all buildings and structures where principal building is one storey
f) Density	Maximum of one dwelling unit per site, plus one secondary suite dwelling where permitted

#### 5.17.5 Additional Development Regulations for R3:

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs;
- (b) Subject to Section 1.3.4, where a dwelling constructed prior to the adoption of this Bylaw has a 1.2m (3.9ft) minimum side yard setback, it shall be considered to be in conformity with the Land Use Bylaw;
- (c) Subject to Section 1.3.4, where a dwelling is to be constructed on a site located in a subdivision with an application received and deemed complete prior to the adoption of this Bylaw, it may be constructed with a 1.2m (3.9ft) side yard; and
- (d) Subject to Section 1.3.5, where a dwelling constructed prior to the adoption of this Bylaw exceeds the maximum front yard setback, it shall be considered to be in conformity with the Land Use Bylaw.

### 5.17 R4 – Lane Lot Residential District

#### 5.18.1 R4 Purpose

This District is generally intended to accommodate street-oriented single or semi-detached and duplex dwellings and accessory uses on small lots with vehicular access via a rear lane.

#### 5.18.2 R4 Permitted and Discretionary Uses

(a) R4 Permitted	(b) R4 Discretionary
<ul style="list-style-type: none"> <li>- Duplex Dwelling</li> <li>- Home Office</li> <li>- Single Detached Dwelling</li> <li>- Semi-Detached Dwelling</li> <li>- <del>Swimming Pool</del></li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast</li> <li>- Community Garden</li> <li>- Day Care Facility (limited)</li> <li>- Group Home (limited)</li> <li>- Home Business</li> </ul>

- Accessory development to any use listed in subsection 5.18.2(a)	- Show Home - Temporary Sales Centre - Accessory development to any use listed in subsection 5.18.2(b)
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#### 5.18.3 R4 Site Subdivision Regulations for Single Detached and Duplex Dwellings

	<b>Interior Site</b>	<b>Corner Site</b>
a) Site Area	306.2m <sup>2</sup> (3,403.5ft <sup>2</sup> ) minimum	384.2m <sup>2</sup> (4,135.5ft <sup>2</sup> ) minimum
b) Site Width	9.3m (30.5ft) minimum	11.3m (37.0ft) minimum
c) Site Depth	34.0 (111.6ft) minimum	

#### 5.18.4 R4 Site Subdivision Regulations for Semi-Detached Dwellings

	<b>Interior Site</b>	<b>Corner Site</b>
a) Site Area	258.4m <sup>2</sup> (2,781.5ft <sup>2</sup> ) minimum	309.4m <sup>2</sup> (3,330.5ft <sup>2</sup> ) minimum
b) Site Width	7.6m (25.0ft) minimum	9.1m (30.0ft) minimum
c) Site Depth	34.0m (111.6ft) minimum	

#### 5.18.5 R4 Site Development Regulations

	<b>Interior Site</b>	<b>Corner Site</b>	
a) Front Yard Setback	3.0m (9.8ft) minimum  4.5m (14.8ft) maximum	Front	3.0m (9.8ft) minimum
			4.5m (14.8ft) maximum
		Flanking	3.0m (9.8ft) minimum  4.5m (14.8ft) maximum
b) Rear Yard Setback	8.0m(26.2ft) minimum 6.0m ( 19.6ft) minimum where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the site		
c) Side Yard Setback	1.5m (4.9ft) minimum		
d) Principal Building Height	Two and one half (2 ½) storeys not to exceed 10.0m (32.8ft) maximum		
e) Site Coverage	45% maximum for principal building over one storey, excluding decks		
	50% maximum for principal building of one storey, excluding decks		
	52% maximum for all buildings and structures where principal building is over one storey		
	57% maximum for all buildings and structures where principal building is one storey		

f) Density	For single detached and semi-detached dwellings, maximum of one dwelling unit per site
	For duplex dwellings, maximum of two dwelling units per site

#### 5.18.6 Additional Development Regulations for R4:

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs;
- (b) Subject to Section 1.3.4, where a dwelling constructed prior to the adoption of this Bylaw has a 1.2m (3.9ft) minimum side yard setback, it shall be considered to be in conformity with the Land Use Bylaw;
- (c) Subject to Section 1.3.4, where a dwelling is to be constructed on a site located in a subdivision with an application received and deemed complete prior to the adoption of this Bylaw, it may be constructed with a 1.2m (3.9ft) side yard; and
- (d) Subject to Section 1.3.5, where a dwelling constructed prior to the adoption of this Bylaw exceeds the maximum front yard setback, it shall be considered to be in conformity with the Land Use Bylaw.

### 5.19 R5 – Semi-Detached and Duplex Residential District

#### 5.19.1 R5 Purpose

This District is generally intended to accommodate semi-detached and duplex dwellings and accessory uses.

#### 5.19.2 R5 Permitted and Discretionary Uses

(a) R5 Permitted	(b) R5 Discretionary
<ul style="list-style-type: none"> <li>- Duplex Dwelling</li> <li>- Home Office</li> <li>- Semi-Detached Dwelling</li> <li>- <del>Swimming Pool</del></li> <li>- Accessory development to any use listed in subsection 5.19.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Community Garden</li> <li>- Day Care Facility (limited)</li> <li>- Group Home (limited)</li> <li>- Home Business</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.19.2(b)</li> </ul>



### 5.19.3 R5 Site Subdivision Regulations for Duplex Dwellings

	<b>Interior Site</b>	<b>Corner Site</b>
a) Site Area	340.0m <sup>2</sup> (3,659.9ft <sup>2</sup> ) minimum	408.0m <sup>2</sup> (4,391.8ft <sup>2</sup> ) minimum
b) Site Width	10.0m (32.8ft) minimum with a lane 11.0m (36.1ft) minimum without a lane	11.0m (36.1 ft) minimum with a lane 13.0m (42.7ft) minimum without a lane
c) Site Depth	34.0m (111.6ft) minimum	

### 5.19.4 R5 Site Subdivision Regulations for Semi-Detached Dwellings

	<b>Interior Site</b>	<b>Corner Site</b>
a) Site Area	282.0m <sup>2</sup> (3,035.5ft <sup>2</sup> ) minimum	340.0m <sup>2</sup> (3,659.8ft <sup>2</sup> ) minimum
b) Site Width	8.3m (27.2ft) per side of each semi-detached dwelling unit*	10.0m (32.8ft) per side of each semi-detached dwelling unit*
c) Site Depth	34.0m (111.6ft) minimum	

### 5.19.5 R5 Site Development Regulations

	<b>Interior Site</b>	<b>Corner Site</b>	
a) Front Yard Setback	6.0m (19.7ft) minimum  7.0m (23.0ft) maximum	Front	6.0m (19.7ft) minimum  7.0m (23.0ft) maximum
		Flanking	3.0m (9.8ft) minimum  4.5m (14.8ft) maximum
b) Rear Yard Setback	8.0m(26.2ft) minimum 6.0m ( 19.6ft) minimum where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the site		
c) Side Yard Setback	1.5m (4.9ft) minimum		
d) Principal Building Height	Two and one half (2 ½) storeys not to exceed 10.0m (32.8ft) maximum		
a) Site Coverage	40% maximum for principal building over one storey, excluding decks  45% maximum for principal building of one storey, excluding decks		
	45% maximum for all buildings and structures where principal building is over one storey  50% maximum for all buildings and structures where principal building is one storey		
b) Density	For semi-detached dwellings, maximum of one dwelling unit per site		

	For duplex dwellings, maximum of two dwelling units per site
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#### 5.19.6 Additional Development Regulations for R5:

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs;
- (b) Subject to Section 1.3.4 where a dwelling constructed prior to the adoption of this Bylaw has a 1.2m (3.9ft) minimum side yard setback, it shall be considered to be in conformity with the Land Use Bylaw;
- (c) Subject to Section 1.3.4 where a dwelling is to be constructed on a site located in a subdivision with an application received and deemed complete prior to the adoption of this Bylaw; and
- (d) Subject to Section 1.3.5, where a dwelling constructed prior to the adoption of this Bylaw exceeds the maximum front yard setback, it shall be considered to be in conformity with the Land Use Bylaw.

#### 5.20 RE – Residential Estate Lot District

##### 5.20.1 RE Purpose

This District is generally intended to permit single detached dwellings on lots under 0.8ha with municipal water and sewer services, or on lots greater than 0.8ha without municipal water and sewer services in neighbourhoods with more rural road and servicing standards.

(a) RE Permitted	(b) RE Discretionary
<ul style="list-style-type: none"> <li>- Home Office</li> <li>- Secondary Suite Dwelling</li> <li>- Single Detached Dwelling</li> <li>- <del>Swimming Pool</del></li> <li>- Accessory development to any use listed in subsection 5.20.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Agriculture</li> <li>- Bed and Breakfast</li> <li>- Community Garden</li> <li>- Day Care Facility (limited)</li> <li>- Group Home (limited)</li> <li>- Home Business</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.20.2(b)</li> </ul>

##### 5.20.2 RE Site Subdivision Regulations

	Interior or Corner Site
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a) Site Area	0.15ha (0.37 acre) minimum
b) Site Width	25.0m (82.0ft) minimum
c) Site Depth	60.0m (196.9ft) minimum

#### 5.20.3 RE Site Development Regulations

	Interior or Corner Site	
a) Front Yard Setback	Front Yard	10.0m (32.8ft) minimum
	Flanking Yard	6.5m (21.3ft) minimum on a corner site
b) Rear Yard Setback	10.0m (32.8ft) minimum 2.0m (6.6ft) minimum for accessory developments	
c) Side Yard Setback	3.0m (9.8ft) minimum for sites under 0.8ha (2.0ac) 6.0m (19.7ft) minimum for sites over 0.8ha (2.0ac) 2.0m (6.6ft) minimum for accessory developments	
d) Building Height	Principal building: Three storeys not to exceed 14.0m (45.9ft) maximum	
	Accessory development: 7.3m (24.0ft) maximum with a maximum wall height of 3.7m (12.0ft) for sites under 0.8ha (2.0ac)	
	Accessory development: 8.0m (26.3ft) maximum for sites over 0.8ha (2.0ac)	
e) Site Coverage	35% maximum for all buildings and structures, except that the combined building floor area for all detached garages and Accessory buildings on a site shall not exceed: 232.3m <sup>2</sup> (2,500.5ft <sup>2</sup> ) in size on lots 0.4ha (0.99 acres) in size or less; or 464.5m <sup>2</sup> (4,999.8ft <sup>2</sup> ) in size on lots greater than 0.4ha (0.99 acres).	
f) Density	Maximum of one dwelling unit per site, plus one secondary suite dwelling where permitted	

#### 5.20.4 Additional Development Regulations for RE

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs;
- (b) Notwithstanding the site subdivision regulations above, no further subdivision is permitted for existing parcels with no municipal servicing and for which there is no approved Statutory Plan supporting further subdivision of existing parcels. This shall not apply to lot line adjustments or other applications which do not result in an increase in the number of lots;
- (c) A secondary access on RE sites with a minimum frontage width of 28.0m (91.9ft) or corner sites may be permitted at the discretion of the Development Authority;

- (d) The keeping of any animals, other than domestic pets, shall be subject to the City's Animal Control Bylaw;
- (e) No livestock or poultry shall be permitted except on properties greater than 0.8ha (2.0 ac); and
- (f) Servicing requirements shall be determined by the Development Authority with special consideration for the following:
  - i. On-site water supply and sewage disposal shall not be permitted on sites with less than 0.8 ha (2.0 acres) of area; and
  - ii. For sites equal to or greater than 0.8ha (2.0 acres), on-site water supply and sewage disposal shall be provided to the standards required by the City of Fort Saskatchewan and in accordance with all Provincial requirements.

## 5.21 RC – Comprehensively Planned Residential District

### 5.21.1 RC Purpose

The purpose of this District is to accommodate a range and an appropriate distribution of dwelling forms that provides for more efficient utilization of land in new neighbourhoods, while encouraging diversity of built form within a low-density residential setting. A range of housing types consist of low density housing including multi-attached housing under certain conditions.

### 5.21.2 RC Permitted and Discretionary Uses

(a) RC Permitted	(b) RC Discretionary
<ul style="list-style-type: none"> <li>- Duplex Dwelling</li> <li>- Home Office</li> <li>- Identification Sign</li> <li>- Multi-Attached Dwelling</li> <li>- Secondary Suite Dwelling</li> <li>- Semi-Detached Dwelling</li> <li>- Single Detached Dwelling</li> <li>- Accessory development to any use listed in subsection 5.21.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast</li> <li>- Community Garden</li> <li>- Day Care Facility (limited)</li> <li>- Group Home (limited)</li> <li>- Home Business</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.21.2(b)</li> </ul>

### 5.21.3 RC Site Subdivision Regulations for Single Detached Dwellings and Duplex Dwellings

	Interior Site	Corner Site
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
Site Width	9.1m (29.9ft) minimum	10.6m (34.8ft) minimum

Site Depth	34.0m (111.5ft) minimum
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#### 5.21.4 RC 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	34.0m (111.5ft) minimum	

#### 5.21.5 RC Site Development Regulations for Single Detached, Duplex and Semi-Detached Dwellings

	Interior or Corner Site	
a) Front Yard Setback	Front Yard*	3.0m (9.8ft) minimum with a lane
		4.5m (14.7ft) maximum with a lane
		*Where a semi-detached dwelling has front vehicular access to one unit and rear vehicular access via a lane to the other unit, the front yard setback for the unit with lane access may be increased to a maximum of 7.0m (23.0ft)
		6.0m (19.7ft) minimum without a lane
	7.0m (23.0ft) maximum without a lane	
Flanking Yard	3.0m (9.8ft) minimum on a corner site	
	4.5m (14.8ft) maximum on a corner site	
b) Rear Yard Setback	8.0m (26.2ft) minimum	
	6.0m (19.7ft) minimum where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the property	
c) Side Yard Setback	1.5m (4.9ft) minimum	
d) Principal Building Height	For single detached and duplex dwellings: Two and one half (2 ½) storeys not to exceed 10.0m (32.8ft) maximum	
	For semi-detached dwellings: Three storeys not to exceed 11.0m (39.4ft) maximum. A maximum differential of one storey shall be allowed between adjacent sites.	
e) Site Coverage	45% maximum for principal building over one storey, excluding decks	

	50% maximum for principal building of one storey, excluding decks
	52% maximum for all buildings and structures where principal building is over one storey
	57% maximum for all buildings and structures where principal building is one storey
f) Density	For single detached dwellings: maximum of one dwelling unit per site, plus one secondary dwelling unit where permitted  For semi-detached dwellings: maximum of one dwelling unit per site  For duplex dwellings: maximum of two dwelling units per site

#### 5.21.6 RC 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	34.0m (111.5ft) minimum	

#### 5.21.7 RC Site Development Regulations for Multi-Attached Dwellings

	Interior or Corner Site	
a) Front Yard Setback	Front Yard**	3.0m (9.8ft) minimum with a lane  4.5m (14.8ft) maximum with a lane  **Where a multi-attached dwelling has front vehicular access to one or more dwelling units and rear vehicular access via a lane to other units, the front yard setback for units with lane access may be increased to a maximum of 9.0m (29.5ft)
		6.0m (19.7ft) minimum without a lane  7.0m (23.0ft) maximum without a lane
	Flanking Yard	3.0m (9.8ft) minimum on a corner site  4.5m (14.8ft) maximum on a corner site

b) Rear Yard Setback	8.0m (26.2ft) minimum
	6.0m ( 19.6ft) minimum where a garage or carport is attached to the principal building and is accessed from a lane at the rear of the site
c) Side Yard Setback	1.5m (4.9ft) minimum
d) Principal Building Height	Three storeys not to exceed 11.0m (36.1ft) maximum. A maximum differential of one storey shall be allowed between adjacent sites.
e) Site Coverage	45% maximum for principal building
	52% maximum for all buildings and structures
f) Density	Maximum of one dwelling unit per site

#### 5.21.9 Additional Development Regulations for RC

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs; and

~~(b) No vehicular access to the street shall be permitted from the front yard when a rear lane is provided.~~

#### 5.21.10 Additional Subdivision and Development Regulations for Multi-Attached Dwellings

- (a) Groupings of Multi-Attached Developments shall be integrated with lower density dwelling forms to maintain a low-density residential character;
- (b) Multi-Attached Dwellings shall not exceed four (4) units per building; and
- (c) There shall be no more than three (3) Multi-Attached Buildings in succession. For the purposes of this subsection, buildings of Multi-Attached Dwellings shall be considered to be in succession if side property lines are separated by a lane.

~~(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.~~

### 5.21.11 Side Yard Setback Exceptions

- (a) Notwithstanding the above site development regulations, where a dwelling constructed prior to the adoption of this Bylaw (as amended) has a 1.2m (3.9ft) minimum side yard setback, it shall be considered to be in conformity with the Land Use Bylaw; and
- (b) Notwithstanding the above site development regulations, where a dwelling is to be constructed on a site located in a subdivision with an application received and deemed complete prior to the adoption of this Bylaw (as amended), it may be constructed with a 1.2m (3.9ft) side yard.

## 5.22 RML – Low Density Multiple Residential District

### 5.22.1 RML Purpose

This District is intended to provide for the development mixed residential forms as part site-specific condominium developments.

(a) RML Permitted	(b) RML Discretionary
<ul style="list-style-type: none"><li>- Apartment Dwelling</li><li>- Home Office</li><li>- Identification Sign</li><li>- Multi-Attached Dwelling</li><li>- Semi-Detached Dwelling</li><li>- Accessory development to any use listed in subsection 5.22.2(a)</li></ul>	<ul style="list-style-type: none"><li>- Assisted Living Facility (limited)</li><li>- Community Garden</li><li>- Day Care Facility (limited)*</li><li>- Duplex Dwelling</li><li>- Group Home (limited)*</li><li>- Home Business*</li><li>- Show Home</li><li>- Temporary Sales Centre</li><li>- Accessory development to any use listed in subsection 5.22.2(b)</li></ul>

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

### 5.22.3 RML Site Subdivision Regulations for Semi-Detached Dwellings

	Interior Site	Corner Site
a) Site Area	255.0m <sup>2</sup> (2,744.8ft <sup>2</sup> ) minimum	306.0m <sup>2</sup> (3,401.4ft <sup>2</sup> ) minimum
b) Site Width	7.5m (24.6ft) minimum per side of semi-detached dwelling	9.3m (30.5ft) minimum per side of semi-detached dwelling
c) Site Depth	34.0m (111.6ft) minimum	



#### 5.22.4 RML Site Development Regulations for Semi-Detached Dwellings\*\*

	Interior or Corner Site	
a) Front Yard Setback	Front Yard	6.0m (19.7ft) minimum
	Flanking Yard	3.0m (9.8ft) minimum on a corner site
b) Rear Yard Setback	8.0m (26.2ft) minimum 6.0m (19.7ft) minimum where a garage or Carport is attached to the principal building and is accessed from a lane at the rear of the property	
c) Side Yard Setback	1.5m (4.9ft) minimum	
d) Principal Building Height	Two and one half (2 ½) storeys not to exceed 10.0m (32.8ft) maximum	
e) Site Coverage	45% maximum for principal building over one storey, excluding decks	
	50% maximum for principal building of one storey, excluding decks	
	52% maximum for all buildings and structures where principal building is over one storey 57% maximum for all buildings and structures where principal building is one storey	
f) Density	Maximum of one dwelling unit per site to a maximum development density of 36 dwelling units per net developable hectare.	

#### 5.22.5 RML Site Subdivision Regulations for Multi-Attached Dwellings

	Interior Site	Corner Site
a) Site Area	207.0m <sup>2</sup> (2,218.2ft <sup>2</sup> ) minimum	360.0m <sup>2</sup> (3,293.9ft <sup>2</sup> ) minimum
b) Site Width	6.1m (20.0ft) per unit	10.6m (34.8ft) per unit
c) Site Depth	34.0m (111.6ft) minimum	

#### 5.22.6 RML Site Subdivision Regulations for Apartment Dwellings

	Interior Site	Corner Site
a) Site Area	748.0m <sup>2</sup> (8,051.7ft <sup>2</sup> ) minimum	918.0m <sup>2</sup> (9,881.6ft <sup>2</sup> ) minimum
b) Site Width	21.0m (68.9ft) minimum	27.0m (88.6ft) minimum
c) Site Depth	34.0m (111.6ft) minimum	

#### 5.22.7 RML Site Development Regulations for Multi-Attached and Apartment Dwellings\*\*

	Interior Site	Corner Site	
a) Front Yard Setback	6.0m (19.7ft) minimum	Front	7.0m (23.0ft) minimum
		Flanking	4.5m (14.8ft) minimum

b) Rear Yard Setback	8.0m (26.2ft) minimum
c) Side Yard Setback	2.0m (6.6ft) minimum
d) Principal Building Height	Three storeys not to exceed 11.0m (36.1ft) maximum. A maximum differential of one storey shall be allowed between adjacent sites.
e) Site Coverage	35% minimum 50% maximum
f) Density	Maximum of 36 dwelling units per net developable hectare

\*\* Internal site setbacks for condominium sites may be reduced and shall be determined at the discretion of the Development Authority.

#### 5.22.8 Additional Development Regulations for RML:

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs;
- (b) Subject to Section 1.3.4 where a dwelling constructed prior to the adoption of this Bylaw has a 1.2m (3.9ft) minimum side yard setback, it shall be considered to be in conformity with the Land Use Bylaw; and
- (c) Subject to Section 1.3.4 where a dwelling is to be constructed on a site located in a subdivision with an application received and deemed complete prior to the adoption of this Bylaw, it may be constructed with a 1.2m (3.9ft) side yard.

### 5.23 RMM – Medium Density Multiple Residential District

#### 5.23.1 RMM Purpose

This District is intended to provide for the development of complete neighbourhoods by permitting a range of dwelling unit types and Densities, as well as a limited range of complementary and supporting neighbourhood level commercial and service uses. This District accommodates semi-detached and multi-unit developments including apartments up to four storeys in height, and development is intended to achieve a density target of between 36 and 70 dwelling units per net developable hectare.

### 5.23.2 RMM Permitted and Discretionary Uses

(a) RMM Permitted	(b) RMM Discretionary
<ul style="list-style-type: none"> <li>- Apartment Dwelling</li> <li>- Facia Sign</li> <li>- Home Office</li> <li>- Identification Sign</li> <li>- Multi-Attached Dwelling</li> <li>- Projecting Sign</li> <li>- <del>Show Suite in an apartment dwelling</del></li> <li>- Accessory development to any use listed in subsection 5.23.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Assisted Living Facility (limited)</li> <li>- Community Garden</li> <li>- Day Care Facility (limited)*</li> <li>- Eating and Drinking Establishment (limited)</li> <li>- Home Business*</li> <li>- Personal Service</li> <li>- Professional, Financial, and Office Service</li> <li>- Retail Store (convenience)</li> <li>- Semi-Detached Dwelling</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.23.2(b)</li> </ul>

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

### 5.23.3 RMM Site Subdivision Regulations for Semi-Detached Dwellings

	Interior Site	Corner Site
a) Site Area	248.2m <sup>2</sup> (2,671.6ft <sup>2</sup> ) minimum	336.7m <sup>2</sup> (3,624.3ft <sup>2</sup> ) minimum

### 5.23.3 RMM Site Subdivision Regulations for Semi-Detached Dwellings

	Interior Site	Corner Site
b) Site Width	7.3m (24.0ft) minimum per side of semi-detached dwelling	9.1m (30.0ft) minimum per side of semi-detached dwelling
c) Site Depth	34.0m (111.5ft) minimum	

### 5.23.4 RMM Site Subdivision Regulations for Multi-Attached Dwellings

	Internal Unit	External Unit
a) Site Area	207.0m <sup>2</sup> (2,218.1ft <sup>2</sup> ) minimum	360.0m <sup>2</sup> (3,875.0ft <sup>2</sup> ) minimum
b) Site Width	6.1m (20.0ft) minimum 7.6m (24.9ft) minimum for an End unit	10.6m (34.8ft) minimum

c) Site Depth	34.0m (111.5ft) minimum
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#### 5.23.5 RMM Site Development Regulations for Semi-Detached and Multi-Attached Dwellings\*\*

	Interior or Corner Site	
a) Front Yard Setback	Front Yard	3.0m (9.8ft) minimum with a lane 4.5m (14.8ft) maximum with a lane 6.0m (19.6ft) minimum without a lane 7.0m (23.0ft) maximum without a lane
	Flanking Yard	3.0m (9.8ft) minimum on a corner site 4.5m (14.8ft) maximum on a corner site
b) Rear Yard Setback	8.0m (26.2ft) minimum 6.0m (19.7ft) minimum where a garage or Carport is attached to the principal building and is accessed from a lane at the rear of the property	
c) Side Yard Setback	1.5m (4.9ft) minimum	
d) Principal Building Height	Three storeys not to exceed 11.0m (36.1ft) maximum. A maximum differential of one storey shall be allowed between adjacent sites.	
e) Site Coverage	45% maximum for principal building over one storey, excluding decks 50% maximum for principal building of one storey, excluding decks 52% maximum for all buildings and structures where principal building is over one storey 57% maximum for all buildings and structures where principal building is one storey	
f) Density	For semi-detached dwellings: maximum of one dwelling unit per site to a development density of 36-70 dwelling units per net developable hectare. For multi-attached dwellings: to a development density of 36-70 dwelling units per net developable hectare	

#### 5.23.6 RMM Site Subdivision Regulations for Apartment Dwellings

	Interior Site	Corner Site
a) Site Area	748.0m <sup>2</sup> (8,051.4ft <sup>2</sup> ) minimum	918.0m <sup>2</sup> (9,881.3ft <sup>2</sup> ) minimum
b) Site Width	21.0m (68.9ft) minimum	27.0m (88.6ft) minimum
c) Site Depth	34.0m (111.5ft) minimum	

#### 5.23.7 RMM Site Development Regulations for Apartment Dwellings\*\*

	Interior Site	Corner Site	
a) Front Yard Setback	7.0m (23.0ft) minimum	Front	7.0m (23.0ft) minimum
		Flanking	6.0m (19.7ft) minimum
b) Rear Yard Setback	7.0m (23.0ft) minimum		

c) Side Yard Setback	6.0m (19.7ft) minimum
d) Principal Building Height	Four storeys not to exceed 18.2m (59.7ft) maximum. Buildings over three storeys shall provide appropriate transitions in height, scale and massing to adjacent sites.
e) Site Coverage	35% minimum 50% maximum
f) Density	36-70 dwelling units per net developable hectare

\*\* Internal site setbacks for condominium sites may be reduced and shall be determined at the discretion of the Development Authority.

#### 5.23.8 Additional Development Regulations for RMM

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs;
- (b) Subject to Section 1.3.4 where a dwelling constructed prior to the adoption of this Bylaw has a 1.2m (3.9ft) minimum side yard setback, it shall be considered to be in conformity with the Land Use Bylaw;
- (c) Subject to Section 1.3.4 where a dwelling is to be constructed on a site located in a subdivision with an application received and deemed complete prior to the adoption of this Bylaw, it may be constructed with a 1.2m (3.9ft) side yard;
- (d) Development shall achieve a density of between 36 and 70 dwelling units per net developable hectare;
- (e) Where the boundary of the development site is over 800 metres (2,624ft) from the boundary of the nearest C2 – Vehicle Oriented Retail and Service District or C3 – Commercial Shopping Centre District site, the development shall include a site designated for C1 – Neighbourhood Retail and Service District development;
- (f) Personal service, retail store (convenience) uses, professional, financial and office service uses and eating and drinking establishments (limited) shall not exceed 1,000m<sup>2</sup> (10,763ft<sup>2</sup>) in gross floor area or 10% of the gross floor area of the apartment dwelling building in which they are located, whichever is less. These uses are not permitted as a freestanding use in a stand-alone building and shall only be located in the ground floor of an apartment dwelling building; and
- (g) Notwithstanding the site development regulations above, front yard setbacks for multi-attached dwellings may be reduced to 0.0m to address internal streets, at the discretion of the Development Authority.

## 5.24 RMH – High Density Multiple Residential District

### 5.24.1 RMH Purpose

This District is intended to provide for higher density housing forms with close access to a range of complementary and supporting neighbourhood level commercial and service uses. This District accommodates multi-unit developments including apartments between five and 12 storeys and development is intended to achieve a density target of over 70 dwelling units per net developable hectare.

### 5.24.2 RMH Permitted and Discretionary Uses

(a) RMH Permitted	(b) RMH Discretionary
<ul style="list-style-type: none"><li>- Apartment Dwelling</li><li>- Facia Sign</li><li>- Home Office</li><li>- Identification Sign</li><li>- Multi-Attached Dwelling</li><li>- Projecting Sign</li><li><del>— Show Suite in an apartment dwelling</del></li><li>- Accessory development to any use listed in subsection 5.24.2(a)</li></ul>	<ul style="list-style-type: none"><li>- Assisted Living Facility (limited)</li><li>- Community Garden</li><li>- Day Care Facility <del>(limited)</del></li><li>- Eating and Drinking Establishment (limited)</li><li>- Home Business*</li><li>- Personal Service</li><li>- Professional, Financial, and Office Service</li><li>- Retail Store (convenience)</li><li><del>— Semi-Detached Dwelling</del></li><li>- Show Home</li><li>- Temporary Sales Centre</li><li>- Accessory development to any use listed in subsection 5.24.2(b)</li></ul>

\* Home business ~~and group home (limited)~~ uses may not occur within an apartment dwelling.

### 5.24.3 RMH Site Subdivision Regulations for Multi-Attached Dwellings

	Internal Unit	External Unit
a) Site Area	207.0m <sup>2</sup> (2,218.1ft <sup>2</sup> ) minimum	360.0m <sup>2</sup> (3,875.0ft <sup>2</sup> ) minimum
b) Site Width	6.1m (20.0ft) minimum	10.6m (34.8ft) minimum
c) Site Depth	34.0m (111.5ft) minimum	

### 5.24.4 RMH Site Development Regulations for Multi-Attached Dwellings\*\*

	Interior or Corner Site	
a) Front Yard Setback	Front Yard	3.0m (9.8ft) minimum with a lane
		4.5m (14.8ft) maximum with a lane
		6.0m (19.6ft) minimum without a lane
		7.0m (23.0ft) maximum without a lane
	Flanking Yard	3.0m (9.8ft) minimum on a corner site 4.5m (14.8ft) maximum on a corner site
b) Rear Yard Setback	8.0m (26.2ft) minimum	
c) Side Yard Setback	1.5m (4.9ft) minimum	
d) Principal Building Height	Three storey not to exceed 11.0m (36.1ft) maximum. A maximum differential of one storey shall be allowed between adjacent sites.	
e) Site Coverage	60% maximum for All buildings and structures	
f) Density	A minimum of 70 dwelling units per net developable hectare	

\*\* Internal site setbacks for condominium sites may be reduced and shall be determined at the discretion of the Development Authority.

#### 5.24.5 RMH Site Subdivision Regulations for Apartment Dwellings

	Interior or Corner Site
a) Site Area	1,360.0m <sup>2</sup> (14,638.9ft <sup>2</sup> ) minimum
b) Site Width	40.0m (130.2ft) minimum
c) Site Depth	34.0m (111.5ft) minimum

#### 5.24.6 RMH Site Development Regulations for Apartment Dwellings\*\*

	Interior Site	Corner Site	
a) Front Yard Setback	7.0m (23.0ft) minimum	Front	7.0m (23.0ft) minimum
		Flanking	6.0m (19.7ft) minimum
b) Rear Yard Setback	7.0m (23.0ft) minimum		
c) Side Yard Setback	6.0m (19.7ft) minimum		
d) Principal Building Height	12 storeys not to exceed 40.0m (131.2ft) maximum. Buildings over three storeys shall provide appropriate transitions in height, scale and massing to adjacent sites.		
e) Site Coverage	60% maximum for All buildings and structures		
f) Density	A minimum of 70 dwelling units per net development hectare		

\*\* Internal site setbacks for condominium sites may be reduced and shall be determined at the discretion of the Development Authority.

#### 5.24.7 Additional Development Regulations for RMH

- (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 5.1 to 5.13 of Part 5 – Residential Land Use Districts, Part 11 – Parking and Loading, and Part 12 – Signs;
- (b) Subject to Section 1.3.4 where a dwelling constructed prior to the adoption of this Bylaw has a 1.2m (3.9ft) minimum side yard setback, it shall be considered to be in conformity with the Land Use Bylaw; and
- (c) Subject to Section 1.3.4 where a dwelling is to be constructed on a site located in a subdivision with an application received and deemed complete prior to the adoption of this Bylaw, it may be constructed with a 1.2m (3.9ft) side yard.
- (d) Development shall achieve a density of over 70 dwelling units per net developable hectare;
- (e) Where the boundary of the development site is over 800 metres from the boundary of the nearest C2 – Vehicle Oriented Retail and Service District or



C3 – Commercial Shopping Centre District site, the development shall include a site designated for C1 – Neighbourhood Retail and Service District development;

- (f) Personal service, retail store (convenience) uses, professional, financial and office service uses and eating and drinking establishment (limited) shall not exceed 1,000m<sup>2</sup> (10,763ft<sup>2</sup>) in gross floor area or 10% of the gross floor area of the apartment dwelling building in which they are located, whichever is less. These uses are not permitted as a freestanding use in a stand-alone building and shall only be located in the ground floor of an apartment dwelling building;
- (g) No secondary suite dwellings shall be permitted in this District; and
- (h) Notwithstanding the site development regulations above, front yard setbacks for multi-attached dwellings may be reduced to 0.0m to address internal streets, at the discretion of the Development Authority.

## 5.25 RHR - High Rise Residential District

### 5.25.1 Purpose

This District is intended to provide for apartment buildings between 12 and 20 storeys and urban design direction to effectively integrate high rise developments with the surrounding planned or existing built form. Preferred sites will be located within close proximity (400.0m or 1312.3ft) to commercial amenities and transit nodes. This zoning is not intended for lands included within the Downtown Area Redevelopment Plan (Bylaw C14-08).

### 5.25.2 RHR Permitted and Discretionary Uses

(a) RHR Permitted Uses	(b) RHR Discretionary Uses
<ul style="list-style-type: none"> <li>- Apartment Dwelling</li> <li>- Facia Sign</li> <li>- Home Office</li> <li>- Identification Sign</li> <li>- Projecting Sign</li> <li><del>— Show Suite in an Apartment Dwelling</del></li> <li>- Accessory development to any use listed in subsection 5.25.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Assisted Living Facility</li> <li>- Business Support Service</li> <li>- Community Garden</li> <li>- Day Care Facility</li> <li>- Eating and Drinking Establishment (limited)</li> <li>- Health Services</li> <li>- <b>Personal Service</b></li> <li>- Professional, Financial and Office Services</li> <li>- Retail Store (convenience)</li> <li>- Retail Store (general)</li> <li>- Show Home</li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 5.25.2(b)</li> </ul>

### 5.25.3 Site Subdivision Regulations

		Interior or Corner Site
a) Site Area	Minimum	1,360.0m <sup>2</sup> (14,638.9ft <sup>2</sup> )

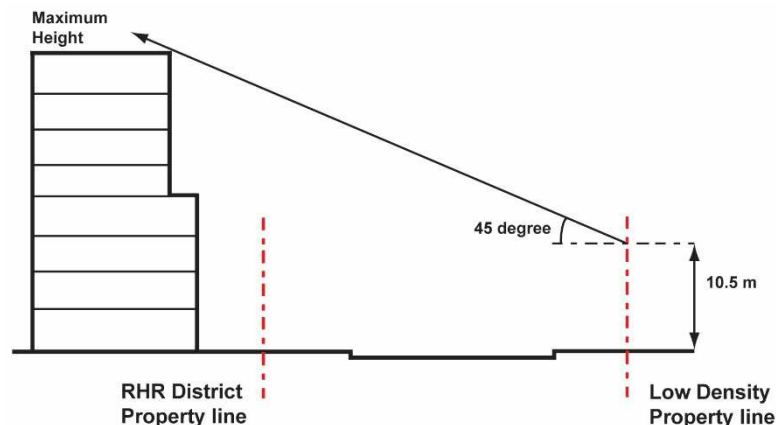
### 5.25.4 Site Development Regulations

		Interior or Corner Site
a) Setbacks	Minimum	7.0m (23.0ft)
b) Unit Density	Maximum	370 dwelling units per net developable hectare
c) Height	Minimum	12 storeys or 40.0m (131.2ft)
	Maximum	20 storeys or 67.0m (219.0ft), and as per Section 5.13.4(a) of this Bylaw.
d) Common Amenity Area	Minimum	4.5m <sup>2</sup> (48.4ft <sup>2</sup> ) per dwelling unit.
e) Private Amenity Area	Minimum	3.0m <sup>2</sup> (33.3ft <sup>2</sup> ) per dwelling unit to be provided by balconies. Balconies may project a maximum of 1.0m (3.3ft) into the minimum setback.

### 5.25.5 Urban Form, Building Massing and Architectural Character

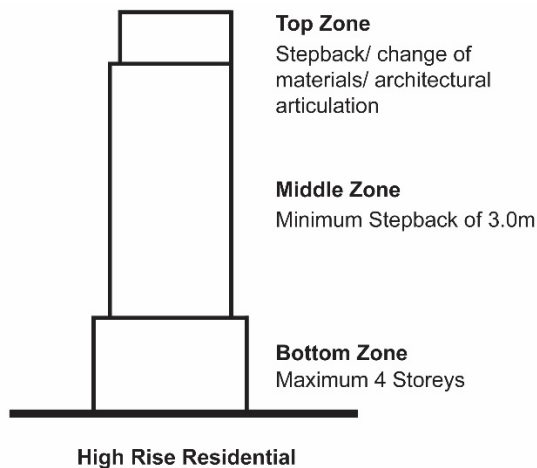
- (a) The maximum building height shall be limited by the application of a 45° Angular Plane where the RHR District abuts a District that allows low density residential. The 45° Angular Plane, as shown in Figure 5.25a, shall be taken from a height of 10.5m (34.4ft) above the nearest property line of the parcel that allows low density residential and subsequent storeys must fit within this angular plane.

Figure 5.25a: 45 Degree Angular Plane for Determining Height Maximums



- (b) Buildings shall provide three distinct vertical zones as per the Figure 5.25b, and meet the following step back requirements:
- i. The base zone shall be a minimum of two storeys and a maximum four storeys and shall be integrated with townhouses, apartments or commercial retail units;
  - ii. The middle zone shall provide a minimum step-back of 3.0m (9.8ft). To avoid adverse massing effects, the middle zone shall be no wider than 25 m (82 ft) on any side;
  - iii. The top zone shall include the top three stories. The top zone shall provide either an additional stepback or a change in material/colour or special architectural treatment to the satisfaction of the Development Authority.

Figure 5.25b: Vertical Zones



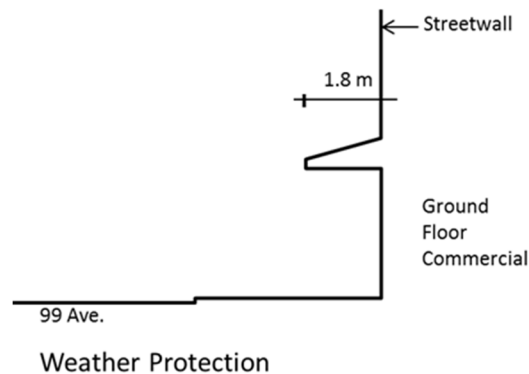
- (c) A minimum separation distance of 25.0m (82.0ft) shall be provided between towers. The 25.0m (82.0ft) separation distance shall be measured from the middle zone of each tower located on the property and on any adjacent or abutting properties.
- (d) Architectural treatment of all sides of the building shall create visual interest through the use of architectural features, materials, windows and articulation.
- (e) Buildings shall be finished with glass curtain wall, cement based envelope materials, such as brick veneer, stone veneer, or other manufactured stone veneer, and/or pre-finished metal, and/or painted metal, wood, brick or stone.
- (f) Exterior lighting shall be designed and finished in a manner consistent with the design and finishing of the development, be provided to ensure a well-lit environment and to highlight the development, to the satisfaction of the Development Authority.

- (g) All mechanical equipment shall be visually and acoustically screened from both the public realm and/or adjacent developments or be concealed by incorporating it within the roof envelope or by screening it in a way that is consistent with the character and finishing of the development.

#### 5.25.6 Building Articulation

- (a) The building shall incorporate articulated façades, rooflines, and architectural treatments that establish the building as a distinctive landmark for the surrounding areas.
  - i. The base zone shall incorporate continuous weather protection in the form of a 1.8m (5.9ft) wide canopy or any other architectural element wherever commercial frontages exist to create a comfortable environment for pedestrians, as per Figure 5.25c.

Figure 5.25c: Canopies and Weather Protection



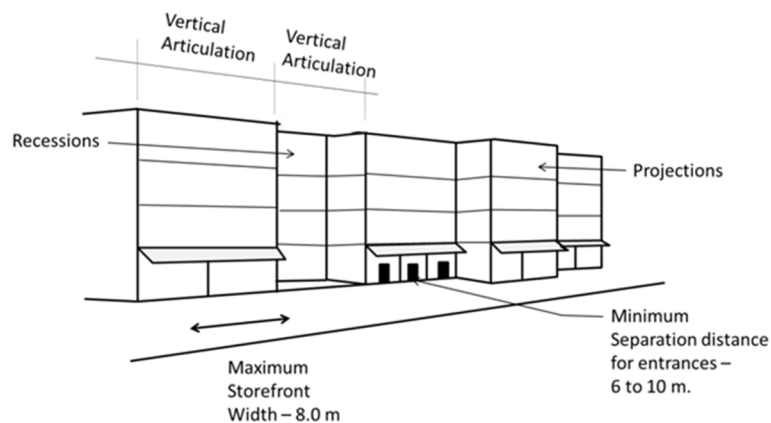
- (b) The middle and top zone shall be designed to reduce both on and off the site impacts to maintain view corridors, maximize solar penetration, and reduce adverse microclimatic effects related to wind, precipitation and shadowing. Prior to the acceptance of a development permit application, the following studies shall be provided to support this objective:
  - i. A Wind Impact Study prepared by a qualified professional. The Study shall be based on a computer model simulation analysis; and
  - ii. A Sun Shadow Impact Study prepared by a qualified professional.

#### 5.25.7 Entrances and Street Character

- (a) All ground level residential units with street frontage shall have individual entrances that front onto the street, adjacent sidewalk, or private outdoor amenity space. Entry transitions, such as steps, fences, gates or hedges, shall be provided to create an appropriate relationship with, and definition of, the public realm and the private space of dwelling units.
- (b) The building shall clearly differentiate residential entrances from commercial entrances through distinct architectural treatment, whereas:

- i. Entrances for commercial and office uses shall be located at intervals of 6.0m to 10.0m (19.7ft to 32.8ft) along building façades fronting public roadway, as per Figure 5.25d; and
  - ii. To ensure the pedestrian amenity areas are maintained, entrances that are adjacent to the public realm shall be recessed at least 1.0 m (3.3 ft) from the face of the building.
- (c) Individual retail store frontages at ground floor shall not exceed 8.0m (26.2ft) in width, as per Figure 5.25d.
- (d) To avoid monotony in architecture, all buildings shall be required to provide a vertical articulation in the streetwall fronting public roads using a variety of colours, materials, projections as well as recessions in the building façade, as per Figure 5.25d;

Figure 5.25d: Vertical Articulation Specifications

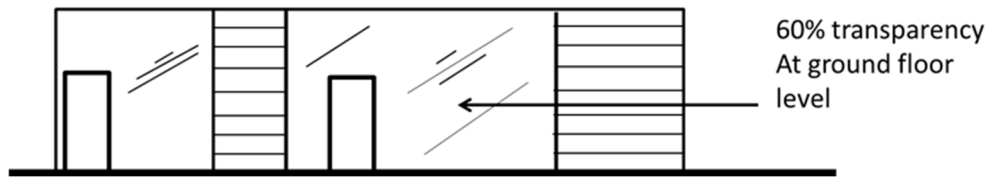


- (e) Common Amenity Areas shall accommodate design features or street related activities, such as architectural elements, landscaping, public art or sidewalk cafes.

#### 5.25.8 Development Regulations for Commercial Uses

- (a) Commercial uses, if developed, shall be limited to the first two storeys of the high rise development.
- (b) Non-residential listed uses shall:
  - i. Not be permitted as a freestanding use in a stand-alone building; and
  - ii. Shall have separate access at grade from residential uses.
- (c) The ground floor of each commercial development shall be required to provide a minimum of 60% transparency measured along the front facade. Tempered or tinted glass that prohibits visibility shall be considered as opaque surface, as per Figure 5.25e.

Figure 5.25e: Transparency in Ground Level Commercial Developments



#### 5.25.9 Parking, Circulation, Accesses, Loading and Waste Collection

- (a) Notwithstanding Part 11, if a development is located within 200m (656.1ft) of a public transit stop the Development Authority may reduce the required parking by 5%.
- (b) Notwithstanding Part 11, if a development has a car share program the Development Authority may reduce the required parking by 5%, or 4 parking spaces for each car share vehicle in the residential tower, whichever is greater.
- (c) Notwithstanding Part 11, bicycle parking for residents shall be located inside the building in a common area. Bicycle parking for visitors or commercial patrons shall be located adjacent to building entrances.
- (d) Resident parking shall be provided in an above or an underground parkade. Visitor parking may be provided at grade, and shall be located at the rear of buildings and not within a required setback. If an aboveground parkade is located fronting a public roadway, then the following design considerations shall be utilized:
  - i. The ground floor shall include retail uses with multiple entrances;
  - ii. Entrance to the parking facility shall be designed with architectural features 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.
- (e) Vehicular access shall be from the flanking roadway or abutting lane. In the event there is no flanking roadway or abutting lane, the vehicular access shall be designed in a manner that has minimal impact on abutting public roadways.
- (f) Driveway ramps shall be at grade at the property line and must not exceed a slope of 6% for a distance of 4.5m (14.7ft) inside the property line.
- (g) Loading, storage and garbage and recycling collection areas shall be located to the rear or sides of the principal building. These areas shall:
  - i. Have a minimum setback of 7.0m (23.0ft) from a public roadway and

residential dwellings; and

- ii. Be incorporated into the overall design theme of the building and screened from public roadways using landscaping or architectural features.

#### 5.25.10 Technical Studies and Assessments

- (a) In addition to Section 3.4.2 of this Bylaw, the Development Authority shall also request that the applicant complete and submit any or all of the following:

- i. Geotechnical Assessment;
- ii. Servicing Analysis; and
- iii. Traffic Impact Assessment.

#### 5.25.11 Off-site Improvements

- (a) The Development Authority may condition the permit requiring that the applicant enter into an agreement with the City to do the following improvements necessary to serve the development and address off-site requirements.
  - i. Relocation of all underground and above ground utilities and maintaining required clearances as specified by the utility companies;
  - ii. The construction of on-street fire hydrants;
  - iii. Removal of all existing accesses as necessary to the site, with the restoration of the right-of-way;
  - iv. Provide sidewalk connections from the site to adjacent developments to create a continuous pedestrian environment;
  - v. The improvements to adjacent intersections to facilitate traffic movements into the area, if deemed required by a Traffic Impact Assessment; and
  - vi. Upgrading of adjacent right-of-ways directly abutting the site to appropriate standards; or
  - vii. Any improvements determined to be necessary as identified in Section 3.10.2.

#### 5.25.12 Additional Development Regulations for RHR

- (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 5.1 to 5.13 of Part 5 - Residential Land Use Districts,

Part 11 - Parking and Loading, and Part 12 – Signs.

- (b) In addition to Part 4 – Section 4.8 and Part 5 – Section 5.10 of this Bylaw, landscaping and site design shall:
  - i. Provide a minimum of one deciduous tree every 10.0m (32.8ft) along the street frontage;
  - ii. Provide two minimum 3.0m (9.8ft) wide walkways through the site (from the front property line to the building and from the visitor parking area to the building) to the satisfaction of the Development Authority.

## **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 ~~or Land Use District~~, the Development Authority may require mitigation of potential development impacts on the residential use, including:
  - (a) Provision of noise attenuation walls;
  - (b) Increased landscaping, including a landscaped buffer in addition to the landscaping required in Section 4.8 General Landscaping Requirements and Section 6.6 Landscaping Requirements for Commercial Land Uses;
  - (c) Relocation of parking areas, walkways, business entrances or other high activity areas away from residential property lines;
  - (d) Screening or relocating on-site lighting to avoid spillage onto residential sites;
  - (e) Restricting the location of outdoor speakers; and
  - (f) Changing the proposed building or structure to mitigate noise, light or glare impact.

### **6.6 Landscaping Requirements for Commercial Land Uses**

- 6.6.1 Required yards abutting public roadways, other than a lane, and/or residential developments shall be landscaped to buffer parking, loading and other hard surfaced areas. The Development Authority may require screening including but not limited to vegetation, masonry walls, earth berms or a combination thereof.
- 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.
- 6.6.3 (Deleted)



6.6.4 (Deleted)

6.6.5 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.

6.6.6 Landscaped buffers between parking, loading and other hard surfaced areas and adjacent residential sites shall be a minimum of 6.0m (19.7ft) 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.

6.6.7 If existing mature trees of at least 15.0cm (6 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.

6.6.8 Parking Lots

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

- (a) Grade level parking areas accommodating 15 or more parking spaces shall incorporate landscaped areas at a minimum of 2.0 m<sup>2</sup> (21.5 ft<sup>2</sup>) for each parking space. Landscape areas within parking areas includes landscape islands or other areas within the parking area but shall not include landscaping within setbacks or landscape buffers.
- (b) Landscaping within the parking area shall include one tree for each ~~15.0 m<sup>2</sup> (161.5 ft<sup>2</sup>)~~ 35 m<sup>2</sup> (376.7 ft<sup>2</sup>) of required landscaping and one shrub for each ~~10.0 m<sup>2</sup> (107.6 ft<sup>2</sup>)~~ 15 m<sup>2</sup> (161.5 ft<sup>2</sup>) of required landscaping.
- (c) Landscape islands shall be provided at the beginning and end of each row of parking stalls.
- (d) Landscape islands shall be provided with no more than 20 parking stalls between islands; and
- (e) Landscape islands shall be a minimum length of at least 2.5 m (8.2 ft) for single row parking, and a minimum length of 5.0 m (16.4 ft) for double row parking.

## 6.9 C1 – Neighbourhood Retail and Service District

### 6.9.1 Purpose

This District is intended to provide sites for the development of local retail and service outlets that provide for the sale of a variety of convenience goods and services on sites that share one or more property lines with Residential Land Use Districts.

### 6.9.2 C1 Permitted and Discretionary Uses

(a) C1 Permitted	(b) C1 Discretionary
<ul style="list-style-type: none"> <li>- Business Support Service</li> <li>- Day Care Facility</li> <li>- Eating and Drinking Establishment</li> <li>- <b>Eating and Drinking Establishment (limited)</b></li> <li>- Fascia Sign</li> <li>- Freestanding Sign</li> <li>- Health Service</li> <li>- Identification Sign</li> <li>- Personal Service</li> <li>- Portable Sign</li> <li>- Professional, Financial, and Office Service</li> <li>- Projecting Sign</li> <li>- Retail Store (Convenience)</li> <li>- Retail Store (General)</li> <li>- Service Station (limited)</li> <li>- <b>Sign, Channel Letter</b></li> <li>- Accessory development to any use listed in subsection 6.9.1(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Community Garden</li> <li>- Community Service Facility</li> <li>- Custom Manufacturing Establishment</li> <li>- Drive Through Service</li> <li>- Eating and Drinking Establishment (outdoor)</li> <li>- <b>Government Service</b></li> <li>- Indoor Recreation Facility</li> <li>- Outdoor Recreation Facility</li> <li>- Pet Care Service*</li> <li>- Place of Worship</li> <li>- Recycling Drop-off</li> <li>- Retail Store (liquor)</li> <li>- Service Station</li> <li>- Vehicle Wash</li> <li>- Veterinarian Clinic</li> <li>- Accessory development to any use listed in subsection 6.9.1(b)</li> <li>- (Deleted)</li> </ul>

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

### 6.9.3 C1 Site Subdivision Regulations

	Interior or Corner Site
a) Site Area	475.0m <sup>2</sup> (5,221.9ft <sup>2</sup> ) minimum 0.6ha (1.5ac) maximum

### 6.9.4 C1 Site Subdivision Regulations

	Interior or Corner Site
a) Site Width	15.0m (49.2ft) minimum
b) Site Depth	30.0m (98.4ft) minimum

### 6.9.5 C1 Site Development Regulations

	Interior or Corner Site
a) Front Yard Setback	7.5m (24.6ft) minimum
b) Rear Yard Setback	No minimum for sites abutting a non-Residential Land Use District  Minimum of 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
c) Side Yard Setback	No minimum for sites abutting a non-Residential Land Use District

	Minimum of 4.5m (14.8ft) or one-half (1/2) the height of the building, whichever is the greater, for sites abutting a Residential Land Use District
c) Building Height	7.0m (23.0ft) maximum for principal building

6.9.6 Additional Development Regulations for C1:

- (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;
- (b) The maximum permitted floor area of any individual business shall be 232.0m<sup>2</sup> (2,497.2ft<sup>2</sup>);
- (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) (Deleted)
- (e) Retail store (liquor) shall not be permitted on parcels smaller than 0.8 ha.

## 6.10 C2 – Vehicle Oriented Retail and Service District

### 6.10.1 Purpose

This District is intended to provide for vehicular orientated commercial development adjacent to arterial roadways and highways in order to promote convenient access and orderly flow of vehicular traffic.

### 6.10.2 C2 Permitted and Discretionary Uses:

(a) C2 Permitted	
<ul style="list-style-type: none"> <li>- (Deleted)</li> <li>- Business Support Service</li> <li>- Commercial School</li> <li>- Community Service Facility</li> <li>- Day Care Facility</li> <li>- Drive Through Service</li> <li>- Eating and Drinking Establishment</li> <li>- Eating and Drinking Establishment (limited)</li> <li>- Emergency Response Service</li> <li>- Fascia Sign</li> <li>- Freestanding Sign</li> <li>- Government Service</li> <li>- Health Service</li> <li>- Hotel</li> <li>- Identification Sign</li> <li>- Indoor Entertainment Facility</li> <li>- Motel</li> <li>- Outdoor Entertainment Facility</li> </ul>	<ul style="list-style-type: none"> <li>- (Deleted)</li> <li>- Parking Facility</li> <li>- Pawn Shop</li> <li>- Personal Service</li> <li>- Pet Care Service*</li> <li>- Portable Sign</li> <li>- Professional, Financial, and Office Service</li> <li>- Projecting Sign</li> <li>- Recycling Drop-off</li> <li>- Retail Store (convenience)</li> <li>- Retail Store (general)</li> <li>- Retail Store (liquor)</li> <li>- Roof Sign</li> <li>- Seasonal Garden Centre</li> <li>- Service Station</li> <li>- Service Station (limited)</li> <li>- <del>Sign, Channel Letter</del></li> <li>- Vehicle Repair Facility (limited)</li> <li>- <del>Vehicle Sales, leasing, and rental facility</del></li> <li>- <del>Vehicle Sales, leasing and rental facility (limited)</del></li> <li>- Vehicle Wash</li> <li>- Veterinarian Clinic</li> <li>- Accessory development to any use listed in subsection 6.10.2(a)</li> </ul>

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

(b) C2 Discretionary Uses	
<ul style="list-style-type: none"> <li>- Communication Tower</li> <li>- Communication Tower (limited)</li> <li>- Custom manufacturing establishment</li> <li>- Eating and Drinking Establishment (outdoor)</li> <li>- Electronic Message Sign</li> <li>- Funeral Home</li> <li>- Greenhouse</li> <li>- Indoor Recreation Facility</li> <li>- Inflatable Sign</li> <li>- Kennel*</li> <li>- Late Night Club</li> </ul>	<ul style="list-style-type: none"> <li>- Outdoor Recreation Facility</li> <li>- Place of Worship</li> <li>- Vehicle Repair Facility</li> <li>- Vehicle Sales, Leasing and Rental Facility</li> <li>- Warehouse Sales</li> <li>- (Deleted)</li> <li>- Accessory development to any use listed in subsection 6.10.2(b)</li> </ul>

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

#### 6.10.3 C2 Site Subdivision Regulations

	Interior or Corner Site
a) Site Area	2,023.5m <sup>2</sup> (0.5ac) minimum
b) Site Width	At the discretion of the Subdivision or Development Authority
c) Site Depth	At the discretion of the Subdivision or Development Authority

#### 6.10.4 C2 Site Development Regulations

	Interior or Corner Site
a) Front Yard Setback	7.5m (24.6ft) minimum
b) Rear Yard Setback	<del>4.5m (14.8ft)</del> 3.0m (9.8ft) minimum for sites abutting a non-Residential Land Use District 7.5m (24.6ft) minimum for sites abutting a Residential Land Use District.
c) Side Yard Setback	4.5m (14.8ft) 7.5m (24.6ft) minimum for sites abutting a Residential Land Use District
d) Building Height	14.0m (45.9ft) maximum

#### 6.10.5 Additional Development Regulations for C2:

- (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;

- (b) 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;
- (c) Where at least 50% of the required parking for a C2 – Vehicle Oriented Retail and Service District use is allocated in a parking garage, an additional one storey or 4.0m (13.1ft) may be permitted in addition to the maximum building height;
- (d) Except for off-street parking, loading areas and approved patios, all business activities shall be carried out entirely within completely enclosed buildings or structures;
- (e) The required side yard shall be increased by 1.0 m in depth for each storey above the first storey, when adjacent to residential; and
- (f) The required rear yard shall be increased by 1.0 m in depth for each storey above the first storey, when adjacent to residential.
- (g) Any business premises or multiple occupancy building having with a floor area of greater than 3000 m<sup>2</sup> or a single wall length greater than 25.0 m (82.0 ft) visible from a public road shall comply with the following:
  - i. The roof line and the building façade shall include design elements that reduce the perceived mass of the building; and
  - ii. Landscaping adjacent to exterior walls shall be used to reduce the perceived mass of the building and provide visual interest.

## 6.11 C3 – Commercial Shopping Centre District

### 6.11.1 Purpose

This District is intended to provide for shopping centre developments, where the main focus is retail and service uses, serving a community, district, or regional trade area. This District will normally be applied in areas served by Major Collector or Arterial public roadways. Adequate buffering and land use regulations will apply to protect all adjacent residential areas.

### 6.11.2 C3 Permitted and Discretionary Uses:

(a) C3 Permitted	
<ul style="list-style-type: none"> <li>- (Deleted)</li> <li>- Business Support Service</li> <li>- Commercial School</li> <li>- Community Service Facility</li> <li>- Day Care Facility</li> <li>- (Deleted)</li> <li>- Eating and Drinking Establishment</li> <li>- Eating and Drinking Establishment (limited)</li> <li>- Emergency Response Service</li> <li>- Fascia Sign</li> <li>- Freestanding Sign</li> <li>- Government Service</li> <li>- Health Service</li> <li>- (Deleted)</li> <li>- Identification Sign</li> <li>- Indoor Entertainment Facility</li> <li>- Inflatable Sign</li> <li>- (Deleted)</li> <li>- Outdoor Entertainment Facility</li> </ul>	<ul style="list-style-type: none"> <li>- (Deleted)</li> <li>- Parking Facility</li> <li>- Pawn Shop</li> <li>- Personal Service</li> <li>- Pet Care Service*</li> <li>- Portable Sign</li> <li>- Professional, Financial, and Office Service</li> <li>- Projecting Sign</li> <li>- Recycling Drop-off</li> <li>- Retail Store (convenience)</li> <li>- Retail Store (general)</li> <li>- (Deleted)</li> <li>- Roof Sign</li> <li>- Seasonal Garden Centre</li> <li>- Sign, Channel Letter</li> <li>- (Deleted)</li> <li>- (Deleted)</li> <li>- (Deleted)</li> <li>- (Deleted)</li> <li>- (Deleted)</li> <li>- Veterinarian Clinic</li> <li>- Accessory development to any use listed in subsection 6.11.2(a)</li> </ul>

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

(b) C3 Discretionary Uses	
<ul style="list-style-type: none"> <li>- Casino</li> <li>- Communication Tower</li> <li>- Communication Tower (limited)</li> <li>- Custom manufacturing establishment</li> <li>- Drive Through Service</li> <li>- Eating and Drinking Establishment (outdoor)</li> <li>- Electronic Message Sign</li> <li>- Funeral Home</li> <li>- Greenhouse</li> <li>- Hotel</li> <li>- Indoor Recreation Facility</li> <li>- Inflatable Sign</li> <li>- Kennel*</li> <li>- Late Night Club</li> </ul>	<ul style="list-style-type: none"> <li>- Motel</li> <li>- Outdoor Recreation Facility</li> <li>- Place of Worship</li> <li>- Retail Store (liquor)</li> <li>- Service Station</li> <li>- Service Station (limited)</li> <li>- Vehicle Repair Facility</li> <li>- Vehicle Repair Facility (limited)</li> <li>- Vehicle Sales, Leasing and Rental Facility</li> <li>- <b>Vehicle Sales, Leasing and Rental Facility (limited)</b></li> <li>- Vehicle Wash</li> <li>- Warehouse Sales</li> <li>- (Deleted)</li> <li>- Accessory development to any use listed in subsection 6.11.2(b)</li> </ul>

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

#### 6.11.3 C3 Site Subdivision Regulations

	Interior or Corner Site
a) Site Area	4,000.0m <sup>2</sup> (0.99ac, 43,040.0ft <sup>2</sup> ) minimum
b) Site Width	At the discretion of the Subdivision or Development Authority
c) Site Depth	At the discretion of the Subdivision or Development Authority

#### 6.11.4 C3 Site Development Regulations

	Interior or Corner Site
a) Front Yard Setback	7.5m (24.6ft) minimum
b) Rear Yard Setback	Minimum of 3.0m (9.8ft) for site abutting a non-Residential Land Use District Minimum of 6.0m (19.7ft) for site abutting a Residential Land Use District

#### 6.11.4 C3 Site Development Regulations

	Interior or Corner Site
a) Side Yard Setback	Minimum of 3.0m (9.8ft) for site abutting a non-Residential Land Use District Minimum of 6.0m (19.7ft) for sites abutting a Residential Land Use District
b) Building Height	14.0m (45.9ft) maximum



#### 6.11.5 Additional Development Regulations for C3:

- (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;
- (b) Where at least 50% of the required parking for a C3 – Commercial Shopping Centre District use is allocated in a parking garage, an additional one storey or 4.0m (13.1ft) may be permitted in addition to the maximum building height;
- (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) Except for off-street parking, loading areas and approved patios, all business activities shall be carried out entirely within completely enclosed buildings or structures;
- (e) The required side yard shall be increased by 1.0 m in depth for each storey above the first storey, when adjacent to residential; and
- (f) The required rear yard shall be increased by 1.0 m in depth for each storey above the first storey, when adjacent to residential.

#### 6.13 C5 – Fort Mall Redevelopment District

##### 6.13.1 Purpose

This District is generally intended to provide regulations for the redevelopment of the Fort Mall site as envisioned in the Downtown Area Redevelopment Plan & Design Guidelines (Bylaw C14-08). A variety of land uses are supported in this district including residential, commercial, and mixed-use. Higher densities and scale 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 shall be given for the creation of a high quality public realm including urban plazas, outdoor amenity areas and interactive streetscapes.

#### 6.13.2 C5 Permitted & Discretionary Uses:

(a) C5 Permitted Uses	
<ul style="list-style-type: none"> <li>- (Deleted)</li> <li>- Apartment Dwelling</li> <li>- Assisted Living Facility</li> <li>- <b>Assisted Living Facility (limited)</b></li> <li>- Business Support Service</li> <li>- Commercial School</li> <li>- Community Service Facility</li> <li>- Custom Manufacturing Establishment</li> <li>- Day Care Facility*</li> <li>- Eating and Drinking Establishment</li> <li>- Eating and Drinking Establishment (limited)</li> <li>- Eating and Drinking Establishment (outdoor)</li> <li>- Emergency Response Service</li> <li>- Health Service</li> <li>- <b>Home Business*</b></li> <li>- Home Office</li> <li>- Hotel</li> <li>- Indoor Entertainment Facility</li> <li>- Indoor Recreation Facility</li> <li>- Multi-attached Dwelling</li> </ul>	<ul style="list-style-type: none"> <li>- (Deleted)</li> <li>- Parking Facility</li> <li>- Personal Service</li> <li>- Pet Care Service***</li> <li>- Place of Worship</li> <li>- Private Club</li> <li>- Professional, Financial, and Office Service</li> <li>- Public Facility</li> <li>- Retail Store (convenience)</li> <li>- Retail Store (general)</li> <li>- Retail Store (liquor)</li> <li>- Seasonal Garden Centre <del>(temporary)</del></li> <li>- Show Home</li> <li>- <b>Sign, Channel Letter</b></li> <li>- Sign, (Fascia)</li> <li>- Sign (Freestanding)</li> <li>- Sign (Identification)</li> <li>- Sign (portable)</li> <li>- Sign (Projecting)</li> <li>- <b>Sign, Specialty Projecting</b></li> <li>- Temporary Sales Centre</li> <li>- Accessory development to any use listed in subsection 6.13.2(a)</li> </ul>

(b) C5 Discretionary Uses	
<ul style="list-style-type: none"> <li>- Casino</li> <li>- Government Service</li> <li>- Greenhouse</li> <li>- Kennel***</li> <li>- Late Night Club</li> <li>- Live Work Unit</li> <li>- (Deleted)</li> <li>- Outdoor Recreation Facility</li> <li>- Pawn Shop</li> </ul>	<ul style="list-style-type: none"> <li>- Temporary Outdoor Event</li> <li>- Vehicle Sales, Leasing or Rental Facility (limited)</li> <li>- Veterinarian Clinic</li> <li>- (Deleted)</li> <li>- Accessory development to any use listed in subsection 6.13.2(b)</li> </ul>

\*Day Care Facility and home business uses may not occur within an apartment dwelling

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

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

### 6.13.3 Site Development Regulations

	Interior or Corner Site	
a) Site Area	Minimum	300.0m <sup>2</sup> (3229.2ft <sup>2</sup> )
	Maximum	N/A
b) Site Width	Minimum	At the discretion of Development Authority
	Maximum	At the discretion of Development Authority
c) Front Setback	Minimum	<p>Non-residential uses at ground floor 0.0m (0.0ft) to 1.4m (4.6m) to achieve a continuous pedestrian zone of 3.4m (11.2ft)</p> <p>Residential uses at ground floor 3.0m (9.8ft) with display gardens</p> <p>Residential uses at ground floor abutting MR 1.0m (3.3ft) with display gardens in the MR</p>
d) Side Setback	Minimum	0.0m (0.0ft)
e) Rear Setback	Minimum	<p>0.0m (0.0ft) when abutting a Non-Residential Land Use District</p> <p>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</p>
f) Site Coverage	Maximum	70%
g) FAR	Maximum	4.0
h) Unit Density	Maximum	200 units per net developable hectare for sites less than 1500.0m <sup>2</sup>

		350 units per net developable hectare for sites greater than 1500.0m <sup>2</sup>
i) Height		As per Section 6.13.4 of this Bylaw
j) Common Amenity Area	Minimum	Apartment Dwellings 4.5m <sup>2</sup> (48.4ft <sup>2</sup> ) per dwelling unit  All other Residential Dwellings At the discretion of the Development Authority. This can include indoor and outdoor amenities such as seating areas and roof top patios
k) Private Amenity Area	Minimum	Residential Dwellings at Grade and Above Grade 3.0m <sup>2</sup> (32.3ft <sup>2</sup> ) per dwelling unit to be provided by balconies, decks, patios or rooftop amenity area***  Residential Dwellings Below Grade To be provided through the common amenity area

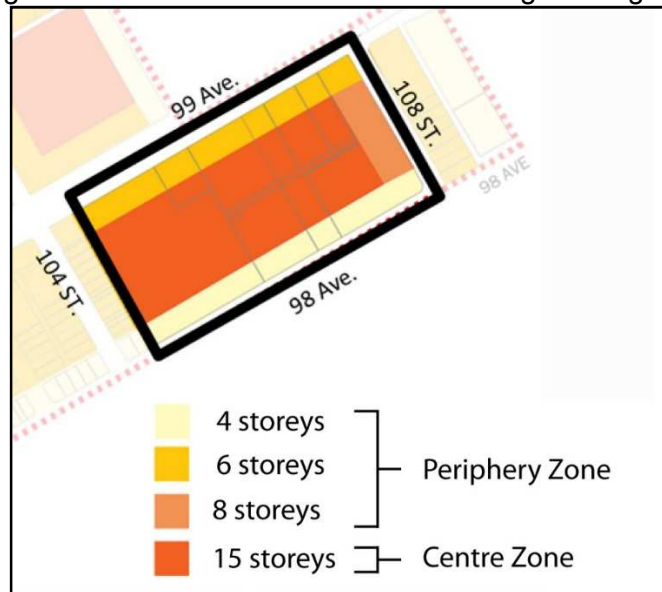
\*\*\* Private Amenity Area shall only be provided by balconies in Apartment Dwellings

## Urban Design Regulations

### 6.13.4 Urban Form

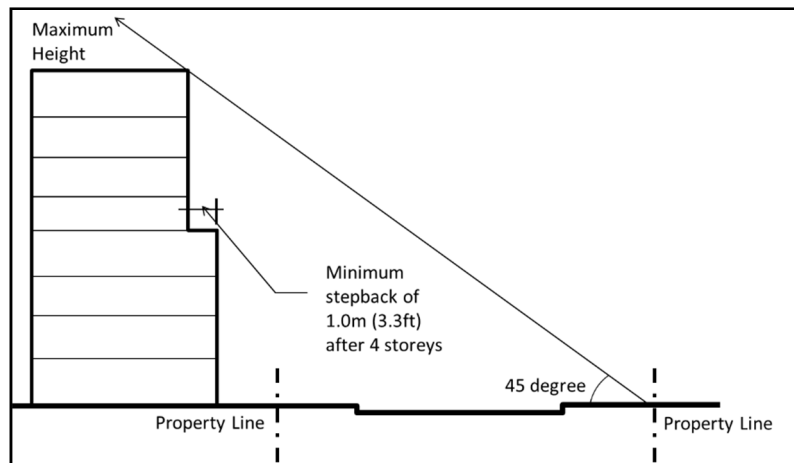
- a) Maximum building height shall be determined based upon:
  - i. The location of the building in proximity to the public roadways, as per Figure 6.13a; and
  - ii. Along 98 Avenue, new development shall have a minimum height of 2 storeys when located in the Periphery Zone, and a minimum height of 4 storeys in the Centre Zone, as per Figure 6.13a.
  - iii. Building heights shall be transitioned through appropriate setbacks as per Figure 6.13a.

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.

Figure 6.13b: 45 Degree Angular Plane Method for Determining Height Maximums

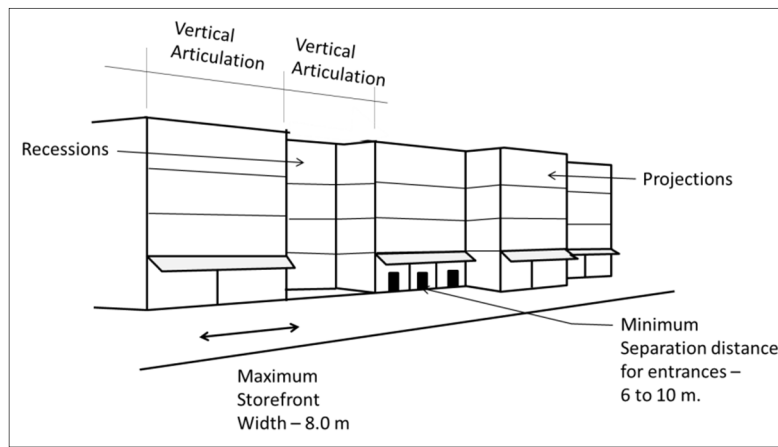


- c) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft); and
- d) Vents, mechanical rooms and equipment, elevator penthouses etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building.

#### 6.13.5 Street Character and Pedestrian Realm

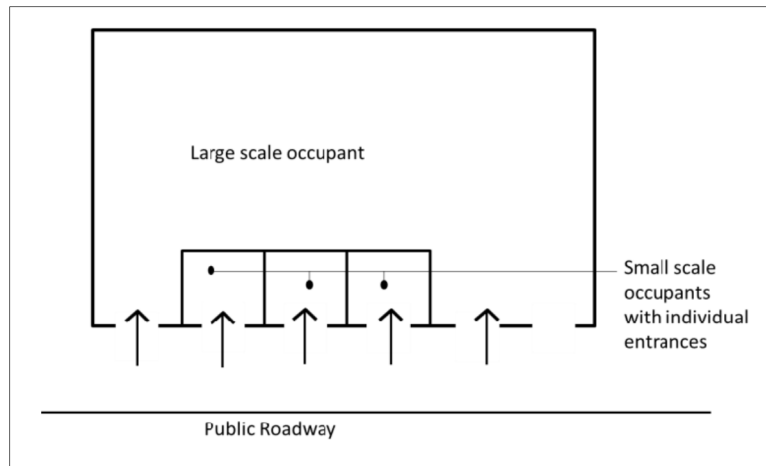
- a) For buildings where the ground floor is occupied by non-residential tenancy, the front setback shall be hard surfaced with a consistent treatment and theme from the City sidewalk to the satisfaction of the Development Authority;
- b) To avoid monotony in architecture, all buildings shall be required to provide a vertical articulation in the streetwall fronting public roads using a variety of colours, materials, projections as well as recessions in the building façade, as per (Figure 6.13c);

Figure 6.13c: Vertical Articulation Specifications



- c) Individual retail store frontages along 99 Avenue at ground floor shall not exceed 8.0m (26.3ft) in width, as per Figure 6.13c;
- d) Where feasible, entrances for commercial and office uses shall be located at intervals of 6.0m to 10.0m (19.7ft to 32.8ft) along building façades fronting public roadway; and
- e) For new construction, large scale commercial uses at ground floor shall be required to provide small scale individualized tenancy fronting the public roadway, as per Figure 6.13d.

Figure 6.13d: Small Scale Occupancy in Large Scale Commercial Uses



#### 6.13.6 Open Space and Linkages

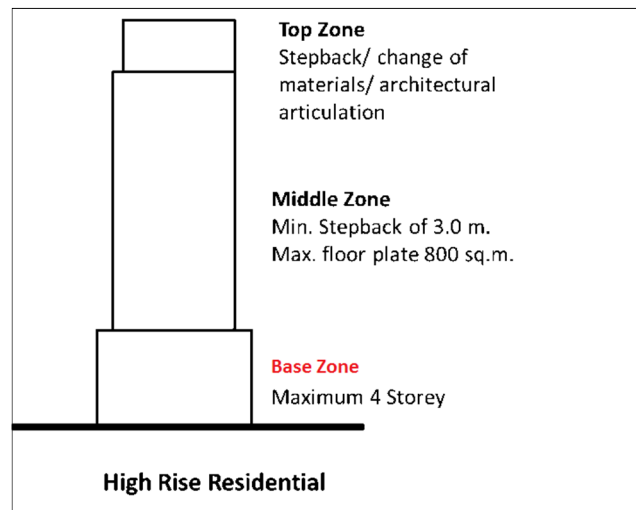
- a) A minimum 15% of the Fort Mall site area shall be dedicated as publically-accessible open space that is connected to the wider city level open space network;
- b) Open space shall be developed and landscaped in accordance with Section 4.8 to 4.11 of this Bylaw. In addition, street furniture such as benches, waste receptacles, garden lighting, etc. may be required to enhance the open space to the satisfaction of Development Authority; and
- c) New private or public roads in this district shall be designed in a manner to re-establish the typical block pattern and the street grid found in Fort Saskatchewan's downtown.

#### 6.13.7 Building Massing and Architectural Character

- a) Buildings at the intersection of the following streets shall be required to incorporate special architectural treatment to mark entrances to the downtown and key focal points:
  - i. 99 Avenue and 106 Street; and
  - ii. 99 Avenue and 108 Street.
- 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. The base zone shall be a minimum of two storeys and a maximum four storeys, and shall be integrated with townhouses, apartments or commercial retail units; and

- ii. The middle zone shall provide a minimum setback of 3.0m (9.8ft) and a maximum floor plate of 800m<sup>2</sup> (8611ft<sup>2</sup>).
- iii. The top zone shall be required for high rise buildings and shall include the top three stories. The top zone shall provide either an additional setback or a change in material/colour or special architectural treatment to the satisfaction of the Development Authority.

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



- c) A minimum separation distance of 25.0m (82.0ft) measured perpendicularly to building face shall be provided between the shafts (middle zones) of two high rise towers;
- d) Building façade on corner sites shall address both public roadways;
- e) New developments shall be encouraged to incorporate public art into building façades; and
- f) Large blank façades with opaque surfaces shall be minimised to the satisfaction of the Development Authority.

#### 6.13.8 Pedestrian Entrances

- a) Ground floor entrances for commercial/office uses shall be level with grade of the adjacent sidewalk;
- b) Ground floor entrances for residential units fronting public road shall provide a 1.0m (3.3ft) grade separation from adjacent sidewalk to provide visual privacy for residential units; and



- c) Entrances to commercial uses at ground floor and residential uses above ground level shall be architecturally differentiated from each other.

#### 6.13.9 Ground Floor Treatment

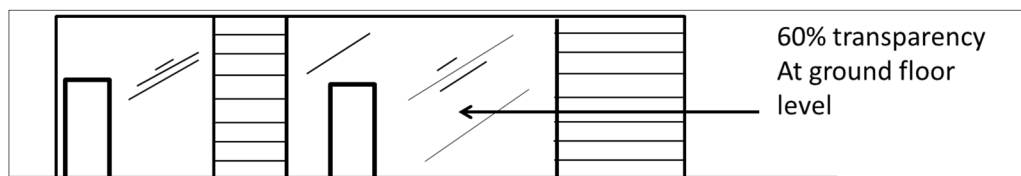
- a) The land uses along ground floors of all buildings shall be as per Figure 6.13f, whereas:
  - i. Ground floor uses along 99 Avenue shall be limited to commercial or residential development;
  - ii. Ground floor uses along 98 Avenue shall be limited to residential development; and
  - iii. (Deleted)

Figure 6.13f: Ground Floor Frontage Use Designations



- 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.

Figure 6.13g: Transparency in Ground Level Commercial Developments

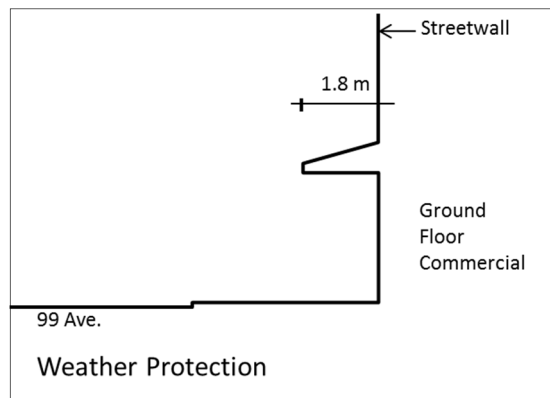


- c) Principal entrances of dwelling units or commercial retail units provided at the ground floor level shall provide direct access to the adjacent public sidewalk.

#### 6.13.10 Canopies and Weather Protection

- a) A continuous weather protection of minimum 1.8m (5.9ft) width at the ground floor of all building façades fronting 99 Avenue shall be encouraged, as per Figure 6.13h.

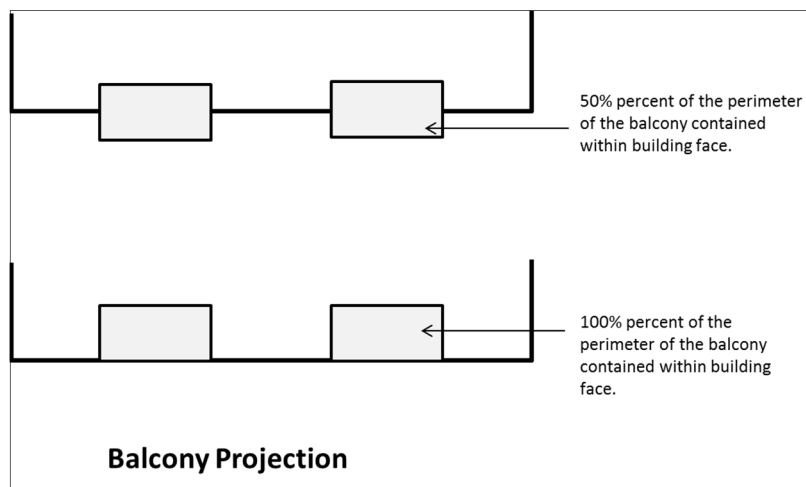
Figure 6.13h: Canopies and Weather Protection



#### 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.

Figure 6.13i: Balcony Projection



- b) Balcony projections may project beyond the floor plate restrictions or the front streetwall up to a maximum of 1.0m (3.3ft) but shall in no case project beyond the property line.

#### 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 11.e.
- 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.

#### 6.13.13 Circulation, Accesses, Loading and Waste Collection

- a) (Deleted)
- b) All vehicular access to parking and on-site service areas, parking facilities, waste storage/collection areas as well as loading facilities shall be screened from public roadways using enhanced landscape treatment or special architectural features.
- c) Where possible, vehicular entrances to underground parking facilities and passenger drop-off areas shall be provided from the rear of buildings.

- d) Internal roadway network shall be designed to improve walkability and reduce shortcutting by vehicular traffic.
- e) (Deleted)
- f) (Deleted)
- g) (Deleted)
- h) Garbage and recycling containers shall provide a minimum setback of 1.0m (3.3ft) from a property line and be screened using appropriate architectural or landscaping treatment to the satisfaction of Development Authority.
- i) (Deleted)

#### 6.13.14 Signage

- a) Buildings on corner sites shall provide signage on both building façades; and
- b) Projecting signs may project beyond the streetwall by a maximum of 1.0m (3.3ft) and should be restricted to ground floor only.

#### 6.13.15 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.
- b) Except for off-street parking, loading areas and approved patios, all business activities shall be carried out entirely within completely enclosed buildings or structures. Sidewalk sales, tent sales, or farmers markets shall be considered in the approved open space areas such as parking lots or plazas in accordance with the regulations for Temporary Outdoor Events; and
- 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.

## **Part 7 – Industrial Land Use Districts**

### **7.1 Accessory Developments in Industrial Districts**

- 7.1.1 Where an accessory building is attached to the principal building by an open or enclosed roofed structure it shall be considered a part of the principal building and subject to the setbacks required for the principal building.
- 7.1.2 Where a Land Use District does not specify a height or setback, the height and setbacks for industrial accessory buildings shall be at the discretion of the Development Authority, and subject to the Alberta Building Code.
- 7.1.3 Notwithstanding Subsection 7.1.2 above, accessory buildings in Industrial Land Use Districts shall not be located in front of the principal building.
- 7.1.4 Where permitted, Air Supported or Fabric Covered structures shall:
  - (a) Not exceed the maximum height permitted in the Land Use District in which they are located;
  - (b) Not be located in front of the principal building; and
  - (c) Be subject to the Alberta Building Code.
- 7.1.5 Shipping containers shall be considered an accessory building in Industrial Land Use Districts.
- 7.1.6 ~~A maximum of four shipping containers are permitted per site~~ Shipping containers shall not be stacked in the IL – Light Industrial District.
- 7.1.7 Shipping containers located in the IM – Medium Industrial District and IH – Heavy Industrial District may be stacked to the maximum height permitted in the Land Use District in which they are located.
- 7.1.8 Shipping containers shall be used for storage purposes only, excluding any dangerous or hazardous goods or containers.

### **7.4 Landscaping Requirements for Industrial Land Uses**

- 7.4.1 To ensure visual aesthetic quality in the area is not diminished, landscaping for industrial sites shall include a minimum of one tree for each 3.0 m (9.4 ft) of lot width planted adjacent to the public roadway frontage. The Development Authority may, in consideration of meeting the intent, reduce this requirement, or require an alternative arrangement of trees, taking into consideration the merits of the application, site conditions, traffic, and area context.
- 7.4.2 In addition to the requirements of Section 4.8 General Landscaping Requirements, all yards of industrial sites shall be landscaped with a variety of trees, shrubs, and planted ground cover in accordance with a landscaping plan approved by the Development Authority. To create a soft transition between the parking area and the principal building, the Development Authority may require a

portion of the required landscaping to be located adjacent to the principal building.

**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.

7.4.4 The entire site shall be maintained in a neat, tidy manner including trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

7.4.5 In addition to the requirements above, the Development Authority may require other types of screening such as masonry walls, earth berms or a combination thereof.

7.4.6 If existing mature trees of at least 15.0 cm (5.9 in) calliper are retained on a development site, they may count as double towards the final number of trees required for the development.

**7.8 Surveillance Suites**

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

**7.8 IL – Light Industrial District**

**7.8.1 IL Purpose**

This District is intended to provide for light industrial uses that do not adversely affect adjacent land uses or cause any external, objectionable or dangerous conditions outside of any building on the light industrial site. This District is normally applied to sites adjacent to major roadways on the periphery of industrial areas and may serve as a buffer between heavier industrial and other land uses.

## 7.8.2 IL Permitted and Discretionary Uses

(a) IL Permitted Uses	
<ul style="list-style-type: none"> <li>- (Deleted)</li> <li>- Billboard sign</li> <li>- Contractor service</li> <li>- Custom Manufacturing Establishment</li> <li>- Emergency response service</li> <li>- Fascia sign</li> <li>- Freestanding sign</li> <li>- General industrial use*</li> <li>- Greenhouse</li> <li>- Identification sign</li> <li>- Inflatable sign</li> <li>- Kennel</li> <li>- Nature conservation use</li> <li>- Pet care service</li> <li>- Portable sign</li> <li>- Projecting sign</li> <li>- Recycling depot</li> <li>- Recycling drop-off</li> <li>- Research and development facility</li> </ul>	<ul style="list-style-type: none"> <li>- Roof sign</li> <li>- Service station</li> <li>- Service station (limited)</li> <li>- Service station, bulk fuel depot</li> <li>- Storage facility</li> <li>- Surveillance suite</li> <li>- Vehicle and equipment storage</li> <li>- Vehicle repair facility</li> <li>- Vehicle repair facility (limited)</li> <li>- Vehicle sales, leasing and rental facility</li> <li>- Vehicle sales, leasing and rental facility (limited)</li> <li>- Vehicle wash</li> <li>- Veterinary clinic</li> <li>- Warehouse distribution and storage</li> <li>- Warehouse sales</li> <li>- Accessory development to any use listed in subsection 7.8.2(a)</li> </ul>

\*General industrial uses with the potential to create significant impacts, adverse effects or nuisance off the site, including but not limited to smoke, gas, odour, sound, vibration or other objectionable impacts, shall be considered as a discretionary use.

(b) IL Discretionary Uses	
<ul style="list-style-type: none"> <li>- Commercial school</li> <li>- Communication tower</li> <li>- Communication tower (limited)</li> <li>- Community service facility</li> <li>- Eating and drinking establishment (limited)</li> <li>- Electronic message sign</li> <li>- Indoor entertainment facility</li> <li>- Indoor recreation facility (unrestricted)</li> <li>- Outdoor entertainment facility</li> <li>- Outdoor recreation facility</li> <li>- Outdoor storage</li> </ul>	<ul style="list-style-type: none"> <li>- Outdoor storage facility</li> <li>- Professional, financial and office service</li> <li>- Retail store (general)</li> <li>- Wind energy converter system</li> <li>- Wind energy converter system (limited)</li> <li>- (Deleted)</li> <li>- Accessory development to any use listed in subsection 6.13.2(a)</li> </ul>

### 7.8.3 IL Site Subdivision Regulations

	Interior or Corner Site
a) Site Area	0.2ha (0.49 acres) minimum
b) Site Width	No minimum
c) Site Depth	30.0m (98.4ft) minimum



#### 7.8.4 IL Site Development Regulations

	Interior or Corner Site
a) Front Yard Setback	6.0m (19.7ft) minimum Flanking front yard minimum at the discretion of the Development Authority
b) Rear Yard Setback	5.0m (16.4ft) minimum May be reduced to 4.5m (14.8 ft), 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 <i>Safety Code</i> requirements are adhered to.
c) Side Yard Setback	4.5m (14.8ft) minimum Subject to Alberta Building Code and <i>Safety Codes Act</i> , one side yard setback may be reduced to a minimum of 1.5m (4.9ft) at the discretion of the Development Authority
d) Height	15.0m (49.2ft) maximum for building. 30.0m (98.4ft) for towers, structural, equipment storage or other components of the building which may be required for the operation (not intended to allow for an additional storey above 15.0m).
e) Site Coverage	60% maximum for all buildings

#### 7.8.5 Additional Development Regulations for IL

- (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 7.1 to 7.11 of Part 7 – Industrial Land Use Districts, Part 11 - Parking and Loading, and Part 12 – Signs; and
- (b) All development and uses within this Land Use District are subject to the applicable provisions of Section 10.4 - IL Limited Use Overlay.

### 7.9 IM – Medium Industrial District

#### 7.9.1 Purpose

This District is generally intended to establish an area of industrial uses where site regulations require a high standard of site design, open space and landscaping. Storage areas shall either be enclosed on all sides or shall be entirely out of the view of the general public. This District will accommodate uses that do not cause any external, objectionable or dangerous conditions beyond the outer limit of the site and will normally be applied as a District to buffer heavier industrial Land Use Districts from other Land Use Districts. This District shall be served by adequate industrial roads.

#### 7.9.2 IM Permitted and Discretionary Uses

(a) IM Permitted Uses	
<ul style="list-style-type: none"> <li>- Billboard sign</li> <li>- Contactor Service</li> <li>- Custom Manufacturing Establishment</li> <li>- Emergency response service*</li> </ul>	<ul style="list-style-type: none"> <li>- Roof sign</li> <li>- Service station, bulk fuel depot</li> <li>- Storage facility</li> <li>- Surveillance Suite</li> </ul>

<ul style="list-style-type: none"> <li>- Fascia sign</li> <li>- Freestanding sign</li> <li>- General industrial uses</li> <li>- Identification sign</li> <li>- Kennel*</li> <li>- Natural conservation use</li> <li>- Outdoor storage</li> <li>- Outdoor storage facility</li> <li>- Portable sign</li> <li>- Projecting sign</li> <li>- Recycling depot</li> <li>- Research and development facility</li> <li>- Warehouse, distribution and storage</li> <li>- Warehouse sales</li> <li>- Accessory development to any use listed in subsection 7.9.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Vehicle and equipment storage</li> <li>- Vehicle repair facility*</li> <li>- Vehicle repair facility (limited)*</li> <li>- Vehicle sales, leasing or rental facility*</li> <li>- Vehicle sales, leasing or rental facility (limited)*</li> <li>- Vehicle wash*</li> <li>- Veterinary clinic*</li> <li>- Accessory development to any use listed in subsection 7.9.2(b)</li> </ul>
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(b) IM Discretionary Uses	
<ul style="list-style-type: none"> <li>- Agriculture</li> <li>- Auctioneering facility</li> <li>- Commercial school</li> <li>- Communication tower</li> <li>- Communication tower (limited)</li> <li>- Electronic message sign</li> <li>- Greenhouse</li> <li>- Outdoor entertainment facility</li> <li>- Professional, financial and office service</li> </ul>	<ul style="list-style-type: none"> <li>- Service Station</li> <li>- Service Station (limited)</li> <li>- <del>Surveillance Suite</del></li> <li>- Wind energy converter system</li> <li>- Wind energy converter system (limited)</li> <li>- (Deleted)</li> <li>- Accessory development to any use listed in subsection 7.9.2(b)</li> </ul>

(c) IM Discretionary Uses within Highway 15 Vicinity Overlay*	
<p>In addition to those uses identified in 7.9.3 (a) and 7.9.3 (b), the Development Authority may consider the following uses as Discretionary within the Highway 15 Vicinity Overlay:</p> <ul style="list-style-type: none"> <li>- Business Support Service</li> <li>- Emergency Response Service</li> <li>- Kennel</li> <li>- Pet Care Service</li> </ul>	<ul style="list-style-type: none"> <li>- Vehicle Repair Facility</li> <li>- Vehicle Repair Facility (Limited)</li> <li>- Vehicle Sales, Leasing or Rental Facility</li> <li>- Vehicle Sales, Leasing or Rental Facility (Limited)</li> <li>- Vehicle Wash</li> <li>- Veterinary Clinic</li> <li>- Accessory development to any use listed in subsection 7.9.2(c)</li> </ul>

\*Where a use is listed in both 7.9.2(a), Permitted Uses, and 7.9.2(c), IM Discretionary Uses within Highway 15 Overlay, Section 7.9.2(c) shall prevail provided that the Overlay applies.

### 7.9.3 IM Site Subdivision Regulations

	Interior or Corner Site
a) Site Area	0.4ha (1.0 acre) minimum The minimum site area may be reduced to 0.2ha (0.5 acres) where the parcel frontage is at least 33.0 m (108.3ft) and, in the opinion of the Development Authority, there will be no adverse effect on adjacent parcels
b) Site Width	At the discretion of the Development Authority
c) Site Depth	At the discretion of the Development Authority

### 7.9.4 IM Site Development Regulations

	Interior Site	Corner Site
a) Front Yard Setback	9.0m (29.5ft) minimum	Flanking: at the discretion of the Development Authority
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 <del>Alberta Safety Codes Act</del> federal or provincial requirements are adhered to	
c) Side Yard Setback	6.0m (19.7ft) minimum on one side and 1.5m (4.9ft) minimum on the other side for buildings up to 4.5m (14.8ft) in height  For buildings over 4.5 (14.8ft) in height, the 1.5m (4.9ft) minimum side yard shall be increased by 0.3m (1.0ft) for each additional 1.0m (3.3ft) of building height	
d) Height	18.0m (59.1ft) maximum for building.  30.0m (98.4ft) for towers, structural, equipment storage or other components of the building which may be required for the operation (not intended to allow for an additional storey above 18.0m).	
e) Site Coverage	60% maximum for all buildings	

### 7.9.5 Additional Development Regulations for IM

- 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 7.1 to 7.11 of Part 7 – Industrial Land Use Districts, Part 11 - Parking and Loading, and Part 12 – Signs;
- b) Proposed developments may be subject to a Risk Assessment to ensure compatibility with adjacent heavy industrial uses. Such assessments shall be

carried out in accordance with Major Industrial Accidents Council of Canada (MIACC);

- c) At the discretion of the Development Authority or based on the recommendations of a Risk Assessment, additional safety measures may be required by the Development Authority in order to consider a proposed development;
- d) For development adjacent to Heavy Industrial Uses, all sites and buildings, except for renovations or additions of less than 10% of the existing gross floor area, shall be designed for ease of evacuation, access by emergency services, and mechanical systems to provide protection to occupants in the case of a significant industrial accident; and
- e) All sites and buildings shall be designed in accordance with the principles of Shelter-in-Place.

## **Part 8 – Institutional Land Use Districts**

### **8.6 PS – Public Service District**

#### **8.6.1 Purpose**

This District is intended to provide for public and quasi-public development that serves the social, physical, mental, cultural and religious needs of the community.

#### **8.6.2 PS Permitted and Discretionary Uses**

(a) PS Permitted Uses	(b) PS Discretionary Uses
<ul style="list-style-type: none"> <li>- Assisted Living Facility</li> <li>- <b>Assisted Living Facility (limited)</b></li> <li>- Community service facility</li> <li>- Day care facility</li> <li>- Education (private)</li> <li>- Education (public)</li> <li>- Emergency response service</li> <li>- Fascia sign</li> <li>- Freestanding sign</li> <li>- Government service</li> <li>- Group home</li> <li>- Health Service</li> <li>- Identification sign</li> <li>- Indoor recreation facility</li> <li>- Natural conservation use</li> <li>- Outdoor recreation facility</li> <li>- Parking facility</li> </ul>	<ul style="list-style-type: none"> <li>- Campground</li> <li>- Cemetery</li> <li>- Communication Tower</li> <li>- Communication Tower (limited)</li> <li>- Community Garden</li> <li>- Detention and Correction Service</li> <li>- Eating and Drinking Establishment</li> <li>- Eating and Drinking Establishment (limited)</li> <li>- Funeral Home</li> <li>- Hospital</li> <li>- (Deleted)</li> <li>- <b>Recycling drop-off</b></li> <li>- Accessory development to any use listed in subsection 8.6.2(b)</li> </ul>

<ul style="list-style-type: none"> <li>- Place of worship</li> <li>- <b>Sign, Electronic Message</b></li> <li>- Portable Sign</li> <li>- Projecting Sign</li> <li>- Public Facility</li> <li>- Accessory development to any use listed in subsection 8.6.2(a)</li> </ul>	
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### 8.6.3 PS Site Subdivision Regulations

	Interior or Corner Site
a) Site Area	At the discretion of the Development Authority
b) Site Width	At the discretion of the Development Authority
c) Site Depth	At the discretion of the Development Authority

### 8.6.4 PS Site Development Regulations

	Interior Site	Corner Site
a) Front Yard Setback	6.0m (19.7ft) minimum	Front: 6.0m (19.7ft) minimum  Flanking: at the discretion of the Development Authority
b) Rear Yard Setback	8.0m (26.2ft) minimum	
c) Side Yard Setback	3.0m (9.8ft) minimum	
d) Building Height	14.0m (45.9ft) maximum for a principal building  30.0m (98.4ft) for towers or structural components of buildings not intended for human occupation	
e) Site Coverage	60% maximum	

### 8.6.5 Additional Development Regulations for PS

- (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 8.1 to 8.4 of Part 8 – Institutional Land Use Districts, Part 11 - Parking and Loading, and Part 12 – Signs; and
- (b) The Development Authority may modify the parking standards for development in the PS – Public Service District set out in Part 11 - Parking and Loading.

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

### 8.10.1 Purpose

The purpose of this site specific zoning is to provide for Seniors Housing and supportive uses on a portion of City owned lands known as the Old Health Care Centre site. Flexibility in seniors housing is encouraged to provide for all levels of housing including, but not limited to, independent and assisted living. Sustainable site and building design and construction (i.e. LEED) will be encouraged in support of sustainable redevelopment of the surrounding lands within the Old Health Centre Site Redevelopment Plan.

#### 8.10.2 Area of Application

Portion of Lot A, Plan 911NY and a portion of Lot 8, Block 21, Plan 6180NY, located to the north of 94 Avenue between 99 Avenue and 95 Street. The site contains approximately 1.83ha (4.5 acres) of land.

#### 8.10.3 SH Permitted and Discretionary Uses

(a)SH Permitted Uses	(b) SH Discretionary Uses
<ul style="list-style-type: none"> <li>- Assisted Living Facility</li> <li>- Day Care Facility</li> <li>- Portable Sign</li> <li>- Accessory development to any use listed in subsection 8.10.2(a)</li> </ul>	<ul style="list-style-type: none"> <li>- Electronic Message Sign</li> <li>- Projecting Sign</li> <li>- Retail Store (convenience)</li> <li>- <b>Personal Service</b></li> <li>- Facia Sign</li> <li>- <sup>1</sup>Accessory development to any use listed in subsection 8.10.2(b)</li> </ul>

#### 8.10.4 SH Setbacks to External Properties or Public Roadways

	Interior or Corner Site
a) Front Yard Setback	30.6m (100.4ft) maximum
b) Rear Yard Setback	3.0m (9.8ft) minimum
c) Side Yard Setback	3.0m (9.8ft) minimum adjacent to the west site boundary 5.9m (19.4ft) maximum adjacent to 95 Street

#### 8.10.5 SH Building Height

The maximum building height shall be four storeys not to exceed 18.3m (60.0ft) to provide flexibility for roof designs.

#### 8.10.6 Additional Development Regulations

- (a) All developments and uses within this Land Use District are subject to the applicable provisions of Part 4 - General Regulations for All Land Use Districts and Sections 9.1 to 9.5 of Part 9 – Direct Control Land Use Districts; and

<sup>1</sup> C19-15

- (b) Parking shall be, where possible, located to the rear or side of the principal building when viewed from the public roadway and shall be located to the satisfaction of the Development Authority.

#### 8.10.7 SH Landscaping and Amenity Area

- (a) The minimum landscaped area shall be 20% of the site and shall be subject to applicable provisions under Section 8.3 – Landscaping Requirements for Institutional Land Uses of this Bylaw; and
- (b) Rooftop gardens shall be considered landscaped area.

#### 8.10.8 SH Parking

- (a) Parking for the residential care facility shall be a minimum of:
  - i. 1 stall per 2 units plus; and
  - ii. A minimum of 10 spaces for staff parking
- (b) <sup>1</sup>10 Visitor parking spaces for the site shall be provided off-street.

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<sup>1</sup> C19-15

## **Part 9 – Direct Control Land Use Districts**

### **9.13 DC(A)-08 DIRECT CONTROL- 99<sup>th</sup> AVENUE RESIDENTIAL MIXED USE CENTRE**

#### **9.13.1 Purpose**

This District is intended for the development of a residential mixed use centre. Residential apartment developments can include neighbourhood level commercial and retail uses.

#### **9.13.2 Area of Application**

This Direct Control District applies to Lots: 17-18, Block: 22, Plan: 1523644, as shown in Figure 9.13.

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

<b>(a) DC(A)-08 Permitted</b>	<b>(b) DC(A)-08 Discretionary</b>
<ul style="list-style-type: none"><li>- Apartment Dwelling</li><li>- Assisted Living Facility</li><li>- Assisted Living Facility (Limited)</li><li>- Day Care Facility</li><li>- Eating &amp; Drinking Establishment (Limited)</li><li>- Home Office</li><li>- Parking Facility</li><li>- Personal Service</li><li>- Professional, Financial and Office Service</li><li>- Retail Store (Convenience)</li><li>- Retail Store (General)</li><li>- Sign, Fascia</li><li>- Sign, Identification</li><li>- Sign, Projecting</li><li>- Temporary Sales Centre</li></ul>	<ul style="list-style-type: none"><li>- Community Garden</li><li>- Day Care Facility (limited) *</li><li>- Eating &amp; Drinking Establishment</li><li>- Eating &amp; Drinking Establishment (Outdoor)</li><li>- Health Services</li><li>- Home Business**</li><li>- Live Work Unit***</li><li>- Multi-attached Dwelling</li><li>- Show Home</li><li>- Sign, Freestanding</li><li>- Accessory Development to those uses listed in 5.24.2 (b)</li></ul>

\* Day care facility (limited) may not occur within ~~a dwelling unit~~. **an apartment dwelling.**

\*\* Home business uses may not occur within ~~a dwelling unit~~. **an apartment dwelling.**

\*\*\* Live work unit may not occur within an apartment dwelling.

#### **9.13.4 RMH Site Subdivision Regulations for Apartment Dwellings**

	<b>Interior or Corner Site</b>
<b>a) Site Area</b>	1,360.0m <sup>2</sup> (14,638.9ft <sup>2</sup> ) minimum
<b>b) Site Width</b>	40.0m (130.2ft) minimum



c) Site Depth	34.0m (111.5ft) minimum
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#### 9.13.5 DC(A)-08 Site Development Regulations for Apartment Dwellings\*\*

	Interior Site	Corner Site	
a) Front Yard Setback	7.0m (23.0ft) minimum	Front	7.0m (23.0ft) minimum
		Flanking	6.0m (19.7ft) minimum
b) Rear Yard Setback	7.0m (23.0ft) minimum		
c) Side Yard Setback	6.0m (19.7ft) minimum		
d) Principal Building Height	12 storeys not to exceed 40.0m (131.2ft) maximum. Buildings over four storeys shall provide appropriate transitions in height, scale and massing to adjacent sites as per figure 9.13a		
e) Site Coverage	60% maximum for all buildings and structures		
f) Density	A minimum of 70 dwelling units per net development hectare		

\*\* Internal site setbacks for condominium sites may be reduced and shall be determined at the discretion of the Development Authority.

#### 9.13.6 DC(A)-08 Site Subdivision Regulations for Multi-Attached Dwellings

	Internal Unit	External Unit
a) Site Area	207.0m <sup>2</sup> (2,218.1ft <sup>2</sup> ) minimum	360.0m <sup>2</sup> (3,875.0ft <sup>2</sup> ) minimum
b) Site Width	6.1m (20.0ft) minimum	10.6m (34.8ft) minimum
c) Site Depth	34.0m (111.5ft) minimum	

#### 9.13.7 DC(A)-08 Site Development Regulations for Multi-Attached Dwellings\*\*

	Interior or Corner Site	
a) Front Yard Setback	Front Yard	3.0m (9.8ft) minimum with a lane
		4.5m (14.8ft) maximum with a lane
		6.0m (19.6ft) minimum without a lane
		7.0m (23.0ft) maximum without a lane
	Flanking Yard	3.0m (9.8ft) minimum on a corner site
		4.5m (14.8ft) maximum on a corner site
b) Rear Yard Setback	8.0m (26.2ft) minimum	
c) Side Yard Setback	1.5m (4.9ft) minimum	
d) Principal Building Height	Three storey not to exceed 11.0m (36.1ft) maximum. A maximum differential of one storey shall be allowed between adjacent sites.	

e) Site Coverage	60% maximum
f) Density	A minimum of 70 dwelling units per net developable hectare

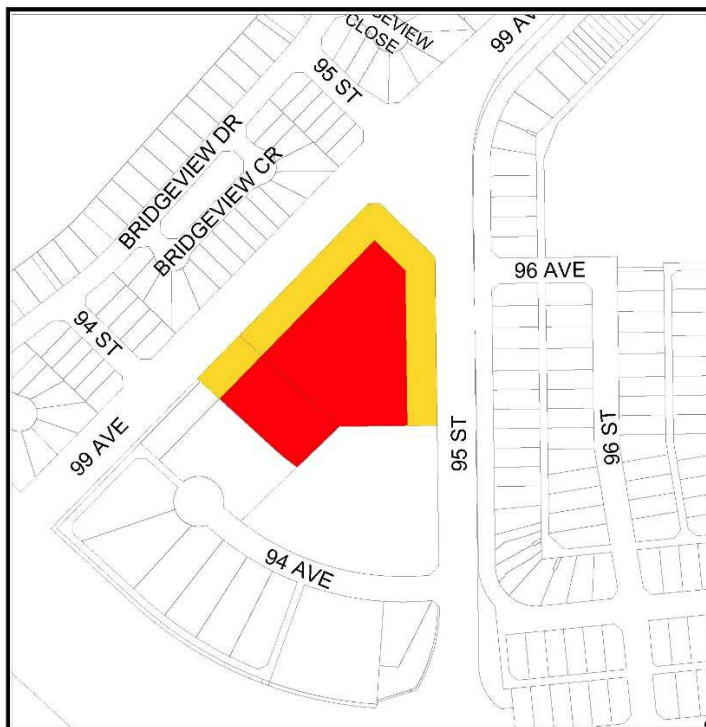
\*\* Internal site setbacks for condominium sites may be reduced and shall be determined at the discretion of the Development Authority.

#### 9.13.8 Building Height Transition

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) No buildings above 4 storeys in height should be fronting 99 Avenue and 95 Street, as per Figure 9.13.a

Figure 9.13a: Maximum Building Heights



**4 Storeys Maximum Height**

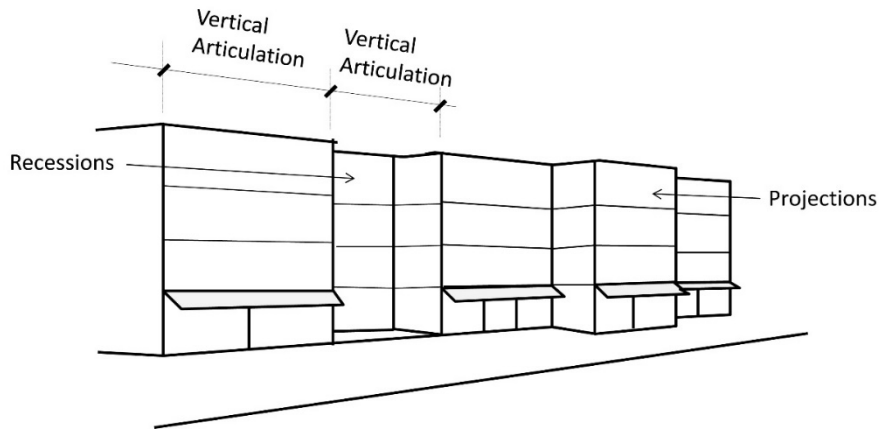
**12 Storeys Maximum Height**

#### 9.13.9 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) The use of stepbacks are encouraged for the upper storeys of buildings over 4 storeys.
- b) Vertical articulations in the streetwall fronting public roads using a variety of colours, materials, projections as well as recessions in the building façade are encouraged, as per Figure 9.13b.

Figure 9.13b: Vertical Articulation and Building Entrances



#### 9.13.10 Building Façade Treatment

The following regulations are intended to ensure quality materials and finishes are used for buildings

- (a) Brick, masonry, and stone features are encouraged on the ground storey and building entrances. Stucco and siding can be considered for the balance of the building.

#### 9.13.11 Development Regulations for Commercial Uses

The intent of the following regulations are to guide commercial uses for mixed use development.

- (c) Non-residential listed uses shall:
  - iii. Not be permitted as a freestanding use in a stand-alone building;
  - iv. Limited to the first storey of apartment buildings; and
  - v. Shall have separate access at grade from residential uses.

#### 9.13.12 Parking, Parkades, and Accesses,

- (h) Surface parking should be located to the rear or side of buildings.
- (i) Where possible, vehicular entrances to underground parking facilities should be provided from the rear of buildings.
- (j) Lighting for parking facilities shall not project onto neighbouring properties.

#### 9.13.13 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 5 - Residential Land Use Districts – General Regulations, Part 11 - Parking and Loading, and Part 12 – Signs.
- (b) 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.

### **Part 11 – Parking and Loading**

#### 11.2 Minimum Parking Requirements

- 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.
- 11.2.2 Where the calculation of the required number of parking spaces results in a fraction, the next higher number shall apply.
- 11.2.3 Where a proposed development does not directly correlate with the land uses listed in this Section, the Development Authority shall determine a specific number of required parking spaces, having regard to requirements for similar uses provided herein.
- 11.2.4 Visitor parking for multi-unit residential developments shall be made readily accessible and available for visitors to the development, to the satisfaction of the Development Authority.
- 11.2.5 Designated parking spaces for persons with physical disabilities shall be provided in accordance with appropriate provisions of ~~the Alberta Safety Codes Act, Alberta Building Code or any~~ other Provincial or Federal requirement and shall

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

11.2.6 Designated parking spaces for persons with physical disabilities shall be located as close as possible to wheelchair ramps, walkways and entrances. Parking spaces shall not be located within a wheelchair ramp access area.

11.2.7 Small car parking spaces may be permitted, provided that:

- (a) Small car parking spaces shall comprise a maximum of 20% of required parking for development in all Land Use Districts except for the R1 – Large Lot Residential District, R2 – Medium Lot Residential District, R3 – Small Lot Residential District, R4 – Lane Lot Residential District, R5 – Semi-Detached and Duplex Residential District, RE – Residential Estate Lot District, and RC – Comprehensively Planned Residential District;
- (b) All small car parking spaces shall be clearly designated with signs reading: “Small car parking only”; and
- (c) All small car parking spaces shall be a minimum of 2.4m (7.9ft) by 5.0m (16.4ft).

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. 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.

Table 11b: Minimum Parking Requirements for Commercial Uses

Land Use Class	Minimum Number of Parking Spaces
<b>Business support service</b>	<b>2.2 per 100m<sup>2</sup> (1076ft<sup>2</sup>) of GFA</b>
Commercial school	3 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA for students plus 2.8 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA of administrative area, to a minimum of 5, for staff
Day care facility	1 per 2 employees plus 10 for patrons
Eating and drinking establishment, eating and drinking establishment (limited) and eating and drinking establishment (outdoor)	1 for every 4 seats for customers plus 1 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA for staff, providing a minimum of 5 for staff
Entertainment facility (indoor and outdoor)	10 per 100m <sup>2</sup> (1,076 ft <sup>2</sup> ) of GFA for customers and staff

Health Services	1 space per 45m <sup>2</sup> (484 ft <sup>2</sup> ) of GFA
Hotel, motel	1 per room for occupants, plus 1 per 10 rooms to a minimum of 5, for staff
Kennel	2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA for customers (does not include kennelling area), plus 2 for staff
Personal service	2.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA for customers and staff plus 7.5 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA of reception area (where applicable) for customers
Pet care service	Where GFA is less than 2,000 m <sup>2</sup> (21,528ft <sup>2</sup> ), 2.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
	Where GFA is between 2,000m <sup>2</sup> (21,528ft <sup>2</sup> ) and 20,000m <sup>2</sup> (215,278ft <sup>2</sup> ), 3.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
	Where GFA is greater than 20,000m <sup>2</sup> (215,278ft <sup>2</sup> ), 4.3 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
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 <del>to a</del> <b>minimum of 5,</b> for staff
Recreation facility, indoor	1 for every 5 seats for uses with fixed seating or 1 per 10m <sup>2</sup> (108ft <sup>2</sup> ) of GFA for uses without fixed seating Notwithstanding the above, the Development Authority may require additional or different parking requirements based on the individual characteristics or components of the recreation facility
Recreation facility, outdoor	At the discretion of the Development Authority
Retail store (convenience), (general), and (liquor)	Where GFA is less than 2,000 m <sup>2</sup> (21,528ft <sup>2</sup> ), 2.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
Retail store (convenience), (general), and (liquor)	Where GFA is between 2,000m <sup>2</sup> (21,528ft <sup>2</sup> ) and 20,000m <sup>2</sup> (215,278ft <sup>2</sup> ), 3.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
Service station	Where GFA is greater than 20,000m <sup>2</sup> (215,278ft <sup>2</sup> ), 4.3 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
Service station (limited)	(Deleted)
Vehicle oriented service	1 per employee on shift plus a minimum of 5 for customers
Vehicle repair facility	1 per 2 employees plus 2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
Vehicle repair facility (limited)	

Land Use Class	Minimum Number of Parking Spaces
Vehicle sales, leasing and rental facility, vehicle sales, leasing and rental Facility (limited)	2.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
Veterinary clinic	2.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA

Warehouse sales	Where GFA is less than 2,000m <sup>2</sup> (21,528ft <sup>2</sup> ), 2.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
	Where GFA is between 2,000m <sup>2</sup> (21,528ft <sup>2</sup> ) and 20,000m <sup>2</sup> (215,278ft <sup>2</sup> ), 3.2 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA
	Where GFA is greater than 20,000m <sup>2</sup> (215,278ft <sup>2</sup> ), 4.3 per 100m <sup>2</sup> (1,076ft <sup>2</sup> ) of GFA

### 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 11e.

~~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.~~

## 11.6 Parking and Loading Requirements for Residential Land Uses

11.6.1 All parking and loading spaces required by this Bylaw for residential purposes, including all manoeuvring aisles and driveways shall be:

- (a) For single detached, semi-detached and duplex dwellings:
  - i. Located on the same site as the use requiring them;
  - ii. Hard surfaced prior to occupancy;
  - iii. Where vehicular access is via a public roadway or lane, provided to the rear or side of the principal building;
  - iv. Where there is no lane present, provided to the rear, side or front of the principal dwelling; and
  - v. Where vehicular access is via the front only, one side yard shall be a minimum of 3.0m (10.5ft) in width to accommodate a driveway for vehicular access to the rear of the property, except where an attached garage is provided.
- (b) For multi-attached and apartment dwellings:
  - i. Paved prior to occupancy;
  - ii. Bordered and separated from adjacent areas with concrete curbing; and
  - iii. Not located within the required front yard setback area of a site.



11.6.2 In the event that seasonal conditions prevent the completion of paving in accordance with this Bylaw:

- (a) The parking and loading areas shall be compacted and maintained in a manner that allows reasonable access by emergency vehicles. In addition, the paving shall be completed within the construction season of the following year; and
- (b) The owner/applicant shall be required to provide a Security Deposit to guarantee the completion of the paving in accordance with this Bylaw.

11.6.3 Parking stalls provided inside a garage or carport shall have the following minimum dimensions:

- (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**
- (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.**

11.6.4 Hard surfaced parking pads intended to accommodate a garage in the future shall accommodate the minimum dimensions noted in Section 11.4.3 above.

11.6.5 For single detached, ~~and~~ 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

11.8.1 At the discretion of the Development Authority, some or all of the parking required pursuant to this Bylaw for a non-residential use may be provided on a site different than the site of the development for which it is required, provided that there is no more than 100.0m (328.0ft) between the off-site parking site and the development site.

11.8.2 Off-site parking spaces provided pursuant to Subsection 11.6.1 above shall be:

- (a) Located in a Land Use District that allows for parking Facilities;
- (b) Subject to a Restrictive Covenant registered on the Title to the off-site parking site, which specifies that the parking is to be provided for use of the related development site;

- (c) Used primarily for staff and overflow parking, where a portion of the parking is provided on the development site; and
- (d) Connected to the development site by a public walkway.

11.8.3 Except in the IL – Light Industrial District, IM – Medium Industrial District, ~~and~~ 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:

- (a) Paved prior to occupancy or commencement of the use; and
- (b) Bordered and separated from adjacent areas with concrete curbing.

11.8.4 Access to and egress from an unpaved area of an IL – Light Industrial District, IM – Medium Industrial District or IH – Heavy Industrial District site directly accessible from a public roadway shall have hard surfacing equal to the width of the access/egress and 15.0m (49.2ft) in depth within the site. In addition, the off-site portion of the access/egress shall be hard surfaced to the satisfaction of the City.

## **Part 12 – Signs**

### **12.1 General Sign Regulations**

- 12.1.1 No person shall erect, develop, paint, enlarge, relocate or alter any sign, except as otherwise provided for in this Bylaw without first obtaining a Development Permit.
- 12.1.2 The placement of a sign shall not require the removal or destruction of trees, shrubbery or other landscaping. If trees, shrubbery or other landscaping is removed in order to place a sign, the removed landscaping shall be replaced with similar landscaping elsewhere on the site to the satisfaction of the Development Authority.
- 12.1.3 No sign shall be affixed to any public or private structure without the owner's permission.
- 12.1.4 To the extent reasonably feasible, any permitted sign shall be placed so as not to obstruct or impair vision, or hinder or interfere with pedestrian or vehicular traffic on abutting roads or walkways.
- 12.1.5 All sign structures shall be securely built, constructed and erected to conform to the standards set forth in this Bylaw. ~~and the Alberta Safety Codes Act~~
- 12.1.6 No sign shall be erected, operated, used or maintained that:
  - (a) Due to its position, shape, colour, format or illumination obstructs the view of, or could be confused with, an official traffic sign, signal or device, as

determined by the Development Authority in consultation with the Transportation Department;

- (b) Displays lights resembling the flashing lights usually associated with danger or those by police, fire, ambulance and other emergency vehicles; and
- (c) Uses spots or reflector lights directed at on-coming traffic or displays travelling or flashing messages that, in the opinion of the Development Authority, create a hazard to traffic on a public roadway from which the sign is visible.

12.1.7 For all Development Permit applications for signs, the Development Authority shall have regard for the scale and architectural character of the building and the land use characteristics of the surrounding development. The Development Authority shall refuse any Development Permit application for a sign that may adversely impact the amenities or character of the adjacent development.

~~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.~~

12.1.9 When a sign cannot be clearly categorized as one of the sign types defined in this Bylaw, the Development Authority shall determine the sign type and applicable standards.

12.1.10 The Development Authority may attach conditions to a Development Permit for a sign to ensure compliance with the regulations of this Bylaw and to mitigate any effect that a sign may have on surrounding properties. Conditions may relate to the duration that a Permit is valid, the landscaping associated with a sign, the maximum size of a sign, the appearance of a sign, the lighting of a sign, and may require applicants to at any time mitigate safety concerns identified by the City near traffic conflict points.

~~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.~~

12.1.12 To the extent reasonably feasible, all structural features of a sign shall be covered or finished to the satisfaction of the Development Authority.

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

## 12.7 Electronic Message Signs

- 12.7.1 An Electronic Message sign shall not be located within a Residential Land Use District and shall not be located within 30.5m (100.0ft) of a residential land use.
- 12.7.2 An Electronic Message sign shall not be located within 300.0m (984.3ft) from any other Electronic Message sign facing the same oncoming traffic.
- 12.7.3 The maximum period for which an Electronic Message sign Development Permit may be issued shall be three years, upon which re-assessment and a new Permit approval shall be obtained.
- 12.7.4 Electronic Message signs shall be located such that the sign does not obscure a driver decision point. The Development Authority and Transportation Department shall be satisfied that an Electronic Message sign:
- (a) Shall not physically obstruct the sightlines or view of a traffic control device or traffic control signal for oncoming vehicular traffic;
  - (b) Shall not be located in the field of view near or past a traffic control device or traffic control signal in the sightlines of oncoming vehicular traffic;
  - (c) Shall not be located in the field of view near or past other traffic conflict points such as intersections, merge points, exit ramps, or curved roadways; and
  - (d) Shall not include illumination that may compete with or dull the contrast of a traffic control device or traffic control signal for oncoming vehicular traffic.
- 12.7.5 Electronic Message signs shall not face a residential use or a Natural Conservation area and shall only be located or constructed such that illumination from the sign does not project onto any surrounding residential land uses or Natural Conservation Areas, to the satisfaction of the Development Authority.
- 12.7.6 An Electronic Message sign located adjacent to a residential use or a Natural Conservation area shall be turned off between the hours of 11:00 p.m. and 6:00 a.m. on weekdays and between 11:00 p.m. and 7:00 a.m. on weekends.
- 12.7.7 An Electronic Message sign shall not be located on, or attached to, a roof of a building.
- 12.7.8 The design and character of an Electronic Message sign on any site shall be to the satisfaction of the Development Authority who may take into consideration any of the following aspects:
- (a) Compatibility with the general architectural character and theme of the area; and
  - (b) Streetscape improvements.

- 12.7.9 The Development Authority may require application revisions to mitigate the impact of a proposed Electronic Message sign, and may refuse a Permit that adversely impacts the surrounding area.
- 12.7.10 The electrical power supply to an Electronic Message sign shall be provided underground unless otherwise allowed by the Development Authority.
- 12.7.11 Photovoltaic cells, solar panels or solar collectors and ancillary equipment may be part of the sign structure in order to provide electrical power solely to the copy area. Photovoltaic cells, solar panels or solar collectors and ancillary equipment may extend above the maximum sign height to the satisfaction of the Development Authority. It shall be demonstrated by the applicant that the additional height is required to achieve sufficient solar exposure to provide electrical power to the sign.
- 12.7.12 Digital displays on Electronic Message signs shall comply with the following:
- (a) Copy shall be static and remain in place for a minimum of six seconds before switching to a new or the next copy;
  - (b) The maximum transition time between each digital copy shall not exceed 0.25 seconds;
  - (c) Transitions between each digital copy shall not involve any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light or the illusion of such effects;
  - (d) Copy shall not be shown on the digital display using full motion video, movies, Motion Picture Experts Group (MPEG) or any other non-static digital format and the copy shall not be displayed using any visual effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light or the illusion of such effects;
  - (e) Copy shall not be shown in a manner that requires the copy to be viewed or read over a series of sequential copy messages on a single digital display, or sequenced on multiple digital displays;
  - (f) The sign owner shall ensure that while the sign is in operation with the ambient light sensor, that the light output for the digital display shall be set to operate and not exceed the following levels at all times the sign is operating when measured from the sign Face at its maximum brightness:
    - i. A maximum of 7,500 nits from sunrise to sunset, at those times determined by the National Research Council of Canada (sunrise/sunset calculator);

- ii. A maximum of 500 nits from sunset to sunrise at those times determined by the National Research Council of Canada (sunrise/sunset calculator); and
  - iii. The sign shall not increase light levels above around the digital display by more than 5.0 LUX above the ambient light level;
- (g) At any time, should the Development Authority determine that the brightness of the sign should exceed those limits set out in Section 12.7.10(f), the sign owner shall change the brightness as directed by the Development Authority;
  - (h) If any component on the sign fails or malfunctions in any way and fails to operate as indicated on the approved Development Permit plans, the sign owner shall ensure that the sign is turned off until all components are fixed and operating as required; and
  - (i) The sign owner shall provide a name and telephone contact information of a person having access to the technology controls for the sign, who can be contacted 24 hours a day in the event that the sign malfunctions.

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.

## 12.12 Portable Signs

12.12.1 A portable sign shall be wholly located upon the site ~~that is the subject of the advertising displayed on the sign~~, and shall not be located within ~~1.0m (3.3ft)~~ 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.

12.12.2 A portable sign shall not be illuminated and shall not be an Electronic Message sign.

12.12.3 More than one portable sign may be permitted on a site provided that they are placed no closer than ~~90.0m (295.3ft)~~ 50.0m (164.0ft) apart. Two portable signs may be permitted on a corner site, with one on each frontage.

12.12.4 The maximum period for which a portable sign Development Permit may be issued shall be one (1) year, at which time re-assessment and a new Development Permit approval shall be obtained.

12.12.5 Portable signs shall not be permitted within a Residential Land Use District.

12.12.6 A portable sign shall not be fastened to the ground on a permanent foundation.

~~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

12.13.1 A projecting sign shall be attached to the building or structure to which it refers.

12.13.2 Visible means of support for projecting signs shall be designed to visually integrate with the building on which they are located to the satisfaction of the

Development Authority. No framework or other supporting devices (guy wires, cables, etc.) shall be visible.

12.13.3 The minimum vertical clearance from the finished grade under the sign to the bottom of a projecting sign shall be 2.4m (8.0ft).

12.13.4 A projecting sign may project a maximum of 1.5m (4.9ft) above the building Façade to which it is attached and shall be set back a minimum of 0.6m (2.0ft) from the back of the curb of a public roadway.

~~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.~~

12.13.6 No projecting sign shall project over public property or across Title boundaries unless permission has been given in writing as a condition of a Development Permit.

## 12.16 Signs ~~Located On or~~ Projecting Over Public Property

12.16.1 When application is made for a Development Permit for a sign ~~located on or~~ 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.

12.16.2 Notwithstanding the issuance of a Development Permit for sign that projects over public property, the City may require the alteration, removal or relocation of the sign if the property upon which it is located is required for any public purpose.

~~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.~~

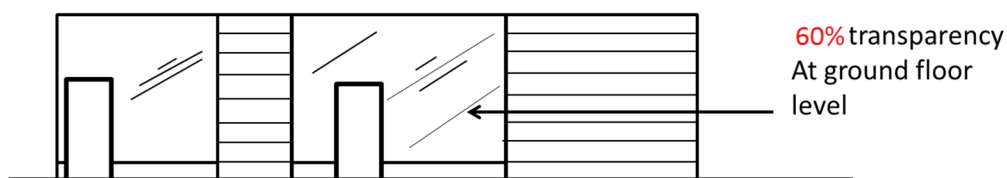
## **Part 13 – Downtown Land Use Districts**

### 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



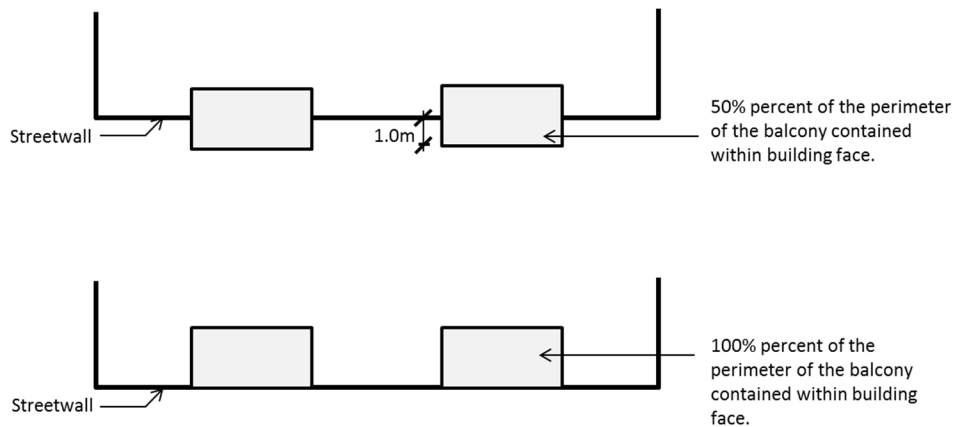
13.3.5 Building entrances are to be visible from adjacent streets, and highlighted through the use of architectural and landscaping devices such as benches, low walls, steps, a variety of paving materials, planting features, architecturally-integrated canopies projecting from the building, architectural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

### 13.7 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.

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

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

Figure 13.11a: Applicable Area for CC-D District



<ul style="list-style-type: none"> <li>- Above Ground Floor Dwelling</li> <li>- Assisted Living Facility</li> <li>- Assisted Living Facility (Limited)</li> <li>- Business Support Service*</li> <li>- Commercial School</li> <li>- Day Care Facility**</li> <li>- Eating &amp; Drinking Establishment</li> <li>- Eating &amp; Drinking Establishment (Limited)</li> <li>- Eating &amp; Drinking Establishment (Outdoor)</li> <li>- Health Service</li> <li>- Home Office</li> <li>- Hotel</li> <li>- Indoor Entertainment Facility</li> <li>- Parking Facility</li> <li>- Personal Service</li> <li>- Pet Care Service</li> <li>- Place of Worship</li> <li>- Professional, Financial and Office Service</li> <li>- Public Facility</li> <li>- Retail Store (Convenience)</li> <li>- Retail Store (General)</li> <li>- Retail Store (Liquor)</li> <li>- Seasonal Garden Centre (Temporary)</li> <li>- Show Home</li> <li>- Sign, Channel Letter</li> <li>- Sign, Fascia</li> <li>- Sign, Identification</li> <li>- Sign, Portable</li> <li>- Sign, Projecting</li> <li>- Sign, Specialty Projecting</li> <li>- Veterinary Clinic</li> </ul>	<ul style="list-style-type: none"> <li>- Community Garden</li> <li>- Community Service Facility</li> <li>- Custom Manufacturing Establishment</li> <li>- Emergency Response Service</li> <li>- Funeral Home</li> <li>- Government Service</li> <li>- Indoor Recreation Facility</li> <li>- Live Work Unit</li> <li>- Late Night Club</li> <li>- Outdoor Entertainment Facility</li> <li>- Outdoor Recreation Facility</li> <li>- Pawn Shop</li> <li>- Private Club</li> <li>- Recycling Drop-off</li> <li>- Service Station (Limited)</li> <li>- Sign, Freestanding***</li> <li>- Temporary Outdoor Event</li> <li>- Temporary Sales Centre</li> <li>- Vehicle Repair Facility (Limited)***</li> <li>- Vehicle Wash***</li> <li>- Accessory development to any use listed in subsection 13.11.2(a)(b)</li> </ul>
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\* 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

	Interior or Corner Site	
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

	Interior or Corner Site	
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	CC-D Area A 4.0
	Maximum	CC-D Area A Residential 3.0
	Maximum	CC-D Area B 4.0
Unit Density	Maximum	CC-D Area A 250 Units/Ha
	Maximum	CC-D Area B 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	CC-D Area A 4 Storeys (13.5m or 44.3ft)
	Maximum	CC-D Area B 8 Storeys (25.5m or 83.7ft)
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 to be provided for balconies.

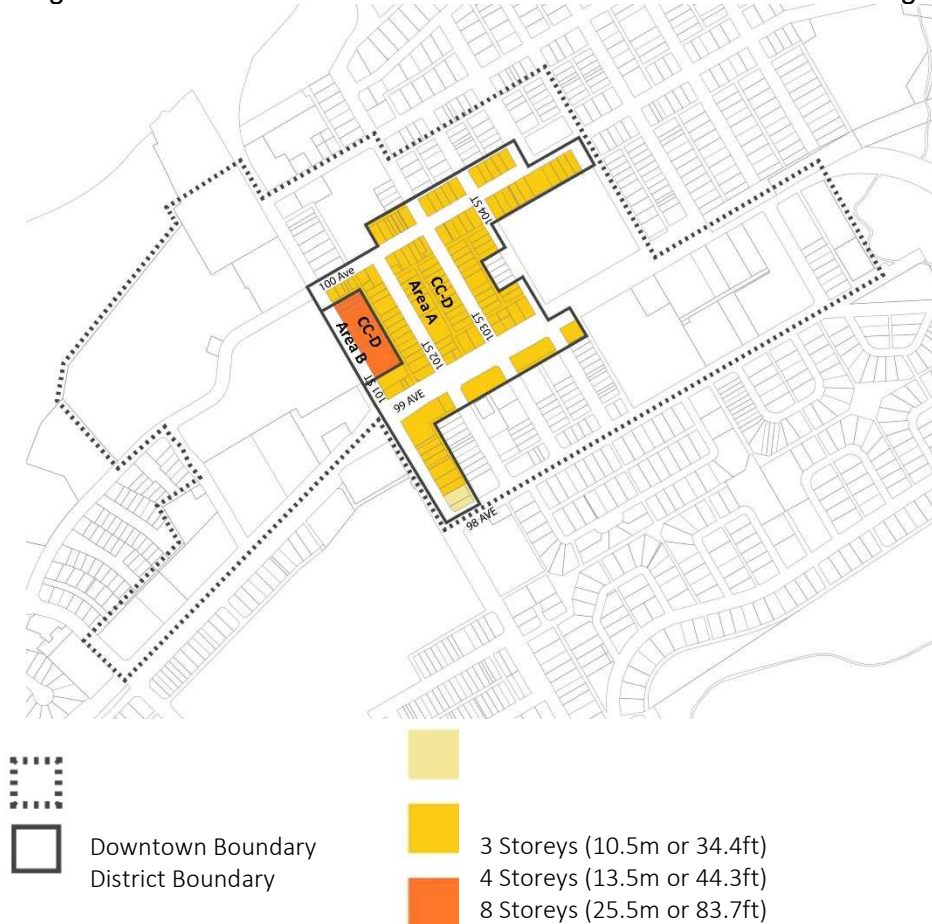
## Built Form Regulations

### 13.11.5 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 13.11b.

Figure 13.11b: Core Commercial District – Downtown Maximum Height Limits



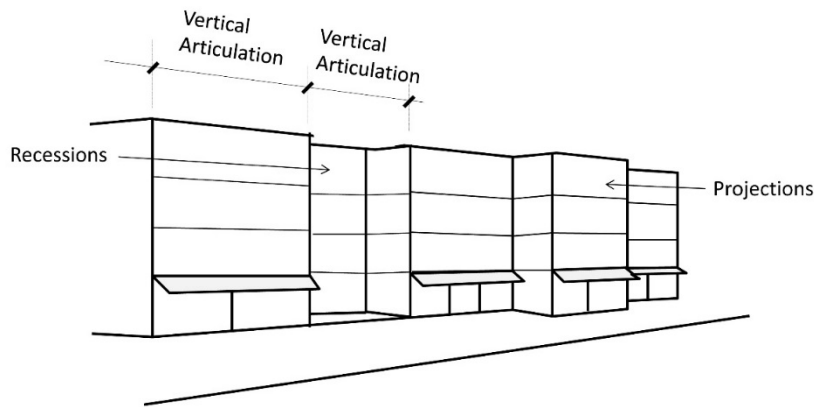
- (b) The maximum parapet height for the top storey shall not exceed 1.5m (4.9ft).
- (c) Vents, mechanical rooms and equipment, elevator penthouses etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building to reduce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

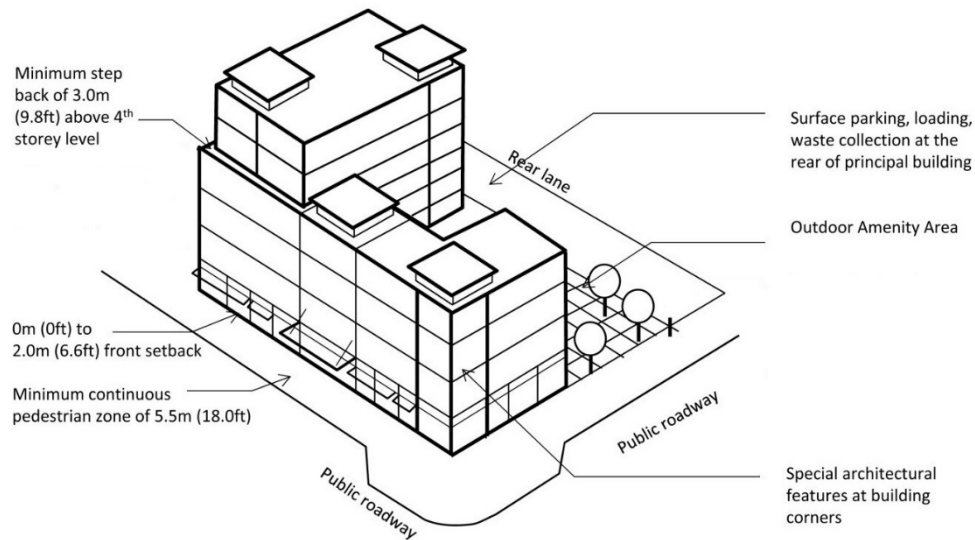
#### 13.11.7 Building Massing and Architectural Character

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



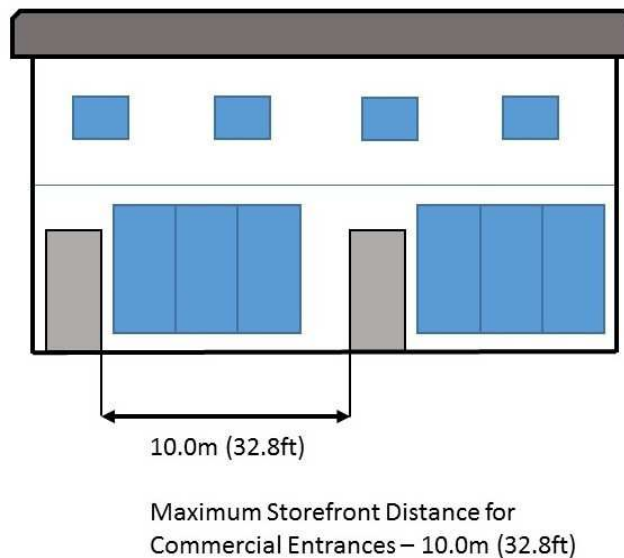
### 13.11.8 Pedestrian Entrances

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



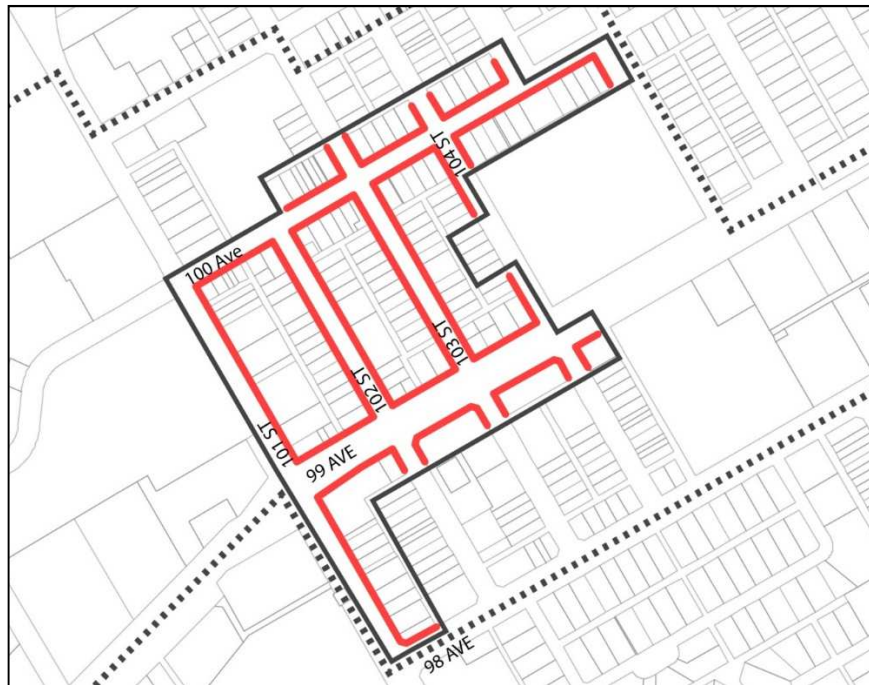
- (b) Ground floor entrances for non-residential uses or a common vestibule to an apartment building shall be level with the grade.
- (c) Ground floor entrances for residential units shall be 1.0m (3.3ft) above grade with a display garden incorporated in the front setback.
- (d) Entrances to non-residential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

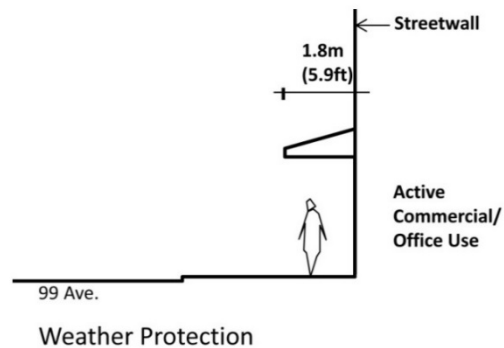


#### 13.11.10 Canopies and Weather Protection

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

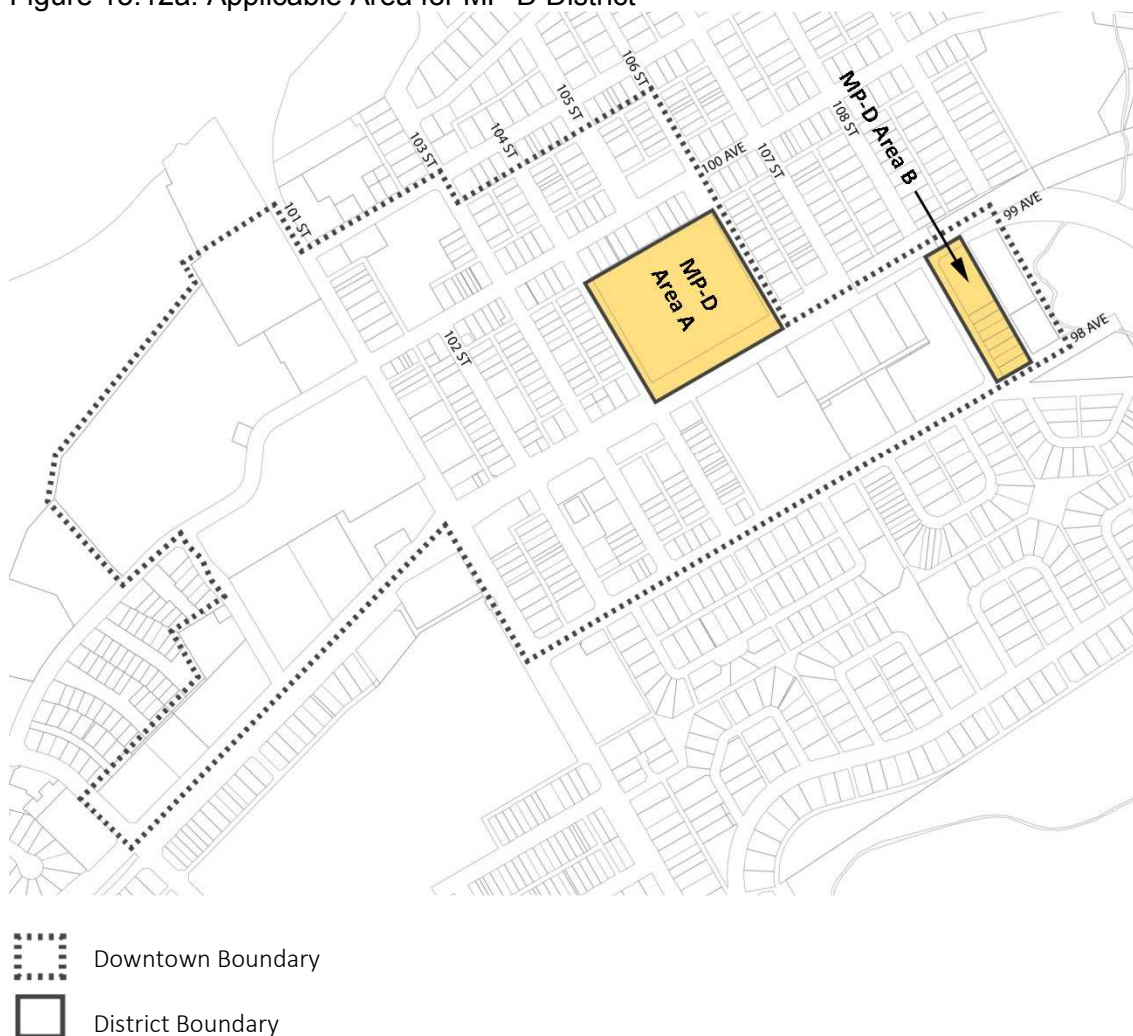


#### 13.11.11 Additional Development Regulations

- (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

(a) MP-D Permitted	(b) MP-D Discretionary
<ul style="list-style-type: none"> <li>- Above Ground Floor Dwelling</li> <li>- Apartment Dwelling</li> <li>- Assisted Living Facility</li> <li>- Assisted Living Facility (Limited)</li> <li>- Business Support Service</li> <li>- Commercial School</li> <li>- Community Service Facility</li> <li>- Day Care Facility*</li> <li>- Eating &amp; Drinking Establishment</li> <li>- Eating &amp; Drinking Establishment (Limited)</li> <li>- Eating &amp; Drinking Establishment (Outdoor)</li> <li>- Emergency Response Service</li> <li>- Health Service</li> <li>- Home Office</li> <li>- Hotel</li> <li>- Indoor Entertainment Facility</li> <li>- Indoor Recreation Facility</li> <li>- Parking Facility</li> <li>- Personal Service</li> <li>- Place of Worship</li> <li>- Private Club</li> <li>- Professional, Financial and Office Service</li> <li>- Public Facility</li> <li>- Retail Store (Convenience)</li> <li>- Retail Store (General)</li> <li>- Retail Store (Liquor)</li> <li>- Seasonal Garden Centre <del>(Temporary)</del></li> <li>- Show Home</li> <li>- Sign, Channel Letter</li> <li>- Sign, Fascia</li> <li><del>Sign, General Advertising</del></li> <li>- Sign, Identification</li> <li>- Sign, Portable</li> </ul>	<ul style="list-style-type: none"> <li>- Communication Tower (Limited)</li> <li>- Custom Manufacturing Establishment</li> <li>- Government Service</li> <li>- Greenhouse <del>(Permanent)</del></li> <li>- Late Night Club</li> <li>- Live Work Unit</li> <li><del>Minor Impact Utility Service</del></li> <li>- Multi-attached Dwelling</li> <li>- Outdoor Entertainment Facility</li> <li>- Outdoor Recreation Facility</li> <li>- Pawn Shop</li> <li>- Pet Care Service</li> <li>- Sign, Electric Message</li> <li>- Sign, Freestanding</li> <li>- Temporary Outdoor Event</li> <li>- Vehicle Sales, Leasing or Rental Facility</li> <li>- <del>Vehicle Sales, Leasing or Rental Facility (limited)</del></li> <li>- Veterinary Clinic</li> <li>- Accessory Development to those uses listed in 13.12.2(a) and (b)</li> </ul>

<ul style="list-style-type: none"> <li>- Sign, Projecting</li> <li>- Sign, Specialty Projecting</li> <li>- Temporary Sales Centre</li> </ul>	
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\* Day care facility may not occur within an apartment dwelling.

### 13.12.3 MP-D Site Subdivision Regulations

	Interior or Corner Site	
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

	Interior or Corner Site	
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%
Floor Area Ratio (FAR)	Maximum	4.0
Unit Density	Maximum	200 units/net residential hectare for sites less than 1500.0m <sup>2</sup> .

	Interior or Corner Site	
		350 units/net residential hectare for sites greater than 1500.0m <sup>2</sup> .
Building Height	Maximum	Area A 15 Storeys (46.2m-151.6ft)  Area 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.

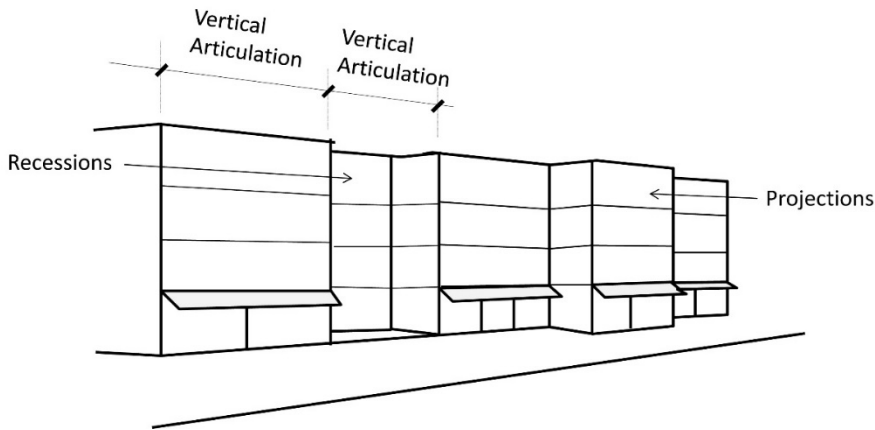
#### 13.12.6 Street Character and Pedestrian Realm

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

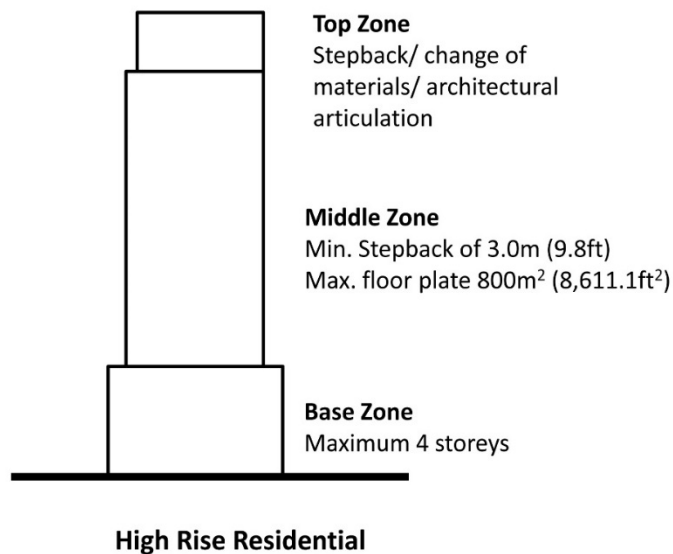
The following regulations are intended to ensure buildings contribute to a sense of place by providing visual interest along the street level, interesting building forms, and human scale dimensions.

- (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

stepback 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

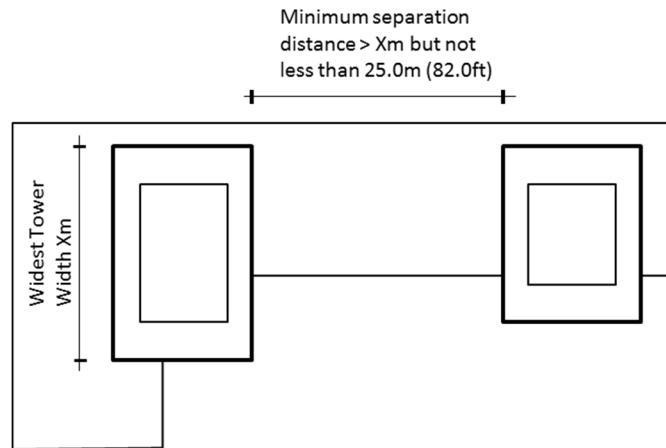
- iii. For buildings above 12 storeys, the top zone shall include the top 3 storeys and shall incorporate either an additional stepback or a change in material/colour or special architectural treatment to the satisfaction of the Development Authority.

Figure 13.12d: Requirement for Distinct Vertical Zones



- (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

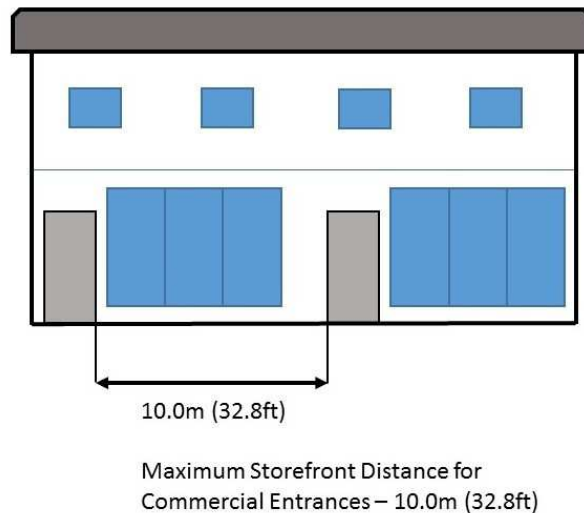


### 13.12.8 Pedestrian Entrances

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



- (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:
  - i. Ground floor uses along 99 Avenue, east side of 104 Street and east side of 108 Street shall be limited to non-residential uses;
  - ii. Ground floor uses along west side of 106 Street shall be limited to residential uses; and
  - iii. 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



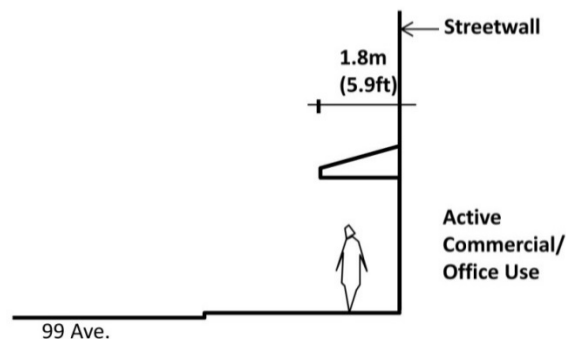


### 13.12.10 Canopies and Weather Protection

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.

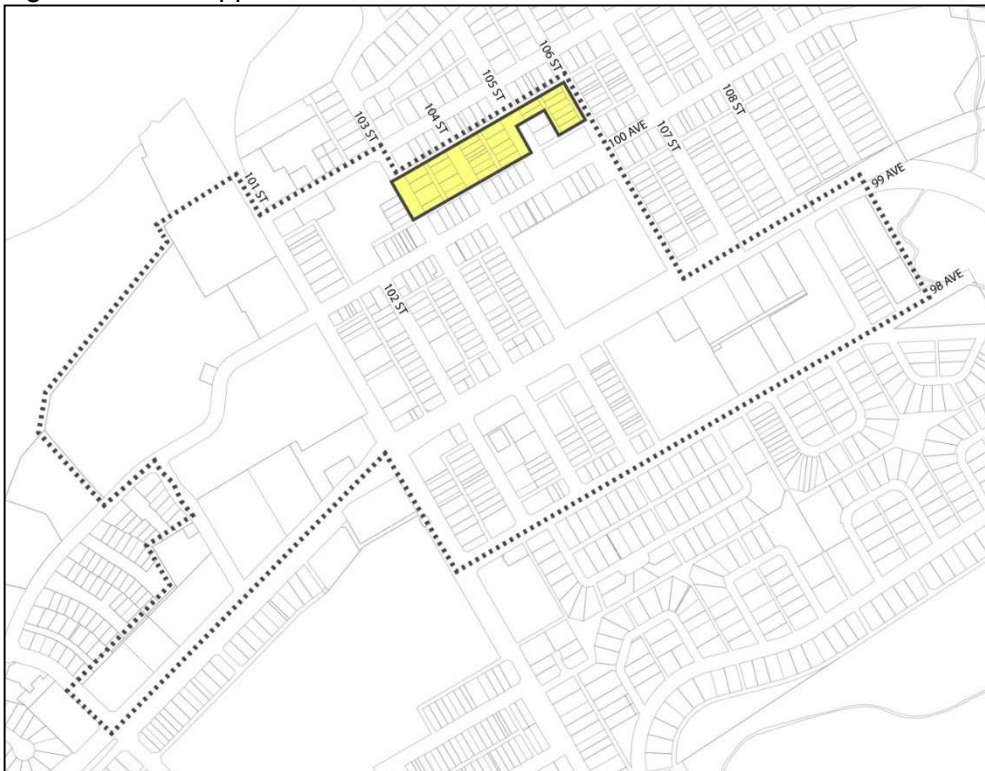
- (d) Landscaped buffers between parking, loading and other hard surfaced areas and adjacent public roadways shall be a minimum of 3.0m (9.8ft) in width.

#### 13.12.12 Additional Regulations

- (c) 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.
- (d) Where lane access is provided, the site shall be designed to provide access to onsite parking from the lane.
- (e) 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.

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

Figure 13.15a: Applicable Area for TR-D District





Downtown Boundary



District Boundary

### 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

(a) TR-D Permitted	(b) TR-D Discretionary
<ul style="list-style-type: none"> <li>- Community Garden</li> <li>- Duplex Dwelling</li> <li>- Home Office</li> <li>- Multi-Attached Dwellings*</li> <li>- Semi-Detached Dwelling</li> <li>- Single Detached Dwelling</li> <li>- Swimming Pool</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast</li> <li>- Day Care Facility (Limited)</li> <li>- Government Service</li> <li>- Group Home (Limited)</li> <li>- Home Business</li> <li>- Personal Service</li> <li>- Pet Care Service***</li> <li>- Place of Worship</li> <li>- Professional, Financial and Office Service</li> <li>- Secondary Suites**</li> <li>- Show Home</li> <li>- Temporary Outdoor Event</li> <li>- Temporary Sales Centre</li> <li>- Accessory Development to those uses listed in 13.15.2(a) and (b)</li> </ul>

\* Up to a maximum of four attached dwellings

\*\* Only allowed in single detached dwellings

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

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

	Interior Site	Corner Site
Site Area	273.0m <sup>2</sup> (2,938.6ft <sup>2</sup> ) minimum	318.0m <sup>2</sup> (3,422.9ft <sup>2</sup> ) minimum
Site Width	9.1m (29.9ft) minimum	10.6m (34.8ft) minimum

Site Depth	30.0m (98.4ft) minimum
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#### 13.15.4 TR-D Site Subdivision Regulations for Semi-Detached Dwellings

	Interior Site	Corner Site
a) Site Area	219.0m <sup>2</sup> (2,357.3ft <sup>2</sup> ) minimum	273.0m <sup>2</sup> (2,938.6ft <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	183.0m <sup>2</sup> (1,969.8ft <sup>2</sup> ) minimum	255.0m <sup>2</sup> (2,744.8ft <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	

#### 13.15.6 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.
		50% for all buildings and structures where principal building is 1 storey.



	Site and Building Criteria	
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

### 13.15.7 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.

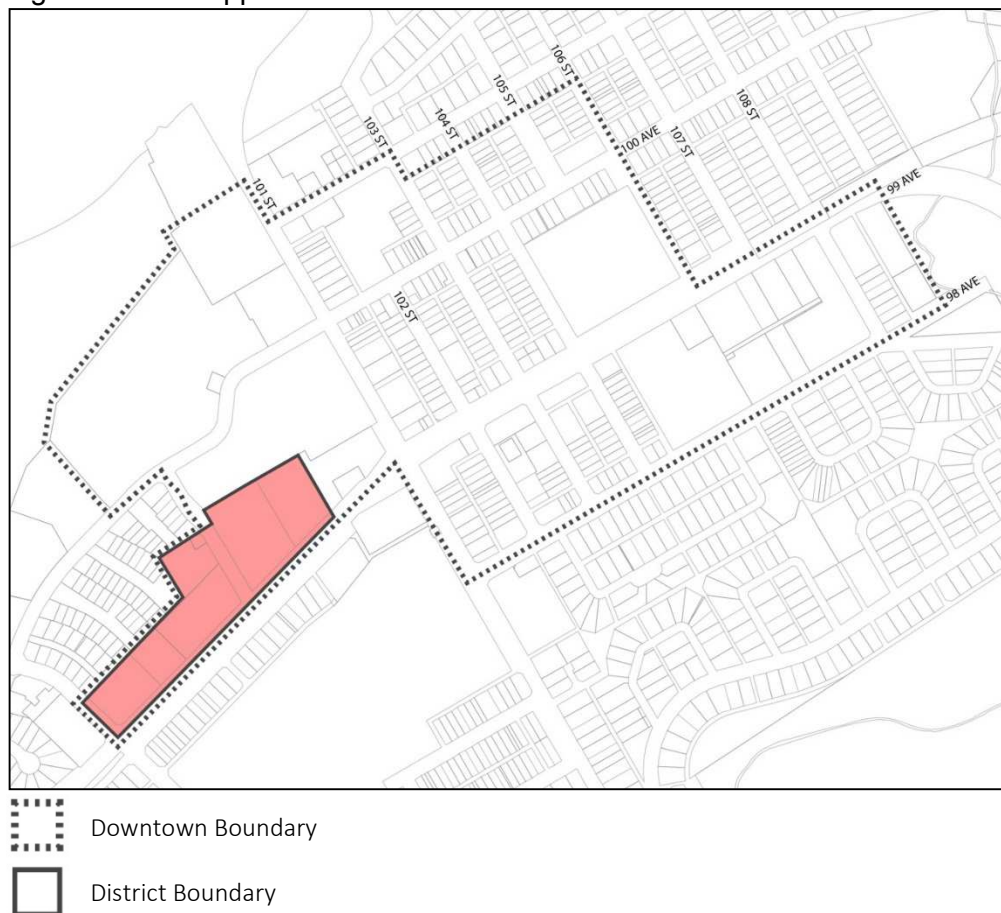
- (a) The maximum parapet height for all new buildings shall not exceed 1.5m (4.9ft).
- (b) Vents, mechanical rooms and equipment, elevator, penthouses, etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building to reduce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

### 13.15.8 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

(a) 99C-D Permitted	(b) 99C-D Discretionary
<ul style="list-style-type: none"> <li>- Above Ground Floor Dwelling</li> <li>- Business Support Service</li> <li>- Community Service Facility</li> <li>- Day Care Facility*</li> <li>- Drive Through Service</li> <li>- Eating &amp; Drinking Establishment</li> <li>- Eating &amp; Drinking Establishment (Limited)</li> <li>- Eating &amp; Drinking Establishment (Outdoor)</li> <li>- Emergency Response Service</li> <li>- Home Office</li> <li>- Indoor Entertainment Facility</li> <li>- Indoor Recreation Facility</li> <li>- Parking Facility</li> <li>- Pet Care Service</li> <li>- Personal Service</li> <li>- Professional, Financial and Office Service</li> <li>- Public Facility</li> <li>- Retail Store (Convenience)</li> <li>- Retail Store (General)</li> <li>- Retail Store (Liquor)</li> <li>- Seasonal Garden Centre</li> <li>- <del>Temporary</del></li> <li>- Show Home</li> <li>- Sign, Channel Letter</li> <li>- Sign, Fascia</li> <li>- Sign, Identification</li> <li>- Sign, Portable</li> <li>- Sign, Projecting</li> <li>- Temporary Sales Centre</li> </ul>	<ul style="list-style-type: none"> <li>- Commercial School</li> <li>- Government Service</li> <li>- Health Service</li> <li>- Outdoor Entertainment Facility</li> <li>- Outdoor Recreation Facility</li> <li>- Place of Worship</li> <li>- Recycling Drop-off</li> <li>- Service Station (Limited)</li> <li>- Sign, Electric Message</li> <li>- Sign, Freestanding</li> <li>- Temporary Outdoor Event</li> <li>- Vehicle Wash</li> <li>- Veterinary Clinic</li> <li>- Accessory Development to those uses listed under 13.16.2(a) and (b)</li> </ul>

\* Not permitted within apartment dwelling

### 13.16.3 99C-D Site Subdivision Regulations

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

### 13.16.4 99C-D Site Development Regulations

	Interior or Corner Site	
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	Non-Residential 2.0  Residential 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.

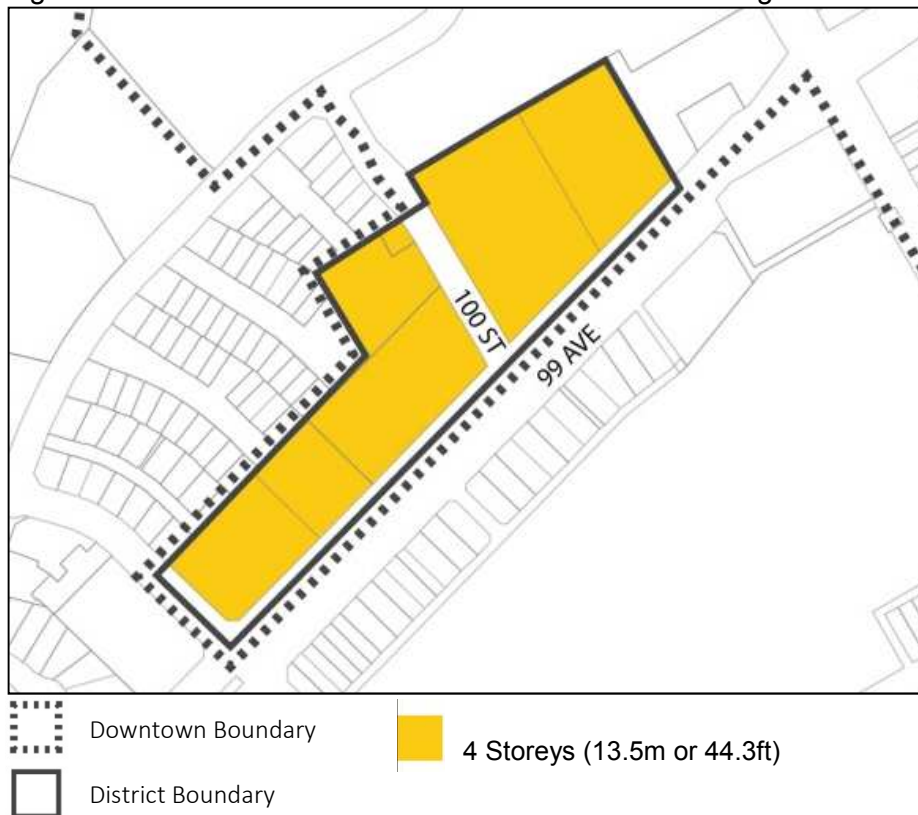
### Built Form Regulations

#### 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).

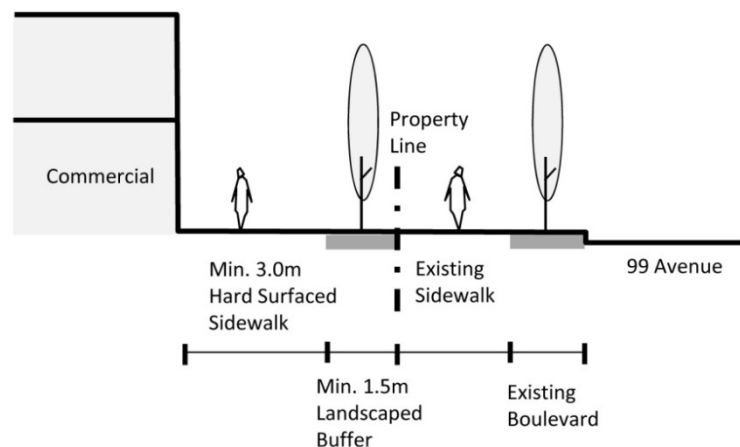
(c) Vents, mechanical rooms and equipment, elevator, penthouses, etc. shall be integrated into the architectural treatment of building roof or screened with materials and finishes compatible with the building.

### 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.

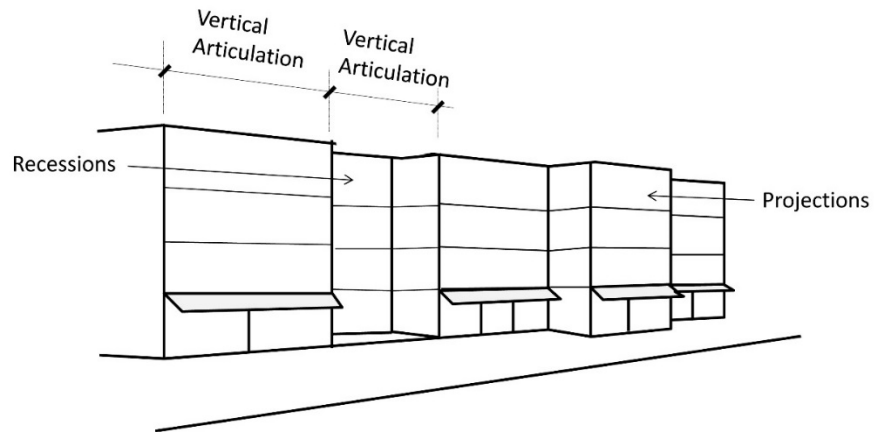
- (a) The front setback along 99 Avenue shall comply with the following landscaping requirements, as per Figure 13.16c:
  - i. A 1.5m (4.9ft) wide landscaped buffer zone shall be provided along the property line;
  - ii. A minimum 3.0m (9.8ft) wide sidewalk shall be provided between the building frontage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

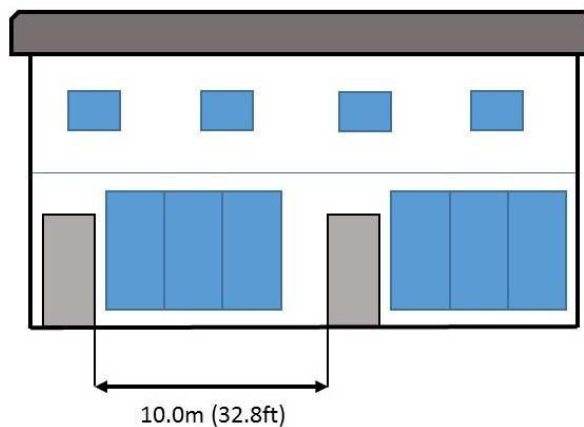


### 13.16.7 Pedestrian Entrances

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



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 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:
  - i. Limited to non-residential uses along 99 Avenue, 100 Street and east side of 100 Avenue;
  - ii. Structure parking facilities shall generally be located internally on the site and shall not front 99th Avenue;
  - iii. 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.

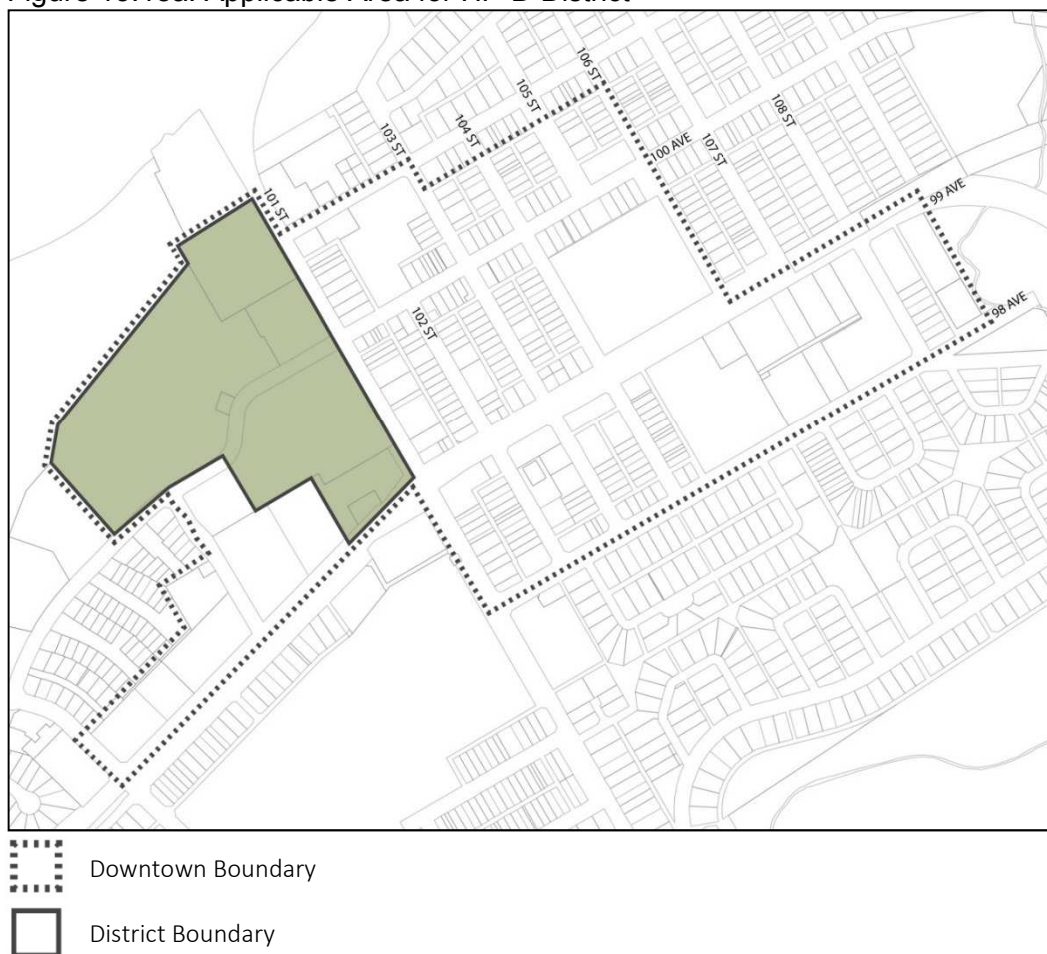
#### 13.16.10 Additional Development Regulations

- (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.



### 13.18 HP-D – Historic Precinct – Downtown

Figure 13.18a: Applicable Area for HP-D District



### 13.18.1 Purpose

This District is intended to regulate development in Fort Saskatchewan's Historic Precinct. New developments shall preserve, rehabilitate and reuse existing historical resources, such as buildings and landscapes, in order to create design continuity with the existing architectural character of the Historic Precinct through respecting scale and function of the built form.

### 13.18.2 HP-D Permitted and Discretionary Uses

(a) HP-D Permitted	(b) HP-D Discretionary
<ul style="list-style-type: none"> <li>- Community Garden</li> <li>- Community Service Facility</li> <li>- Government Service</li> <li>- Outdoor Entertainment Facility</li> <li>- Outdoor Recreation Facility</li> <li>- Parking Facility</li> <li>- Public Facility</li> <li>- Sign Channel Letter</li> <li>- Sign, Fascia</li> <li>- Sign, Identification</li> <li>- Sign, Portable</li> <li>- Sign, Projecting</li> <li>- Sign, Specialty Projecting</li> <li>- Temporary Outdoor Event</li> </ul>	<p><del>Accessory Development</del></p> <ul style="list-style-type: none"> <li>- Communication Tower</li> <li>- Communication Tower (Limited)</li> <li>- Eating &amp; Drinking Establishment (Limited)</li> <li>- Education (Private)</li> <li>- Education (Public)</li> <li>- Indoor Recreation Facility</li> <li>- Place of Worship</li> <li>- Sign, Electric Message</li> <li>- Sign, Freestanding</li> <li>- Accessory Development to those uses listed under 13.18.2(a) and (b)</li> </ul>

### 13.18.3 HP-D Site Subdivision Regulations

	Interior or Corner Site
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

	Site and Building Criteria	
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.

#### 13.18.5 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.

### **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.~~

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

**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) ~~Decorative Hard surfacing 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 ~~prefabricated or factory built building or section of a building which can be transported to a parcel where the lots are 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 not a 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 accommodate 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.

~~**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.~~

**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

~~**AGRICULTURE** means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward and includes, but is not limited to: the cultivation of soil for the growing of crops and all related activities, or the raising of animals to provide food or other products.~~

- ~~(a) The cultivation of land;~~
- ~~(b) The raising of poultry and livestock, including game production animals within the meaning of the *Livestock Industry Diversification Act*;~~
- ~~(c) The raising of fur-bearing animals, birds or fish;~~
- ~~(d) The production of agricultural field crops;~~
- ~~(e) The production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;~~
- ~~(f) The production of eggs and milk;~~
- ~~(g) The production of honey;~~

- ~~(h) The operation of agricultural machinery and equipment, excluding irrigation pumps; and~~
- ~~(i) The application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying for agricultural purposes.~~

**DAY CARE FACILITY CHILD 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~~ Province.

**DAY CARE FACILITY (LIMITED) 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 ~~for up to six children, by an individual other than the child's parent or guardian, but does not include Assisted Living Facilities that shall follow the regulations of the Province.~~

**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. ~~A garage suite is accessory to a building in which the principal use is single detached dwelling or a semi-detached dwelling. A garage suite has cooking facilities, sleeping facilities and sanitary facilities which are separate from those of the principal dwelling within the structure. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A garage suite has an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.~~ 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. ~~A Garden suite has cooking facilities, sleeping facilities and sanitary facilities which are separate from those of the principal dwelling located on the site.~~ 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. ~~A Secondary Suite is only permitted within a Single Detached Dwelling and shall not be permitted within any other use class. A Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal Dwelling within the structure. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the side or rear of the structure.~~ 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 **business or office uses; an enterprise or related uses.**

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

- ~~(a) Does not require business associated visits;~~
- ~~(b) Does not have any non-resident persons employed within the dwelling;~~
- ~~(c) Is not detectable from outside the dwelling;~~
- ~~(d) Does not extend the business activity to the garage or outside yard; and~~
- ~~(e) Does not require the parking of commercial vehicles.~~

**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 **homes 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 **the animals shall not be boarded overnight and the development shall not have any outside enclosures, pens, runs or exercise areas within commercial districts.** This land use may also include the retail sales of associated products.

**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.

**SIGN, GENERAL ADVERTISING** ~~means a sign which refers to goods or services other than those produced, offered for sale or obtained at the Premise on which the sign is displayed.~~

**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.

## **Appendices**

Appendix A – Land Use Map amended as follows:

Pointe Aux Pins Trail redistricted from UR – Urban Reserve to PR – Parks and Recreation District

Appendix D - Guidelines for the Placement of Election Signs upon City of Fort Saskatchewan Road Rights-of-Way deleted.