CITY OF ST. ALBERT

BYLAW 18/2024

LAND USE BYLAW

A Bylaw to regulate and control the use and development of land and buildings, and establish the Development Authority in the City of St. Albert.

WHEREAS, pursuant to the *Municipal Government Act,* R.S.A, 2000, c.M-26, and amendments thereto, a municipality shall pass a land use bylaw;

AND WHEREAS, the City of St. Albert wishes to establish a Development Authority to exercise development powers and perform duties on behalf of the municipality;

NOW THEREFORE, the Council of the City of St. Albert ENACTS AS FOLLOWS:

1. This bylaw may be referred to as the "Land Use Bylaw".

2. The "Land Use Bylaw", attached as Schedule "1" to this bylaw, is hereby adopted as the City of St. Albert's Land Use Bylaw.

SEVERABILITY

3. Should any provision of this bylaw be invalid, then the invalid provision shall be severed, and the remainder of this bylaw shall be maintained.

EFFECTIVE DATE

4. This bylaw comes into effect when it is passed.

REPEAL OF BYLAWS

5. Bylaw 9/2005, as amended, is hereby repealed.
6. Bylaw 18/95, as amended, is hereby repealed.

READ a First time this 1st day of October 2024.

READ a Second time this 15th day of October, 2024.

READ a Third time this 15th day of October, 2024.

SIGNED AND PASSED this 19 day of October, 2024.

C. Heron

MAYOR

Marta Caufield (Oct 19, 2024 08:03 MDT)

CHIEF LEGISLATIVE OFFICER

Schedule 1 – City of St. Albert Land Use Bylaw

City of St. Albert

Land Use Bylaw

October 15, 2024

LAND ACKNOWLEDGEMENT

We respectfully acknowledge that we are on Treaty 6 territory, traditional lands of First Nations and Métis peoples. As treaty People, Indigenous and non-Indigenous, we share the responsibility for stewardship of this beautiful land.

LAND USE BYLAW AMENDMENTS

Amendment	Bylaw No.	Details	Final Reading
1	25/2024	Schedule A Map 13 – Cherot 3rd Redistricting	December 3, 2024
2	23/2024	Schedule A Map 19 – Riverside Redistricting	December 17, 2024
3	3/2025	Schedule A Map 8 – North Ridge Phase 2 (Nouveau) – 4th Redistricting	April 1, 2025
4	7/2025	Midtown District Text Amendments	April 15, 2025
5	9/2025	Schedule A Map 18 – Riverside – 4 Redspur Drive - MDR to HDR	May 12, 2025
6	10/2025	Schedule A Maps 18 & 19 – Riverside Redistrictings North & South of McKenney	May 12, 2025
7	16/2025	Schedule A Map 13 – Cherot 4th Redistricting	June 3, 2025
8	12/2025	Schedule A Map 5 – ERN 150 Edison Drive HDR to MDR	July 2, 2025
9	17/2025	MU2 District Text Amends & SchA Map 9 – ERN Redistricting MU2 to TCC	July 2, 2025

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Part 1
Purpose

This part introduces readers to the Land Use Bylaw, the local Development Authority, the process for amending this Bylaw, and consequences for contravening it.

Jurisdiction

1.1 SHORT TITLE

(1) This Bylaw may be cited as "The City of St. Albert Land Use Bylaw."

1.2 REPEAL

(1) This Bylaw repeals *Land Use Bylaw* 9/2005, and *Development Authority Bylaw* 18/95.

1.3 TRANSITION

(1) An application for amendments to this Bylaw, and any Land Use Redistricting, Subdivision, or *Development Permit* applications received on or after this Bylaw comes into force shall be processed and considered upon the provisions outlined herein.

(2) If an application for a *Development Permit* under *Land Use Bylaw 9/2005* is received and deemed complete before this Bylaw comes into force, that application will be dealt with under the provisions of *Land Use Bylaw 9/2005* as though that Bylaw had not been repealed and this Bylaw had not been enacted.

(3) A *Development Permit* that was in force and effect on the date this Bylaw comes into force continues to be in force and effect, and is subject to suspension or cancellation, as though it had been issued under this Bylaw.

1.4 PURPOSE

(1) The purpose of this Bylaw is to regulate the use and *development* of land and *buildings* within the *City* of St. Albert.

1.5 REGULATORY CONTEXT AND COMPLIANCE

(1) Nothing in this Bylaw shall exempt any person from their obligation to comply with the requirements of any other municipal, provincial, or federal statute or regulation.

1.6 REFERENCES TO OTHER BYLAWS

(1) Any reference in this Bylaw to other bylaws or to a provincial or federal statute shall be deemed a reference to the bylaw or statute then in force, including all amendments thereto and any successor legislation.

(2) The *density requirement* of an *Area Structure Plan*, *Area Redevelopment Plan*, or *Neighbourhood Plan* shall supersede the *site density requirement* of any district in this Bylaw.

1.7 FEES AND CHARGES

(1) Fees and charges for services or other things provided under this Bylaw, including processing of applications, are set out in the *Master Rates Bylaw* 1/82.

(2) The fee applicable to an application for a *Development Permit* must be paid in full before the *Development Authority* issues a decision on the application.

1.8 SEVERABILITY

(1) Each provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, all other provisions remain valid and enforceable.

1.9 INTERPRETATION

(1) In this Bylaw:

(a) The table of contents, titles and subtitles are for convenience of reference only, do not form part of the substantive content, and are not to be used for the purpose of construing or interpreting any provision of this Bylaw;

(b) Tables, charts, or schedules form part of the substantive content, unless otherwise provided;

(c) Unless the context otherwise requires, words importing the singular shall include the plural and vice versa;

(d) Unless the context otherwise requires, words importing one gender include all genders; and

(e) The following abbreviations have the indicated meanings:

(i) MGA means *Municipal Government Act*;

(ii) MDP means Municipal Development Plan;

(iii) ASP means *Area Structure Plan*;

(iv) ARP means *Area Redevelopment Plan*;

(v) NP means *Neighbourhood Plan*;

(vi) SDAB means *Subdivision and Development Appeal Board*;

(vii) LPRT means *Land and Property Rights Tribunal*;

(viii) CAO means *Chief Administrative Officer*;

(ix) DC means *Direct Control*;

(x) du means *dwelling unit*;

(xi) ha means hectare;

(xii) m means metre; and

(xiii) m^2 means square metre.

1.10 DETERMINING LAND USE DISTRICT BOUNDARIES

(1) In the event of uncertainty or dispute with respect to the location of the boundary of a *Land Use District*, the location will be determined by application of the following rules:

(a) Where the boundary of a District is shown as approximately following the boundary of a *lot*, a utility right-of-way or easement, or the *City's* municipal boundary, the District boundary is deemed to follow the surveyed boundary of the *lot*, the utility right-of-way or easement, or the *City's* municipal boundary;

(b) Where the boundary of a District is shown as approximately following a *highway* or *public roadway*, the boundary is deemed to be at the centre line of the *highway* or *public roadway*;

(c) Where the boundary of a District is shown as approximately following the edge or shore of a naturally occurring or constructed body of water, the District boundary is deemed to follow the edge line or shore line, and in the event of a naturally occurring change in the location of the edge line or shore line, the District boundary is deemed to have changed to conform to the new location of the edge line or shore line;

(d) Where the boundary of a District is shown as following:

(i) A topographic contour line; or

(ii) A slope stability *setback* line from either the top or the bottom of an escarpment;

the District boundary is deemed to follow the contour line or *setback* line, and in the event of a naturally occurring change in the location of the contour line or *setback* line, the District boundary is deemed to have changed to conform to the new location of the contour line or *setback* line;

(e) Where the boundary of a District is shown as being parallel to or an extension of any of the features described in sections (a) to (d) of this section, the District boundary is deemed to be where a plan of survey shows, or would show, such a parallel or extended line to be;

(f) If the exact location of a District boundary cannot be determined by the application of sections (a) through (e) of this section, the *Development Authority* shall determine the location of the District boundary on the basis of measurements scaled from the applicable Land Use District Map; and

(g) Where a property boundary is adjusted by subdivision, the *Land Use District* boundary follows the new property boundary created by the subdivision.

1.11 ROUNDING OF NUMBERS

(1) In determining whether a *building* complies with this Bylaw in respect to placement on the *site* or projection of the *building* over *setback* areas, the measurements of the *building* shall be rounded to the same number of significant digits as set out in this Bylaw.

Development Authority

1.12 DEVELOPMENT AUTHORITY

(1) The office of the *Development Authority* is established in accordance with Part 17, Division 3 of the *MGA* to exercise development powers and perform duties on behalf of the *City*.

(2) The CAO shall appoint the *Director of Planning and Development,* the *Manager of the Development Branch,* and one or more *Development Officers*.

(3) The powers and duties of the *Development Authority* for the *City* may be carried out by:

(a) The *Director of Planning and Development*;

(b) The *Manager of the Development Branch*; or

(c) Any of the of *Development Officers* appointed by the CAO pursuant to this Bylaw.

1.13 POWERS AND DUTIES OF THE DEVELOPMENT AUTHORITY

(1) The *Development Authority* has those powers and duties as set out in the *MGA*, any regulations made thereunder and this Bylaw.

(2) The powers and duties of a *Development Officer* may be exercised by any one of the individuals referred to in section 1.12(3).

(3) The *Development Authority* shall:

(a) Receive and determine whether an application is complete in accordance with the timelines prescribed within the *MGA*;

(b) Subject to budget and resource constraints, process and render decisions on *Development Permit* applications in accordance with the timelines prescribed within the *MGA*;

(c) Keep and maintain for inspection during regular municipal office hours, a copy of this Bylaw as amended, ensure that an online version is available on the *City's* website, and have hard copies available for a fee; and

(d) Keep a register, in electronic format, of all *Development Permit* applications, and the decisions rendered on them, for a minimum of seven years.

(4) The *Development Authority* may:

(a) Refer a *Development Permit* application, in whole or in part, to any internal department, outside agency, or local authority they deem necessary or advisable to consult;

(b) Provide a written *time extension agreement*;

(c) Approve a *variance* that complies with this Bylaw;

(d) Refuse a *Development Permit* application and provide the Applicant with written notice stating the decision of refusal and the reasons for refusal;

(e) Enforce any requirement or prohibition imposed on any person by this Bylaw;

(f) Issue a letter certifying whether the current or proposed use of a *lot* or *building* complies with this Bylaw;

(g) Impose, as conditions of a *Development Permit*, additional requirements, in order to ensure that the *development* is compatible with, and complementary to, surrounding land uses, consider other relevant planning documents, or ensure compliance; and

(h) Review applications for the siting of a *telecommunication tower*, in accordance with section 3.38 'Telecommunication Towers,' and has the authority to issue a letter of support or non-support to the federal regulatory authority in accordance with any applicable *Council* policy.

(5) The *Development Authority* may not alter the site density bonus beyond the limit set out in sections 5.6(8)(a) - MDR, 5.7(7)(a) - HDR, 5.15(8)(a) - MU1, and 5.18(7)(a) - DTN.

(6) The *Development Authority* and the *Subdivision Authority* reserve the right to refuse issuance of a *Development Permit* or a subdivision approval when municipal or third-party infrastructure that is necessary to serve the related *development* or subdivision is unavailable or inadequate to support the proposed *development* or subdivision at the time necessary to construct or occupy the *development* or subdivision.

Bylaw Amendments

1.14 AMENDING THE LAND USE BYLAW

(1) An application to amend this Bylaw may be made as follows:

(a) In the case of an application to redistrict a *site*, any owner of the *site* or their authorized agent may, in accordance with section 1.15 'Land Use Redistricting Application,' apply in writing to the *Development Authority* to change the *Land Use District* applicable to the *site*; or

(b) In the case of an application to amend the text of the Land Use Bylaw, any person may apply in writing to the *City* to have the text amended, in accordance with section 1.16 'Text Amendment Application.'

1.15 LAND USE REDISTRICTING APPLICATION

(1) An application to redistrict a specific *site* shall be accompanied by the following:

(a) A completed application form as prescribed by the *Development Authority*;

(b) A copy of the Certificate of Title for the lands affected, dated not more than 30 days prior to the date of the application;

(c) Copies of any registered caveats or restrictive covenants;

(d) Copies of any documents satisfactory to the *Development Authority* verifying that the Applicant has a legal interest in the land for at least the period of time necessary to process the application at a public hearing;

(e) A statement of the reasons for the request to amend this Bylaw;

(f) Vicinity maps produced at a scale satisfactory to the *Development Authority* and including a level of detail satisfactory to the *Development Authority*, that provide dimensions of each boundary of the amendment area, show the relationship of the proposed District to existing land uses within a 100.00 m radius of the boundaries of the *site*, and provide the location and nature of any prominent geographical or natural features;

(g) A statement of how the proposed amendment conforms to the MDP, and any applicable *ASP*, *ARP*, or *NP*;

(h) The prescribed fee under the *Master Rates Bylaw*;

(i) Where the Applicant is an agent acting for the landowner, a completed Owner's Authorization Form; and

(j) Any other information requested at the discretion of the *Development Authority*.

(2) Where an application to amend this Bylaw leads to an amending bylaw presented to *Council* that is not passed, or when the application is withdrawn by the Applicant after advertisement of the proposed amending bylaw, another application for the same or substantially the same amendment on the same *site* shall not be made by the same or any other Applicant until at least six months after:

(a) The date of *Council's* decision to not pass the amending bylaw; or

(b) The date the Applicant's letter of withdrawal was received by the *City*.

(3) An application to redistrict a *lot* to a *Direct Control* (DC) District must be accompanied by the additional information noted in section 1.17 'Direct Control District Application.'

1.16 TEXT AMENDMENT APPLICATION

(1) All applications for a non-*site*-specific text amendment to this Bylaw shall be accompanied by the following:

(a) A completed application form as prescribed by the *Development Authority*;

(b) A statement of the reasons for the request to amend this Bylaw;

(c) A statement of how the proposed amendment conforms to the policies and intent of the MDP, and any applicable *ASP*, *ARP*, or *NP*;

(d) A fee, as established within the *Master Rates Bylaw*; and

(e) Any other information requested at the discretion of the *Development Authority*.

1.17 DIRECT CONTROL DISTRICT APPLICATION

(1) Application requirements for the submission of a *Direct Control* District must include:

(a) All information required for a 'Land Use Redistricting Application' (Section 1.15);

(b) A written statement indicating why, in the Applicant's opinion, a *Direct Control* District is necessary and why the same results cannot be achieved through the use of an existing District in this Bylaw;

(c) A list of Permitted Uses and Discretionary Uses proposed for the *site*;

(d) Plans and elevations or other documentation about the *development*, including *site* and building characteristics, that would help to substantiate the need for the *Direct Control* District; and

(e) Any other information requested by the *Development Authority* and/or *Council*.

1.18 ACCEPTANCE

(1) The *Development Authority* may refuse to accept an application to amend this Bylaw if the required information has not been supplied or if, in its opinion, the information supplied is of inadequate quality to properly evaluate the application.

1.19 REVIEW

(1) After an application to amend this Bylaw is accepted, the application shall be processed for consideration by *Council*.

Contravention and Enforcement

1.20 OFFENCE

(1) A person who contravenes, causes, or permits a contravention of any provision of this Bylaw is guilty of an offence.

(2) Without limiting the generality of section (1), it is an offence for any person to commence or continue a *development* when:

(a) A *Development Permit* is required for *development*, but has not been issued in accordance with section 2.1(1);

(b) A *Development Permit* has expired for a *development* or use in a *Residential*, *Special*, *Commercial*, *Industrial*, or *Mixed-Use District*, in accordance with section 2.20;

(c) A *Development Permit* has been revoked or suspended for a *development* or use in a *Residential*, *Special*, *Commercial*, *Industrial,* or *Mixed-Use District*, in accordance with section 2.21;

(d) A condition of a *Development Permit* has been contravened for a development or use in a *Residential*, *Special*, *Commercial*, *Industrial,* or *Mixed-Use District*, in accordance with section 2.1(5);

(e) A *development* or use contravenes one or more regulations of this Bylaw, in accordance with section 2.1(6); or

(f) A Stop Order is issued and work continues, or failure to comply with a condition of a Stop Order in accordance with section 1.23.

(3) It is an offence for a person to prevent or obstruct a *Designated Officer* from carrying out any official duty under this Bylaw or the *MGA*.

1.21 CONTINUING OFFENCE

(1) A contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

1.22 ENFORCING THIS BYLAW

(1) The *Development Authority*, a *Bylaw Enforcement Officer*, or a *Peace Officer* may enforce the provisions of this Bylaw, or the conditions of a *Development Permit,* pursuant to the *MGA* and the *Provincial Offences Procedure Act*.

(2) Enforcement may be initiated by *violation ticket* pursuant to the *Provincial Offences Procedure Act,* or any other action authorized by statute.

(3) The enforcement powers granted to the *Development Authority* under this Bylaw are in addition to any enforcement powers that the *City* or any of its *Designated Officers* may have under the *Provincial Offenses Procedure Act.*

(4) The *Development Authority* may exercise all powers concurrently.

1.23 STOP ORDER

(1) Pursuant to the *MGA*, where an offense under this Bylaw occurs, the *Development Authority* may - by written notice - order the owner, the person in possession of the land or *buildings*, or the person responsible for the contravention, or any or all of them, to:

(a) Stop the *development* or use of the land or *buildings*, in whole or in part, as directed by the notice; or

(b) Demolish, remove, or replace the *development*; or

(c) Carry out any other actions required by the notice so that the *development* or use complies with a *Development Permit* decision, subdivision approval, or this Bylaw.

(2) A person who receives a Stop Order may appeal the order to the *SDAB* or *LPRT* in accordance with the *MGA*.

(3) If a Stop Order is not complied with or appealed to the *SDAB* or *LRPT* by the stated deadline, the *City* may elect to take further action.

1.24 FINES AND PENALTIES

(1) A person who is guilty of an offence under this Bylaw is subject:

(a) To a fine, as prescribed in *Table 1-1* of this Bylaw where a *violation ticket* sets out the specified penalty applicable to the offence; or

(b) To a fine not exceeding $10,000, or to an Order of Imprisonment for not more than one year, or both.

Table 1-1: Specified Penalties

Offence			Section	Penalty
(2)	Development without a valid *Development Permit*		1.19(2)(a)	
	(a)	*Principal building*	1.19(2)(a)	
		(i) *Residential* or *Special Districts*	1.19(2)(a)	$ 1,000
		(ii) *Commercial*, *Industrial*, or *Mixed-Use Districts*	1.19(2)(a)	$ 1,500
		(iii) Other	1.19(2)(a)	$ 1,000
	(b)	*Accessory Development*	1.19(2)(a)	
		(i) *Residential* or *Special Districts*	1.19(2)(a)	$ 500

Offence			Section	Penalty
	(ii)	*Commercial*, *Industrial*, or *Mixed-Use Districts*	1.19(2)(a)	$ 750
	(iii)	Temporary *building*	1.19(2)(a)	$ 250
	(iv)	Other	1.19(2)(a)	$ 500
(c)	Change of use, alterations, occupancy		1.19(2)(a)	
	(i)	*Residential* or *Special Districts*	1.19(2)(a)	$ 500
	(ii)	*Commercial*, *Industrial*, or *Mixed-Use Districts*	1.19(2)(a)	$ 1,000
	(iii)	Other	1.19(2)(a)	$ 500
(d)	*Home-based business*		1.19(2)(a)	
	(i)	*Home-based business (level two)*	1.19(2)(a)	$ 500
	(ii)	*Home-based business (level three)*	1.19(2)(a)	$ 750
(e)	*Stripping* and *grading*		1.19(2)(a)	
	(i)	*Site* less ≤ 3.00 ha	1.19(2)(a)	$ 500
	(ii)	*Site* > 3.00 ha	1.19(2)(a)	$ 2,000
(f)	*Sign*		1.19(2)(a)	
	(i)	Permanent	1.19(2)(a)	$ 500
	(ii)	Temporary	1.19(2)(a)	$ 150
(3)	Continued operation or construction after the expiry of an issued *Development Permit*		1.19(2)(b)	
(a)	*Residential* or *Special Districts*		1.19(2)(b)	$ 500
(a)	*Commercial*, *Industrial*, or *Mixed-Use Districts*		1.19(2)(b)	$ 750
(b)	*Stripping* and *grading* - *site* less ≤ 3.00 ha		1.19(2)(b)	$ 500
(c)	*Stripping* and *grading* - *site* > 3.00 ha		1.19(2)(b)	$ 2,000
(d)	*Sign* (permanent or temporary)		1.19(2)(b)	$ 150
(e)	Other		1.19(2)(b)	$ 500
(4)	Continued operation or construction after the cancellation or suspension of a *Development Permit*		1.19(2)(c)	
(a)	*Residential District*		1.19(2)(c)	$ 500
(a)	*Special District*		1.19(2)(c)	$ 750
(b)	*Commercial*, *Industrial*, or *Mixed-Use* Districts		1.19(2)(c)	$ 1,000
(c)	*Stripping* and *grading* - *site* less ≤ 3.00 ha		1.19(2)(c)	$ 500
(d)	*Stripping* and *grading* - *site* > 3.00 ha		1.19(2)(c)	$ 2,000
(e)	*Sign* (permanent or temporary)		1.19(2)(c)	$ 500
(f)	Other		1.19(2)(c)	$ 150
(5)	Failure to comply with *Development Permit* conditions		1.19(2)(d)	
(a)	*Residential District*		1.19(2)(d)	$ 500
(a)	*Special District*		1.19(2)(d)	$ 750
(b)	*Commercial*, *Industrial*, or *Mixed-Use* Districts		1.19(2)(d)	$ 1,000
(c)	*Stripping* and *grading* - *site* less ≤ 3.00 ha		1.19(2)(d)	$ 500
(d)	*Stripping* and *grading* - *site* > 3.00 ha		1.19(2)(d)	$ 2,000
(e)	*Sign* (permanent or temporary)		1.19(2)(d)	$ 150
(f)	Other		1.19(2)(d)	$ 750

Offence			Section	Penalty
(6)	Failure to comply with one or more regulations of this Bylaw		1.19(2)(e)	
	(a)	Any regulation, exclusive of *signs*	1.19(2)(e)	
		(i) *Residential District*	1.19(2)(e)	$ 250
		(ii) *Non-Residential District*	1.19(2)(e)	$ 500
		(iii) Other	1.19(2)(e)	$ 250
	(b)	*Signs* (permanent or temporary)	1.19(2)(e)	
		(i) *Residential District*	1.19(2)(e)	$ 150
		(ii) *Non-Residential District*	1.19(2)(e)	$ 150
		(iii) Other	1.19(2)(e)	$ 150
(7)	Obstruct a *Designated Officer* from carrying out official duties under this Bylaw or the *MGA*		1.19(3)	$ 1,000
(8)	Continuing work after a Stop Order is issued or failure to comply with a condition of a Stop Order		1.19(2)(f)	$ 3,000

(9) Payment of a fine does not release the offender from the requirement to comply with the regulations of this Bylaw.

1.25 VIOLATION TICKET

(1) A *Peace Officer* may issue, with respect to an offence under this Bylaw, a *violation ticket*:

(a) Specifying the fine amount set out in *Table 1-1* of this Bylaw; or

(b) Requiring an appearance in court without the option of making a voluntary payment.

(2) Where a *violation ticket* specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

1.26 COMPLIANCE WITH OTHER LEGISLATION

(1) Compliance with this Bylaw does not exempt any person from the requirements of any federal, provincial, or municipal legislation, approval process, licensing or permitting regime, or other Bylaw.

(2) The *City* is not responsible for, nor does the *City* have any obligation to, determine what legislation other than this Land Use Bylaw may apply to a *development*, nor to monitor or enforce compliance with such legislation.

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Part 2
Development Process

This part outlines the City's Development Permit Process and related requirements and procedures.

Development Permit Requirements

2.1 CONTROL OF DEVELOPMENT

(1) Except as provided in section 2.2 'Development Not Requiring A Development Permit,' no *development* shall be allowed unless a *Development Permit* has been issued for it.

(2) If the use of a *building*, or a portion of a *building*, ceases for six months or less, re-establishment of the same or substantially the same use in the premises does not require a *Development Permit*, provided no structural changes are made to the space. If structural changes are made, a new *Development Permit* is required.

(3) If the use of a *building*, or a portion of a *building*, ceases for more than six months, the *Development Permit* that authorized that use is of no further force or effect and re-establishment of that use, or the establishment of any other use in the *building*, requires a new *Development Permit*.

(4) Sections (2) and (3) do not apply to the use of *dwelling units*.

(5) All *developments* that require a *Development Permit* must be in compliance with the terms and conditions of the *Development Permit*.

(6) All *development* must be in compliance with the regulations of this Bylaw.

2.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

(1) A *development* described in *Table 2-1* does not require a *Development Permit*, provided the *development* complies with all applicable *development* regulations and other requirements of this Bylaw. If a *development* requires a *variance* (Section 2.15), a *Development Permit* is required for the *development*.

Table 2-1: Development Not Requiring A Development Permit

Development		Development Permit Not Required	
(2)	*Development* subject to a valid *development agreement*	(a)	Constructing, widening, altering, redesigning, or maintaining a *public roadway*;
		(b)	Traffic management projects and devices;
		(c)	Vehicular and pedestrian bridges and walkways;
		(d)	Water reservoirs, water lines, storm, and sanitary sewer installations;
		(e)	Street furniture, sport courts, playgrounds, public *park landscaping*, municipal *recreation equipment*, and civic *buildings* with a *gross floor area* under 75.00 m^2;
		(f)	Constructing and maintaining public utilities; and
		(g)	*Stripping*, *grading*, or filling of land, including temporary storage and sale of topsoil, in an area governed by a *development agreement*, but excluding *topsoil processing* or *screening*.
(3)	A government project	(a)	A project listed in section (2) undertaken by the *City*;
		(b)	Construction and maintenance of that part of a *public utility* located in, on, over, or under a *public roadway*, a *public utility* right-of-way, or a *public utility lot*;
		(c)	The installation, maintenance, and repair of one or more public works, provincial *highways*, facilities, or utilities carried out by, or on behalf of federal, provincial, or local authorities.
(4)	Address pillar	(a)	In a *Residential District*, the FUD, or TRN Districts, the installation of a freestanding pillar less than 1.20 m in height for the purpose of municipal addressing.
(5)	*Agriculture accessory building*	(a)	In the FUD and TRN Districts, an *agriculture accessory building*.
(6)	*Agriculture (general)*	(a)	In the FUD and TRN Districts, an a*griculture (general)* use.
(7)	Commercial *vehicle parking*	(a)	On a *lot* in a *Residential District* limited to:

Development		Development Permit Not Required	
			(i) The *parking* of one commercial *vehicle* having a *gross vehicle weight* of between 3,000 kg and 5,000 kg; and (ii) The *parking* of one commercial *vehicle* having a *gross vehicle weight* of more than 5,000 kg, but less than 7,000 kg, if it is parked or stored in a *garage*, or is being loaded or unloaded.
		(b)	In a *Commercial* or *Industrial District*, *parking* of a commercial motor *vehicle* that is *accessory* to a use for which a *Development Permit* has been issued under this Bylaw.
(8)	*Congregate housing (level one)*	(a)	In the LDR, SLR, LLR, FBR, MID (areas A and B), FUD, or TRN Districts.
(9)	Demolition	(a)	The demolition of any *building*. (note: a building permit may be required)
(10)	*Driveway*	(a)	In a *Residential District*, the width of *hard-surfacing* in any yard for the purposes of providing vehicular *access* from a *public roadway* to a *garage* or *carport*, provided that it does not exceed: (i) 7.50 m on a *lot* 12.20 m or greater in width; and (ii) 5.50 m on a *lot* less than 12.20 m in width.
(11)	*Dugout*	(a)	In the FUD or TRN Districts, a *dugout*, in accordance with section 3.81 'Dugout.'
(12)	Election or census use	(a)	The use of a *building* or a part of it in connection with a federal, provincial, municipal, or school board election, referendum, or census.
(13)	*Fence*, wall, or gate	(a)	Construction of a *fence*, wall, or gate on an *interior lot*, less than 2.00 m in height; or on a *corner lot*, less than 1.20 m in height, in accordance with sections 3.62 'Fences (Residential)' and 3.84 'Fences (Non-Residential).'
(14)	Garage sale	(a)	In a *Residential District*, the FUD, or TRN Districts, holding a *garage sale* up to three times per calendar year, each for a duration of not more than three consecutive days.

Development		Development Permit Not Required	
(15)	*Home-based business (level one)*	(a)	In accordance with section 3.59 'Home-Based Business (Level One)*.'*
(16)	*Lodger*	(a)	In a *Residential District*, a *Mixed-Use District*, and the FUD or TRN Districts, the habitation within a *dwelling unit* of a *family*, plus a maximum of two *lodgers*.
(17)	Maintenance	(a)	Routine maintenance of, and repairs to, a *building* not involving any structural changes.
(18)	*Private pool* or *decorative pond*	(a)	Construction of a *private pool* or *decorative pond* 0.60 m or less in depth.
(19)	*Radio antenna*	(a)	Installation of a *radio antenna* in accordance with section 3.30 'Radio Antenna.'
(20)	*Recreation vehicle* and *recreation equipment parking* and storage	(a)	In a *Residential District*, the FUD, or TRN Districts, the *parking* of a *recreation vehicle* less than 10.00 m in length, or the storage of *recreation equipment* less than 8.00 m in length: (i) In a fenced rear or side yard, unless a *development* on an *adjoining site* has a window of a *habitable room* on the ground floor facing the *recreation vehicle* or *recreation equipment*, and this window is located less than 2.50 m from the *recreation vehicle* or *recreation equipment*; (ii) On a *driveway*, if the *recreation vehicle* or *recreation equipment* is set back a minimum of 0.30 m from a sidewalk or where there is no sidewalk, set back 2.00 m from a curb; and (iii) In the case of a *site* accessed by a *lane*, the *recreation vehicle* or *recreation equipment* shall be set back a minimum of 1.00 m from the closest edge of the *lane*. (b) Notwithstanding the above, the *parking* or storage of a *recreation vehicle* or *recreation equipment* shall not be allowed if it interferes with safe traffic sight-lines, as determined by the *Development Authority*.
(21)	Residential *accessory building*	(a)	In a *Residential District*, the FUD, or TRN Districts, construction of:

Development		Development Permit Not Required	
			(i) An *accessory building* less than 10.00 m^2 in floor area; (ii) An unenclosed, uncovered *deck*, to a maximum of 0.60 m above *finished grade*; (iii) A *patio*; and (iv) A firepit or a barbeque (in accordance with the *Fire Services Bylaw 01/2020*); where the *development* otherwise complies with this Bylaw.
(22)	Residential *landscaping*	(a)	*Landscaping* on a low-density residential *lot* districted LDR, SLR, LLR, or FBR, which may include container gardens located in the front yard less than 1.00 m in height.
(23)	*Retaining wall*	(a)	Construction of a *retaining wall* less than 1.20 m in height, if the slope of that portion of the *site* retained by the wall is less than 8%.
(24)	*Satellite dish*	(a)	Installation of a *satellite dish* in accordance with section 3.33 'Satellite Dish.'
(25)	*Shipping container*	(a)	In the TRN District, a *shipping container*, in accordance with section 3.35 'Shipping Container' and section 5.25(13) 'Shipping Container.'
(26)	*Short-term rental*	(a)	A *short-term rental* in *Residential* or *Mixed-Use District*.
(27)	*Sign*	(a)	A *sign* identified in section 6.3 'Signs Not Requiring A Development Permit.'
(28)	*Moving pod/refuse bin*	(a)	In a *Residential District*, the placement of a *moving pod/refuse bin*, not otherwise associated with a building permit, on a paved *driveway*, for a period of no more than two weeks.
(29)	Solar collector	(a)	Installation of solar collectors, in accordance with section 3.36 'Solar Collector (Attached)' or section 3.37 'Solar Collector (Freestanding).'
(30)	*Telecommunication tower*	(a)	Installation of *telecommunication towers* that are not added or mounted to a *building*, are federally regulated, and comply with the regulations in section 3.38 'Telecommunication Towers.'

Development		Development Permit Not Required	
(31)	Temporary *building*	(a)	A temporary *building*, including a *shed*, office, or storage *building*, used solely as an *accessory* to the construction or renovation of a *building* or *development* subject to a valid *Development Permit* for a period of up to 12 months, or as otherwise determined by the *Development Authority*.
(32)	*Wall mural*	(a)	A *wall mural* in any District.

2.3 APPLICATION FOR A DEVELOPMENT PERMIT

(1) An application for a *Development Permit* shall be made by the registered owner of the land on which the *development* is proposed, or by some other person with the written consent of the owner, to the *Development Authority* by submitting the following:

(a) Required information as described in sections 2.4 to 2.9; and

(b) The applicable fee prescribed in the *Master Rates Bylaw*.

(2) An application is incomplete until all the information and fees required under section (1) are submitted to the *Development Authority*.

2.4 PLANS AND INFORMATION REQUIRED

(1) Unless the *Development Authority* specifies otherwise in writing, the following information must be submitted to the *Development Authority* when an application for a *Development Permit* is made:

(a) Two copies of a *site plan* or package of *site plan*s showing the following information:

(i) A north arrow;

(ii) The scale of the plan (in metric, minimum 1:100);

(iii) A legal description of the property;

(iv) The municipal address;

(v) Labels showing the *property line* and *setback* requirements in accordance with this Bylaw;

(vi) An outline of all *buildings* on the *site*;

(vii) The total *gross floor area*, and, where applicable, *gross floor area*s of each individual unit within a *building*;

(viii) Easements;

(ix) The locations of all existing and proposed utility rights-of-way;

(x) The distances from the back of the walk and the face of the curb (existing and proposed) to the *property lines*;

(xi) Any medians and/or breaks in medians on *public roadways* adjacent to the *site*;

(xii) The existing and proposed *site grades*, contours, *designated flood line* (where applicable), and any special topographical features or *site* conditions;

(xiii) The locations of all existing and proposed *public utilities*;

(xiv) The locations of all lighting and light standards, catch basins, utilities poles, hydrants, and utility fixtures;

(xv) The locations and dimensions of *driveway accesses*;

(xvi) Any adjoining *public roadways*, and *lanes*, all shown and labeled;

(xvii) The layout of existing and proposed *parking* areas showing dimensioned depth and width of stalls, *barrier-free* stalls, aisle dimensions, angles of stalls, and number of stalls;

(xviii) The parking area *grades*, including any *driveways* and ramps;

(xix) Identification of surface treatments for all areas;

(xx) The locations of all existing and proposed fencing;

(xxi) The locations of garbage and recycling receptacles and loading areas; and

(xxii) The existing and proposed *sign* locations;

(b) *Landscaping* plans as required by the *Development Authority* showing:

(i) The existing topography, identifying the vegetation that is to be retained or removed;

(ii) A layout of the soft and hard *landscaping*, pedestrian circulation and open space systems, *screening*, *berms*, slopes, and *retaining walls*;

(iii) The types, sizes, and numbers of plant materials, caliper of trees, and the types of hard *landscaping*; and

(iv) The municipal address, north arrow, scale, and *property lines*;

(c) A certified copy of title of the *site* indicating ownership, interest and encumbrances accompanied by a written authorization for the *Development Authority* or their representative to enter upon the *site*;

(d) An address for any subsequent notification; and

(e) Any other additional information required in accordance with sections 2.5 through 2.9.

2.5 ADDITIONAL PLANS AND INFORMATION

(1) The *Development Authority* may require the following additional plans and information in support of a *Development Permit* application, all to the satisfaction of the *Development Authority*:

(a) Photographic prints showing the *site* in its existing state;

(b) An Urban Design Review, which must show:

(i) How the form, mass, and architectural character of the proposed *development* will relate to adjacent *developments,* and the public realm, including the interface with public sidewalks, *parks*, and open spaces; and

(ii) How the design, materials, and finish of the principal *façades* of the proposed *development* will relate to existing or planned *façades* of neighbouring *buildings*, including photographs of existing building *façades*;

(c) Any or all of the following which were undertaken by a Professional Engineer:

(i) *Parking* study;

(ii) Transportation study;

(iii) Transportation impact assessment (TIA); or

(iv) Swept path analysis;

(d) A historical resource assessment, heritage assessment, or related study;

(e) A wastewater servicing study or re-evaluation of wastewater servicing study, prepared by a Professional Engineer or other qualified professional;

(f) A vibration or noise evaluation study or attenuation proposal prepared by a Professional Engineer;

(g) A lighting plan;

(h) A sun shadow study or a height impact assessment prepared by a qualified professional;

(i) A *retaining wall* design prepared by a Professional Engineer;

(j) A *Real Property Report*;

(k) Clear drawings, electronic or hard copy, when required for presentations to *Council*;

(l) *Site* topography, trees, *landscaping*, or other physical conditions;

(m) Copies of plans in such number as specified by the *Development Authority* showing the elevations, floor plan, and a perspective of the proposed *development*, including a description of the exterior finishing materials;

(n) A vicinity map of appropriate scale, indicating the location of the proposed *development* in relation to nearby *access public roadways* and other significant physical features which may have a bearing on the proposed project;

(o) Copies of any permit, license, approval, or applications for any permit, license, or approval, any environmental assessment, environmental impact assessment, emergency response plan, baseline environmental study, environmental audit, and any other report, study, or analysis that the Applicant or owner has, is, or will be required or requested to obtain or prepare pursuant to any federal, provincial, or municipal enactment or any other law that the *Development Authority* deems necessary to properly assess the application;

(p) Any geotechnical report, environmental assessment, environmental impact assessment, emergency response plan, construction fire-safety plan, risk assessment, baseline environmental study, environmental audit, report, map, study, or analysis that the *Development Authority* deems necessary to properly assess the application;

(q) Information confirming that the Applicant has discussed the proposed *development* with any person affected by the proposed *development*;

(r) Other information required by the *Development Authority* to determine how a proposed *development* may affect land uses in the vicinity; and

(s) On *sites* greater than 0.75 ha, the *Development Authority* may require information on how the *development* will incorporate and utilize sustainable *development* practices through the use of, the following techniques:

  (i) Infrastructure practices, *building*, and *site* design that conserves the consumption of water, energy, and materials; or

  (ii) Any combination of low-impact *development* techniques implemented throughout the *parking* area of the *site* that results in an efficient conservation of *site* run-off - typical techniques include bioretention cells, bioswales, or permeable surfaces.

2.6 HEIGHT IMPACT ASSESSMENT AND SUN SHADOW STUDY

(1) In the case of an application for a *Development Permit* for a *building* greater than 25.00 m in height, or when a proposed *building* is more than 1.5 times greater than the maximum building height allowed in the District of any adjacent property:

(a) The application must include a height impact assessment and a sun shadow study, to the satisfaction of the *Development Authority*; and

(b) The study shall address the shading impact of the proposed *building* on adjacent properties and *buildings* and, where applicable, the impact of glare and noise reverberation.

2.7 STRIPPING, GRADING, AND EXCAVATION APPLICATIONS

(1) In addition to the plans and information required under section 2.4, an application for a *Development Permit* for the *excavation*, *stripping*, or *grading* of land, whether with or without other *development* on the same *site*, must include the following information:

(a) The specific location and area of the *site* proposed for *excavation*, *stripping*, *grading*, or stockpiling of material resulting from *excavation*, *stripping*, or *grading*;

(b) The type of *excavation*, *stripping*, or *grading* proposed;

(c) The quantity of soil to be removed, the depth of topsoil to be removed, the total depth of excavating, and depth of topsoil to remain;

(d) The *setback* from any environmentally sensitive areas on the *site* to the proposed location of the *excavation*, *stripping*, *grading*, or stockpiling;

(e) Test results confirming the quality of imported fill, if imported fill is proposed to be used;

(f) The location of *access* points, proposed haul routes, and hauling activities;

(g) The proposed method for the mitigation of any nuisance caused by dust and erosion;

(h) A detailed plan for controlling erosion, sedimentation, and weeds on the *site*;

(i) A detailed timing and phasing program covering the length of the proposed operation, including any processing or sales operations; and

(j) A plan showing the final *site* conditions following completion of the operation and any land reclamation proposals.

(2) In making a decision for a *Development Permit* application for any or all *stripping*, *grading*, or excavating, the *Development Authority* may impose conditions to:

(a) Address *on-site* areas which are subject to erosion and *off-site* areas which are vulnerable to damage from erosion, sedimentation, or both;

(b) Limit exposure of loose soil for the shortest feasible time;

(c) Minimize the size of the area to be exposed at any one time;

(d) Control surface-water runoff originating upgrade of exposed areas to reduce erosion and sediment-loss during the period of exposure;

(e) Reduce impacts on the privacy or views of adjacent properties;

(f) Prevent *off-site* sedimentation damage; and

(g) Control impacts to adjacent properties, including excessive dust and dirt migration to adjacent properties.

2.8 SHOW HOME AND RESIDENTIAL SALES CENTRE APPLICATION

(1) In addition to the plans and information required under section 2.4, an application for a *Development Permit* for a *residential sales centre* shall include the following information:

(a) The specific location of the proposed *residential sales centre*;

(b) *Parking* provisions;

(c) Lighting provisions; and

(d) Signage.

2.9 HOME-BASED BUSINESS APPLICATION

(1) In addition to the plans and information required under section 2.4, an application for a *home-based business* (level two or level three) shall include detailed information regarding the scope and nature of the proposed business, provided through detailed answers satisfactory to the *Development Authority* to the questions on a form or questionnaire prescribed by the *Development Authority*.

2.10 DETERMINATION OF COMPLETENESS

(1) A *Development Authority* must make reasonable efforts consistent with budget and resource constraints, to determine within 20 days after the receipt of an application for a *Development Permit*, whether the application is complete, unless an agreement is reached between the *Development Authority* and the Applicant to extend the 20-day period in accordance with section 2.12 ‘Time Extension Agreement.’

(2) If the *Development Authority* fails to make a determination regarding completeness within 20 days of receipt of an application for a *Development Permit*, or within such longer time established by agreement between the Applicant and the *Development Authority*, the application shall be deemed to be complete.

(3) When, in the opinion of the *Development Authority*, an application is determined to be incomplete, the Applicant shall be advised in writing that the application is incomplete, and that the application will not be processed until all required information is provided.

The written notice shall include a description of the information required for the application to be considered complete and the deadline by which such information is to be submitted.

(4) Failure by an Applicant to submit the required information in support of a *Development Permit* application in accordance with the notice shall result in the application being deemed refused. An application deemed refused on this basis may be appealed, as per the *MGA*.

(5) Once an application is deemed to be complete, the Applicant shall be notified in writing that the application is complete, and the *Development Authority* shall process the application.

2.11 REVIEW PERIOD

(1) The *Development Authority* must make reasonable efforts - consistent with budget and resource constraints - to make a decision on the application for a *Development Permit* within 40 days after the *Development Authority* determines the application is complete.

(2) Notwithstanding section (1), the time for the *Development Authority* to make a decision on a completed *Development Permit* application may be extended by a written *time extension agreement* (section 2.12) between the Applicant and the *Development Authority*.

(3) An application for a *Development Permit* is deemed to be refused when a decision on the application is not made by the *Development Authority* within 40 days of receipt of the complete application, or within such longer time set out in a *time extension agreement*.

2.12 TIME EXTENSION AGREEMENT

(1) The *Development Authority* may request an extension of the determination of completeness time-period or the application review period of a *Development Permit* from the Applicant.

(2) The *Development Authority* may grant an extension of the determination of completeness time-period or the review period of a *Development Permit* application at the request of the Applicant.

(3) An agreement between the *Development Authority* and an Applicant to extend the time for determining the completeness of a *Development Permit* application or for making a decision on the application must be in writing, dated and signed by the Applicant.

2.13 PERMITTED AND DISCRETIONARY USES

(1) The *Development Authority* shall review each *Development Permit* application to determine whether the *development* constitutes a Discretionary Use or a Permitted Use.

(2) The *Development Authority* shall issue a *Development Permit* for a Permitted Use if the application conforms to this Bylaw.

(3) The *Development Authority* may issue a *Development Permit* for a Discretionary Use if the application conforms to this Bylaw.

(4) The Development Authority shall refuse to issue a *Development Permit*:

(a) For a proposed Permitted Use that does not conform to this Bylaw; or

(b) For a proposed Discretionary Use that conforms or does not conform to this Bylaw, or that, in the opinion of the *Development Authority*, is not suitable for its intended location on the basis of applicable land use planning considerations or principles.

(5) Despite section (4), the *Development Authority* may issue a *Development Permit* for a Permitted Use or Discretionary Use that does not conform to this Bylaw subject to a *variance*, if the *Development Authority* determines that a *variance* under this Bylaw is appropriate and within the authority of the *Development Authority* to grant.

(6) A decision on an application for a *Development Permit* for a Permitted Use or Discretionary Use shall be in writing, and a copy shall be sent to the Applicant.

(7) If the *Development Authority* refuses an application for a *Development Permit*, the decision shall contain the reasons for the refusal.

2.14 NOTIFICATION

(1) When a *Development Permit* is issued for a Discretionary Use, or for a Permitted Use that was approved with conditions or with a *variance*, notice to the public of the issuance of the *Development Permit* shall be made as follows:

(a) Within five business days of the issuance of the *Development Permit*, notice shall be published on the *City's* website; or

(b) Within five business days of the issuance of the *Development Permit*, notice shall be mailed by ordinary mail to each registered owner as shown on the assessment roll of the *City* at the date of the application of land, any part of which lies within 30.00 m from the boundary of the *site* of the proposed *development*.

(2) Notification of an application to *Council* for approval of a *Direct Control development* shall be made as follows:

(a) Published on the *City's* website or in two consecutive issues of a newspaper circulating in the *City*, not later than five business days before the date on which the matter is scheduled to be on a *Council* agenda, with such publication including sufficient detail to allow a reader to understand the essential elements of the proposed *Direct Control development*; and

(b) Within five business days, mailed by ordinary mail to each registered owner of land within 60.00 m from the boundary of the *site* of the proposed *Direct Control development*, as shown on the assessment roll of the *City* at the date of application, with such publication including sufficient detail to allow a reader to understand the essential elements of the proposed *Direct Control development*.

(3) The *Development Authority* may notify property owners in an area greater than that required under section (1)(b) or (2)(b).

Variances and Conditions

2.15 VARIANCES

(1) Subject to the limitation on the discretion to approve a *variance* set out in sections (2) to (9), the *Development Authority* may approve a *variance* up to a maximum of 25% above any applicable measurement limit set out in this Bylaw if, in their opinion, the proposed *development* with the *variance* would not:

(a) Unduly interfere with the amenities of the neighbourhood; or

(b) Materially interfere with, or affect the use, enjoyment, or value of, neighbouring properties.

(2) In considering whether to approve a *variance* under section (1), the *Development Authority* shall:

(a) Consider the general purpose and intent of the applicable District;

(b) Consider whether the *variance* results from, or is related to, an aspect or feature that is specific to the land or *building* in question, not shared by a significant number of other lands or *buildings* in the *City*; and

(c) Not approve a *variance* when the *variance* will cause a *building* or use to be out of compliance with federal, provincial, or other municipal laws or regulations, including the '*Safety Codes Act, RSA 2000, c. S-1*.'

(3) Applications or requests for a *variance* relating to building height, *setbacks* from *property lines*, and other regulations that may affect the compliance of a *building* with municipal, provincial, or federal laws or regulations may be circulated to affected departments for review and comment prior to a decision on the application for the *Development Permit*.

(4) A *Development Permit* decision, where a *variance* has been approved, shall contain a *Development Permit* condition identifying the nature and scale of the *variance*.

(5) Except as otherwise provided in this Bylaw, there shall be no *variance* from the regulations prescribing floor area, *lot coverage*, *density,* or a *site density bonus*.

(6) In the case of a request for a *variance* involving a *sign*, the *Development Authority* shall assess the merits of a 'Comprehensive Sign Plan' (section 6.7) and may vary the number of *signs* permitted per *site* if:

(a) The proposed *sign* types are allowed within the District;

(b) The proposed *signs* otherwise comply with the *sign* type regulations outlined in Part 6: Signage; and

(c) In the opinion of the *Development Authority*, the *comprehensive sign plan* results in a greater degree of visual harmony and consistency between the proposed *signs*, the *buildings*, the *site*, and adjacent lands.

(7) In the ICC District, the *Development Authority* may vary *building* height (section 5.19(8)); *building setbacks* (section 5.19(9)); *separation distance* (section 5.19(10)); design, character, and appearance (section 5.19(11)); pedestrian circulation (section 5.19(12)(c)); *landscaping* (section 5.19(12)(f)); *vehicle* circulation (section 5.19(12)(g)); or *parking* and loading (section 5.19(13)), if, in their opinion:

(a) The *variance* is proposed in order to accommodate characteristics which are fundamental to the nature of the Urban Village concept and is in keeping with the purpose of the District, and

(b) The *variance* to building height (section 5.19(8)), or building *setbacks* (section 5.19(9)), is in order to accommodate other design solutions which offer equivalent daylight, ventilation, quiet, visual privacy, or views.

(8) For *retail (cannabis)* use, the prescribed minimum *separation distances* in section 3.93(1) may be varied by an amount not exceeding 10.00 m.

(9) When considering a *variance* to *parking* requirements, the *Development Authority* may require a Parking Demand Study, to determine whether adequate *parking* for the *development* can be provided on *site*.

2.16 DEVELOPMENT PERMIT

(1) The *Development Authority* may impose one or more conditions of approval of a *Development Permit*, based on the application of land use planning considerations or principles to the circumstances of a proposed *development*, or to ensure compliance with this Bylaw, regardless of whether the *development* is a Permitted Use or a Discretionary Use in the District in which it is proposed to be located.

(2) Without limiting the generality of section (1), the *Development Authority* may impose a condition of approval of a *Development Permit* that:

(a) Requires that the Applicant enter into an agreement with the *City*, satisfactory to the *City*, to provide for any matter or thing relevant to the *development* or to the relationship between the Applicant and the *City* arising from the *development*, including, without limitation, an agreement to do any or all of the things described in section 650(1) or section 651 of the *MGA*; or

(b) Specifies a time limit on the *Development Permit* approval in the case of a *Development Permit* for a Discretionary Use or for a Permitted Use.

2.17 DEVELOPMENT PERMIT CONDITIONS FOR LANDS SUBJECT TO FLOOD OR SUBSIDENCE

(1) Without limiting the generality of the scope of *Development Permit* conditions set out in section 2.16, and in addition to the 'Designated Flood Line' regulations (section 3.13), where a *development* of a *building* is proposed to be on land which, in the opinion of the *Development Authority*, may be subject to flooding or subsidence, or that is low-lying, marshy, or unstable, or is adjacent to or includes the *designated flood line*, or that lies in whole or in part within 100.00 m of the shore of any lake, river, stream, or other body of water, the *Development Authority* may impose *Development Permit* conditions that take

into account the condition of the land, the provisions of this Bylaw, and the provisions of any applicable Statutory Plan or Neighborhood Plan, including conditions:

(a) Requiring soils and geotechnical reports to be completed prior to or concurrently with the construction of any *development*;

(b) Requiring foundations, footings, drainage, and any other aspects of the *building* to be designed and certified by a Professional Engineer;

(c) Requiring the *development* to be constructed in accordance with the plans and recommendations of a Professional Engineer;

(d) Requiring that a Professional Engineer inspect all or part of the proposed *development*;

(e) Requiring compliance with specified design criteria, including flood proofing provisions, sedimentation and erosion control measures; and

(f) Requiring a certificate from a Professional Engineer that all inspections have been satisfactorily completed, that all design criteria have been complied with, and that all conditions have been met.

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Validity, Cancellations, and Appeals

2.18 DEVELOPMENT PERMIT VALIDITY

(1) When a *Development Permit* has been issued, the *Development Permit* becomes valid only when:

(a) All conditions of the *Development Permit*, save those of a continuing nature, have been fulfilled; and

(b) Either no appeal has been commenced within the time prescribed by statute for doing so or, if an appeal has been commenced, the appeal has subsequently been withdrawn by the appellant, or has been fully and finally adjudicated by the appeal body having jurisdiction, including any subsequent appeal to the courts.

2.19 APPEAL BODY DEVELOPMENT PERMITS

(1) When an appeal body issues or directs the *Development Authority* to issue a new or revised *Development Permit* resulting from an appeal of a *Development Permit*, or a condition of a *Development Permit* issued by the *Development Authority*, the new or revised *Development Permit* issued or ordered by the appeal body becomes valid only when any conditions of approval, save those of a continuing nature, have been fulfilled, unless the written decision of the appeal body specifies otherwise and no notice of appeal is served on the *SDAB* or the *LPRT* within the prescribed time.

(2) Upon service on the *City* of an application for permission to appeal the decision of the *SDAB* or *LPRT*, under the *MGA*, the *Development Permit* is suspended.

(3) The *Development Permit* issued by the *SDAB* or *LPRT*, and suspended pursuant to this Bylaw, remains suspended until:

(a) The Court of Appeal denies permission to appeal, and any appeal from that denial has been finally determined;

(b) The appeal is withdrawn; or

(c) The Court of Appeal has granted permission to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination by the Alberta Court of Appeal has been finally determined.

2.20 DEVELOPMENT PERMIT REMAINING IN EFFECT

(1) Unless otherwise provided in this Bylaw, a *Development Permit* ceases to be in effect if:

(a) The *Development Permit* is suspended or cancelled, pursuant to section 2.21;

(b) The *development* for which the permit is issued has not commenced within 24 months of the date the permit is issued; or

(c) The *development* for which the *Development Permit* is issued has commenced but no physical work to complete the *development* has occurred for a period of 12 months.

(2) The 24-month period referenced in section (1)(b) shall be suspended upon commencement of an appeal and shall remain suspended until:

(a) The appeal body issues a written decision in respect of the appeal, and no further appeal to the Court of Appeal is commenced within time;

(b) The Court of Appeal denies permission to appeal, and any appeal from that denial has been finally determined;

(c) The appeal is withdrawn; or

(d) The Court of Appeal has granted permission to appeal, heard the appeal on the merits, made its decision and any appeal to the Supreme Court of Canada from that determination by the Court of Appeal has been finally determined.

(3) A *Development Permit* for a *variance* or Discretionary Use comes into effect 21 days from the date public notice is issued. Subject to section (4), a *Development Permit* for a Permitted Use comes into effect on the date it is issued.

(4) When a *Development Permit* for a Permitted Use is issued, the applicant may commence *development* prior to the close of the 21-day appeal period, at their own risk.

2.21 REVOKED OR SUSPENDED DEVELOPMENT PERMIT

(1) If, after the issuance of a *Development Permit,* it becomes known to the *Development Authority* that:

(a) The application for the *Development Permit* contains incorrect information that was not subsequently corrected or clarified by the Applicant before the decision to issue the *Development Permit* was made;

(b) Information has not been disclosed to the *Development Authority* at the time of application or during the *Development Authority's* consideration of the application which could have affected the decision to issue the *Development Permit* or the conditions of the *Development Permit*; or

(c) The *Development Permit* was issued due to clerical or administrative error;

The *Development Authority* may:

(d) Cancel the *Development Permit* by written notice to the Applicant sent or delivered to the address given in the *Development Permit* application; and

(e) Upon receipt of written notice of suspension or cancellation of a *Development Permit*, the Applicant must cease all *development* and activities related to the *Development Permit*.

2.22 FEES FOR DEVELOPMENT APPEALS

(1) A person who appeals a *Development Permit*, a condition of a *Development Permit*, or a Stop Order, must pay the administrative fee prescribed for filing the appeal as set out in the *Master Rates Bylaw*.

2.23 REPEAT APPLICATION

(1) When an application for a *Development Permit* has been refused by the *Development Authority*, and that decision has either not been appealed or has been upheld on appeal, or when a *Development Permit* has been cancelled, an application for a *Development Permit* for the same or substantially the same use, shall not be accepted by the *Development Authority* from the same or any other Applicant for the same *site*, within six months of the date of refusal or cancellation, or, where applicable, within six months of the decision on appeal.

(2) Section (1) shall not apply in the case of a subsequent application for a *Development Permit* following a refusal, if the application complies with all the regulations of this Bylaw and does not require approval of a *variance*.

(3) If, upon review of any application for a *Development Permit*, the *Development Authority* determines that section (1) applies, then the Applicant shall be so advised in writing and any application fees that have been paid shall be refunded. Such application shall not be considered as having been refused, but shall be deemed not to have been submitted.

(4) Notwithstanding section (1), if two or more *Development Permit* applications from the same Applicant for the same or substantially the same use on the same *site* have been refused by the *Development Authority* or on appeal, a third and any subsequent *Development Permit* application for that use on that *site* shall not be accepted by the *Development Authority* until one year from the date of the most recent refusal, unless that application is for a use that complies in all respects with the requirements of this Bylaw and does not require approval of a *variance*.

Non-Conforming Development

2.24 NON-CONFORMING DEVELOPMENT

(1) The *Development Authority* may approve as a Discretionary *development* in any District, an enlargement, alteration, or addition to a non-conforming *building*, if such approval does not contravene section 643 of the *MGA*, and if the non-conforming *building* complies with the uses prescribed for that District in this Bylaw, and if the proposed enlargement, alteration, or addition would not, in the opinion of the *Development Authority*:

(a) Unduly interfere with the amenities of the neighbourhood; or

(b) Materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

Compliance Certificate

2.25 COMPLIANCE CERTIFICATE

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

(2) The Applicant for a *Compliance Certificate* shall submit two original *Real Property Reports* that have been produced no more than five years prior to the date of the application, along with the fees outlined in the *Master Rates Bylaw*.

(3) The *Development Authority* may issue a *Compliance Certificate* when, in their opinion, the *buildings* as shown on the *Real Property Report* are located on the *site* in accordance with the *separation distance*, and yard and building *setback* regulations of this Bylaw, or the yard or building *setbacks* specified in any *Development Permit* which may have been issued.

(4) The *Compliance Certificate* shall only reference those *buildings* shown on the *Real Property Report* as provided by the Applicant.

(5) The *Development Authority* may refuse to issue a *Compliance Certificate* when, in their opinion, they do not have sufficient information 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*.

(6) A *Compliance Certificate* is not a *Development Permit*.

Part 3
General Regulations

This part outlines general regulations that apply to all development in St. Albert.

City-Wide Regulations

3.1 APPLICATION

(1) Sections 3.2 through 3.42 apply to all Districts under this Bylaw.

3.2 CONFORMANCE TO OTHER PLANS

(1) The *Development Authority* may, with respect to any use:

(a) Require that a *Development Permit* comply with the policies of the Municipal Development Plan, an *Area Structure Plan*, an *Area Redevelopment Plan*, a *Neighbourhood Plan*, or a Concept Plan.

3.3 MEASUREMENT OF BUILDING HEIGHT

(1) The height of a *building* is the vertical distance measured from *finished grade* to the highest point of the *building* as may be shown on a building elevation plan and building cross-section plan, as illustrated in *Figure 3-1*.

(2) For the purposes of calculating building height, "*finished grade*" shall be measured using the lowest level of finished ground elevation adjoining a *building* at any exterior wall as shown on a *site plan*.

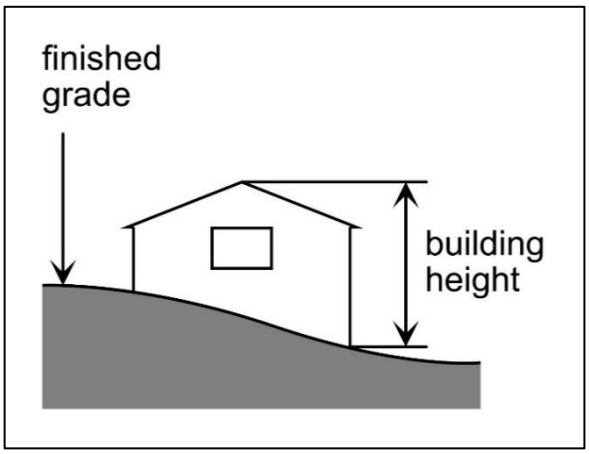
(3) Notwithstanding section (1), the following are not considered part of the *building* for the purpose of measuring building height: elevator housing, mechanical housing, rooftop stairway entrance, ventilation fan, skylight, steeple, chimney, smokestack, parapet wall, flagpole, or similar feature not structurally essential to the *building*.

(4) The following are considered part of the *building* for the purpose of measuring building height: solar collectors, *signs*, roof-mounted *telecommunication towers*, *satellite dish*, or *radio antenna*.

(5) A *retaining wall* shall not be used to create a *finished grade* that achieves a greater building height than would otherwise have been possible by the original *grade* or topography of the *site*.

(6) If doubt arises concerning the measurement of the height of an irregular *building*, it shall be determined by the *Development Authority* by applying this Bylaw as closely as is possible in the circumstances of the case.

Figure 3-1: Measuring Building Height

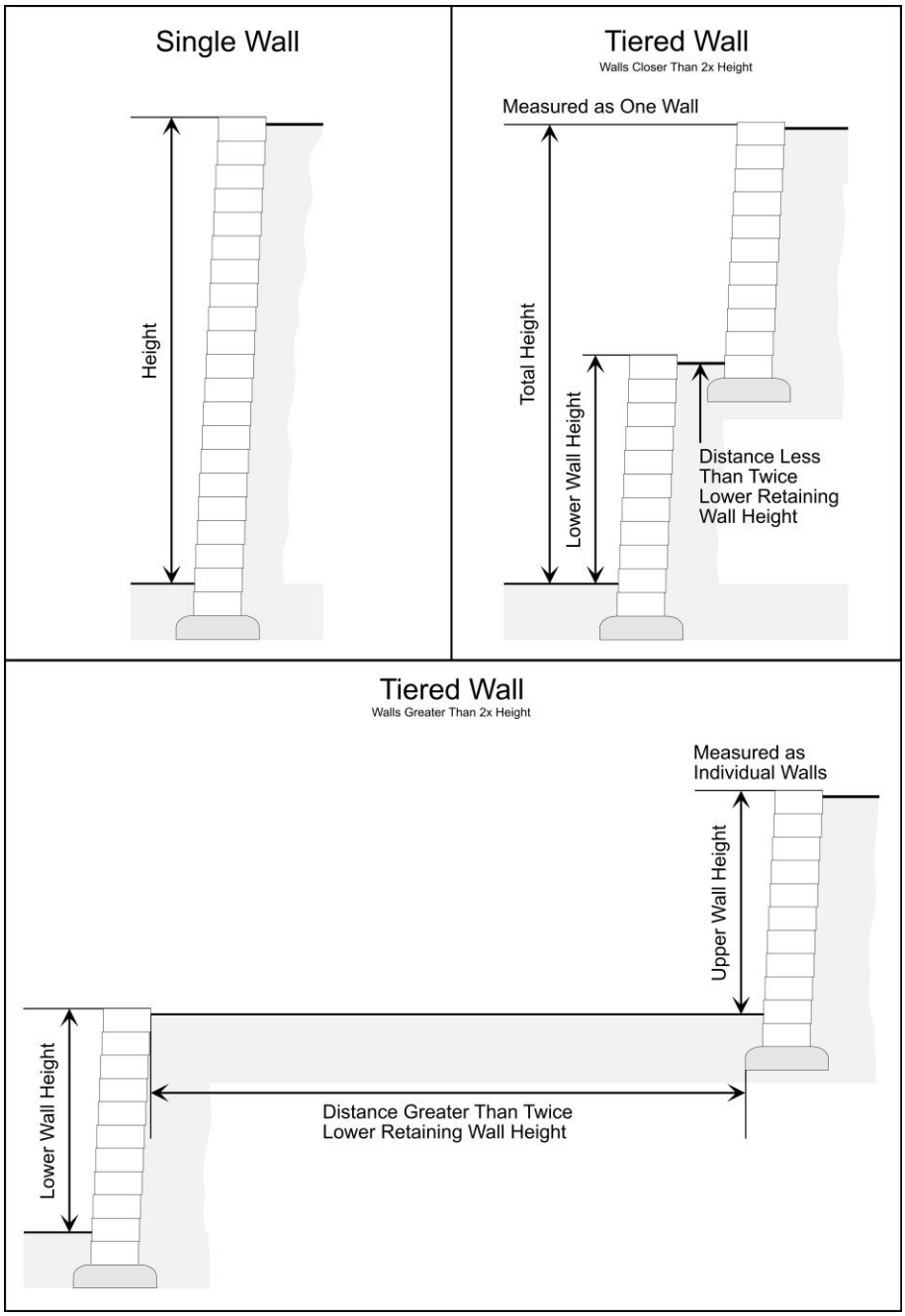


3.4 MEASUREMENT OF RETAINING WALL HEIGHT

(1) The height of a *retaining wall* is the vertical distance measured from *finished grade* to the highest point of the *retaining wall*.

(2) For a tiered *retaining wall* installation, if the *retaining walls* are separated by a distance less than two times the height of the lower wall, as illustrated in *Figure 3-2*, the height of the *retaining walls* will be considered and measured as one wall.

Figure 3-2: Measuring Retaining Wall Height



3.5 MEASURING SETBACKS

(1) A front yard building *setback* is measured from the front *property line* of the *lot* and at right angles, or radially, to the *building*.

(2) A side yard building *setback* is measured from the side *property line* of the *lot* and at right angles, or radially, to the *building*.

(3) A rear yard building *setback* is measured from the rear *property line* of the *lot* and at right angles, or radially, to the *building*.

(4) For the purpose of measuring building *setbacks*, a *setback* shall be measured from the *property line* to the nearest point of a foundation wall. *Architectural projections* are excluded when measuring a building *setback*.

(5) If doubt arises as to the required dimensions or building *setbacks*, they shall be determined by the *Development Authority* by applying this Bylaw as closely as is possible in the circumstances of each case.

3.6 DETERMINING PROPERTY LINES

(1) The front *property line* of a *lot* is:

(a) The *property line* that adjoins a *public roadway*, other than a *lane*; or

(b) In the LDR, SLR, LLR, or FBR Districts, on a *corner lot* for a *dwelling (single detached), dwelling (semi-detached), dwelling (duplex), dwelling (townhouse - plex),* or a *dwelling (townhouse - single)* the shortest *property line* that adjoins a *public roadway* other than a *lane*; and

(c) In all other cases, a *lot* adjoining two or more *public roadways* other than a *lane,* is considered to have a front *property line* adjoining each *public roadway* requiring compliance with the front yard requirements of the District in which the *lot* is located, notwithstanding that the *lot* is separated from the *public roadway* by a *public utility lot*.

(2) The rear *property line* of a *lot* is the *property line* opposite to the front *property line*.

(3) The side *property line* of a *lot* is the *property line* that connects the front and rear *property lines*.

(4) If doubt arises as to which is a front, rear, or side *property line* of a *lot*, the *Development Authority* shall determine the respective *property line* by applying this Bylaw as closely as is possible in the circumstances of each case.

3.7 DETERMINING YARDS

(1) The front yard of a *lot* is that part of a *lot* located between the side *property lines* of a *lot* in width and from the front *property line* of the *lot* to the nearest point of a foundation wall of any *building* on the *lot* in depth.

(2) The rear yard of a *lot* is that part of a *lot* located between the side *property lines* of the *lot* in width and from the rear *property line* to the nearest point of a foundation wall of the *principal building* on the *lot* in depth.

(3) The side yard of a *lot* is that part of a *lot* that is neither a front yard nor a rear yard, and is located between the side *property line* to the nearest point of a foundation wall of the *principal building*.

(4) If two or more *lots* are consolidated, the *Development Authority* will determine the yards taking into consideration the surrounding existing *development* situated on adjacent *lots*. The *Development Authority* may request a *site plan* depicting proposed yards in order to make the determination.

(5) If doubt arises as to which is a front, rear, or side yard of a *lot*, the *Development Authority* shall determine the respective yard by applying this Bylaw as closely as is possible in the circumstances of each case.

3.8 BARE LAND CONDOMINIUM UNIT

(1) A *bare land condominium unit* shall comply with all the general regulations of this Bylaw and with the regulations applicable to the District within which the *bare land condominium unit* is located, as if the unit were a *lot* or *site*.

(2) With the exception of common *property lines* on semi-detached or attached units, no *building* on a *bare land condominium unit* may encroach on any *property line*, utility easement, or right-of-way.

(3) A bare land condominium plan shall be treated in all respects as though it were a plan of subdivision and shall comply with the requirements for a subdivision, including:

(a) Adequate pedestrian and *vehicle access*;

(b) Provision of supply of water, electrical power, gas, sanitary sewer, and storm drainage; and

(c) Sequencing and timing of construction of all *buildings* and servicing.

3.9 CORNER LOTS - GENERAL

(1) In the LDR, SLR, LLR, or FBR Districts, a *lot* is considered to be a *corner lot* notwithstanding that the *lot* is separated from the *public roadway* along the side by a *public utility lot*.

3.10 CORNER LOTS - TRAFFIC SIGHT LINES

(1) On a *corner lot*, there shall be no *development* greater than 1.00 m in height, within the triangular area created by the *property lines* that form the corner and a straight line connecting the two points 6.00 m back along these *property lines* measured from their intersection, as illustrated in *Figure 3-3*.

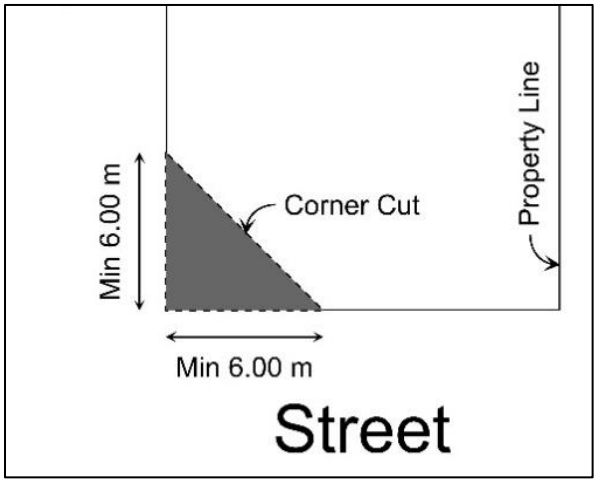
(a) Notwithstanding section (1), a greater corner cut distance may be required by the *Development Authority*, in consultation with Engineering Services.

(2) If a corner cut has been applied, the area in section (1) shall be determined 6.00 m back from what would have been the intersection of *property lines* if the corner cut had not been taken.

(3) In the DTN District, the triangular area shall be determined using a line 4.00 m back from the intersection, unless another distance is required by the *Development Authority*.

(4) In the MU1 District, traffic sight lines may be reduced at the discretion of the *Development Authority* in consultation with Engineering Services considering the safe functioning of *public roadways* and the provision of adequate vehicular sight lines.

Figure 3-3: Corner Cut for Traffic Sight Lines



3.11 DAYCARE FACILITY

(1) A *daycare facility* that includes a playground shall provide a separate access to the playground area from the *principal building,* and the playground area shall be enclosed by a fence at least 2.00 m in height from *finished grade* subject to section 3.84 'Fences (Non-Residential).'

(2) At the discretion of the *Development Authority*, a *daycare facility* may be required to provide a drop-off area for the loading and unloading of patrons from *vehicles* so that the *development* does not interfere with the regular flow of *on-site* or neighbouring traffic.

3.12 DESIGN, CHARACTER, AND APPEARANCE OF A BUILDING

(1) All exterior surfaces shall have a finished treatment.

(2) The design, character, and appearance of a *building*, including all *accessory buildings* and *relocatable buildings*, must be:

(a) Compatible with any other *buildings* existing on the *site* and in the vicinity; and

(b) Consistent with the purpose and regulations of the District in which the *building* is located.

(3) The exterior finish of a *building*, including a *dwelling (single detached)*, *dwelling (semi-detached)*, *dwelling (duplex)*, *dwelling (townhouse - plex)*, *dwelling (townhouse - single)*, or an *accessory building*, must be completed within two years of the date the *Development Permit* is issued unless otherwise stipulated by the *Development Permit*.

3.13 DESIGNATED FLOOD LINE

(1) The *designated flood line* is indicated on the maps in Schedule A.

(2) The purpose of the *designated flood line* is to:

(a) Identify lands in the *City* that may be subject to flooding during a 1:100 year high-water event;

(b) Regulate *development* below the *designated flood line*;

(c) Confirm *development* is compatible and undertaken in accordance with the *Municipal Engineering Standards*;

(d) Not cause detrimental effects on the hydrological system of Carrot Creek, Big Lake, and the Sturgeon River, negatively impact water quality, or increase flood risk to downstream lands; and

(e) Ensure *development* of Discretionary Uses identified in section (4)(a) can be undertaken in a safe manner.

(3) The *designated flood line* is the boundary of any filling of land.

(4) Subject to section (4)(a), new *buildings* or substantial improvements are prohibited below the *designated flood line*.

(a) The following *developments* shall be the only Discretionary Uses below the *designated flood line*, shall be designed to meet or exceed the *City's Municipal Engineering Standards,* and require the approval of the *Development Authority* in consultation with the *City* Engineer:

(i) Flood erosion-control measures including *berms*, dikes, and *retaining walls*;

(ii) Stormwater management facility that meets the approval of the *City* Engineer;

(iii) *Public utility*;

(iv) Bridge or *public roadway*;

(v) *Campgrounds*, excluding serviced *campgrounds* with permanent *buildings*;

(vi) Pedestrian walkways, *parks*, and trails;

(vii) Golf courses, excluding fairways, greens, or permanent *buildings*;

(viii) Outdoor recreation service uses limited to picnic areas and boating facilities that meet the approval of the *City* Engineer;

(ix) Fencing; and

(x) Non-intensive agriculture.

(5) Regarding the Discretionary Uses in section (4)(a), the *Development Authority* may consider and require that a *Development Permit* for the *development* of land wholly or partially contained below the *designated flood line* be subject to such conditions as are necessary to ensure that the *development* is consistent with the purpose of section (2) prior to the issuance of the *Development Permit*. When a *Development Permit* application is submitted to the *Development Authority* for the *development* of a *lot* partially or wholly below the *designated flood line*, the *Development Authority* shall require the *development* to meet the following additional conditions:

(a) A new *development* that has the potential to disrupt the normal hydrological process within Carrot Creek, Big Lake, and/or the Sturgeon River must submit appropriate technical report(s) and stamped plans, certified by a registered Professional Engineer, indicating mitigations have been considered and incorporated into the design of the proposed *development* to minimize the risk of *on-site* and *off-site* flooding damage, to the satisfaction of the *City* Engineer and Alberta Environment and Protected Areas;

(b) A new *development* including any *excavation*, *stripping*, or *grading* below the *designated flood line* along these watercourses shall be designed in consultation with and to the satisfaction of the *City* Engineer and Alberta Environment and Protected Areas;

(c) If required by the *Development Authority* in consultation with the *City* Engineer, the Applicant shall provide an emergency access plan prior to the issuance of a *Development Permit*; and

(d) The *Development Authority* may require that a *Development Permit* for the infilling of land below the *designated flood line* of Carrot Creek, Big Lake, and the Sturgeon River include appropriate technical report(s) and stamped plans, certified by a registered Professional Engineer, indicating mitigations have been considered and incorporated into the design of the proposed *development* to minimize the potential risk of *on-site* and *off-site* flood damage, to the satisfaction of the *City* Engineer and Alberta Environment and Protected Areas, prior to the issuance of a *Development Permit*.

(6) A *building* which lawfully existed below the *designated flood line* before August 15, 2011, but which is not in conformity with these provisions, may be continued subject to the conditions outlined in section 2.24 ‘Non-Conforming Development’ and the *MGA*.

(7) For a *lot* adjacent to the *designated flood line* or of which a portion lies below the *designated flood line*, prior to the issuance of a *Development Permit*, the *Development Authority* shall require that the Applicant submit:

(a) A set of stamped plans certified by a registered Professional Engineer or Architect which confirms the requirements of section 3.13 have been incorporated in the design of the proposed *development* and identifies the *freeboard elevation* at 0.50 metres above the *designated flood line*;

(b) Stamped plans shall be submitted, as provided for in the following requirements:

(i) The geodetic elevation of the proposed *building* or other *development* location, and the geodetic elevation of the lowest point of all openings to any proposed *building*; and

(ii) A certificate from a registered Professional Engineer or Architect indicating that the following factors have been considered in the design of the *building*:

(A) The flood-proofing of *habitable rooms*, electrical panels and heating units, and operable windows;

(B) *Basement* drainage; and

(C) *Site* drainage and, in the design for other *development*, the effect on the existing hydrological system, flood risk, and mitigation measures to minimize the risk of flood damage, *on-site* and downstream, to existing *development*.

(8) The *Development Authority* shall circulate a *Development Permit* application for a *development* located on a property adjacent to, or wholly or partially below the *designated flood line,* and adjustments to the *designated flood line*, along with any accompanying technical reports and stamped plans certified by a registered Professional Engineer to the *City's* Engineering Department for review and comment with respect to the suitability of the proposed *development*.

(9) Notwithstanding sections (2) through (8), nothing in section 3.13 or on the maps in Schedule A modifies, overrides, or changes the land use districting as shown in Schedule A. The *designated flood line* regulations are in addition to the regulations of the underlying *Land Use District*. If there is a conflict between Schedule A and section 3.13 with a *Land Use District*, Schedule A and section 3.13 take precedence.

(10) The *designated flood line* as outlined in the maps in Schedule A are presented for reference purposes only, have been generalized for presentation purposes, and are not guaranteed for accuracy. The *Development Authority* will rely on the information required under section (6) to determine the *designated flood line* on an individual property (inclusive of the 1:100 year flood line plus a 0.50 m factor of safety) except where, at the discretion of the *Development Authority*, the Applicant for a *Development Permit* provides appropriate technical information, certified and stamped by a registered Professional Engineer, that establishes the basis for an adjustment to the *designated flood line*.

3.14 DEVELOPMENT ON PROPERTIES IMPACTED BY THE DESIGNATED FLOOD LINE

(1) The *Development Authority* shall circulate a *Development Permit* application to Engineering Services, for review and comment with respect to the suitability of the proposed *development*, for a *development* located on a property that includes the *designated flood line*.

(2) The *Development Authority* may require, on *lots* containing the *designated flood line*, that the *development's* design, siting, *landscaping*, *screening*, and buffering, minimize and compensate for any objectionable and potential incompatibility with *natural areas*, waterways, wildlife habitat areas, and environmentally sensitive areas.

(3) When required by the *Development Authority*, a *Development Permit* application shall be accompanied by an assessment of the environmental impact of the proposed *development* on the existing land uses, geology, soils, vegetation, fauna, wildlife habitat, water, and air.

(4) All proposed *developments* below the 1:100 *designated flood line* shall comply with section 3.13 'Designated Flood Line.'

3.15 DRIVE-THROUGH

(1) A *drive-through* shall be located:

(a) At the intersection of two or more *public roadways*, not including a *lane*;

(b) Between intersections, if there is an adjoining service road or a centre dividing strip on the adjacent *public roadway*;

(c) Adjacent to a roadway interchange; or

(d) In a *shopping centre* where, in the opinion of the *Development Authority*, the traffic associated with the *drive-through*, combined with other traffic, will not adversely affect *public roadways* or the internal traffic circulation for the *shopping centre*.

(2) The minimum *setback* for a *drive-through* aisle is:

(a) 3.50 m from any *property line*, or boundary of the *site*; or

(b) 10.00 m from any part of the *building* used for the *drive-through* to the nearest residential *lot*; or

(c) Such greater distance as required by the *Development Authority* to buffer the adjacent *Residential District* or use from noise, traffic, or other impacts of the *drive-through*.

(3) In addition to any other *landscaping* regulations under this Bylaw (sections 3.97 through 3.102):

(a) A *berm* or *screening* of at least 1.00 m high, shall be erected and maintained around the perimeter of a *drive-through*, unless the *drive-through* is located within a *shopping centre*, or where, in the opinion of the *Development Authority*, a *berm* or *screening* is not required; and

(b) A *berm* of a height to be determined by the *Development Authority*, taking *site* conditions into account, and a *fence* or wall of at least 1.00 m in height and located on top of or along-side the *berm*, shall be erected and maintained to separate the *drive-through* from any adjacent *Residential District*.

3.16 EASEMENTS AND ENCROACHMENTS

(1) Notwithstanding that a *development* otherwise complies with this Bylaw, a *Development Permit* shall not be issued for a *development* that encroaches into or over:

(a) A utility easement or right-of-way, without the written consent of the owner of the easement or right-of-way and the person whose utility line is found in the easement or right-of-way;

(b) A *public utility lot*, without the written consent of the owner; and

(c) Municipally owned land, without the written consent of the owner.

3.17 GARBAGE AND RECYCLING STORAGE

(1) This section applies to the MDR, HDR, *Commercial*, *Industrial*, *Mixed-Use*, and *Special Districts*.

(2) Garbage and recycling storage must be located in:

(a) A storage bay within or attached to the *principal building*,

(b) A freestanding enclosure, comprised of solid fencing or walls that match or complement the materials of the *principal building,* to the satisfaction of the *Development Authority*; or

(c) An in-ground waste-bin system.

(3) Garbage and recycling storage must not encroach into a required landscape area.

(4) The minimum *setback* for a garbage and recycling storage area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*.

3.18 HIGH-RISE BUILDING DESIGN

(1) A *building* greater than 35.00 m in height shall:

(a) Be designed in a tower and podium format;

(b) Be designed, oriented, and constructed to maximize views, articulate the skyline, and allow sunlight penetration at the street level, and in public spaces, *plazas*, *parks*, and *amenity areas*;

(c) Provide a minimum 7.50 m high podium, but no podium shall exceed 15.00 m in height;

(d) Provide a minimum *step-back* from the podium of 6.00 m, as measured from the building face of the lower *storeys* when the side or rear *property line* of the *site* is adjacent to an LDR, SLR, LLR, or FBR District;

(e) Provide a minimum *step-back* from the podium of 3.00 m, as measured from the front building face of the lower *storeys* when the *site* is adjacent to any other District;

(f) Provide a minimum *step-back* from the podium of 3.00 m, as measured from the front building face of the lower *storeys* when facing a *public roadway*, excluding a *lane*;

(g) Have a maximum tower floor plate not exceeding 750.00 m^2.

(2) Notwithstanding section (1)(g), in no case shall the tower floor plate exceed 80% of the podium floor plate.

(3) There must be a minimum *separation distance* of 25.00 m between towers. The *separation distance* is applicable to towers located on the same *lot* or an adjacent *lot*.

(a) Notwithstanding section (3), the *Development Authority* may, at their discretion, determine the required tower separation, based on any recommendations, or mitigative measures specified in a technical study prepared by an Architect or Professional Engineer.

(4) Additional *step-backs* may be required at higher *storeys* for the *building*, if, in the opinion of the *Development Authority*, it is necessary to mitigate the building scale, or wind, sun, or shadow impacts.

3.19 LIVE/WORK UNIT

(1) A *live/work unit* shall comply with the *density* provisions or floor area ratio requirements of the underlying District.

(2) All *live/work units* should maintain a commercial component which must comply with the following:

(a) The floor area devoted to the commercial component should not exceed 50% of the unit; and

(b) The commercial component shall be:

(i) Located at-*grade*; and

(ii) Have a public entry oriented to, and directly accessible from, a *public roadway,* other than a *lane* or an undeveloped registered road plan.

(3) Commercial component uses shall be limited to those uses allowed as a Permitted Use or Discretionary Use in the applicable District, and shall be subject to a separate *Development Permit* application.

(4) There shall be direct access between the residential and commercial components of the *live/work unit*.

(a) Notwithstanding section (4), the residential component shall be separated from the commercial component by a wall, ceiling, door, or other means of separation meeting the requirements of the *building code*.

(5) Materials, commodities, or finished products associated with the commercial use shall not be stored:

(a) Outside of the unit; or

(b) In a *parking* stall, including a *garage*, required to meet minimum *parking* requirements in Part 4: Parking.

(6) A maximum of two non-resident employees or business partners may work in the unit, and a minimum of one employee or business partner must live in the unit.

3.20 LIVESTOCK

(1) *Developments* involving *livestock* are prohibited, except as part of an agricultural use within the FUD or TRN Districts, and shall only be allowed in accordance with the relevant municipal Bylaws.

3.21 LOT COVERAGE

(1) *Lot coverage* includes the area covered by the *principal building* and *accessory buildings*, but excludes the areas covered by a *vehicle access* or a *parking lot*.

(a) Notwithstanding section (1), in a *Residential District*, *lot coverage* shall include the area of the *principal building* and *accessory buildings* including, gazebos, *sheds*, attached or detached *garages* and *carports*, *deck (covered)*, *deck (enclosed),* verandas; *secondary suite (garage)*; or a *secondary suite (garden)*.

3.22 MECHANICAL EQUIPMENT

(1) The location of mechanical equipment, exhaust fans, and other potential sources of noise and smells must be oriented to reduce adverse effects on surrounding properties and communal *amenity areas*.

(2) All mechanical equipment must be visually and acoustically screened, or incorporated in the *building*.

3.23 MIXED-USE BUILDING WITH RESIDENTIAL USE

(1) When a *mixed-use building* contains a *residential use*, the residential *development* must:

(a) Not be located below any *storey* used for non-residential purposes;

(b) Have an entrance separate from the entrance to any non-residential component of the *building*; and

(c) Provide:

(i) An *amenity area (common)* in accordance with section 3.46; and

(ii) An *amenity area (private)* in accordance with section 3.47.

3.24 OUTDOOR LIGHTING

(1) Notwithstanding any other provision within this Bylaw, outdoor lighting must be located and arranged so that:

(a) Rays of light are not directed at an *adjacent site* and indirect rays of light do not adversely affect an *adjacent site*; and

(b) Traffic safety is not adversely affected.

(2) For a non-residential use, a *dwelling (apartment),* a *dwelling unit above a non-residential use,* or a *dwelling (townhouse - complex)*, all *on-site parking lots*, exterior pedestrian walkways, and rear, front, and side yards must be illuminated.

(3) For a non-residential use, a *dwelling (apartment)*, or a *dwelling unit above a non-residential use, buildings* are encouraged to incorporate exterior and decorative lighting to enhance building architecture, *landscaping* elements, and focal points.

(4) *Full cut-off light fixtures* shall be installed for all exterior lighting.

(a) Notwithstanding section (4), at the discretion of the *Development Authority*, outdoor lighting used to illuminate architectural features, monuments, or public art, may emit light above the horizontal plane, so long as it is directed at such features.

3.25 OVERHEAD WEATHER PROTECTION

(1) Overhead weather protection is encouraged along *building frontages* with commercial or institutional uses at *grade,* and at primary residential entrances for a *dwelling (apartment)*, a *dwelling unit above a non-residential use*, and *supportive living accommodation* (over 13.00 m in height).

(2) Overhead weather protection shall be of a method suitable to the architectural style and function of the *building*, and may take the following forms:

(a) A continuous *awning* or *canopy (attached)*;

(b) A continuous *building recess* or arcade; or

(c) A combination of the above, at the discretion of the *Development Authority*.

(3) Overhead weather protection shall have a sloping profile or be designed so as to provide effective shedding of rain, facilitate self-cleaning by rain and wind, and minimize snow-loading.

(4) Notwithstanding any other regulation in this Bylaw, overhead weather protection shall be at a height and depth to provide sufficient protection for pedestrians.

(5) If a *building frontage* is on an inclined *grade*, the design of the overhead weather protection must be stepped or inclined to follow the *grade*.

3.26 PANHANDLE LOT

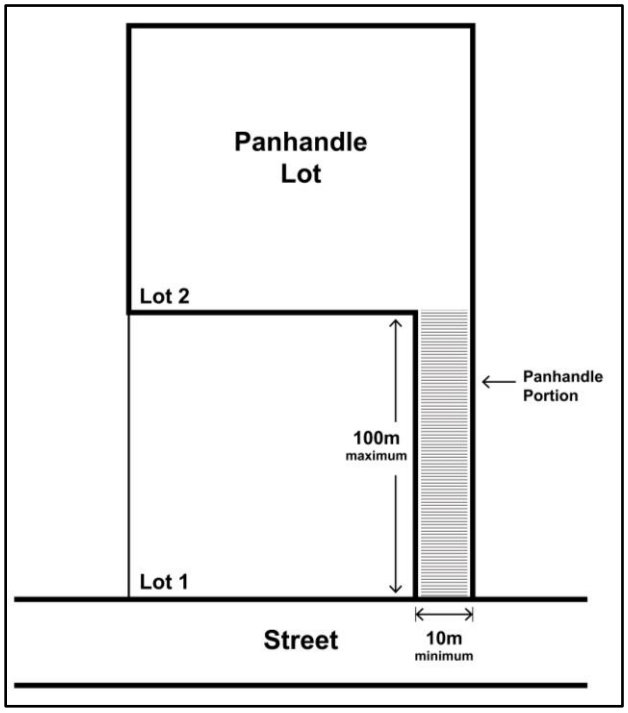
(1) Notwithstanding any other regulation in this Bylaw, the panhandle portion of the *lot* shall have a minimum width of 10.00 m, as shown on Figure 3-4.

(2) Notwithstanding any other regulation in this Bylaw, the panhandle portion of the *lot* shall have a maximum depth of 100.00 m, as shown on Figure 3-4.

(3) No panhandle portion of any *lot* may be adjacent to another panhandle portion of a *lot* at the *public roadway* line.

(4) Notwithstanding any other regulation in this Bylaw, the panhandle portion of the *lot* shall not be used to calculate *lot frontage*, *lot area*, *lot coverage*, or building *setbacks*.

Figure 3-4: Panhandle Lot



3.27 PEDESTRIAN WALKWAY ACCESS

(1) All *developments*, excluding those located in the LDR, SLR, LLR, or the FBR Districts, must provide *on-site* pedestrian walkways.

(2) Pedestrian walkways:

(a) Shall connect *on-site* uses to each other and to the public right-of-way adjoining the *development* in a safe and convenient manner through the use of dedicated sidewalks, pathways, and walking routes;

(b) Shall coordinate the alignment and connection of *on-site* sidewalks, pathways, and walking routes to other existing or planned *off-site* pedestrian sidewalks, pathways, walking routes, transit stops, *amenity areas*, and *adjacent sites*;

(c) Shall be at least 1.50 m wide;

(d) Shall be raised a minimum of 0.15 m from the roadway surface, except where they cross a *private roadway* or *parking lot*;

(e) Shall include *landscaping* improvements or fixtures to separate users from adjoining *private roadways* and *public roadways*;

(f) May be raised or ramped when traversing a *private roadway*; and

(g) Crosswalks shall be delineated with coloured concrete or painted lines.

3.28 PREFABRICATED TRAILER

(1) A *Development Permit* for a prefabricated trailer to be used temporarily for a *residential sales centre*, *recreation (outdoor)*, or public assembly use may be granted at the discretion of the *Development Authority* for a period specified in the *Development Permit*.

3.29 PROHIBITED USES

(1) The following are prohibited in all Districts:

(a) *Automotive wrecker*;

(b) *Boarding house*;

(c) *Digital mining*; and

(d) *Industrial (level four).*

(2) Notwithstanding any other provision in this Bylaw, the following uses, unless specifically listed as a Permitted Use or Discretionary Use in the District where the *site* is located, are prohibited as *accessory* uses to any other use:

(a) *Agriculture (intensive)*;

(b) *Animal service*;

(c) *Automotive (service)*;

(d) *Bulk fuel sales depot*;

(e) *Bulk oil and chemical storage*;

(f) *Cannabis production and distribution facility*;

(g) *Cannabis production and distribution facility (micro)*;

(h) *Crematorium*;

(i) *Daycare facility*;

(j) *Drive-through*;

(k) *Establishment (adult)*;

(l) *Establishment (gaming)*;

(m) *Fleet service*;

(n) *Funeral home*;

(o) *Group home*;

(p) *Health service*;

(q) *Hospital*;

(r) *Hotel*;

(s) *Industrial (level one)*;

(t) *Industrial (level two)*;

(u) *Industrial (level three)*;

(v) *Industrial (level four)*;

(w) *School (commercial)*;

(x) *School (elementary or secondary)*;

(y) *School (post-secondary)*;

(z) *Storage facility (recreation vehicle and equipment)*;

(aa) *Supportive living accommodation*; and

(bb) *Transitional accommodation*.

(3) Unless otherwise stated, no person shall use or permit to be used an *accessory building* for human occupancy.

(a) Notwithstanding section (3), in the ICS, IND, or PRK Districts, or for a *lot* containing a *campground*, the *Development Authority* may approve a *surveillance suite* (section 3.96), provided that such use complies with all applicable *building code* and health standards.

3.30 RADIO ANTENNA

(1) Notwithstanding any other provision in this bylaw, and subject to the requirements of the 'Canadian Radio-television and Telecommunications Commission:'

(a) In a *Residential District*:

(i) Only two *radio antennas* may be attached to or located on a *principal building* on a *lot*;

(ii) Only one *radio antenna* may be freestanding on a *lot*;

(iii) A *radio antenna* must not be:

(A) Located in a front yard;

(B) Located less than 1.50 m from side and rear *property lines*;

(C) More than 12.00 m in height above *finished grade* when freestanding; and

(D) Used for commercial purposes.

(b) In a *Non-Residential District*:

(i) A *radio antenna* shall be considered *accessory development*; and

(ii) The number of *radio antennas* shall be at the discretion of the *Development Authority*.

(c) No *radio antenna* shall exceed the maximum building height allowed in a District.

3.31 RAILWAY RIGHT-OF-WAY

(1) Any proposed *sensitive land use* shall provide a minimum *setback* of:

(a) 15.00 m from the closest edge of the railway right-of-way *property line* to the closest edge of the *principal building* or *dwelling unit*, for a branch line.

(b) 15.00 m from the closest edge of the railway right-of-way *property line* to the closest edge of the *principal building* or *dwelling unit*, for a spur line.

(c) Notwithstanding sections (a) and (b), the *Development Authority* may consider, in consultation with the railway, a *setback* reduction when elevation changes exist or when additional safety measures are proposed.

(2) For proposed residential *developments* or other *sensitive land uses* adjacent to the railway right-of-way, a minimum 1.83 m high *fence* shall be installed.

3.32 RESIDENTIAL SALES CENTRE

(1) Where a *dwelling unit* is used as a *residential sales centre*, a separate *Development Permit* must be obtained for that use.

(2) A *residential sales centre* must have an exterior finish similar to the existing or proposed residences in the vicinity, unless otherwise permitted by the *Development Authority*.

(3) Once the use of a *residential sales centre* ceases, any area of the *development* used as a *residential sales centre* shall revert to *residential use*.

(4) A *residential sales centre* must provide sufficient *on-site* and *off-site parking* in the opinion of the *Development Authority*, to ensure that *adjacent sites* would not be adversely affected.

(5) A temporary *breezeway* may connect two or more *residential sales centres* at the discretion of the *Development Authority*.

(6) Where a *residential sales centre* is proposed, the plan of subdivision for the *lots* shall be registered prior to issuance of a *Development Permit* for the *residential sales centre*.

(7) A *residential sales centre* shall not be operated for a period of more than 12 months, but the *Development Authority* may, upon application, issue a subsequent *Development Permit* once for up to 12 additional months.

(a) Notwithstanding section (7), the *Development Authority* may issue subsequent *Development Permits* annually for a *residential sales centre* in the MU2 District, in conjunction with active *development* and a valid *Development Permit*.

3.33 SATELLITE DISH

(1) Notwithstanding any other provision in this bylaw, and subject to the requirements of the 'Canadian Radio-television and Telecommunications Commission:

(a) In a *Residential District*:

(i) A maximum of two *satellite dishes* may be installed on a *lot*;

(ii) Only one *satellite dish* may be freestanding;

(iii) A *satellite dish* must not be:

(A) Greater than 3.50 m in diameter;

(B) Attached to a *building*, if it has a diameter greater than 0.60 m;

(C) Located in a front yard;

(D) Located less than 1.00 m from side and rear *property line*; and

(E) More than 4.00 m in height from *finished grade* when freestanding.

(b) In a *Non-Residential District*:

(i) Up to two adequately screened *satellite dishes* may be placed on a *lot*, either attached to a *principal building* or freestanding;

(A) Notwithstanding section (i), in the DTN, MU1, and MU2 Districts, a *satellite dish* shall be located on a roof only;

(B) Notwithstanding section (i), in the case of a *broadcasting studio* or *transmitting station*, the number of *satellite dishes* is at the discretion of the *Development Authority;*

(ii) The diameter of a *satellite dish* shall not exceed 6.00 m; and

(iii) A *satellite dish* shall be considered *accessory development*.

(c) No *satellite dish* shall exceed the maximum building height allowed in a District.

3.34 STRIPPING, GRADING, AND EXCAVATION

(1) Unless required for the preparation of a *site* for which a *Development Permit* has been issued, the *stripping, grading,* and *excavation* of land shall require a *Development Permit* as outlined in section 2.7 ‘Stripping, Grading, And Excavation Applications.’

(2) With the exception of those lands governed by a valid *development agreement*, *stripping, grading,* and *excavation* activities are considered a Discretionary Use in all Districts and require a *Development Permit*.

3.35 SHIPPING CONTAINER

(1) A *shipping container* shall be screened from view to the satisfaction of the *Development Authority*, or set a higher standard of design, character, and appearance for the District in which its placed.

(2) A *shipping container* shall meet the minimum *setbacks* and placement requirements for *accessory buildings* for the District in which its placed.

(3) A *shipping container* shall be used for storage only, and shall not be used to store *dangerous or hazardous goods*, or as a *dwelling unit*.

3.36 SOLAR COLLECTOR (ATTACHED)

(1) A *solar collector (attached)* may be located on the roof or wall of a *building*.

(2) Within the LDR, SLR, LLR, and FBR Districts:

(a) Where a *solar collector (attached)* is attached to a roof with a pitch of less than 4/12, it must not extend beyond the outermost edge of the roof, but may:

(i) Project a maximum of 0.50 m from the surface of the roof, when the solar collector is located 5.00 m or less from a side *property line* measured directly from any point along the side *property line*; and

(ii) Where the solar collector is located more than 5.00 m from a side *property line*, and projects a maximum of 1.30 m from the surface of the roof.

(b) Where a *solar collector (attached)* is attached to a roof with a pitch of 4/12 or greater, it may project a maximum of 1.30 m from the surface of the roof and must not extend beyond the outermost edge of the roof.

(3) Within all Districts except the LDR, SDR, LLR, and FBR Districts:

(a) Where a *solar collector (attached)* is attached to a roof with a pitch of less than 4/12, it may project a maximum of 2.00 m from the surface of the roof, and must be located at least 1.00 m inward from the outermost edge of the roof.

(b) Where a *solar collector (attached)* is attached to a roof with a pitch of 4/12 or greater, it may project a maximum of 1.30 m from the surface of the roof and must not extend beyond the outermost edge of the roof.

(4) Where a *solar collector (attached)* is attached to a pitched roof, it shall not project vertically beyond the height of any existing roofline or any roof peak.

(5) A *solar collector (attached)* shall not exceed the maximum building height of the applicable District.

(6) In all instances, the maximum distance by which a *solar collector (attached)* may project from the surface of the roof is determined by measuring the perpendicular distance between the surface of the roof and the exterior surface of the solar collector.

(7) A *solar collector (attached)* that is located on a wall may project a maximum of 0.60 m from the surface of that wall.

(8) A *solar collector (attached)* shall be stationary and shall not utilize a sun tracking system.

3.37 SOLAR COLLECTOR (FREESTANDING)

(1) A *solar collector (freestanding)* shall be an *accessory* use to the principal use on a *lot*.

(2) A *solar collector (freestanding)* shall not project vertically beyond the height of any existing roofline or any roof peak of the *principal building*.

(3) A *solar collector (freestanding)* shall be located and arranged so that:

(a) Glare is not directed at an *adjacent site* and indirect glare does not adversely affect an *adjacent site*; and

(b) Traffic safety is not adversely affected.

(4) In a *Residential District*, a *solar collector (freestanding)* must:

(a) Not be located in a front or side yard;

(b) Be located in a screened rear yard;

(c) Be located a minimum of 1.00 m from side and rear *property lines*;

(d) Not be more than 2.00 m in height above *finished grade*;

(e) Be located a minimum of 1.50 m from the *principal building*; and

(f) Be located a minimum of 1.50 m from another *accessory building*.

(5) In a *Non-Residential District*, a *solar collector (freestanding)*:

(a) Must not be located in a front yard;

(b) Must comply with the *setback* requirements for *accessory buildings* of the District;

(c) Must not be more than 5.00 m in height above *finished grade*;

(d) Must be located a minimum of 1.50 m from the *principal building*; and

(e) Must be located a minimum of 1.50 m from another *accessory building*.

(6) In a *Mixed-Use* or *Special District*, the *setback* and height of a *solar collector (freestanding)* shall be at the discretion of the *Development Authority*.

(7) A *solar collector (freestanding)* shall be stationary and shall not utilize a sun tracking system.

3.38 TELECOMMUNICATION TOWERS

(1) Notwithstanding any other provision of this Bylaw, but subject to section 1.13 'Powers And Duties Of The Development Authority,' the Government of Canada regulates the telecommunications industry in Canada and is the authority that approves the location of *telecommunication towers*.

(2) Unless excluded by the Government of Canada, a *telecommunication tower* shall be reviewed by a *Development Authority* to ensure concurrence with this Bylaw.

(3) Preferred locations for the siting of a *telecommunication tower* include lands in the BP1, BP2, ICS, RCC, NHC, TCC, DTN, HDR, MU1, MU2, PSI (non-school *sites* or *hospitals*), IND, TRN, and FUD Districts.

(a) Notwithstanding section (3), roof-top towers are preferred in the NHC, DTN, HDR, MU1, MU2, PSI (non-school *sites*), and IND Districts.

(4) Emergency services related directly to fire, police, and *hospital* services on lands in the PSI District are considered preferred locations solely for towers proposed to enhance emergency uses on those *sites*.

(5) Discouraged locations for the siting of *telecommunication towers* include:

(a) Lands in the PRK, LDR, SLR, LLR, FBR, MDR, ICC, and PSI (school *sites* or *hospitals*) Districts;

(b) Lands designated as a Municipal Historical Resource through municipal Bylaw or lands designated as a Provincial Historical Resource by the Province of Alberta;

(c) Lands located within 800 m of Big Lake;

(d) Lands identified as being environmentally sensitive areas; and

(e) Local wetlands, riparian areas, areas of large bird concentrations, bird flyways such as ridges and breaks in river vegetation, and areas where visible bird staging and nesting exist.

3.39 TEMPORARY BUILDING

(1) Unless otherwise stated in this Bylaw, a trailer, mobile office, or other temporary *building* shall not be allowed, except for use during construction.

(a) Notwithstanding section (1), at the discretion of the *Development Authority*, a *Development Permit* for a temporary *building* for a *residential sales center*, *recreation (outdoor)*, or public assembly use, may be granted for a specified time-period.

(2) In the ICS and IND Districts, a trailer, mobile office, or other temporary *building* may be allowed for a specified time-period at the discretion of the *Development Authority*.

3.40 TOP OF BANK SETBACK

(1) In all Districts, a *building* shall be *setback* at least 5.00 m from the *top of bank*, or top of an escarpment, as determined by a geotechnical investigation performed by a qualified Professional Engineer.

3.41 URBAN DESIGN REVIEW

(1) An Urban Design Review may be required, to be assessed either internally, or externally by a *City*-designated reviewer, where in the opinion of the *Development Authority,* the *development* is deemed to have significant impact on the subject area's urban design.

(2) Application information for an Urban Design Review shall be in accordance with section 2.5(1)(b).

(3) An Urban Design Review shall be completed as a separate application process.

(4) An application fee shall be charged in accordance with the current *Master Rates Bylaw.*

(5) An *Urban Design Review (External)* will result in an Urban Design Review Recommendations Report from a *City*-designated reviewer. The Urban Design Review Recommendations Report is a requirement of the *Development Permit* application, and may occur prior to or concurrent with a *Development Permit* application.

(6) An Urban Design Review Recommendations Report will include recommendations from the reviewer that may range from acknowledgement of positive design qualities of the proposal, to suggestions for a design that better complies with the *City's* policies and plans.

(7) An Urban Design Review Recommendations Report shall be provided back to the Applicant upon completion.

(8) Applicants are expected to consider and implement, wherever possible, any recommendations of the Urban Design Review Recommendations Report into the final application.

3.42 VEHICLE ACCESS - GENERAL

(1) A *lot* must have at least one legal means of *vehicle* access.

(2) Access shall not be allowed from a *public roadway* across a *lot* to another *public roadway*, other than a *lane*, unless the *Development Authority*, in consultation with Engineering Services, supports the proposed design.

(3) Access from a *lot* to a Major Roadway listed in Schedule B must:

(a) Have a turning space on the *lot* so that *vehicles* leaving the *lot* do not back into the Major Roadway; and

(b) Comply with the *Traffic Bylaw,* as amended.

Residential Buildings and Lots

3.43 APPLICATION

(1) Sections 3.44 through 3.71 apply to all *Residential* and *Mixed-Use Districts*.

3.44 ACCESSORY BUILDING - RESIDENTIAL

(1) Except as otherwise provided in this Bylaw, an *accessory building*:

(a) Must not be located in a front yard;

(b) Must be located a minimum of 1.00 m from side and rear *property lines* when located in a rear yard;

(c) May be located in a screened side yard, provided it is a minimum of 1.20 m from the side *property line*;

(d) Must be located a minimum of 1.50 m from the *principal building* unless determined otherwise by the *Development Authority*;

(e) Must be located a minimum of 1.50 m from another *accessory building* unless determined otherwise by the *Development Authority*; and

(f) Must not be more than 3.70 m in height above *finished grade*.

3.45 AIR CONDITIONERS AND HEAT PUMPS - FREESTANDING

(1) An exterior air conditioner or heat pump must not be located:

(a) In a front yard;

(b) Less than 1.00 m from a rear *property line*; and

(c) Less than 0.30 m from a side *property line*.

(2) Notwithstanding section (1), this section excludes a window-mounted air conditioner or heat pump.

3.46 AMENITY AREA (COMMON)

(1) For a *dwelling (apartment)*, *dwelling unit above a non-residential use*, *dwelling (townhouse - complex)*, and *supportive living accommodation* containing 30 or more *dwelling units*:

(a) An *amenity area (common)* shall be provided at a rate of 5.00 m^2 per *dwelling unit*;

(b) An *amenity area (common)* may be provided indoors, outdoors, or a combination thereof;

(c) A maximum of 60% of the required *amenity area (common)* may be provided indoors;

(d) An *amenity area (common)* may include:

(i) A rooftop *amenity area*;

(ii) An at-grade *amenity area*, including a *plaza*, courtyard, or *patio*;

(iii) A *balcony* or terraced *balcony*;

(iv) A common garden area, either at-*grade* or above *grade*; or

(v) Any other *amenity area (common)*, including a pool, fitness centre, community room, or theatre room;

(e) An *amenity area (common)* at *grade*, adjacent to public areas, shall be *fenced* or screened;

(f) *Screening* shall be:

(i) A minimum of 1.20 m in height; and

(ii) Provided as either *landscaping* with a minimum width of at least 1.00 m, or a *fence* or wall;

(g) Notwithstanding section (f), an *amenity area (common)* may be screened in some other form, if, in the opinion of the *Development Authority*, it clearly delineates the public space from the private space;

(h) The minimum area of any single interior *amenity area (common)* shall be 30.00 m^2; and

(i) The minimum area of any single outdoor *amenity area (common)* shall be 50.00 m^2, excluding *parking lots* and pedestrian walkways.

(2) *Amenity area (common)* must have convenient pedestrian connections and be universally accessible.

(3) Maintenance of the *amenity area (common),* including *parking lots* and pedestrian walkways, is the responsibility of a private entity, and is normally set forth in the form of private restrictive covenants which guarantee the private maintenance of these areas.

3.47 AMENITY AREA (PRIVATE)

(1) For *dwelling (apartment)*, *dwelling unit above a non-residential use*, *dwelling (townhouse - complex)*, and *supportive living accommodation*:

(a) Each *dwelling unit* must provide at least one of the following forms of *amenity area (private)*:

(i) *Deck* or *balcony*;

(ii) *Patio* or at-grade yard;

(iii) Balconette or Juliet *balcony* (in the DTN District only); or

(iv) Recessed *balcony*;

(b) Notwithstanding section (a), for *supportive living accommodation*, the *Development Authority* may use its discretion to determine the number of private *amenity areas* required for a *development*;

(c) An *amenity area (private)*:

(i) Shall be located next to a *habitable room*;

(ii) Shall be a minimum of 5.00 m^2 per *dwelling unit*, with no one dimension less than 1.20 m; and

(A) Notwithstanding section (ii), in the DTN District, a Juliet *balcony* of no less than 0.30 m in depth and 0.91 m in width may be used if the remainder of the calculated *amenity area (private)* under section (ii) is provided as additional *amenity area (common)*;

(iii) May be provided at *grade*, above *grade*, or a combination thereof;

(d) An *amenity area (private)* at ground level must have fencing or *screening* which is:

(i) A minimum of 1.20 m in height; and

(ii) Provided as either *landscaping* with a minimum width of at least 1.00 m, or a *fence* or wall;

(e) Notwithstanding section (d), an *amenity area (common)* may be screened in some other form or combination thereof if, in the opinion of the *Development Authority*, it clearly delineates the public space from the private space.

3.48 ARCHITECTURAL PROJECTION

(1) Unless otherwise prohibited by this Bylaw, an *architectural projection* shall be permitted to extend into a required yard *setback* up to 0.60 m.

(a) Notwithstanding section (1), a *balcony* may extend into a required yard beyond 0.60 m, at the discretion of the *Development Authority*.

(2) A cantilever shall not extend the entire length of a room.

3.49 ATTACHED GARAGE OR ATTACHED CARPORT

(1) In the LDR, SLR, LLR, FBR, and MDR Districts:

(a) An attached *garage* or attached *carport* is considered part of the *principal building*; and

(b) An attached *garage* or attached *carport* must comply with the building *setback* requirements that apply to the *principal building*.

3.50 BED AND BREAKFAST

(1) A *bed and breakfast* shall:

(a) Have no cooking facilities in a guest room;

(b) Have a minimum guest-room size of 7.00 m^2 per single occupant and 4.60 m^2 per person per guest-room for multiple occupants; and

(c) Not undertake significant exterior modification of the *building* or grounds unless such changes are compatible with the character of the existing neighbourhood.

3.51 DECKS

(1) A *deck* less than 0.60 m above *finished grade* may be built to the side and rear *property line*.

(2) A *deck* 0.60 to 1.50 m above *finished grade*:

(a) Must meet the required front yard *setback* of the *principal building*;

(b) Must be located at least 1.00 m from a side *property line*; and

(c) Must be located at least 3.00 m from the rear *property line*, or 1.00 m when a rear *property line* is adjacent to a *lane*, *public roadway*, *park*, *public utility lot* (PUL), or *municipal reserve* (MR).

(3) Notwithstanding section (2), a *deck* may be developed to a 0.00 m *setback* along the common *property line* of a *dwelling (semi-detached)* or *dwelling (townhouse - single)*.

(4) A *deck* greater than 1.50 m above *finished grade* must be located at least 5.00 m from all *property lines*, unless:

(a) The *Development Authority* determines that a 5.00 m separation from all *property lines* is not required due to *site* conditions; and

(b) The *deck* complies with the side yard *setback* of the *principal building*.

(5) Notwithstanding sections (2) and (4), for a *dwelling (single detached)* developed with a *zero lot-line*, a *deck* may be developed to a 0.00 m side yard *setback* along the zero lot-line side of a *dwelling (single-detached)*.

(6) If a *deck (covered)* or *deck (enclosed)* is attached to a *principal building*, the *deck* shall meet the minimum *setback* requirements for the *principal building*.

3.52 DESIGN, CHARACTER, AND APPEARANCE OF RESIDENTIAL BUILDINGS

(1) In addition to the requirements in section 3.12 'Design, Character, And Appearance Of A Building,' a *dwelling (apartment)*, *dwelling unit above a non-residential use*, *dwelling (townhouse - complex), supportive living accommodation* (greater than 13.00 m in height), or *transitional accommodation* (greater than 13.00 m in height), must be finished as follows, to the satisfaction of the *Development Authority*:

(a) Exterior finishing materials on *façades* visible from a public right-of-way, *natural area*, or *park* shall be of a higher quality appearance, to the satisfaction of the *Development Authority*;

(b) The use of two or more colours or materials is required to enhance the building exterior and to create design accents. Building and architectural details (including flashing and downspouts) shall have a colour that complements the *principal building*;

(c) Walls, including *retaining walls* for general *landscaping*, *amenity area (private)* and *amenity area (common)*, and perimeter walls must be constructed or finished in a similar material or colour to that used for the *principal building* exterior; and

(d) Large expanses of uninterrupted wall planes are prohibited where visible from a public right-of-way, *natural area*, or *park*.

(2) When a *building* has a large expanse of uninterrupted wall planes:

(a) The use of recesses, entrances, windows, projections, building material, colours, roof design, or a physical break in *building mass* is required to add articulation to the *façade*;

(b) Multi-dimensional features shall be in proportion to the wall heights and *building mass*; and

(c) *Landscaping* may be required to address an uninterrupted wall plane, in accordance with section 3.99(1).

(3) An uninterrupted wall plane shall not exceed 15.00 m in horizontal direction.

(4) A *building* greater than 100.00 m in length, may be required to provide an at-grade pedestrian thoroughfare at the discretion of the *Development Authority*.

(5) Building massing should respect the existing topography of the *site* by terracing the *building* where appropriate.

(6) Exterior pedestrian entrances to *buildings* must have overhead weather protection.

3.53 DETACHED GARAGE OR DETACHED CARPORT

(1) Front yard *setback*

(a) The front yard *setback* for a detached *garage* or detached *carport* shall conform to the required front yard *setback* for the *principal building*.

(2) Side yard *setback*

(a) For a *dwelling (single detached)*, the interior side yard *setback* for a detached *garage* or detached *carport* is 1.00 m.

(i) Notwithstanding section (a), for a d*welling (single detached)* in the LLR and FBR Districts, a detached *garage* or detached *carport* may be developed to a 0.60 m side yard *setback* when located on an *interior lot* less than 8.10 m in width.

(b) For a *dwelling (single detached)* on a *zero lot-line development*, a detached *garage* or *carport* may be developed to a 0.00 m side yard *setback* on one side.

(c) For a d*welling (semi-detached)*, a detached *garage* or detached *carport* may be developed:

(i) To a 0.00 m *setback* along the *property line (common)*; and

(ii) To a 1.00 m interior side yard *setback*.

(A) Notwithstanding section (ii), on a *lot* less than 7.10 m in width in the LLR and FBR Districts, to a 0.60 m side yard *setback* on the interior side yard.

(d) For a *dwelling (duplex)*, the interior side yard *setback* for a detached *garage* or detached *carport* is 1.00 m.

(e) For a *dwelling (townhouse - plex)*, the interior side yard *setback* for a detached *garage* or detached *carport* is 1.00 m.

(f) For a *dwelling (townhouse - single)*, a detached *garage* or detached *carport* may be developed:

(i) To a 0.00 m *setback* along the *property line (common)*; or

(ii) To a 1.00 m interior side yard *setback* on a *townhouse (end unit)*.

(g) The corner side yard *setback* for a detached *garage* or detached *carport* on a *corner lot* with no *lane* is:

(i) 4.50 m where there is no sidewalk; or

(ii) 6.00 m from the edge of the sidewalk nearest the *property line*.

(h) The corner side yard *setback* for a detached *garage* or detached *carport* on a *corner lot* with a *lane* shall conform to the side yard *setback* of the *principal building*.

(3) Rear yard *setback*

(a) The rear yard *setback* for a detached *garage* or *carport* is 1.00 m.

(i) Notwithstanding section (a), for a *lot* with vehicular access provided from a rear *lane*, the minimum rear yard building *setback* is 1.50 m.

(b) For a detached *garage* or detached *carport*:

(i) The maximum height is 4.50 m; and

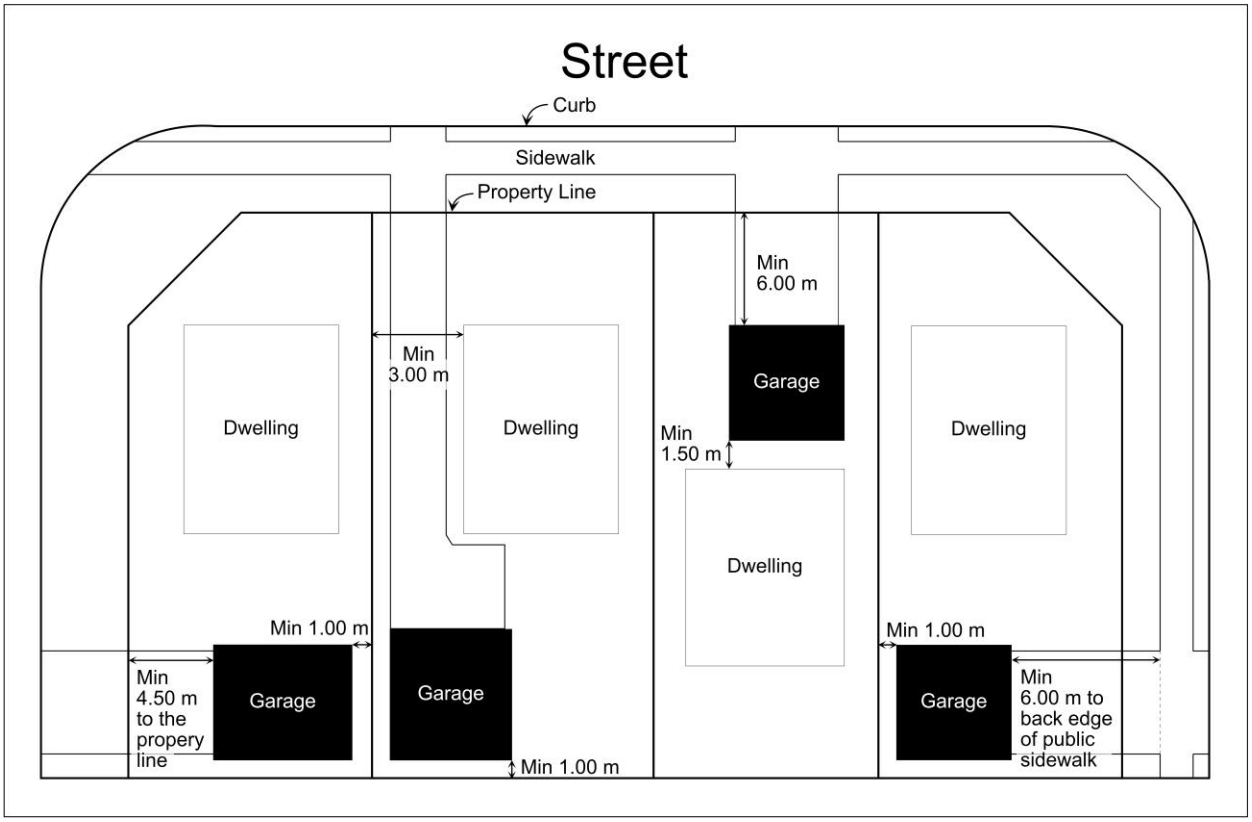
(ii) The minimum *separation distance* from any other *building* on *site* is 1.50 m.

(A) Notwithstanding section (ii), the *Development Authority* may approve a *breezeway* that connects a detached *garage* to a *principal building* or *secondary suite (garden)*, if the *breezeway* is built in compliance with the *building code* and does not exceed 13.50 m^2 in *gross floor area*.

(4) Other

(a) No detached *garage* shall be located closer than 1.50 m from the *garage* face to the rear *lane* or *private roadway*.

Figure 3-5: Detached Garage Setbacks



3.54 DRIVEWAYS

(1) All *vehicle/recreation vehicle parking* spaces and *driveways* in *Residential Districts* shall be *hard-surfaced*.

(2) Parking *vehicles* either permanently or temporarily on turf, dirt, gravel, lawn, or other non-*hard-surfaced* area is prohibited.

3.55 DWELLING (APARTMENT) AND DWELLING UNIT ABOVE A NON-RESIDENTIAL USE

(1) For a *dwelling (apartment)* or a *dwelling unit above a non-residential use*, the following are the minimum *separation distances*, unless otherwise stated in this Bylaw:

(a) 10.00 m from the exterior wall of a *dwelling (apartment),* or a *dwelling unit above a non-residential use*, to any other exterior wall of an *on-site* residential *building*;

(i) Notwithstanding section (a), a *separation distance* of 0.00 m may be allowed by the *Development Authority* when the *dwelling (apartment)* or *dwelling unit above a non-residential use* is attached to or incorporated with a *dwelling (townhouse - complex)*;

(b) The minimum *separation distance* from the exterior wall of a *dwelling (apartment)* or a *dwelling unit above a non-residential use* is:

(i) 3.00 m to a *private roadway* or to a *parking* stall;

(ii) 1.50 m to a common walkway (except that portion of walkway that provides direct access to a *building*);

(iii) 0.00 m at the side, where there are no *dwelling unit* windows located below or at *grade* adjacent to the walkway;

(iv) 1.50 m between a *principal building* and an *accessory building*, except for a common amenity *building* which has a *separation distance* determined by the *Development Authority*; and

(c) *Separation distances* may be determined by the *Development Authority* for any portion or portions of a *building* containing non-residential uses located on the ground floor.

(2) A *dwelling (apartment) development* or a *dwelling unit above a non-residential use development* shall provide internal pedestrian connectivity and connections to a public sidewalk, walkway, or trail, to the satisfaction of the *Development Authority*.

3.56 DWELLING (TOWNHOUSE)

General Townhouse Regulations

(1) The following regulations apply to all townhouse development:

(a) *Driveways* and vehicular access to a *dwelling unit* in a *dwelling (townhouse) development* shall only be provided from a *lane* or *private roadway*;

(b) Vehicular access from a *public roadway* to a *dwelling (townhouse - complex)* site shall be at the discretion of the *Development Authority*, in consultation with Engineering Services;

(c) Surface *parking* must not encroach into any required landscape area;

(d) A *dwelling (townhouse)* facing a *public roadway* shall be comprised of no more than six consecutively attached units;

(e) A *dwelling (townhouse)* not facing a *public roadway* shall be comprised of no more than eight consecutively attached units; and

(f) The minimum *lot depth* for a *dwelling (townhouse - single)* or a *dwelling (townhouse - plex)* is covered in section 3.65 ‘Lot Depth.’

(2) In the case of a mixed-form *dwelling (townhouse)* development:

(a) *Dwelling (townhouse - single)* regulations regarding dwelling *lot* size, building *setbacks*, *lot coverage*, and building height shall be applied to each single *lot* or bare land unit within the overall *development*; and

(b) *Dwelling (townhouse - complex)* regulations regarding *amenity area (common),* visitor *parking*, pedestrian connectivity, internal roadways, *on-site* walkways, and building separation shall be applied to the overall *site*.

(i) Notwithstanding sections (a) and (b), if doubt arises as to the required application of the *dwelling (townhouse)* regulations above, they shall be determined by the *Development Authority* by applying this Bylaw as closely as is possible in the circumstances of each case.

Dwelling (Townhouse - Single)

(3) *Setbacks*

(a) Unless otherwise regulated in a District, the minimum *principal building setback* for a *dwelling (townhouse - single)* is:

(i) 7.50 m from any *property line* adjacent to a Major Roadway (listed in Schedule B) if a *dwelling unit* faces that roadway;

(ii) 4.50 m from a front *property line*, to no greater than 6.00 m;

(iii) From a side *property line* is:

(A) 0.00 m for a *townhouse (interior unit)*;

(B) 1.25 m for a *townhouse (end unit)*;

(C) On a *corner lot*:

(I) 3.00 m when building height is less than or equal to 12.00 m; or

(II) 4.00 m when building height is greater than 12.00 m;

(iv) From the rear *property line* is:

(A) 6.00 metres if there is an attached *garage* or attached *carport* located on the *lot*; or

(B) 10.00 m when no attached *garage* or attached *carport* is located on the *lot*.

(4) *Lot width*

(a) The minimum *lot width* for a *dwelling (townhouse - single)* is:

(i) 4.90 m per *townhouse (interior unit)*;

(ii) 6.15 m per *townhouse (end unit)* on an *interior lot*;

(iii) 7.90 m per *townhouse (end unit)* on a *corner lot* in the LLR District; or

(iv) 8.90 m per *townhouse (end unit)* on a *corner lot* in the MDR District;

(b) Notwithstanding section (a), if a proposed *lot* is adjacent to a major road listed on Schedule B, additional *lot width* may be required to accommodate *berm* and fencing.

(5) *Lot coverage*

(a) The maximum *lot coverage* for a *dwelling (townhouse - single)* is:

(i) For a *townhouse (interior unit)*, 55%;

(ii) For a *townhouse (end unit)*, 50%; or

(iii) For a *townhouse (end unit)* on a *corner lot*, 50%.

Dwelling (Townhouse - Plex)

(6) General

(a) A *dwelling (townhouse - plex)* shall only be developed on a *corner lot* with *lane access*.

(7) *Setbacks*

(a) Unless otherwise regulated in a District, the minimum *principal building setback* for a *dwelling (townhouse - plex)* is:

(i) 7.50 m from any *property line* adjacent to a Major Roadway (listed in Schedule B) if a *dwelling unit* faces that roadway;

(ii) 6.00 m from a front *property line* in the LDR District;

(iii) 4.50 m from a front *property line* in the LLR District;

(iv) From a side *property line* is:

(A) 1.80 m on an *interior lot*; and

(B) On a *corner lot*:

(I) 3.00 m when building height is less than or equal to 12.00 m; or

(II) 4.00 m when building height is greater than 12.00 m;

(v) From the rear *property line* is:

(A) 6.00 metres if there is an attached *garage* or attached *carport* located on the *lot*; or

(B) 10.00 m when no attached *garage* or attached *carport* is located on the *lot*.

(8) Lot width

(a) Unless otherwise regulated in a District, the minimum *lot width* for a *dwelling (townhouse - plex)* is 15.00 m on a *corner lot*.

(b) Notwithstanding section (a), if a proposed *lot* is adjacent to a major road listed on Schedule B, additional *lot width* may be required to accommodate *berm* and fencing.

(9) *Lot coverage*

(a) Unless otherwise regulated in a District, the maximum *lot coverage* for a *dwelling (townhouse - plex)* is 48% for the *principal building* and *garage*, and 50% including *accessory buildings*.

Dwelling (Townhouse - Complex)

(10) General

(a) A *dwelling (townhouse - complex)* shall provide internal pedestrian connectivity and connections to a public sidewalk, walkway, or trail in accordance with section 3.27 'Pedestrian Walkway Access.'

(11) *Setbacks*

(a) Unless otherwise regulated in a District, the minimum *principal building setback* for a *dwelling (townhouse - complex)* is:

(i) 5.00 m from any *property line* adjoining a PRK District;

(ii) 4.50 m from a front *property line* adjacent to a *public roadway*, if a *dwelling unit* has direct access to and faces that roadway;

(iii) 7.50 m from any *property line* adjacent to a Major Roadway (listed in Schedule B) if a *dwelling unit* faces that roadway; or

(iv) 6.00 m from a *property line* in all other cases.

(12) Building *separation distance*

(a) The minimum building *separation distance* for a *dwelling (townhouse - complex)* is:

(i) 10.00 m between the exterior of the front or rear wall of a *building* and the rear or front wall of any other *building*;

(ii) 5.00 m between the exterior of the front or rear wall of a *building* and the side wall of any other *building*; and

(iii) 3.00 m between the exterior of the side wall of a *building* and the side wall of any other *building*;

(A) Notwithstanding sections (i) to (iii), a *separation distance* of 0.00 m may be allowed by the *Development Authority* when the townhouse is attached to or incorporated with a *dwelling (apartment)* or *dwelling unit above a non-residential use*.

(b) The minimum *separation distance* for a *dwelling (townhouse - complex) building* from the exterior wall of a *building* to a *private roadway* or to a *parking* stall is:

(i) 4.50 m at the front; or

(ii) 1.50 m at the side and rear.

(c) The minimum *separation distance* for a *dwelling (townhouse - complex) building* from the exterior wall of a *building* to a common walkway, except that portion of the walkway that provides direct access to the *building*, is:

(i) 4.50 m at the front and rear;

(ii) 1.50 m at the side where there are windows or doors located below or at *grade* adjacent to the walkway; or

(iii) 0.00 m at the side where there are no windows or doors located below or at *grade* adjacent to the walkway.

(d) 1.50 m between a *principal building* and an *accessory building*, except for a common amenity *building* which has a *separation distance* determined by the *Development Authority*.

(e) Notwithstanding sections (11) and (12)(a) through (c), a greater *setback* or building *separation distance* may be required by the *Development Authority*.

3.57 EXTERIOR STAIRCASE

(1) An exterior staircase located above or below *finished grade* shall not:

(a) Be located less than 1.00 m from the side or rear *property line*; and

(b) Impede required *vehicle* access to a detached *garage* or *carport* in a rear yard.

3.58 GROUP HOME

(1) A *group home* shall be limited to a maximum of eight residents, exclusive of staff.

(a) Notwithstanding section (1), the *Development Authority* may determine a lesser number of residents within a *group home*, having regard for the merits of the *group home* application, *site* location, and intensity of the use.

3.59 HOME-BASED BUSINESS (LEVEL ONE)

(1) Signage is not permitted for a *home-based business (level one)*.

(2) A person conducting a *home-based business (level one)* shall not store materials, commodities, or finished products associated with the business outside the *dwelling unit* or *accessory building*.

(3) No student or customer visits are permitted.

(4) A person shall not provide in-person instruction as a *home-based business (level one).*

(5) The *home-based business (level one)* shall be operated as an *accessory* use only, and shall not change the principal character or external appearance of the *dwelling unit* or *accessory building* involved.

(6) A *home-based business (level one)* shall not produce offensive noise, vibration, smoke, dust, odour, heat, glare, electrical, or radio disturbance.

3.60 HOME-BASED BUSINESS (LEVEL TWO)

(1) A *home-based business (level two)* is restricted to a maximum of one *window sign* up to 0.30 m^2 in *sign area*.

(2) Any *copy* on a *window sign* shall be limited to the name of the business and its logo.

(3) A person conducting a *home-based business (level two)* shall not store materials, commodities, or finished products associated with the business outside the *dwelling unit* or *accessory building*.

(4) If a person provides instruction as a *home-based business (level two)*, no more than five attendees shall be in attendance at the *site* at any one time.

(5) A *home-based business (level two)* shall be operated as an *accessory* use only and shall not change the principal character or external appearance of the *dwelling unit* or *accessory buildings* involved.

(6) The required *parking* for a *home-based business (level two)*, shall be provided in addition to the required residential *parking* for any *dwelling units*, in accordance with Part 4: Parking.

(7) A *home-based business (level two)* shall not be permitted if:

(a) It produces offensive noise, vibration, smoke, dust, odour, heat, glare, electrical, or radio disturbance; and

(b) The *Development Authority* determines that such use would be more appropriately located in a *Commercial* or *Industrial District* having regard for, among other matters, potential traffic generation and potential interference with the residential character of the area.

3.61 HOME-BASED BUSINESS (LEVEL THREE)

(1) A *home-based business (level three)* may have a maximum of one *sign*, that is either a:

(a) *Fascia sign*;

(b) *Freestanding sign*;

(c) *Projecting sign*; or a

(d) *Roof sign*; and

(e) The *sign* shall not exceed the following dimensions:

(i) Maximum area is 0.60 m^2; and

(ii) Maximum height for a *freestanding sign* is 2.50 m.

(2) Any *copy* on a *sign* shall be limited to the name of the business and its logo.

(3) The maximum number of clients at any one time shall be at the discretion of the *Development Authority*, having regard to the character of the immediate area, proximity to other residences, and the potential impact of traffic.

(4) A *home-based business (level three)* shall be operated as an *accessory* use only and shall not change the principal character or external appearance of the *dwelling unit* or *accessory buildings* involved.

(5) A *home-based business (level three*) shall not occupy more than 30% of the *gross floor area* of the principal *dwelling* plus the area of *accessory buildings*.

(6) Up to three commercial *vehicles* used in association with a *home-based business (level three)* may be parked, stored, and/or maintained *on-site*.

(7) The required *parking* for a *home-based business (level three)*, shall be provided in addition to the required residential *parking* for any *dwelling units*, in accordance with Part 4: Parking.

(8) Outside storage of goods, materials, commodities, or finished products shall be at the discretion of the *Development Authority*. Such outside storage, where permitted, shall satisfy the minimum *setback* requirements for *buildings* in the applicable District.

(9) *Screening* of *outdoor storage* shall be at the discretion of the *Development Authority*.

(10) A *home-based business (level three)* shall not be permitted if:

(a) It produces offensive noise, vibration, smoke, dust, odour, heat, glare, electrical, or radio disturbance; and

(b) The *Development Authority* determines that such use would be more appropriately located in a *Commercial* or *Industrial District* having regard for, among other matters, potential traffic generation and potential interference with the residential character of the area.

3.62 FENCES (RESIDENTIAL)

(1) For a *dwelling (single detached)*, *dwelling (semi-detached*), *dwelling (duplex)*, *dwelling (townhouse - single)*, or *dwelling (townhouse - plex)*:

(a) A *fence* in or around a front yard must not exceed 1.20 m in height, except where a lesser height is required under section 3.10 'Corner Lots - Traffic Sight Lines;' and

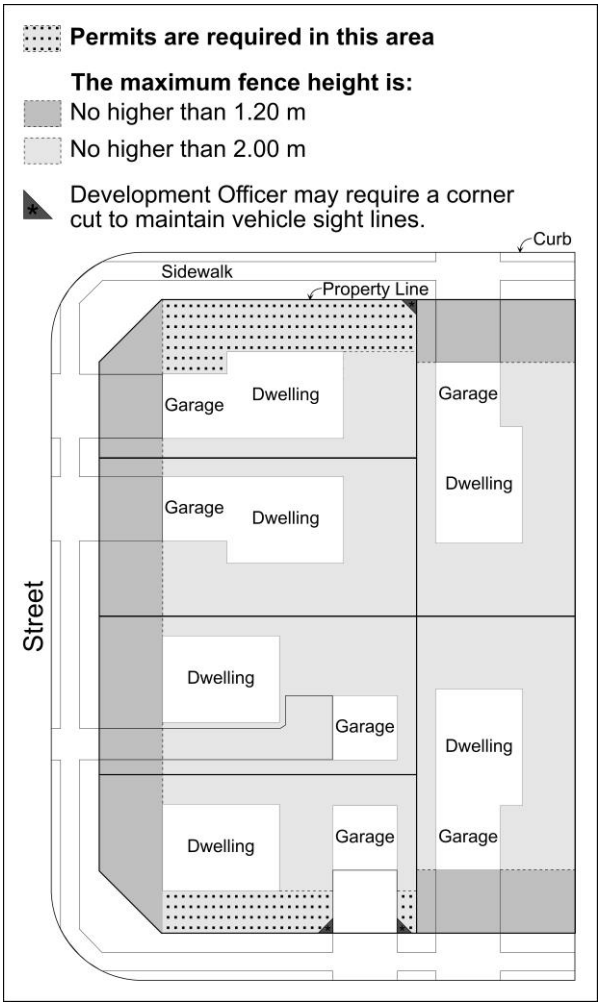
(b) Any other *fence* must not exceed 2.00 m in height.

(2) For a *fence*, the depth of a front yard shall be the distance from the front *property line* to the foremost portion of the *on-site principal building* or the *principal building* on the *lot* adjacent to the *fence*, whichever is greater.

(3) For a *fence* that is to be constructed on top of a *retaining wall* or within 1.00 m of the top of a *retaining wall*, the maximum height of the *fence* shall be determined from a point that is one-half the height of the *retaining wall*.

(4) No *fence* is permitted if, in the opinion of the *Development Authority*, the *fence* will block or impede traffic sight lines.

Figure 3-6: Fence Height Locations



(5) At the discretion of the *Development Authority*, a *fence* may be required to provide a corner cut for the purpose of traffic sight lines on lane accessed properties, or *corner lots*.

(6) A *fence* shall not be constructed of or topped with any material that may pose a hazard to the public or wildlife, including barbed wire and electrification.

(7) For a *dwelling (townhouse - complex)* or *dwelling (apartment),* fencing may be required by the *Development Authority*, in consultation with Engineering Services.

3.63 FIRE PITS AND BARBECUES

(1) A fixed outdoor fire pit, barbecue, fireplace, or stove must not be:

(a) Located in a front or side yard;

(b) Located less than 3.00 m from side and rear *property lines*; or

(c) Located less than 3.00 m from any *building*.

3.64 LOT WIDTH MEASUREMENTS

(1) For a rectangular *lot*, *lot width* is measured by offsetting the front property line 6.00 m (Figure 3-7).

(2) For a pie-shaped *lot* located on a bulb of a *cul-de-sac,* or a partial bulb on an outside corner of a *public roadway*:

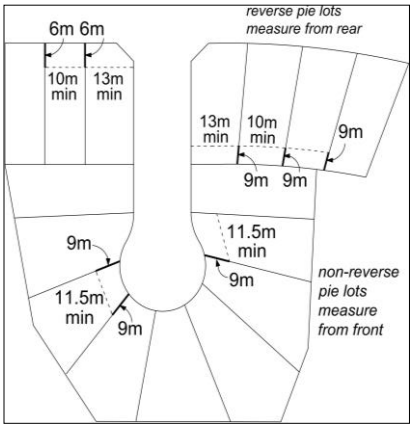
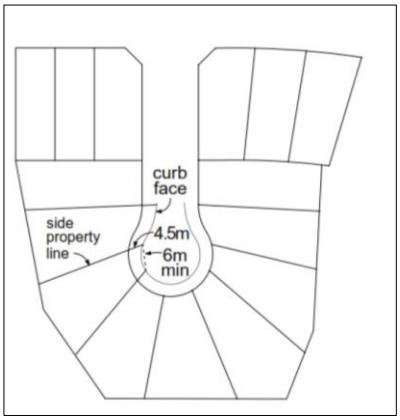
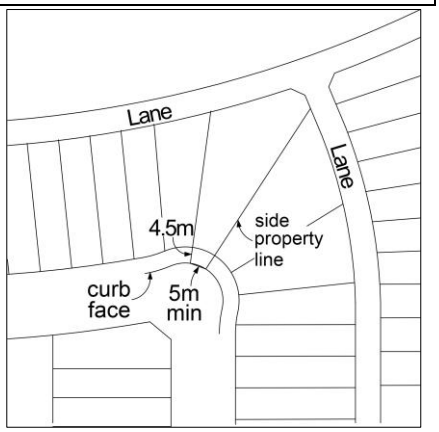
(a) *Lot width* is measured along a line 9.00 m back from the front *property line (Figure 3-7)*;

(b) The curb *frontage* must be a minimum of 6.00 m, as measured between the points determined by the intersection of the side *property lines* and the line of the curb face. For the purposes of this section, the side *property lines* are extended to the curb face *(Figure 3-8)*; and

(c) Where the *lot* is accessed by a rear *lane*, the curb *frontage* must be a minimum of 5.00 m, as measured between the points determined by the intersection of the side *property lines* and the line of the curb face. For the purposes of this section, the side *property lines* are extended to the curb face *(Figure 3-9)*.

(3) For a reverse pie *lot* where the front of the *lot* is wider than the back, *lot width* is measured along a line 9.00 m from the rear *property line (Figure 3-7)*.

(4) For irregular *lot* configuration where the *lot width* cannot be reasonably calculated by these methods, *lot width* shall be determined having regard for *access*, shape, and buildable area of the *lot,* and location of adjacent *buildings*.

Figure 3-7: Lot Widths	Figure 3-8: Curb Frontage Requirements for Pie Shaped Lots	Figure 3-9: Curb Frontage Requirements for Rear Lane Access
		

3.65 LOT DEPTH

(1) In an LDR, SLR, LLR, or FBR Districts, or for a d*welling (townhouse - single)* or *dwelling (townhouse - plex)* in any District, the minimum *lot depth* is:

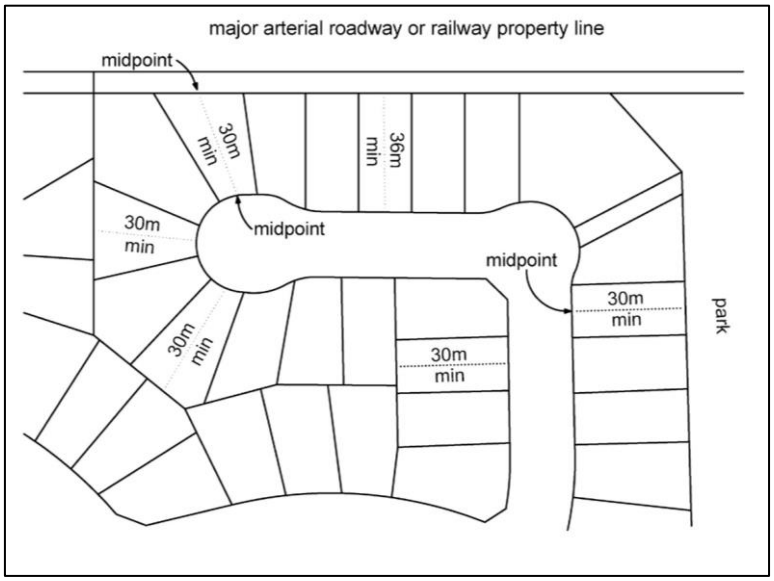
(a) 36.00 m, if the *lot* is adjacent to or backs onto a major arterial roadway identified in Schedule B, or a railway right-of-way;

(b) 30.00 m, if the *lot* is pie-shaped and is located on a bulb of a *cul-de-sac*, or on a partial bulb on an outside corner of a *public roadway*, and is adjacent to or backs onto a Major Roadway identified in Schedule B; and

(c) 30.00 m in all other cases.

(2) *Lot depth* shall be measured at the midpoint of the front property line, as illustrated in *Figure 3-10*.

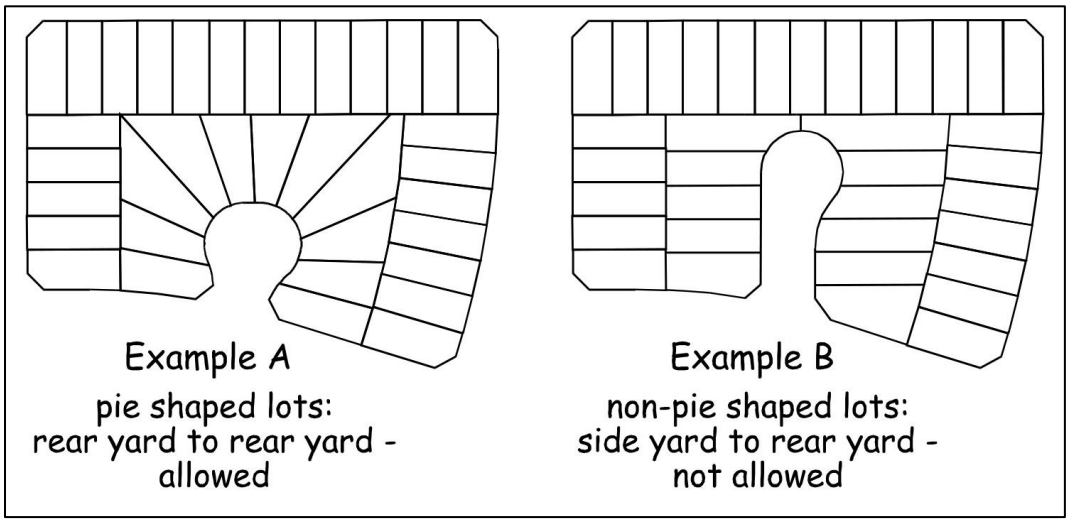
Figure 3-10: Lot Depth Requirements



3.66 LOTS - CUL-DE-SAC

(1) Where a *lot* is located on a *cul-de-sac* bulb adjacent to another existing or future residential *development*, the *lot* shall be a pie-shaped *lot* sharing a rear property with the adjacent residential *development*, as illustrated in *Figure 3-11*.

Figure 3-11: Lots - Cul-de-Sac



3.67 LOTS LESS THAN 12.20 M WIDE

(1) For all *dwelling* types on *lots* less than 12.20 m wide, the following regulations apply:

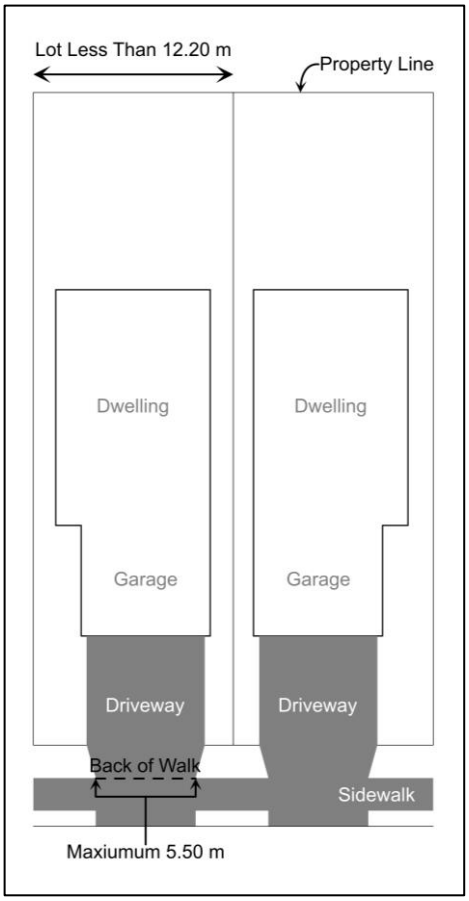
(a) *Garages* and *driveways* shall be grouped to maximize on-street *parking* and space for public infrastructure, as illustrated in *Figure 3-12*;

(b) *Driveways* shall not exceed 5.50 m in width at the back of the sidewalk, or where no sidewalk is present, at the front or side *property line*, when located on a *lot* less than 12.20 m in width, as illustrated in *Figure 3-12*; and

(c) Where a *dwelling* has a front attached *garage*, the front of the *dwelling* must provide visible wall *frontage*, exclusive of the *garage* width, as in a window, door, front porch, landing, or combination thereof.

(2) *Lots* less than 11.50 m in width shall not be located on the bulb or partial bulb of a *non-through roadway*.

Figure 3-12: Measuring Lots Less than 12.20 m Wide



3.68 PRIVATE POOL OR DECORATIVE POND

(1) A *private pool* or *decorative pond* must be:

(a) Located in a rear or side yard; and

(b) At least 1.00 m from the side and rear *property lines*;

(2) A *decorative pond* must not be located in a front yard, unless:

(a) The *decorative pond* is 0.60 m or less in depth; and

(b) The *decorative pond* is located a minimum of 1.00 m from the front and side *property lines*.

3.69 SECONDARY SUITES

(1) Any *secondary suite* shall be *accessory* to the principal *dwelling unit*.

(2) A *secondary suite* shall not be subject to separation from the principal *dwelling unit* by registration of a condominium or subdivision plan.

(3) A *secondary suite* shall not be considered in the calculation of densities as outlined in statutory plans.

(4) A *secondary suite* shall have a maximum of three *bedrooms*.

(5) Only one *secondary suite (garage)*, *secondary suite (garden)*, or *secondary suite (internal)* is allowed on a *lot* with a *dwelling (single detached)*, *dwelling (semi-detached)*, or *dwelling (duplex)*, in accordance with the applicable District.

(a) Notwithstanding section (5), in the LDR District only, a maximum of two *secondary suites* are allowed on a *lot* with a *dwelling (single detached)*, provided that one of the suites is contained within the principal *dwelling*.

(6) *SECONDARY SUITE (GARAGE)*

(a) A *secondary suite (garage)* shall:

(i) Be located in a rear or side yard;

(ii) Meet side yard *setback* requirements for the principal *dwelling unit*;

(iii) Be located a minimum of 1.50 m from the rear *property line*;

(iv) Be located a minimum of 4.00 m from the principal *dwelling unit*;

(v) Be located a minimum of 1.50 m from any other *building* on *site*;

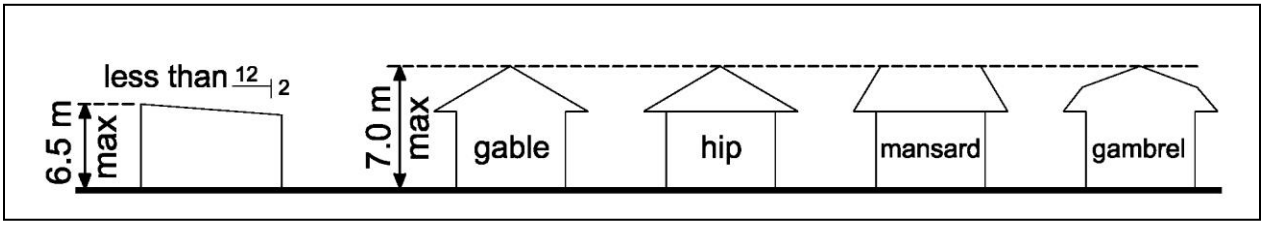
(vi) Have a maximum *gross floor area* of 75.00 m^2; and

(vii) Be architecturally compatible with the principal *dwelling unit*.

(b) Consideration should be given to privacy for the *secondary suite (garage)*, the principal *dwelling unit*, and *dwelling unit(s)* on adjacent properties through the placement of windows, *decks*, and *balconies*.

(c) A *garage* containing a *secondary suite (garage)* shall have a maximum height of 7.00 m from *finished grade*, or 6.50 m with a roof slope equal to or less than 2/12 (*Figure 3-13*).

Figure 3-13: Maximum Height for Detached Garage with Garage Suite



(7) *SECONDARY SUITE (GARDEN)*

(a) A *secondary suite (garden)* shall:

(i) Be located in a rear or side yard;

(ii) Meet the side yard *setback* requirements for the principal *dwelling unit*;

(iii) Be located a minimum of 1.50 m from the rear *property line*;

(iv) Be located a minimum of 4.00 m from the principal *dwelling unit*;

(v) Be located a minimum of 1.50 m from any *accessory building* on *site*;

(A) Notwithstanding section (v), a *secondary suite (garden)* may have a 0.00 m *separation distance* from the side or rear of a detached *garage*;

(vi) Have a maximum *gross floor area* of 75.00 m^2; and

(vii) Be architecturally compatible with the principal *dwelling unit*.

(b) Consideration should be given to privacy for the *secondary suite (garden)*, the principal *dwelling unit*, and *dwelling unit(s)* on adjacent properties through the placement of windows, *decks,* and *balconies*.

(c) A *secondary suite (garden)* shall have a maximum height of 4.50 m from *finished grade* or 4.00 m with a roof slope of 2/12 or less.

(d) The *Development Authority* may approve a *breezeway* that connects a *secondary suite (garden)* to the detached *garage*, if the *breezeway* is built in compliance with the *building code* and does not exceed 13.50 m^2 in *gross floor area*.

(8) *SECONDARY SUITE (INTERNAL)*

(a) The minimum area of a *secondary suite (internal)* shall be not less than 30.00 m^2.

(b) A *secondary suite (internal)* shall have a separate entry from the principal *dwelling unit*, either from a common indoor landing or from the exterior. If the entry is from the exterior, it shall be located on the side or rear of the principal *dwelling unit*.

3.70 SECOND PUBLIC ACCESS

(1) A second *public access* is required for a *residential use* on a local *public roadway*, when:

(a) The distance from the center line of the primary local *public roadway access* to the closest point of the *access* route at a front *property line* exceeds 200.00 m; or

(b) The total number of *dwelling units* exceeds 100.

(2) Notwithstanding section (1), should the traffic on the local *public roadway* be expected to exceed 1,000 *vehicles* per day, the *Development Authority*, in consultation with the *City* Engineer, may require construction of a second *public access*.

(3) Notwithstanding section (1)(a), the distance from the center line of the primary local access road to the closest point of the access route at a front *property line* may exceed 200.00 m, at the discretion of the *Development Authority*, for the following properties:

(a) A portion of the SW-21-54-24-W4M (3, 54307 Highway 2), as shown on *Figure 3-14*; and

(b) Plan 142 3673, Block 1B, Lot 1 (200 Giroux Road), as shown on *Figure 3-15*;

(c) A portion of the SE-17-54-25-W4M (40 City Annex North), as shown on *Figure 3-16*; and

(d) A portion of the SE-17-54-25-W4M and Plan 182 2885, Block 10, Lot 2 (40 City Annex North and 180 Villeneuve Road) as shown on *Figure 3-16*;

Including any future revisions to these legal descriptions based on a subdivision or condominium plan.

(4) Notwithstanding section (1)(b), the number of *dwelling units* may exceed 100, at the discretion of the *Subdivision Authority*, for the following properties:

(a) Plan 142 3673, Block 1B, Lot 1 (200 Giroux Road), as shown on *Figure 3-15*;

Including any future revisions to these legal descriptions based on a subdivision or condominium plan.

Figure 3-14: Lot Exception, Erin Ridge North

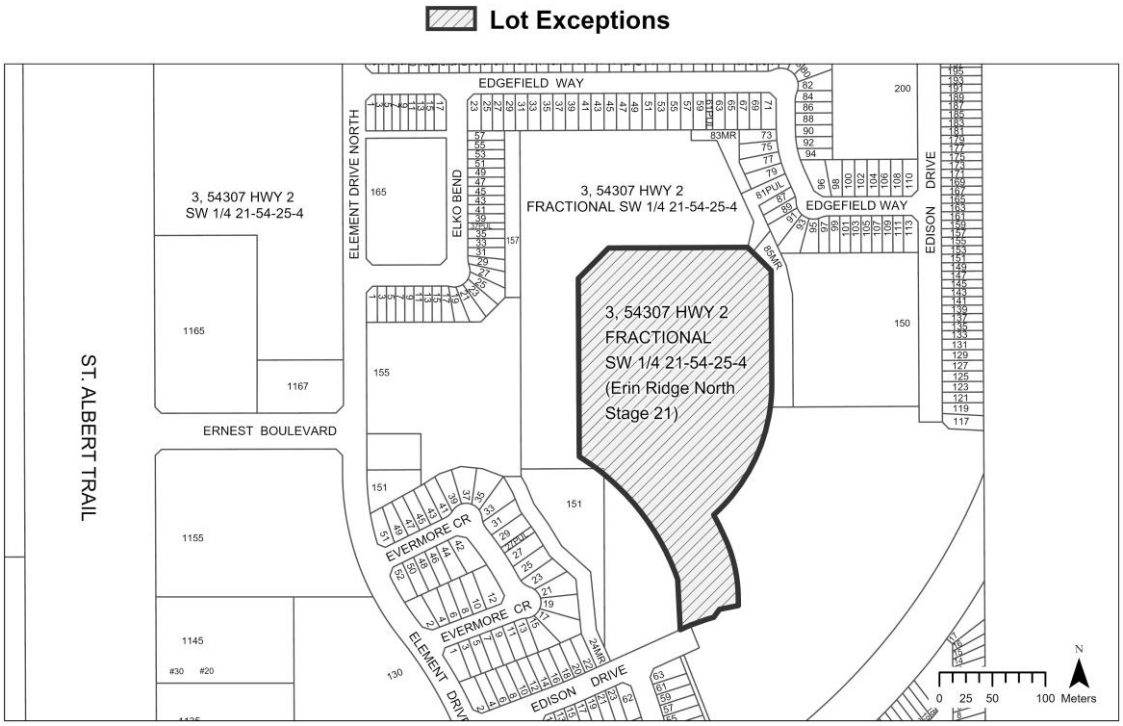
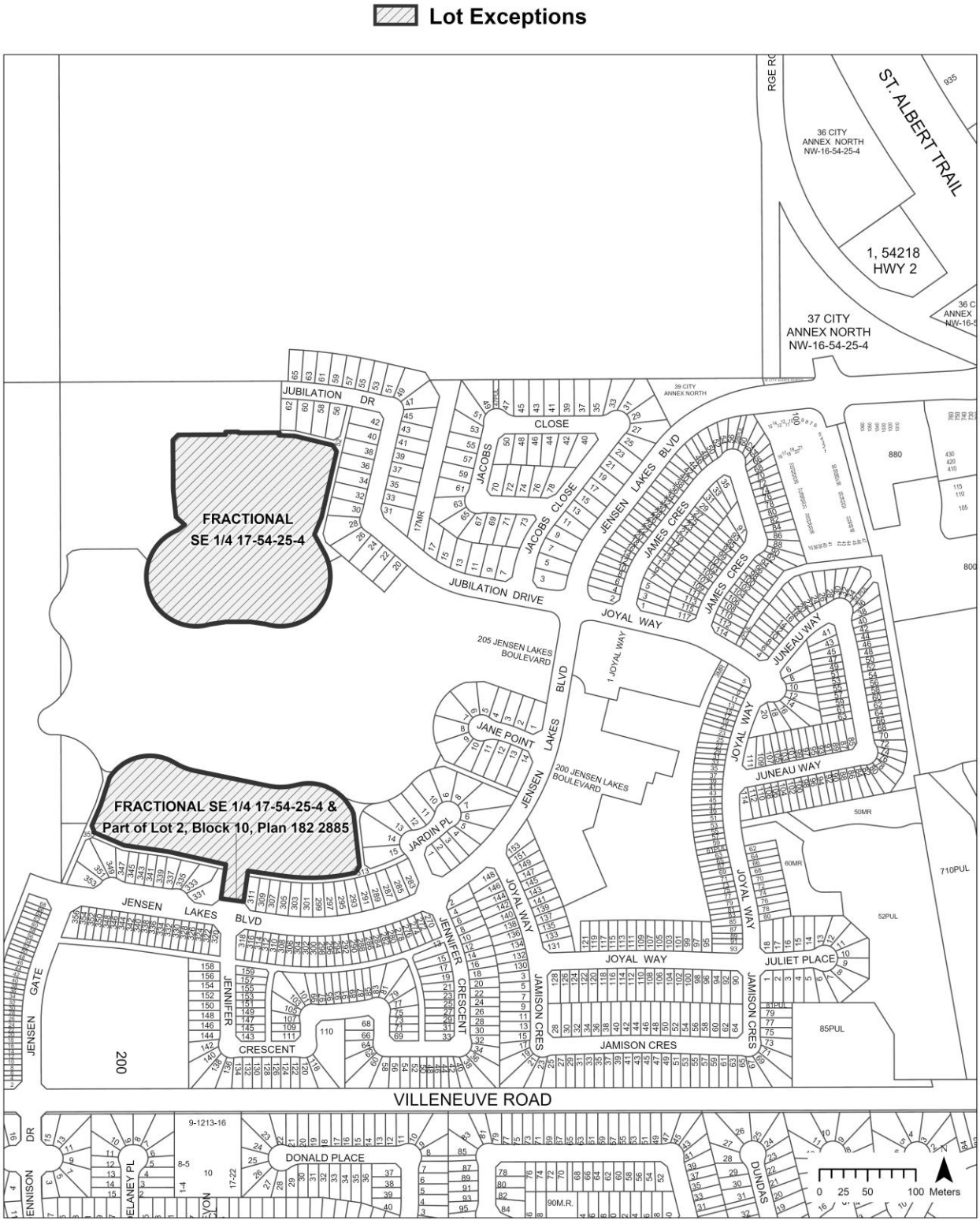


Figure 3-15: Lot Exception, Ville Giroux



Figure 3-16: Lot Exception, Jensen Lakes



3.71 VEHICLE ACCESS

(1) In the LDR, SLR, LLR, and FBR Districts, and for a *dwelling (townhouse - single)* in any District, only one *vehicle access* per *lot* is allowed.

(a) Notwithstanding section (1):

(i) On a *corner lot* that does not have rear *lane* access, one *vehicle access* on each side adjoining a *public roadway* may be allowed;

(ii) On a *lot* which can be accessed from a rear *lane*, and has existing vehicular access to a *public roadway*, one additional *vehicle access* from the rear *lane* may be allowed; or

(iii) On a *lot* that provides a minimum of 30.00 m of *frontage*, a circular *driveway* with two *vehicle accesses* may be allowed.

Non-Residential Buildings and Lots

3.72 APPLICATION

(1) Sections 3.73 through 3.96 apply to all *Commercial*, *Industrial*, *Special,* and *Mixed-Use Districts*.

3.73 ACCESSORY BUILDINGS

(1) *Accessory building setbacks* and heights of *accessory buildings* shall be determined by the *Development Authority*.

3.74 AMENITY AREA (PUBLIC)

(1) For non-residential *developments* containing three or more *principal buildings* on a single *lot*, an outdoor communal *amenity area* of not less than 100.00 m^2 must be provided for employees and patrons of the *development*, to the satisfaction of the *Development Authority* in accordance with the following:

(a) The *amenity area* may include seating areas, raised gardens, courtyards, and recreational areas;

(b) The *amenity area* may include a *plaza* or focal point;

(c) The *amenity area* may include such elements as street furnishings, *hard-surfacing*, plantings, art, sculpture, and architectural features to create a strong sense of communal gathering space;

(d) A portion of the *amenity area* must provide overhead weather protection;

(e) The *amenity area* must have convenient pedestrian connections and provide for *barrier-free access*; and

(f) An *amenity area* must be located centrally or within a reasonable vicinity of the *buildings*.

3.75 ANIMAL SERVICE

(1) A *Development Permit* for an *animal service* use shall only be issued where, in the opinion of the *Development Authority*, the design of the facility ensures that any adjacent property would not be adversely affected by noise or odour associated with the use.

3.76 AUTOMOTIVE (SALES)

(1) An *automotive (sales)* use shall:

(a) Include a permanent *building* with a *gross floor area* of at least 10% of the *site* area;

(b) Have exclusive use of an *outdoor display area*;

(c) Ensure *outdoor display areas* are not used to satisfy *on-site parking* area requirements - meaning *on-site parking* areas and display areas must be separate;

(d) Ensure that all *outdoor display areas* are paved, curbed, drained, and landscaped; and

(e) Pave and screen all *outdoor storage* areas for *vehicles* that are awaiting servicing or repair, to the satisfaction of the *Development Authority*.

3.77 CANNABIS PRODUCTION AND DISTRIBUTION FACILITY, AND CANNABIS PRODUCTION AND DISTRIBUTION FACILITY (MICRO)

(1) The closest point of a *cannabis production and distribution facility* or *cannabis production and distribution facility (micro) building* or unit must be located a minimum of:

(a) 150.00 m from a *Residential District* or use;

(b) 150.00 m from a *lot* upon which a *school (elementary or secondary)* is located; or

(c) 150.00 m from a *lot* upon which a *daycare facility* is located.

(2) The *separation distance* shall be measured from the nearest *property line* of a *lot* containing a *cannabis production and distribution facility* or a *cannabis production and distribution facility (micro)* to the *property line* of the above noted use.

(3) An *accessory building* used for security purposes must be located on the same *lot*.

(4) A *cannabis production and distribution facility* or a *cannabis production and distribution facility (micro)* must include equipment designed and intended to remove odours from the air prior to discharge from the *building*, thereby limiting any adverse effects on adjacent *lots*.

(5) Notwithstanding section 3.24 'Outdoor Lighting,' all light associated with any activity or function undertaken within the *building*, shall be contained within the *building*, thereby having no adverse effect on an *adjacent site*.

(6) No signage identifying the *cannabis production and distribution facility* or *cannabis production and distribution facility (micro)* is permitted.

(7) Notwithstanding the prescribed minimum *separation distances* in section (1), the *Development Authority* may consider a *variance* (section 2.15) not exceeding 10.00 m.

3.78 CAR WASH

(1) The minimum *setback* from any part of a *building* used for a *car wash* to the nearest residential *lot* is 25.00 m.

3.79 CREMATORIUM

(1) A *crematorium* shall include equipment designed and intended to control odor and emissions prior to discharge from the *building*, thereby limiting any adverse effects on adjacent *lots*.

3.80 DESIGN, CHARACTER, AND APPEARANCE OF NON-RESIDENTIAL BUILDINGS

(1) In addition to the requirements in section 3.12 'Design, Character, And Appearance Of A Building,' all *buildings* must be finished as follows:

(a) Exterior finishing materials on *façades* visible from a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park* shall be of a higher quality appearance, as determined by the *Development Authority*; and

(b) The use of two or more colours or materials is required to enhance the building exterior and to create design accents. *Building* and architectural details (including flashing and downspouts) shall have a colour that complements the *principal building,* as determined by the *Development Authority*.

(2) Large expanses of uninterrupted wall planes are prohibited where visible from a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*.

(3) When a *building* has a large expanse of uninterrupted wall planes:

(a) The use of a fascia, *canopy (attached)*, and other multi-dimensional exterior features is encouraged in order to break up the *façade*;

(b) Multi-dimensional features shall be in proportion to the wall heights and *building mass*; and

(c) *Landscaping* may be required to address blank walls in accordance with section 3.99 'Blank Wall.'

3.81 DUGOUT

(1) The minimum *setback* distance that shall be maintained between a new *dugout* and a *lot* line is:

(a) For a front yard, 40.00 m;

(b) For a side yard, 15.00 m or 40.00 m if abutting a *public roadway*; and

(c) For a rear yard, 15.00 m.

(2) Notwithstanding section (1), where a *dugout* existed prior to February 22, 2022, the *dugout* will not be subject to the prescribed *setbacks*.

3.82 EMERGENCY ACCESS LANES

(1) In a *shopping centre*:

(a) Emergency access routes and fire lanes shall be provided in accordance with the *building code* in effect at the date of the application for the *Development Permit*; and

(b) Emergency access routes and fire lanes shall be appropriately signed to prohibit obstruction.

3.83 ESTABLISHMENT (ADULT)

(1) Any *site* containing an *establishment (adult)* must be located:

(a) A minimum of 150.00 m from the nearest *Residential District*;

(b) A minimum of 100.00 m from a *lot* on which there is a *school (elementary or secondary)*, *religious assembly*, or *daycare facility*;

(c) A minimum of 100.00 m from a *Special District*; and

(d) A minimum of 100.00 m from a *lot* upon which there is another *establishment (adult).*

(2) The *separation distance* shall be measured from the nearest *property line* of a *lot* containing an *establishment (adult)* use to the *property line* of the above noted use.

3.84 FENCES (NON-RESIDENTIAL)

(1) Electric *fences* are prohibited.

(2) Barbed or razor-wire *fences* are restricted to *Industrial Districts*, only where the *fence* is 1.80 m or higher.

(3) At the discretion of the *Development Authority*, on a *corner lot* a *fence* may be required to provide a corner cut to maintain sight lines noted in section 3.10 ‘Corner Lots - Traffic Sight Lines.’

(4) Notwithstanding anything in this section, no *fence* is permitted if, in the opinion of the *Development Authority*, the *fence* will block or impede traffic sight lines.

3.85 GROUPING AND ORIENTATION OF BUILDINGS

(1) To encourage a walkable *site* design and to enhance the pedestrian shopping environment within a *shopping centre*, the following shall be considered:

(a) The grouping of *buildings* in clusters, with the *buildings* primarily oriented to create an attractive and pedestrian-friendly public realm. In requiring such a configuration, the *Development Authority* shall have regard to building size and the intended use;

(b) The configuration of *buildings* to provide for shared *parking*, to encourage pedestrian rather than vehicular movement between *buildings*; and

(c) Where practical, *buildings* located adjacent to a *public roadway*, and oriented to permit views into the *site* along the axis of roadways and walkways abutting the perimeter *public roadways*.

3.86 HEAVY VEHICLE AND EQUIPMENT (SALES AND SERVICE)

(1) A *heavy vehicle and equipment (sales and service)* use shall:

(a) Include a permanent *building* with a *gross floor area* of at least 10% of the *site* area;

(b) Have exclusive use of an *outdoor display area*;

(c) Ensure an *outdoor display area* shall not be used to satisfy *on-site parking* area requirements meaning *on-site parking* areas and display areas must be separate;

(d) Ensure that all *outdoor display areas* are paved, curbed, drained, and landscaped; and

(e) Pave and screen all *outdoor storage* areas for *vehicles* that are awaiting servicing or repair, to the satisfaction of the *Development Authority*.

3.87 INTERFACE WITH ADJACENT RESIDENTIAL

(1) Where a proposed non-residential use will be located on a *site* adjacent to a *Residential District* or *residential use*, the *Development Authority* may require mitigation of potential *development* impacts on the *residential uses* including:

(a) Provision of noise attenuation walls;

(b) Increased *landscaping*, including a *landscape buffer*;

(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 *lots*;

(e) Restricting the location of outdoor speakers; and

(f) Changing the proposed *building* to mitigate noise, light, or glare impacts.

3.88 INTERFACE WITH MAJOR ROADWAY

(1) Exterior finishing materials on *façades* adjacent to a Major Roadway (Schedule B) shall be of a higher-quality appearance, to the satisfaction of the *Development Authority*.

(2) Unless otherwise noted in this Bylaw, *buildings* adjacent to a Major Roadway (Schedule B), are encouraged to be oriented to, and have their main entrances face, a *public roadway*, with *parking* located at the side or rear of a *site*.

3.89 LOADING DOCKS

(1) In addition to the *on-site parking* and loading requirements under Part 4: Parking, *loading docks* shall be located in the side or rear of the *site*.

(a) Notwithstanding section (1), in the IND District, the *Development Authority* may allow a *loading dock* to be located in the front of the *site* along a portion of the *building*, based upon the *development* design, *site* functionality, building articulations, and exterior finishing materials.

3.90 OUTDOOR DISPLAY AREA

(1) An area used for *outdoor display* must:

(a) Be *hard-surfaced*, or otherwise surfaced and landscaped in a manner consistent with other landscaped *lots* in the vicinity;

(b) Provide additional access, *parking*, *screening*, and lighting as necessary to accommodate the *outdoor display*; and

(c) Provide adequate drainage, to the satisfaction of the *Development Authority*.

3.91 OUTDOOR STORAGE

(1) *Outdoor storage* must conform to the following requirements:

(a) An *outdoor storage* area shall only be located in the interior side yard or rear yard;

(i) Notwithstanding section (a), on a *corner lot* the *Development Authority* may consider the location of *outdoor storage* at their discretion;

(b) All equipment, *vehicles*, materials, and other items located within an *outdoor storage* area shall be maintained in an orderly fashion;

(c) The minimum *setback* for an *outdoor storage* area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*;

(i) Notwithstanding section (c), no *outdoor storage* area shall be permitted within a required *landscape buffer* or perimeter landscape area;

(d) *Outdoor storage* shall be screened to the satisfaction of the *Development Authority*;

(i) Notwithstanding section (d), all *outdoor storage* shall be screened from the public right-of-way, *Residential District*, *residential use*, *natural area*, or *park* by a sight-obscuring screen of at least 2.00 m in height;

(e) An *outdoor storage* area shall not be used to satisfy *on-site parking* requirements; and

(f) *Outdoor storage* shall not exceed a maximum height of:

(i) 2.50 m in a *Commercial District* or the PSI or BP2 Districts;

(ii) 5.00 m in the ICS District; and

(iii) 6.00 m in the IND District.

3.92 POTENTIALLY HAZARDOUS DEVELOPMENT

(1) No primary or *accessory* use shall be conducted as to cause the discharge of any potentially hazardous or harmful waste materials:

(a) Into or upon the ground;

(b) Into or within any sanitary or storm sewer system;

(c) Into or within any water system or water body; or

(d) Into the atmosphere.

(2) No use or activity shall be conducted or permitted that is potentially hazardous:

(a) To persons or property by reason of the creation of a fire, explosion, or other physical hazard; or

(b) By reason of air pollution, odour, smoke, noise, vibration, radiation, or fumes.

3.93 RETAIL (CANNABIS)

(1) The closest point of a *retail (cannabis)* store must be located a minimum of:

(a) 100.00 m from the closest point of another *retail (cannabis)* store;

(b) 100.00 m from the nearest *property line* of a *lot* upon which a *provincial health care facility* is located;

(c) 150.00 m from the nearest *property line* of a *lot* upon which a *school (elementary or secondary)* is located; or

(d) 150.00 m from the nearest *property line* of a *lot* upon which a future *school (elementary or secondary)* will be located, including lands designated as *school reserve*, or *municipal and school reserve*, under the *MGA*.

(2) Notwithstanding the prescribed minimum *separation distances* in section (1), the *Development Authority* may consider a *variance* in accordance with section 2.15(8).

3.94 SERVICE STATION

(1) The minimum *building setback* for a *service station* is as determined by the applicable District.

(2) A minimum *setback* of 6.00 m from any *property line* or boundary of the *site* is required for:

(a) A pump island;

(b) An above-ground storage tank; or

(c) An *on-site parking* area.

(3) A minimum *setback* of 3.00 m from any *property line* or boundary of the *site* is required for:

(a) A *canopy (freestanding)* over a pump island; or

(b) A *drive-through* aisle.

(4) Pump islands must be separated to allow a minimum 6.00 m wide through-traffic *lane*.

3.95 STORAGE FACILITY (INDOOR)

(1) Exterior finishings shall incorporate a high degree of visual interest using elements including colour change, material change, or architectural features.

(2) Blank *façades* shall be addressed with one or more of sufficient architectural or *landscaping* details, to the satisfaction of the *Development Authority*.

(3) Any vehicular access into the *building* shall not front a *City*-owned *public roadway*.

(4) The number of vehicular access points into the *building* shall be at the discretion of the *Development Authority*.

(5) A *storage facility (indoor)* proposed in a *Commercial District* shall be permitted only if the ground floor of at least one entire building face incorporates a commercial use as follows:

(a) The commercial use component shall not be less than 70% of the ground floor;

(b) The ground floor height shall be a minimum of 4.00 m;

(c) Each commercial use shall have separate access from the exterior; and

(d) The commercial use shall not be related to the *storage facility (indoor)* business.

3.96 SURVEILLANCE SUITES

(1) A *surveillance suite* shall be clearly subordinate to and compatible with the *principal use*.

(2) No more than one *surveillance suite* shall be located on a *lot*.

(3) Where a *surveillance suite* is attached to the *building* on a *site* by a roof, an open or enclosed structure, floor, or a foundation, it is to be considered a part of the *principal building*.

(4) A recreational *vehicle* shall not be used for a *surveillance suite.*

(5) The minimum and maximum floor area of any detached *surveillance suite* shall be 50.00 m^2 and 100.00 m^2 respectively.

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Landscaping and Grading

3.97 APPLICATION

(1) Sections 3.98 through 3.102 apply to all Districts under this Bylaw.

3.98 GENERAL LANDSCAPING REGULATIONS

(1) *Landscaping* shall not be permitted if, in the opinion of the *Development Authority*, it would obstruct traffic sight lines either on the *site* or on a *public roadway*.

(2) Unless otherwise required by a *development agreement* or by the *Development Authority*, *landscaping* of a *site* subject to a *Development Permit* shall be completed within two years of approval of the *Development Permit*.

(3) The *Development Authority* may require additional *landscaping* or fencing between:

(a) The exterior wall of any *habitable room* and the closest edge of a *private roadway* or *parking* space; and

(b) The *property line* and the closest edge of a *private roadway* or *parking* space.

3.99 BLANK WALL

(1) For a *Non-Residential District* or non-residential use, or for a *dwelling (apartment)*, *dwelling unit above a non-residential use, supportive living accommodation* (above 13.00 m in height), or *transitional accommodation* (above 13.00 m in height), any *development* that has a blank wall facing a *park*, *natural area*, or *public roadway* (except a *lane*), must be landscaped in accordance with the following:

(a) If deciduous trees are planted, they must be planted along the blank wall at regular intervals and, if coniferous trees are planted, they must be planted in clusters of three;

(b) The trees required under section (a) must be a minimum of 6.00 m in height at maturity; and

(c) Shrubs may be planted between the trees, provided they reach a minimum height of 2.00 m at maturity.

3.100 PERIMETER LANDSCAPING

(1) Subject to section 3.10 'Corner Lots - Traffic Sight Lines,' a *development* located in the MID (Area C), NHC, TCC, BP1, BP2, IND, ICS, ICC (areas A, B, and C), RCC, MDR, HDR, MU1, MU2, or PSI Districts that adjoins a *public roadway* (except a *lane*) must be landscaped in accordance with the following:

(a) There must be a *landscaped area* at least 3.50 m wide around the perimeter of the private *lot* adjacent to the *public roadway*;

(b) If deciduous trees are planted, they must be planted at regular intervals and, if coniferous trees are planted, they must be planted in clusters of three;

(c) Trees must be located a minimum of 2.00 m from the *property line*; and

(d) Trees must be a minimum of 6.00 m in height at maturity.

(2) A *Residential District* or *residential use* located adjacent to a Major Roadway (Schedule B) must have a *berm* or fencing, or both, to the satisfaction of the *Development Authority*, in consultation with Engineering Services.

(a) Notwithstanding section (2), a *berm* and fencing does not apply to the Midtown (MID) District.

(3) For the *berm* under section (2), planting requirements shall be determined by the *Development Authority*, taking into consideration *site* characteristics and this Bylaw.

3.101 LANDSCAPED BUFFER

(1) A *landscape buffer*:

(a) Must include a mix of deciduous trees and coniferous trees comprised of at least 60% coniferous trees, unless otherwise determined by the *Development Authority* in consultation with Engineering Services;

(b) Must include trees that, in the opinion of the *Development Authority* in consultation with Engineering Services, would be sufficient to screen the proposed use or District from the adjacent *lot*;

(c) Must have trees that are a minimum of 6.00 m in height at maturity; and

(d) May, at the discretion of the *Development Authority*, include shrubs in addition to trees in the landscaped buffer, provided that the shrubs have a minimum height at maturity of 2.00 m.

(2) In a *Non-Residential District*, a *landscape buffer* must be provided when adjacent to a *Residential District, park*, *natural area*, or *public utility lot*. The minimum *landscape buffer* width is specified for each District below:

District		Width of Landscaped Buffer
(a)	NHC, MID Area C (commercial and mixed-use only), MU1, PSI	3.50 m
(b)	TCC, RCC, BP1, BP2, ICS, IND, ICC (Area B), MU2	6.00 m
(c)	All other Districts	As determined by the *Development Authority* to provide a suitable buffer between the respective land uses.

(3) A landscape buffer shall be provided for a *dwelling (apartment)*, *dwelling unit above a non-residential use* (when over 13.00 m in height), *supportive living accommodation* (when over 13.00 m in height), *transitional accommodation* (when over 13.00 m in height), or *dwelling (townhouse - complex)*, when adjacent to a *lot* with a:

(a) *Dwelling (single detached)*;

(b) *Dwelling (semi-detached)*;

(c) *Dwelling (duplex)*;

(d) *Dwelling (townhouse - single)*; or

(e) *Dwelling (townhouse - plex)*.

(4) The minimum *landscape buffer* width for the uses listed in section (3) are specified below:

Use		Width of Landscaped Buffer
(a)	*Dwelling (townhouse - complex)*	3.50 m
(b)	*Dwelling (apartment)*	6.00 m
(c)	When over 13.00 m in height, a *dwelling unit above a non-residential use*, *supportive living accommodation*, or *transitional accommodation*	6.00 m
(d)	Any other use	As required by the *Development Authority* to provide a suitable buffer between the respective land uses

3.102 TREES

(1) Trees required for a *landscaped area* must meet the following standards:

(a) Deciduous trees must have a minimum caliper width of 0.06 m at the time of planting;

(b) Coniferous trees must be a minimum height of 2.40 m at the time of planting;

(c) If a tree does not survive the required maintenance period, the Applicant for the *Development Permit* must replace it with a tree in accordance with sections (a) or (b);

(d) Trees must be of a species suitable for the specific application, *site* conditions, and hardiness zone;

(e) Where a *landscaped area* is required adjacent to a *City* boulevard, the tree species and planting must complement the *City* boulevard trees, as required by the *Development Authority*; and

(f) Where, at the time of *development*, the area between the front *property line* and the curb and/or the curb and sidewalk is not landscaped, this area shall be landscaped to *City standards*.

(2) Section (1) does not apply to a *development* involving a *dwelling (single detached)*, *dwelling (semi-detached)*, *dwelling (duplex)*, *dwelling (townhouse - single)*, or a *dwelling (townhouse - plex)*.

(3) In an *Established Neighbourhood* (see Schedule C) where *infill development* is proposed, the *development* shall provide a minimum of two trees.

(a) Notwithstanding section (3), shrubs may be substituted for required trees, at the discretion of the *Development Authority* in consultation with Engineering Services.

Part 4
Parking

This part outlines parking regulations that apply throughout St. Albert.

4.1 APPLICATION

(1) This part applies to all Districts under this Bylaw.

4.2 GENERAL PARKING PROVISIONS

(1) If a *parking* calculation results in a fractional number, the number shall be rounded upwards to the next whole number.

(2) When a *parking* stall, *loading space*, or electric *vehicle* charging station is required, it shall be located on the same *lot* as the *building* or use in respect of which it is required, unless this Bylaw or the *Development Authority* otherwise permits.

(3) No portion of a required *parking* stall shall be encroached into by any obstruction, including a pillar, stairway, landing, cantilever, chimney, or storage unit.

(4) When a *development* falls within two or more use definitions, *parking* requirements shall be provided in accordance with the *parking* space requirements for each individual use that form a part of the *development*.

(5) Where a use is not listed in this section, *on-site parking* shall be provided as required by the *Development Authority*.

(6) Where this Bylaw states that *parking* is "as required by the *Development Authority*," a transportation or *parking* study may be required, in accordance with section 2.5 'Additional Plans And Information.'

(7) All *parking* spaces shall be *hard-surfaced* and accessible by a permanent *vehicle access*. *Parking vehicles* either permanently or temporarily on turf, dirt, gravel, lawn, or other non-*hard-surfaced* area is prohibited.

(a) Notwithstanding section (7), in the FUD and TRN Districts, *on-site parking* material may be determined by the *Development Authority*, in consultation with Engineering Services, having regard for the characteristics of the *site* or *development* in the vicinity.

(8) The *Development Authority*, at its discretion, may require additional *parking* having consideration for the intensity of the use, existing building occupancy, adjacent *development*, and *on-site parking* availability.

(a) Notwithstanding section (8), the *Development Authority*, at its discretion, may consider differing *parking* requirements when supported by an approved *parking* and/or transportation study.

4.3 RESIDENTIAL ON-SITE PARKING REQUIREMENTS

On-site parking shall be provided as follows:

Residential Development	Minimum Parking Requirement
(1) *Congregate housing (level two)*	(a) One *parking* stall per two *sleeping units*.
(2) *Dwelling (apartment)* *Dwelling unit above a non-residential use* *Dwelling (studio unit)* *Dwelling (loft unit)*	(a) In DTN District: (i) 0.80 stalls per *dwelling unit*, or *dwelling (loft unit)*; (ii) 0.00 stalls per *dwelling (studio unit)*, for the first 10% of *dwelling (studio units)* within a *building*, and then 0.60 stalls per *dwelling (studio unit)* thereafter; (iii) 0.60 stalls per *affordable non-market housing dwelling unit*; (A) Notwithstanding section (iii), the *parking* ratio shall be 0.35 stalls per *affordable non-market housing dwelling unit* for the following properties: (I) Plan 212 1125, Block 3, Lot 58 (22 St. Thomas Street) Including any future revisions to this legal description based on a subdivision or condominium plan; (iv) One stall per seven *dwelling units* for visitor *parking*; (A) Notwithstanding section (iv), the *parking* ratio shall be one stall per ten *dwelling units* for visitor *parking* for the following properties:

Residential Development	Minimum Parking Requirement
	(I) Plan 212 1125, Block 3, Lot 58 (22 St. Thomas Street) Including any future revisions to this legal description based on a subdivision or condominium plan; and (b) In all other Districts: (i) One stall per *dwelling unit*, or *dwelling (loft unit)*; (ii) 0.00 stalls per *dwelling (studio unit)*, for the first 10% of *dwelling (studio units)* within a *building*, and then 0.60 stalls per *dwelling (studio unit)* thereafter; (iii) 0.60 stalls per *affordable non-market housing dwelling unit*; and (iv) One stall per seven *dwelling units* for visitor *parking*.
(3) *Dwelling (duplex)* *Dwelling (manufactured)* *Dwelling (semi-detached)* *Dwelling (single detached)* *Dwelling (townhouse - plex)*	(a) Two stalls per *dwelling unit*.
(4) *Dwelling (townhouse - single)*	(a) For a *lot* equal to or greater than 5.18 m in width, two stalls per *dwelling unit*; or (b) For a *lot* less than 5.18 m in width, one stall per *dwelling unit*.
(5) *Dwelling (townhouse - complex)*	(a) 1.50 stalls per *dwelling unit*; and (b) One stall per seven *dwelling units* for visitor *parking*.
(6) *Secondary suite (internal)* *Secondary suite (garage)* *Secondary suite (garden)*	(a) Zero stalls required per suite; or (b) One stall required when there are two *secondary suites* on a *lot* in the LDR District.

Residential Development	Minimum Parking Requirement
(7) *Live/work unit*	(a) One stall per *dwelling unit* for the residential component; and (b) One stall per 50.00 m^2 of *gross floor area* for the commercial component.
(8) *Farm help accommodation*	(a) As required by the *Development Authority*.
(9) *Home-based business (level two)* *Home-based business (level three)*	(a) The *Development Authority* shall determine the required *parking* for a *home-based business*, (level two or three), exclusive of any non-resident employees, having consideration for the proposed number of visitors/students/clients; plus (b) In the DTN District: (i) Zero stalls per non-resident employee required during the *maximum working shift; and* (c) In all other Districts: (i) One stall per non-resident employee required during the *maximum working shift*.
(10) *Group home*	(a) One *parking* stall per three *sleeping units*; and (b) One *parking* stall per employee required during the *maximum working shift*.
(11) *Transitional accommodation*	(a) One *parking* stall per five *sleeping units*; and (b) One *parking* stall per employee required during the *maximum working shift*.
(12) *Supportive living accommodation*	(a) One stall per *dwelling unit*; (b) One stall per five *sleeping units*; (c) One stall per seven *dwelling units* or *sleeping units* for visitor *parking*; and (d) One stall per employee required during the maximum shift.

4.4 RESIDENTIAL GARAGE INTERNAL DIMENSIONS

(1) *Parking* accommodated within private *garage* spaces will be counted as part of the minimum *parking* requirement calculations providing the following is met:

(a) Within a single-width *vehicle garage* there exists an unobstructed space with a minimum depth of 5.80 m and a minimum width of 3.00 m (measured from the finished interior dimensions);

(b) Within a double-width *vehicle garage* there exists an unobstructed space with a minimum depth of 5.80 m and a minimum width of 5.80 m (measured from the finished interior dimensions); and

(c) Within a tandem *garage* there exists an unobstructed space with a minimum depth of 11.60 m and a minimum width of 3.00 m (measured from the finished interior dimensions).

4.5 RESIDENTIAL PARKING PAD

(1) If a *garage* is not constructed at the same time as the principal *dwelling*, a *hard-surfaced parking pad* shall be provided, which accommodates the *on-site parking* requirements.

(2) In the LLR and FBR Districts, the minimum width and depth of a *parking pad* shall include an allowance for the support of a future *garage*, including wall thickness, and be in conformance with the minimum interior width and depth clear space requirements of section 4.4 ‘Residential Garage Internal Dimensions.’

(3) In LDR, LLR, FBR, and MDR Districts, a *parking pad* must be set back from the rear *property line* a minimum of 1.50 m, when accessed via a *lane*.

4.6 NON-RESIDENTIAL ON-SITE PARKING REQUIREMENTS

On-site parking shall be provided as follows:

Non-Residential Development	Minimum Parking Requirement
(1) *Agricultural support service* *Agriculture (general)* *Agriculture (intensive)* *Art gallery/studio* *Broadcasting studio* *Campground* *Car wash* *Cemetery* *Chemical processing* *Community garden* *Equestrian facility* *Natural area* *Park* *Public utility building* *Recycling depot* *Residential sales centre* *School (post-secondary)* *Stadium* *Transmitting station* *Topsoil processing and sales*	(a) As required by the *Development Authority*.
(2) *Animal grooming* *Animal health* *Animal service* *Catering service* *Health service* *Personal service* *Professional office* *Retail (cannabis)* *Retail (general)*	(a) In the DTN District, one stall per 80.00 m^2 of *gross floor area*. (b) In all other Districts, one stall per 50.00 m^2 of *gross floor area*.
(3) *Animal health (rural)*	(a) One stall per examination space; and (b) One stall for every three employees required during the *maximum working shift*.
(4) *Auction (agriculture)*	(a) One stall per 80.00 m^2 of *gross floor area*.
(5) *Auction (general)*	(a) One stall per four seats for patrons; or (b) One stall per 80.00 m^2 of *gross floor area*, whichever is the greater.

Non-Residential Development	Minimum Parking Requirement
(6) *Automotive (sales)* *Automotive (service)* *Automotive (specialty)* *Construction service* *Equipment service* *Service station* *Heavy vehicle and equipment (sales and service)* *Retail (adult)*	(a) One stall per 50.00 m^2 of *gross floor area*.
(7) *Bulk fuel sales depot*	(a) One stall per 2,500.00 m^2 *lot area*.
(8) *Bulk oil and chemical storage*	(a) One stall per 5,000.00 m^2 *lot area*.
(9) *Cannabis production and distribution facility*	(a) Five stalls; or (b) One stall for every three employees required during the *maximum working shift*, whichever is greater.
(10) *Cannabis production and distribution (micro)*	(a) Three stalls; or (b) One stall for every three employees required during the *maximum working shift*, whichever is greater.
(11) *Conference and banquet facility*	(a) In the DTN District, one stall per 50.00 m^2 of *gross floor area*. (b) In all other Districts, one stall per 30.00 m^2 of *gross floor area*.
(12) *Crematorium*	(a) One stall per 50.00 m^2 of *gross floor area*; and (b) One stall per *crematorium vehicle*.
(13) *Daycare facility*	(a) In the DTN District: (i) Four stalls; or (ii) One stall per three employees required during the *maximum working shift*, and one stall per 15 patrons, whichever is greater. (b) In all other Districts:

Non-Residential Development	Minimum Parking Requirement
	(i) Four stalls; or (ii) One stall per three employees required during the *maximum working shift*, and one stall per 10 patrons, whichever is greater.
(14) *Equipment rental*	(a) Three stalls; and (b) One stall for every three employees required during the *maximum working shift*.
(15) *Establishment (adult)*	(a) One stall per four seats; or (b) One stall per 50.00 m^2 of *gross floor area*, whichever is greater.
(16) *Establishment (brew pub)* *Establishment (drinking)* *Establishment (restaurant)*	(a) In the DTN District, one stall per six seats. (b) In all other Districts, one stall per four seats.
(17) *Establishment (entertainment)*	(a) In the DTN District, one stall per 10 seats. (b) In all other Districts, one stall per four seats.
(18) *Establishment (gaming)*	(a) One stall per four seats.
(19) *Event venue (rural)*	(a) One stall per four seats; or (b) One stall per 50.00 m^2 of *gross floor area*, whichever is greater.
(20) *Exhibition grounds*	(a) One stall per 2,500.00 m^2 *lot area*.
(21) *Fleet service*	(a) One stall for every two employees required during the *maximum working shift*; and (b) As required by the *Development Authority* having consideration for the proposed fleet size.
(22) *Funeral home*	(a) One stall per 50.00 m^2 of *gross floor area;* and (b) One stall per *funeral home vehicle*.
(23) *Government service*	(a) In the DTN District:

Non-Residential Development	Minimum Parking Requirement
	(i) One stall per 10 seats; or (ii) One stall per 80.00 m^2 of *gross floor area*, whichever is greater. (b) In all other Districts: (i) One stall per eight seats; or (ii) One stall per 50.00 m^2 of *gross floor area*, whichever is greater.
(24) *Greenhouse and plant nursery*	(a) One stall for every four employees required during the *maximum working shift*; and (b) One stall per 50.00 m^2 of *gross floor area* applicable to any retail sales portion.
(25) *Hospital*	(a) One stall per four patient or resident beds; and (b) One stall per employee required during the *maximum working shift*.
(26) *Hotel*	(a) In the DTN District: (i) 0.80 stalls per guest room; and (ii) Additional stalls in accordance with the *parking* requirements of this section for any other uses which form part of the *hotel*. (b) In all other Districts: (i) One stall per guest room; and (ii) Additional stalls in accordance with the *parking* requirements of this section for any other uses which form part of the *hotel*.
(27) *Industrial (level one)* *Industrial (level two)* *Industrial (level three)*	(a) Five stalls; or (b) One stall for every three employees required during the *maximum working shift*, whichever is greater.

Non-Residential Development	Minimum Parking Requirement
(28) *Recreation (indoor)*	(a) One stall per four seats for areas with fixed seating; (b) One stall per 50.00 m^2 of *gross floor area* for areas without fixed seating; and (c) One stall per three employees required during the *maximum working shift*.
(29) *Recreation (outdoor)*	(a) One stall per four seats for areas with fixed seating; and (b) Any other *parking* shall be as required by the *Development Authority*.
(30) *Religious assembly*	(a) In the DTN District: (i) One stall per 10 seats; or (ii) One stall per 60.00 m^2 of *gross floor area*, whichever is greater. (b) In all other Districts: (i) One stall per eight seats; or (ii) One stall per 50.00 m^2 of *gross floor area*, whichever is the greater.
(31) *Surveillance suite*	(a) One stall per *surveillance suite.*
(32) *School (commercial)*	(a) In the DTN District: (i) Four stalls; (ii) One stall per four employees required during the *maximum working shift*; or (iii) One stall per 60.00 m^2 of *gross floor area*, whichever is greater. (b) In all other Districts: (i) Four stalls;

Non-Residential Development	Minimum Parking Requirement
	(ii) One stall per three employees required during the *maximum working shift*; or (iii) One stall per 50.00 m^2 of *gross floor area*, whichever is greater.
(33) *School (elementary or secondary)*	(a) One stall per 20 students for an elementary or junior high school (grades 1 to 9). (b) Four stalls per 20 students for a senior high school (grades 10 to 12). (c) Application of the ratios in sections (a) and (b) shall be based on the projected design capacity of the facility, and the grade levels that it contains.
(34) *Storage facility (indoor)*	(a) Four stalls; and (b) One stall for every three employees required during the *maximum working shift*.
(35) *Storage facility (mini)* *Storage facility (recreation vehicle and equipment)* *Sod farm*	(a) Three stalls; and (b) One stall for every three employees required during the *maximum working shift*, whichever is greater.
(36) *Warehouse store (industrial)*	(a) One stall per three employees required during the *maximum working shift*; and (b) One stall per 150.00 m^2 of *gross floor area.*
(37) *Warehouse store (retail)*	(a) One stall per three employees required during the *maximum working shift*; and (b) One stall per 80.00 m^2 of *gross floor area*.
(38) *Warehouse*	(a) Less than 1,850.00 m^2 *gross floor area*: (i) One stall per 150.00 m^2 of *gross floor area*; and (ii) One stall for every three *warehouse* employees required during the *maximum working shift*.

Non-Residential Development	Minimum Parking Requirement
	(b) From 1,850.00 m^2 to 9,300.00 m^2 *gross floor area*: (i) One stall per 300.00 m^2 of gross floor area; and (ii) One stall for every three *warehouse* employees required during the maximum working shift. (c) Greater than 9,300.00 m^2 *gross floor area*: (i) One stall per 500.00 m^2 of *gross floor area;* and (ii) One stall for every three *warehouse* employees required during the *maximum working shift*.
(39) *Shopping centre* Commercial *multi-tenant building*	(a) In the DTN District: (i) One stall per 70.00 m^2 of *gross floor area*. (A) Notwithstanding section (i), the required *parking* shall be 0 stalls for the following properties: (I) Plan 212 1125, Block 3, Lot 58 (22 St. Thomas Street) Including any future revisions to this legal description based on a subdivision or condominium plan. (b) In all other Districts: (i) One stall per 40.00 m^2 of *gross floor area*.
(40) Industrial *multi-tenant building*	(a) One stall per 45.00 m^2 of *gross floor area*, excluding any *warehouse* component. (b) See section (38) for the applicable *warehouse parking* regulations.

Non-Residential Development	Minimum Parking Requirement
(41) Any of the following *developments* within a *shopping centre* or *multi-tenant building*: • *Conference and banquet facility* • *Establishment (entertainment)* • *Establishment (gaming)* • *Hotel*	(a) Notwithstanding sections (39) and (40), the *Development Authority* may determine additional *parking* requirements for the uses listed in sections (41).

(42) A *parking lot* is encouraged to be located in the side or rear of non-residential use *sites*.

(43) The minimum *setback* for a *parking lot* or loading area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*.

(a) Notwithstanding section (43), no *parking lot* or loading area shall be permitted within a required *landscape buffer* or perimeter landscape area.

(44) A *parking lot* or *loading dock* shall be screened from the public right-of-way, *Residential District*, *residential use*, *natural area*, or *park,* to the satisfaction of the *Development Authority*.

(45) Notwithstanding section (39) and (40), for a *shopping centre* or *multi-tenant building* that has *parking* approved in accordance with section (39) or (40), any future *parking* calculations for a new use or a change of use within the *building*, excluding the uses in section (41), shall not be based on the individual uses forming part of that *development*, unless the *building* is being expanded or altered in size.

4.7 OFF-SITE PARKING

(1) In a *Non-Residential District*, the *Development Authority* may authorize the use of *off-site parking* to meet the *on-site parking* required under section 4.6, provided:

(a) There is a convenient walkway from the *off-site parking* to the *development* that is the subject of the *Development Permit* application;

(b) The Applicant is the owner of both the principal *development site*, and the *site* where *off-site parking* is proposed; and

(c) The Applicant has dedicated the *site* for *off-site parking* for the benefit of the *development* in question only.

4.8 BARRIER-FREE PARKING

(1) *Barrier-free parking* stalls must be:

(a) Provided at a rate of 3% of the minimum *on-site parking* requirements, to a maximum of 10 stalls;

(b) Included as part of and not in addition to the applicable minimum *on-site parking* requirement;

(c) Provided in accordance with the *building code*;

(d) Located within a reasonable distance of a building entrance or access point; and

(e) Identified as *barrier-free parking* spaces through the use of appropriate signage.

4.9 TANDEM PARKING

(1) *Tandem parking* is permitted in *Residential Districts* and for a *residential use* in a *Mixed-Use District*.

(2) No more than two of the required *parking* stalls can be designed in tandem per *dwelling unit* for the stalls to be counted towards the total required *parking*.

(3) Visitor *parking* stalls shall not be designed in tandem.

(4) *Tandem parking* may be permitted for a *Non-Residential District* or use, at the discretion of the *Development Authority*.

4.10 DESIGN AND CONSTRUCTION OF PARKING LOTS

(1) A *parking lot* shall be designed, located, and constructed such that:

(a) It can be properly maintained;

(b) It is accessible and appropriate for the nature and frequency of motor *vehicles* using it;

(c) It has adequate storm water drainage and storage facilities;

(d) It is *hard-surfaced*;

(e) Each *parking* stall, *loading space*, or drive aisle is clearly demarcated or physically divided to delineate each area;

(f) Curbs and other protective measures are used to protect adjacent *fences*, walls, walkways, boulevards, *landscaped areas*, or *buildings* on the *site* or an *adjacent site*;

(g) Continuous raised or pre-cast curbing is provided adjacent to a *public roadway* or required landscape area; and

(h) Curb stops are located a minimum of 0.60 m inside the front of the required *parking* stall depth.

(2) Notwithstanding section (1), the final design of a *parking lot* in the TRN or FUD Districts shall be to the satisfaction of the *Development Authority*, in consultation with Engineering Services.

(3) If a *parking lot* contains more than 10 stalls, it must be landscaped in accordance with section 4.12 'Parking Lot Landscaping.'

4.11 PARKING STALL AND DRIVE AISLE REQUIREMENTS

(1) The minimum dimensions of a *parking* space or a drive aisle shall be in accordance with Table 4-1 and measured in accordance with Figure 4-1.

(2) In the case of a *parking* angle not listed in *Table 4-1*, the stall depth and drive aisle width shall be at the discretion of the *Development Authority*, in consultation with Engineering Services.

(3) All one-way drive aisles shall be demarcated or designated with signage.

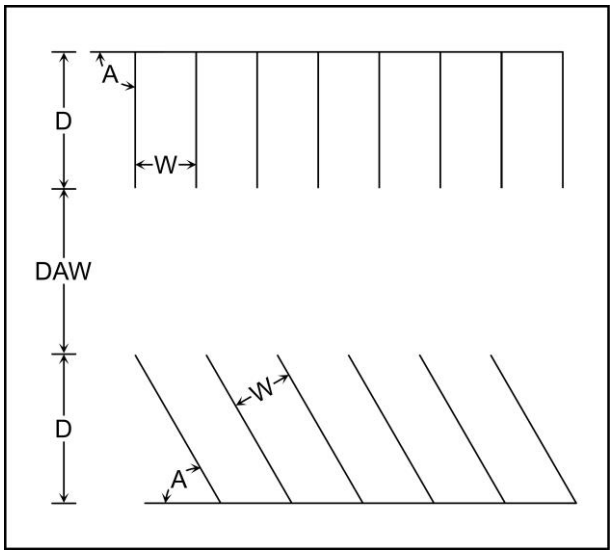
(4) All small car *parking* spaces shall be demarcated or designated as "small car *parking* only."

(5) Small car *parking* spaces may comprise a maximum of 25% of required *parking* for all *developments*, except for *development* in the LDR, SLR, LLR, and FBR Districts.

Table 4-1: Parking Stall Dimensions

	Parking Angle ('A' on Figure 4-1**)**	**Stall Width ('W' on** Figure 4-1**)**	**Stall Depth ('D' on** Figure 4-1**)**	**Drive Aisle Width ('DAW' on** Figure 4-1**)**
Standard Parking Stall				
(a)	0 degrees (parallel)	2.60 m	7.00 m	7.00 m for two-way traffic or 4.00 m for one-way traffic
(b)	30 degrees	2.60 m	5.20 m	4.00 m
(c)	45 degrees	2.60 m	6.00 m	4.00 m
(d)	60 degrees	2.60 m	6.40 m	7.00 m
(e)	90 degrees	2.60 m	5.80 m	7.00 m
Small Car Parking Stall				
(f)	0 degrees (parallel)	2.60 m	7.00 m	7.00 m for two-way traffic or 4.00 m for one-way traffic
(g)	30 degrees	2.45 m	4.60 m	4.00 m
(h)	45 degrees	2.45 m	5.30 m	4.00 m
(i)	60 degrees	2.45 m	5.60 m	7.00 m
(j)	90 degrees	2.45 m	5.00 m	7.00 m

Figure 4-1: Parking Angle Illustration



(6) A small car *parking* space shall have a minimum vertical clearance of 1.90 m.

(7) A standard *parking* space shall have a minimum vertical clearance of 2.10 m.

4.12 PARKING LOT LANDSCAPING

(1) When a *parking lot* is required to be landscaped in accordance with section 4.10(3), trees must be planted at a minimum ratio of one tree per five *parking* stalls for single-row *parking*, and a minimum ratio of one tree per 10 *parking* stalls for double-row *parking*.

(a) Notwithstanding section (1), the ratio of trees to *parking* stalls required may be reduced by the *Development Authority* where *site* conditions, such as location, size, sight lines, and climatic factors warrant a lesser ratio.

(2) A landscaped island must be:

(a) Designed to protect trees and *ground cover* from damage;

(b) Raised a minimum of 0.15 m above the *finished grade*;

(c) Finished with tree grates, *ground cover* vegetation, or hard *landscaping*; and

(d) Installed after a maximum run of 20 *parking* stalls.

4.13 ELECTRIC VEHICLE CHARGING STATIONS

(1) For new *development*, electric *vehicle* charging stations must be:

(a) Provided at a rate of 1.50% of the minimum *on-site parking* requirements to a maximum of 10 charging stations, for the following uses:

(i) *Shopping centre*;

(ii) *Multi-tenant building*;

(iii) *Hotel*; or

(iv) Standalone *warehouse store (retail)*, *hospital*, school, or *government service* use;

(b) Provided at a rate of 3% of the minimum *on-site parking* requirements, to a maximum of 20 charging stations for the following uses:

(i) *Dwelling (apartment)*; or

(ii) *Dwelling unit above a non-residential use*;

(c) Provided at a rate of 1% of the minimum *on-site parking* requirements, to a maximum of 10 charging stations for the following uses:

(i) *Dwelling (townhouse - complex)*.

(2) An application for an addition or expansion of an existing *building* shall be required to provide electric *vehicle* charging stations based on the increased *parking* required, but not exceeding the maximum charging stations set in section (1).

(a) Notwithstanding section (2), an application for a change of use within an existing *building* shall not be required to provide any electric *vehicle* charging stations.

(3) Electric *vehicle* charging stations are included as part of and not in addition to the applicable minimum *on-site parking* requirement.

4.14 LOADING SPACES

(1) One *loading space* per *loading dock* is required in all Districts.

(2) A *loading space* shall:

(a) Be at least 3.00 m wide and 9.00 m deep; and

(b) Have overhead clearance of at least 4.00 m.

4.15 QUEUING SPACES

(1) Queuing spaces shall be provided in accordance with the following:

(a) A *drive-through* with a drive-up service window must provide a minimum of three in-bound and one out-bound queuing spaces per service window;

(b) An *automotive (service)* or *automotive (specialty)* with a *drive-through* must provide a minimum of three in-bound and one out-bound queuing spaces per service bay;

(c) A *car wash* must provide a minimum of six in-bound and one out-bound queuing spaces; and

(d) A *parking structure* must provide a minimum of one in-bound and one out-bound queuing spaces.

(2) Notwithstanding section (1), additional queuing spaces may be required at the discretion of the *Development Authority*.

(3) For any use not listed in section (1), queuing spaces shall be at the discretion of the *Development Authority*.

(4) Queuing spaces must be a minimum of 6.00 m long and 3.00 m wide.

(5) Queuing spaces must allow for *vehicle* turning and maneuvering.

(6) A queuing space does not include any space occupied by a motor *vehicle* during the provision of service.

4.16 BICYCLE PARKING

(1) For any new *development*, or where any such existing *development* is substantially enlarged or increased in capacity, *on-site bicycle parking* shall be provided that is:

(a) Secure, safe, convenient, visible, and illuminated; and

(b) Compatible with the design of the surrounding *development*.

(2) For a *dwelling (apartment)* or *dwelling unit above a non-residential use*:

(a) The minimum number of private *bicycle parking* spaces shall be one *bicycle parking* space per seven *dwelling units*; and

(b) The minimum number of public *bicycle parking* spaces shall be no less than six per *building*.

(3) In the LDR, SLR, LLR, FBR, FUD, and TRN Districts, no *bicycle parking* is required.

(4) In the ICS, IND, PRK, and CON Districts, the required number of public *bicycle parking* spaces shall be at the discretion of the *Development Authority*.

(5) For all other Districts and non-residential uses, the minimum number of public *bicycle parking* spaces shall be six spaces per *building*.

(6) Notwithstanding sections (2), (3), and (5), the *Development Authority*, at its discretion, may require additional *bicycle parking* spaces, having consideration for the intensity of the use, existing building occupancy, and adjacent *development*.

4.17 PARKING OF RECREATION VEHICLES OR RECREATION EQUIPMENT

(1) The *parking* of *recreation vehicles* or *recreation equipment* which do not fall under section 2.2 'Development Not Requiring A Development Permit,' may be allowed at the discretion of the *Development Authority*.

(2) In considering a *Development Permit* under section (1), the *Development Authority* shall take into account safety, sightlines, impact on adjoining *lots*, and any other *site* factors.

4.18 PARKING STRUCTURE

(1) The internal and external design of a *parking structure* shall have consideration for:

(a) Visibility and surveillance;

(b) *On-site* lighting; and

(c) User safety.

(2) The *building frontage* of a *parking structure*, when adjacent to a *public roadway*, *park*, or *natural area*, shall:

(a) Be integrated with the building design and finishing materials; and

(b) Complement the *streetscape*.

(3) Notwithstanding any other provision in this Bylaw, for a below-grade *parking structure*, a lessor building *setback* for the below-grade portions only may be permitted at the discretion of the *Development Authority*.

(4) Venting for an above-grade *parking structure* or *parking structure (underground)*, shall be integrated into *landscaping*, the building design, or *hard-surface* areas with limited impact on pedestrian rights-of-way, *amenity areas*, or the visible building *façade*.

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Part 5
Land Use Districts

This part outlines specific regulation that applies to the City's Land Use Districts.

5.1 LAND USE DISTRICT MAP

(1) Districts are described in the short form on the Land Use District Map, Schedule A of this Bylaw.

(2) District boundaries are delineated on the Land Use District Map.

(3) Where uncertainty exists as to the boundary of a District as shown on the Land Use District Map, the following shall apply:

(a) Where a boundary follows a *public roadway*, *lane*, stream, or canal, it shall follow the centreline thereof;

(b) Where a boundary generally follows a *lot* line, it shall follow the *lot* line;

(c) Where specific dimensions are noted on the Land Use District Map, those dimensions shall be followed; and

(d) Where there is doubt or dispute concerning the exact location of the boundary of a District, *Council* shall determine the location of the boundary by a Land Use bylaw amendment.

(4) Boundaries shall not be altered except by an amendment to this Bylaw.

(5) The *Development Authority* shall maintain a list of amendments to the boundaries on the Land Use District Map and update the *City's* GIS database to reflect amendments.

(6) Where a property boundary is adjusted by subdivision, or by the inclusion of a *private roadway* or other land not previously assigned a land use class, the *Land Use District* boundary follows the new property boundary.

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Residential Districts

5.2 LDR - LOW-DENSITY RESIDENTIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Low-Density Residential (LDR) District on the Land Use District Map, Schedule A of this Bylaw. Additional requirements are outlined in the *Established Neighbourhood Overlay District*, Schedule C, for *development* taking place in *Established Neighbourhoods* outlined in *Figure 10-4*.

(2) PURPOSE

The purpose of the LDR District is to provide an area that allows for a range of low-density housing options that are compatible with the residential nature of the District.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Congregate housing (level two)*
(ii)	(a) *Dwelling (duplex)*	(b) *Dwelling (townhouse - plex)*
(iii)	(a) *Dwelling (semi-detached)*	(b) *Home-based business (level two)*
(iv)	(a) *Dwelling (single detached)*	(b) *Public utility building*
(v)	(a) *Group home*	(b) *Residential sales centre*
(vi)	(a) *Park*	(b) *Accessory Development* to a Discretionary Use, *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*
(vii)	(a) *Secondary suite (internal)*	
(viii)	(a) *Secondary suite (garage)*	
(ix)	(a) *Secondary suite (garden)*	
(x)	(a) *Supportive living accommodation*	
(xi)	(a) *Accessory Development* to a Permitted Use, excluding *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*	

(4) DWELLING (TOWNHOUSE)

(a) Refer to section 3.56 ‘Dwelling (Townhouse),’ for regulations regarding *dwelling (townhouse - plex)*.

(5) LOT WIDTH

(a) The minimum *lot width* for a *dwelling (single detached)* is:

(i) 8.60 m on an *interior lot* with rear vehicular access;

(ii) 9.82 m on an *interior lot* with front vehicular access;

(iii) 11.35 m on a *corner lot* with rear vehicular access; and

(iv) 12.72 m on a *corner lot* with front vehicular *access*.

(b) The minimum *lot width* for *dwelling (semi-detached)* is:

(i) 7.35 m per *dwelling unit* on an *interior lot* with laned vehicular *access*;

(ii) 8.00 m per *dwelling unit* on an *interior lot* with front vehicular *access*;

(iii) 10.00 m per *dwelling unit* on a *corner lot* with front vehicular *access*; and

(iv) 10.00 m per *dwelling unit* on a *corner lot* with laned vehicular *access*.

(c) The minimum *lot width* for a *dwelling (duplex)* is:

(i) 13.00 m on an *interior lot*; and

(ii) 15.00 m on a *corner lot*.

(d) Notwithstanding sections (a) and (b), refer to section 3.67 'Lots Less Than 12.20 M Wide,' for additional regulations on *lots* less than 12.20 m in width.

(e) Notwithstanding sections (a) through (b)(iv), If a proposed *lot* is adjacent to a major road listed on Schedule B, additional *lot width* may be required to accommodate *berm* and fencing.

(6) **LOT AREA**

(a) The maximum *lot area* is 0.20 ha.

(7) **LOT COVERAGE**

(a) The maximum *lot coverage* for a *dwelling (single detached)* is 40% for the *principal building* and *garage*, and 42% when including all *accessory buildings*.

(b) The maximum *lot coverage* for a *dwelling (duplex)* or *dwelling (semi-detached)* is 48% for the *principal building* and *garage*, and 50% when including all *accessory buildings*.

(c) If a *garage* is not constructed at the same time as the principal *dwelling*, the *lot coverage* amount of the *dwelling* must ensure that adequate *lot coverage* remains in the maximum *lot coverage* calculation to accommodate the *development* of a future *garage,* with the minimum interior width and depth clear space requirements of section 4.4 'Residential Garage Internal Dimensions.'

(8) **FLOOR AREA**

(a) The minimum *gross floor area* per principal *dwelling unit* is 75.00 m^2, excluding the area of an attached *garage*.

(b) The area comprising *gross floor area* must be enclosed, but does not require interior finishing.

(9) **BUILDING HEIGHT**

(a) The maximum building height of the *principal building* is:

(i) 12.00 m for a walkout *building*, a *building* with a drive-under *garage,* or a *building* with a roof-mounted *solar collector (attached)*; and

(ii) 11.00 m in all other cases.

(10) **PRINCIPAL BUILDING SETBACKS**

(a) Front yard *setback*

(i) The minimum front yard setback is 6.00 m.

(b) Side yard *setback*

(i) Side yard setbacks shall be provided on each side or portion of a side of a *principal building* as follows:

Lot Width	Building Side Yard Setback	Walkout Basement Side Yard Setback
≤12.50 m	1.25 m	1.25 m
>12.50 m	1.80 m	6.80 m

(ii) Notwithstanding section (i),

(A) A *development* without an attached *garage* must have a minimum side yard building *setback* of 3.00 m on one side, to provide unobstructed *vehicle* access to the rear yard, if there is no *lane*;

(B) On a *corner lot*, the side of the *lot* that adjoins a flanking *public roadway* must have a minimum side yard building *setback* of:

(I) 4.00 m, or

(II) 6.00 m from the edge of the sidewalk nearest the *property line* to the face of the *garage* where a *garage* faces the flanking *public roadway*, excluding a *lane*; or

(III) 6.00 m from the closest edge of the roadway where there is no sidewalk to the face of the *garage*, where a *garage* faces the flanking *public roadway*, excluding a *lane*;

(C) A *dwelling (semi-detached)* may develop to a 0.00 m setback along the *property line (common)*.

(c) Rear yard *setback*

(i) The minimum rear yard *setback* is:

(A) 6.00 m if an attached *garage* or attached *carport* is located on the *lot*;

(B) 4.50 m on a *corner lot* when the principal *dwelling* with an attached *garage* or attached *carport* faces the flanking *public roadway*; and

(C) 10.00 m in all other cases.

(11) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.52 ‘Design, Character, And Appearance Of Residential Buildings,’ all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

5.3 SLR - SMALL-LOT RESIDENTIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Small Lot Residential (SLR) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the SLR District is to provide an area for a mix of single detached and multiple-unit *dwellings*, and other *development* compatible with supporting diverse housing options in new neighbourhoods. Vehicular access shall be provided from the front or side of the *lot*.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Congregate housing (level two)*
(ii)	(a) *Dwelling (duplex)*	(b) *Home-based business (level two)*
(iii)	(a) *Dwelling (semi-detached)*	(b) *Public utility building*
(iv)	(a) *Dwelling (single detached)*	(b) *Residential sales centre*
(v)	(a) *Group home*	(b) *Accessory Development* to a Discretionary Use, *decks* that are greater than 1.50 m above *finished grade*, *private pools, and decorative ponds*
(vi)	(a) *Park*	
(vii)	(a) *Secondary suite (internal)*	
(viii)	(a) *Secondary suite (garage)*	
(ix)	(a) *Secondary suite (garden)*	
(x)	(a) *Supportive living accommodation*	
(xi)	(a) *Accessory Development* to a Permitted Use, excluding *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*	

(4) LOT WIDTH

(a) The minimum *lot width* for a *dwelling (single detached)* is:

(i) 9.82 m on an *interior lot*; and

(ii) 12.72 m on a *corner lot*.

(b) Notwithstanding section (a), the minimum *lot width* for a *dwelling (single detached)* developed with a *zero lot-line* is:

(i) 8.90 m on an *interior lot*; and

(ii) 12.20 m on a *corner lot*.

(c) The minimum *lot width* for a *dwelling (duplex)* is:

(i) 13.00 m on an *interior lot*; and

(ii) 15.00 m on a *corner lot*.

(d) The minimum *lot width* for *dwelling (semi-detached)* is:

(i) 8.00 m per *dwelling unit* on an *interior lot*; and

(ii) 10.00 m per *dwelling unit* on a *corner lot*.

(e) Notwithstanding sections (a), (b), and (d), refer to section 3.67 'Lots Less Than 12.20 M Wide' for additional regulations on *lots* less than 12.20 m in width.

(f) Notwithstanding sections (a) through (d), if a proposed *lot* is adjacent to a major road listed on Schedule B, additional *lot width* may be required to accommodate *berm* and fencing.

(5) **LOT AREA**

(a) The maximum *lot area* is 0.10 ha.

(6) **LOT COVERAGE**

(a) The maximum *lot coverage* for a *dwelling (single detached)* is 40% for the *principal building* and *garage*, and 42% when including all *accessory buildings*.

(b) Notwithstanding section (a), the maximum lot coverage for a *dwelling (single detached)* developed with a *zero lot-line* is 48% for the *principal building* and *garage*, and 50% when including all *accessory buildings*.

(c) The maximum *lot coverage* for a *dwelling (duplex)* or *dwelling (semi-detached)* is 48% for the *principal building* and *garage*, and 50% when including all *accessory buildings*.

(d) If a *garage* is not constructed at the same time as the principal *dwelling*, the *lot coverage* amount of the *dwelling* must ensure that adequate *lot coverage* remains in the maximum *lot coverage* calculation to accommodate the *development* of a future *garage,* with the minimum interior width and depth clear space requirements of section 4.4 'Residential Garage Internal Dimensions.'

(7) **FLOOR AREA**

(a) The minimum *gross floor area* per principal *dwelling unit* is 75.00 m^2, excluding the area of an attached *garage*.

(b) The area comprising the *gross floor area* must be enclosed, but does not require interior finishing.

(8) **BUILDING HEIGHT**

(a) The maximum building height of the *principal building* is:

(i) 12.00 m for a walkout *building*, a *building* with a drive-under *garage,* or a *building* with a roof-mounted *solar collector (attached)*; and

(ii) 11.00 m in all other cases.

(9) **PRINCIPAL BUILDING SETBACK**

(a) Front yard *setback*

(i) The minimum front yard building *setback* is 6.00 m.

(b) Side yard *setback*

(i) Side yard *setbacks* shall be provided on each side or portion of a side of a *principal building*, or on one side of a *dwelling (single detached)* developed with a *zero lot-line*, as follows:

Lot Width	Building Side Yard Setback	Walkout Basement Side Yard Setback	Zero Lot-Line Side Yard Setback
≤12.50 m	1.25 m	1.25 m	1.50 m
>12.50 m	1.80 m	1.80 m	1.50 m

(ii) Notwithstanding section (i):

(A) A *development* without an attached *garage*, must have a minimum side yard building *setback* of 3.00 m on one side to provide unobstructed *vehicle access* to the rear yard;

(B) On a *corner lot*, the side of the *lot* that adjoins a flanking *public roadway* must have a minimum side yard building *setback* of:

(I) 3.00 m;

(II) 6.00 m from the edge of the sidewalk nearest the *property line* to the face of the *garage* where a *garage* faces the flanking *public roadway*, excluding a *lane*; or

(III) 6.00 m from the closest edge of the roadway where there is no sidewalk, to the face of the *garage*, where a *garage* faces the flanking *public roadway*, excluding a *lane*;

(C) *Dwelling (semi-detached)* units and any associated *decks* may develop to a 0.00 m *setback* along the *property line (common)*.

(c) Rear yard *setback*

(i) The minimum rear yard *setback* is:

(A) 6.00 m if an attached *garage* or a *carport* is located on the *lot*; and

(B) 10.00 m in all other cases.

(10) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 'Design, Character, And Appearance Of A Building' and 3.52 'Design, Character, And Appearance Of Residential Buildings,' all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(11) **DWELLING MIX**

(a) Any *dwelling (single detached)* or *dwelling (semi-detached)* located on a *lot* less than 10.00 m in width must be located at least 90.00 m away from any *lot* that was registered prior to February 5, 2018.

(12) **ZERO LOT-LINE**

(a) *Zero lot-line dwellings* with front *vehicle access* shall not exceed 25% of the total number of *dwellings* on lands governed by an *ASP*, *ARP*, or *Neighbourhood Plan*.

(b) A *dwelling (single-detached)* developed with a *zero lot-line* shall only be permitted where:

(i) All roof drainage from the *dwelling*, *garage*, and *accessory buildings*, shall be directed away from *buildings* and towards a *public roadway*, including a *lane*, or to a drainage swale;

(ii) No roof leader discharge shall be directed to the maintenance easement;

(iii) The owner of a lot developed with a *zero lot-line* and the owner of an adjacent *lot* shall register, against all titles at the time of subdivision, a minimum 1.50 m private maintenance easement (shown in *Figure 5-1*) along the entire lot line utilizing the 0.00 m side yard *setback* that ensures:

(A) An unobstructed minimum 0.30 m wide drainage pathway to be free and clear of all objects;

(B) A 0.30 m eave encroachment easement with the requirement that the eaves shall not be closer than 0.90 m to the eaves on the adjacent *building*;

(C) A 0.60 m footing encroachment easement;

(D) Sufficient *access* for the owner's or tenant's maintenance of both properties;

(E) That the *garage*, *parking* area, or *driveway* shall not encroach on the private maintenance easement;

(F) No principal *dwellings* shall be placed within this area;

(G) No *accessory buildings*, including air conditioning units, shall be placed within this area;

(H) No trees or shrubs shall be placed within this area; and

(I) The easement shall be registered in perpetuity against the title of such *lots*;

(iv) A restrictive covenant and easement are registered at the time of subdivision that:

(A) Require a drainage swale constructed to *Municipal Engineering Standards*; and

(B) Provide for the protection of drainage of the *site*, including the right for water to flow across *lots* and the requirement not to inhibit the flow of water across *lots*;

(v) A utility easement(s) is registered on all lots within a *zero lot-line development*, including the adjacent *lots*, to ensure adequate access for utility maintenance, when utilities cross over another titled *lot*;

(vi) There shall be no *architectural projections* into the side yard for a *dwelling (single detached)* developed with a *zero lot-line*; and

(vii) Each *lot* planned for *zero lot-line* development must be indicated on the tentative plan of subdivision at the time of subdivision application, and on the Right-of-Way plan at the time of endorsement application.

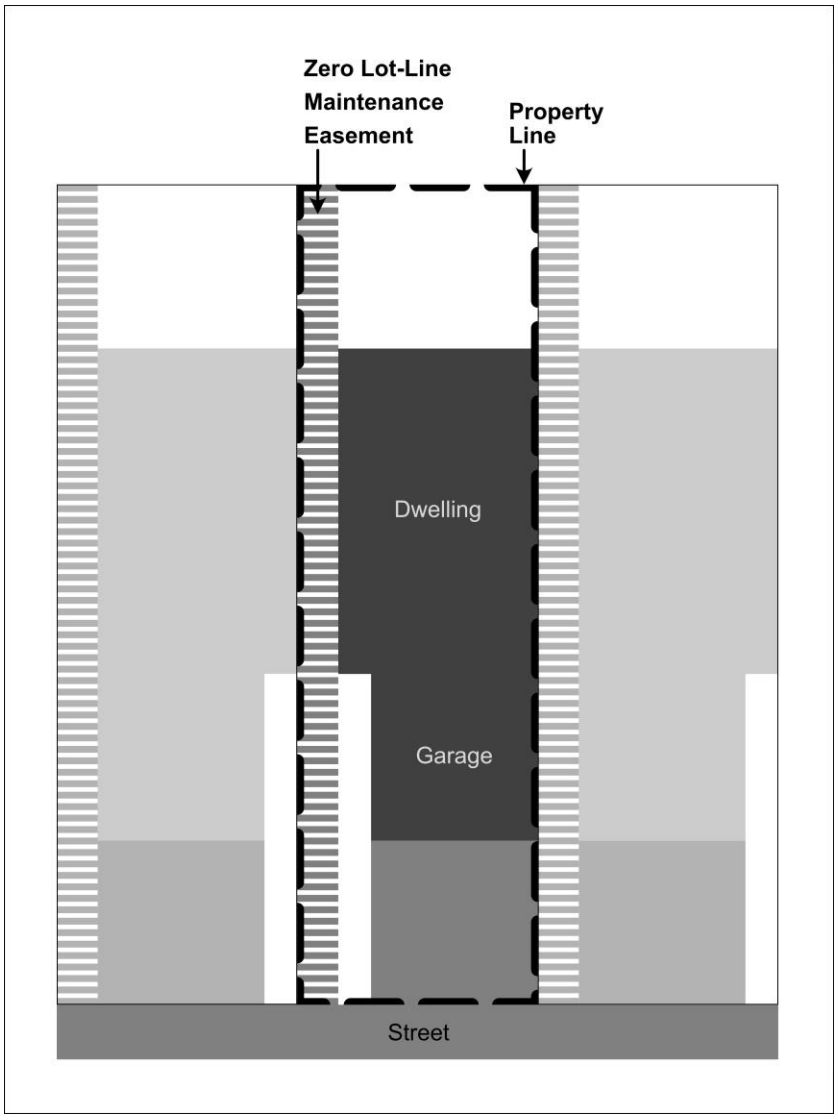
(c) *Lots* developed with a *zero lot-line* within the SLR District shall be located only on one side of a public roadway. The other side of the *public roadway* shall be:

(i) Lane-oriented land uses; or

(ii) Public Park District.

(d) *Zero lot-line lots* with front *vehicle access* within the SLR District, shall not be placed across from a *dwelling (apartment)*, *dwelling unit above a non-residential use*, or a *dwelling (townhouse – complex)*.

Figure 5-1: Zero Lot-Line Development, Front Vehicle Access



5.4 LLR - LANED-LOT RESIDENTIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Laned Lot Residential (LLR) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the LLR District is to provide an area for a mix of single detached and multiple-unit *dwellings*, and other *development* compatible with supporting diverse housing options in new neighbourhoods. Vehicular access shall only be provided from a rear *lane* to maximize on-street *parking*.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Congregate housing (level two)*
(ii)	(a) *Dwelling (duplex)*	(b) *Home-based business (level two)*
(iii)	(a) *Dwelling (semi-detached)*	(b) *Public utility building*
(iv)	(a) *Dwelling (single detached)*	(b) *Residential sales centre*
(v)	(a) *Dwelling (townhouse - plex)*	(b) *Accessory Development* to a Discretionary Use, *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*
(vi)	(a) *Dwelling (townhouse - single)*	
(vii)	(a) *Group home*	
(viii)	(a) *Park*	
(ix)	(a) *Secondary suite (garage)*	
(x)	(a) *Secondary suite (internal)*	
(xi)	(a) *Supportive living accommodation*	
(xii)	(a) *Accessory Development* to a Permitted Use, excluding *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*	

(4) DWELLING (TOWNHOUSE)

(a) Refer to section 3.56 ‘Dwelling (Townhouse)’ for regulations regarding *dwelling (townhouse - plex)* and *dwelling (townhouse – single)*.

(5) LOT WIDTH

(a) The minimum *lot width* for a *dwelling (single detached)* is:

(i) 8.00 m on an *interior lot*;

(ii) 8.25 m on an *interior lot* when placed next to a *zero lot-line*; and

(iii) 9.75 m on a *corner lot*.

(b) Notwithstanding section (a), the minimum *lot width* for a *dwelling (single detached)* developed with a *zero lot-line* is:

(i) 7.00 m on an *interior lot*;

(ii) 8.50 m on a *corner lot*, where there is no *zero lot-line* easement on the *lot*; and

(iii) 10.00 m on a *corner lot*, where there is a *zero lot-line* easement on the *lot*.

(c) The minimum *lot width* for a *dwelling (duplex)* is:

(i) 13.00 m on an *interior lot*; and

(ii) 15.00 m on a *corner lot*.

(d) The minimum *lot width* for a *dwelling (semi-detached)* is:

(i) 6.75 m per dwelling unit on an interior lot;

(ii) 7.00 m per dwelling unit on an interior lot when placed next to a zero lot-line; and

(iii) 8.50 m per dwelling unit on a corner lot.

(e) Notwithstanding sections (a), (b), and (d), refer to section 3.67 'Lots Less Than 12.20 M Wide,' for additional regulations on *lots* less than 12.20 m in width.

(f) Notwithstanding sections (a) through (d), if a proposed *lot* is adjacent to a major road listed on Schedule B, additional *lot width* may be required to accommodate *berm* and fencing.

(6) **LOT AREA**

(a) The maximum *lot area* is 0.10 ha.

(7) **LOT COVERAGE**

(a) The maximum *lot coverage* for a *dwelling (single detached)*:

(i) On a *lot* greater than 12.50 m wide is 40% for the *principal building* and *garage*, and 42% when including all *accessory buildings*; and

(ii) On a *lot* less than or equal to 12.50 m wide is 45% for the *principal building* and *garage*, and 47% when including all *accessory buildings*.

(b) Notwithstanding section (a), the maximum *lot coverage* for a *dwelling (single detached)* developed with a *zero lot-line* is 48% for the *principal building* and *garage*, and 50% when including all *accessory buildings*.

(c) The maximum *lot coverage* for a *dwelling (duplex)* or *dwelling (semi-detached)* is 48% for the *principal building* and *garage*, and 50% when including all *accessory buildings*.

(d) If a *garage* is not constructed at the same time as the principal dwelling, the *lot coverage* amount of the dwelling must ensure that adequate *lot coverage* remains in the maximum *lot coverage* calculation to accommodate the *development* of a future *garage,* with the minimum interior width and depth clear space requirements of section 4.4 'Residential Garage Internal Dimensions.'

(8) **FLOOR AREA**

(a) The minimum *gross floor area* per principal *dwelling unit* is 75.00 m^2, excluding the area of an attached *garage*.

(b) The area comprising the *gross floor area* must be enclosed, but does not require interior finishing.

(9) **BUILDING HEIGHT**

(a) The maximum building height of the *principal building* is:

(i) 12.00 m for a walkout *building*, a *building* with a drive-under *garage,* or a *building* with a roof-mounted *solar collector (attached)*; and

(ii) 11.00 m in all other cases.

(10) **PRINCIPAL BUILDING SETBACKS**

(a) Front yard *setback*

(i) The minimum front yard building *setback* is 4.50 m.

(b) Side yard *setback*

(i) A side yard building *setback* shall be provided on each side or portion of a side of a *principal building*, or on one side of a *dwelling (single detached)* developed with a *zero lot-line*, as follows:

Lot Width	Building Side Yard Setback	Walkout Basement Side Yard Setback	Zero Lot-Line Side Yard Setback
≤12.50 m	1.25 m	1.25 m	1.50 m
>12.50 m	1.80 m	1.80 m	1.50 m

(ii) Notwithstanding section (i):

(A) On a *corner lot*, the side of the *lot* that adjoins a flanking *public roadway* must have a minimum side yard building *setback* of 3.00 m; and

(B) *Dwelling (semi-detached)* and *dwelling (townhouse - single)* units, and any associated decks, may develop to a 0.00 m setback along the *property line (common)*.

(c) Rear yard *setback*

(i) The minimum rear yard *principal building setback* is:

(A) 6.00 m, if an attached *garage* or attached *carport* is located on the *lot*; and

(B) 10.00 m in all other cases.

(11) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.52 ‘Design, Character, And Appearance Of Residential Buildings,’ all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(12) **PARKING AND VEHICULAR ACCESS**

(a) Vehicular access shall only be provided from a *lane.*

(b) For *parking pad* information, refer to section 4.5 ‘Residential Parking Pad.’

(13) **DWELLING MIX**

(a) Any *dwelling (single detached), dwelling (semi-detached),* or *dwelling (townhouse - single)* located on a *lot* less than 10.00 m in width must be located at least 90.00 m away from any *lot* that was registered prior to February 5, 2018.

(14) **ZERO LOT-LINE**

(a) A *dwelling (single detached)* developed with *a zero lot-line* shall only be permitted where:

(i) All roof drainage from the *dwelling*, *garage*, and *accessory buildings*, shall be directed away from *buildings* and towards a *public roadway*, including a *lane*, or to a drainage swale;

(ii) No roof leader discharge shall be directed to the maintenance easement;

(iii) The owner of a *lot* developed with a *zero lot-line* and the owner of an adjacent *lot* shall register, against all titles at the time of subdivision, a minimum 1.50 m private maintenance easement (shown in *Figure 5-2)* along the entire *lot* line utilizing the 0.00 m side yard *setback* that ensures:

(A) An unobstructed minimum 0.30 m wide drainage pathway to be free and clear of all objects;

(B) A 0.30 m eave encroachment easement with the requirement that the eaves shall not be closer than 0.90 m to the eaves on the adjacent *building*;

(C) A 0.60 m footing encroachment easement;

(D) Sufficient access for the owner's or tenant's maintenance of both properties;

(E) That the *garage*, *parking* area, or *driveway* shall not encroach on the private maintenance easement;

(F) No principal *dwellings* shall be placed within this area;

(G) No *accessory buildings*, including air conditioning units, shall be placed within this area;

(H) No trees or shrubs shall be placed within this area; and

(I) The easement shall be registered in perpetuity against the title of such *lots;*

(iv) Restrictive covenant and easement are registered at the time of subdivision that:

(A) Require a drainage swale constructed to *Municipal Engineering Standards*; and

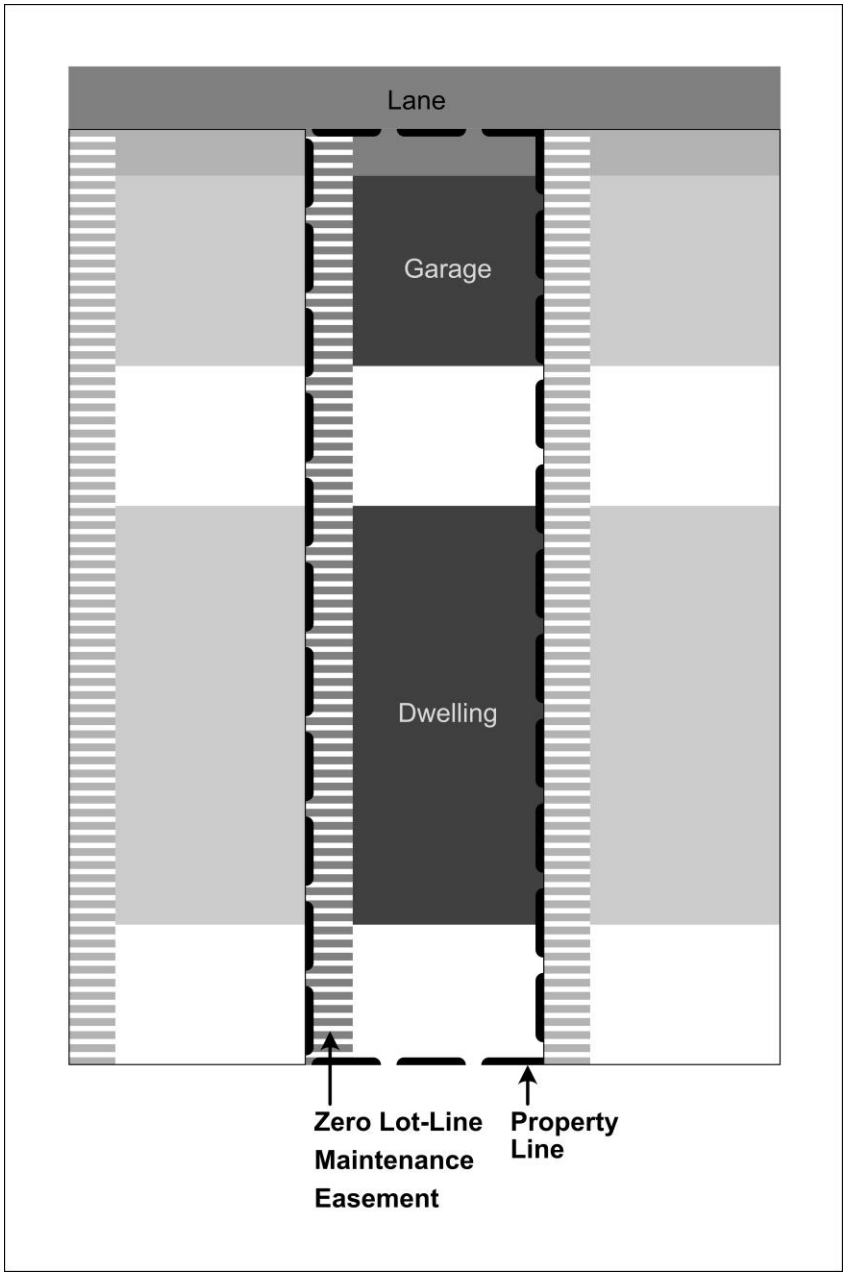
(B) Provide for the protection of drainage of the *site*, including the right for water to flow across *lots* and the requirement not to inhibit the flow of water across *lots;*

(v) A utility easement(s) is registered on all *lots* within a *zero lot-line development*, including the adjacent *lots*, to ensure adequate access for utility maintenance when utilities cross over another titled *lot*;

(vi) There shall be no *architectural projections* into the side yard for a *dwelling (single detached)* developed with a *zero lot-line*; and

(vii) Each *lot* planned for *zero lot-line development* must be indicated on the tentative pan of subdivision at the time of subdivision application, and on the Right-of-Way plan at the time of endorsement application.

Figure 5-2: Zero Lot-Line Development, Rear Vehicle Access



5.5 FBR - FRONT-BACK RESIDENTIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Front-Back Residential (FBR) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the FBR District is to provide an area for a residential mix of small-scale *dwellings* that enable quality *streetscapes* in new neighbourhoods. Vehicular access is primarily provided from the rear *lane*, with limited allowance for front-back split access, to maximize on-street *parking*.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Congregate housing (level two)*
(ii)	(a) *Dwelling (duplex)*	(b) *Home-based business (level two)*
(iii)	(a) *Dwelling (semi-detached)*	(b) *Public utility building*
(iv)	(a) *Dwelling (single detached)*	(b) *Residential sales centre*
(v)	(a) *Group home*	(b) *Accessory Development* to a Discretionary Use, *decks* that are greater than 1.50 m above *finished grade*, *private pools, and decorative ponds*
(vi)	(a) *Park*	
(vii)	(a) *Secondary suite (garage)*	
(viii)	(a) *Secondary suite (garden)*	
(ix)	(a) *Secondary suite (internal)*	
(x)	(a) *Supportive living accommodation*	
(xi)	(a) *Accessory Development* to a Permitted Use, excluding *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*	

(4) LOT WIDTH

(a) The minimum *lot width* for a *dwelling (single detached)* is:

(i) 8.00 m on an *interior lot*; and

(ii) 9.75 m on a *corner lot*.

(b) The minimum *lot width* for a *dwelling (duplex)* is:

(i) 13.00 m on an *interior lot*; and

(ii) 15.00 m on a *corner lot*.

(c) The minimum *lot width* for a *dwelling (semi-detached)* is:

(i) 6.75 m per *dwelling unit* on an *interior lot* with lane vehicular access;

(ii) 8.00 m per *dwelling unit* on an *interior lot* with front vehicular access;

(iii) 8.50 m per *dwelling unit* on a *corner lot* with lane vehicular access; and

(iv) 9.75 m per *dwelling unit* on a *corner lot* with front vehicular access.

(d) Notwithstanding sections (a) and (c), refer to section 3.67 'Lots Less Than 12.20 M Wide' for additional regulations on *lots* less than 12.20 m in width.

(e) Notwithstanding sections (a), through (c), if a proposed *lot* is adjacent to a major road listed on Schedule B, additional *lot width* may be required to accommodate *berm* and fencing.

(5) **LOT AREA**

(a) The maximum *lot area* is 0.10 ha.

(6) **LOT COVERAGE**

(a) The maximum *lot coverage* for a *dwelling (single detached)* is 40% for the *principal building* and *garage*, and 42% when including all *accessory buildings*.

(b) The maximum *lot coverage* for a *dwelling (duplex)* or *dwelling (semi-detached)* is 48% for the *principal building* and *garage*, and 50% when including all *accessory buildings*.

(c) If a *garage* is not constructed at the same time as the principal *dwelling*, the *lot coverage* amount of the *dwelling* must ensure that adequate *lot coverage* remains in the maximum *lot coverage* calculation to accommodate the *development* of a future *garage,* with the minimum interior width and depth clear space requirements of section 4.4 'Residential Garage Internal Dimensions.'

(7) **FLOOR AREA**

(a) The minimum *gross floor area* per principal *dwelling unit* is 75.00 m^2, excluding the area of an attached *garage*.

(b) The area comprising the *gross floor area* must be enclosed, but does not require interior finishing.

(8) **BUILDING HEIGHT**

(a) The maximum building height of the *principal building* is:

(i) 12.00 m for a walkout *building*, a *building* with a drive-under *garage,* or a *building* with a roof-mounted *solar collector (attached)*; and

(ii) 11.00 m in all other cases.

(9) **PRINCIPAL BUILDING SETBACK**

(a) Front yard *setback*

(i) The minimum front yard building *setback* for a *dwelling* with a front attached *garage* or front *vehicle access* is 6.00 m;

(ii) Notwithstanding (i), the minimum front yard building *setback* in all other cases is 4.50 m.

(b) Side yard *setback*

(i) A side yard building *setback* shall be provided on each side or portion of a side of a *principal building* as follows:

Lot Width	Building Side Yard Setback	Walkout Basement Side Yard Setback
≤12.5 m	1.25 m	1.25 m
>12.5 m	1.80 m	1.80 m

(ii) Notwithstanding section (i):

(A) On a *corner lot*, the side of the *lot* that adjoins a flanking *public roadway* must have a minimum side yard building *setback* of:

(I) 3.00 m;

(II) 6.00 m from the edge of the sidewalk nearest the *property line* to the face of the *garage,* where a *garage* faces the flanking *public roadway*, excluding a *lane*; or

(III) 6.00 m from the closest edge of the roadway where there is no sidewalk, to the face of the *garage,* where a *garage* faces the flanking *public roadway*, excluding a *lane*;

(B) *Dwelling (semi-detached)* units and any associated *decks* may develop to a 0.00 m *setback* along the *property line (common)*.

(c) Rear yard *setback*

(i) The minimum rear yard *principal building setback* is:

(A) 6.00 m, if an attached *garage* or attached *carport* is located on the *lot*; and

(B) 10.00 m in all other cases.

(10) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 'Design, Character, And Appearance Of A Building' and 3.52 'Design, Character, And Appearance Of Residential Buildings,' all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(11) **PARKING AND VEHICULAR ACCESS**

(a) One vehicular access per *lot* shall be permitted for a *dwelling (single detached)* or a *dwelling (semi-detached)*.

(b) For a *dwelling (duplex)*, each primary *dwelling unit* shall be permitted one vehicular *access*.

(c) Vehicular access may either be provided from a *lane* or a public road, and shall be *hard-surfaced*.

(i) For a *dwelling (single detached)*, vehicular access shall be provided from a *lane*.

(ii) For a *dwelling (semi-detached)*, vehicular access for one *dwelling unit* shall be provided from a rear *lane*, and vehicular access for the second *dwelling unit* may be provided from a *public roadway* where:

(A) Vehicular access shall be grouped so that *dwellings* with rear detached *garages* are situated adjacent to each other, and *dwellings* with front attached *garages* are situated adjacent to each other, in pairs, as shown in *Figure 5-3*;

(B) A *principal building* with a rear detached *garage* shall be placed at the end of a block, as shown in *Figure 5-3*;

(I) Notwithstanding section (B), when an irregular or reverse pie *lot* configuration prevents this layout, a front attached *garage* may be placed at the end of the block, at the discretion of the *Development Authority*; and

(C) Up to four mid-block transition *lots* are permitted per block where *garages* are not grouped, as shown in *Figure 5-3*.

(iii) For a *dwelling (duplex)*, vehicular access for one *dwelling unit* shall be provided from a rear *lane*, and vehicular access for the second *dwelling unit* may be provided from a *public roadway* where:

(A) Vehicular access shall be grouped so that *dwellings* with rear detached *garages* are situated adjacent to each other, and *dwellings* with front attached *garages* are situated adjacent to each other, in pairs, as shown in *Figure 5-4;*

(B) A *principal building* with a rear detached *garage* may be placed at the end of a block, as shown in *Figure 5-4;*

(I) Notwithstanding section (B), when an irregular or reverse pie *lot* configuration prevents this layout, a front attached *garage* may be placed at the end of the block, at the discretion of the *Development Authority*; and

(C) Up to two mid-block transition *lots* are permitted per block where *garages* are not grouped, as shown in *Figure 5-4*.

(iv) *Access* to a triple-width *vehicle garage* or larger shall be provided from a *lane*.

(d) The vehicular *access* for each *lot* must be indicated on the tentative plan of subdivision at the time of subdivision application.

(e) For *parking pad* information, refer to section 4.5 ‘Residential Parking Pad.’

(12) **PEDESTRIAN ACCESS**

(a) Primary pedestrian *access* to the *principal building* shall not be provided from a *lane*.

Figure 5-3: Grouping of Vehicular Access on Adjacent Lots for a Block of Dwelling (Semi-Detached)

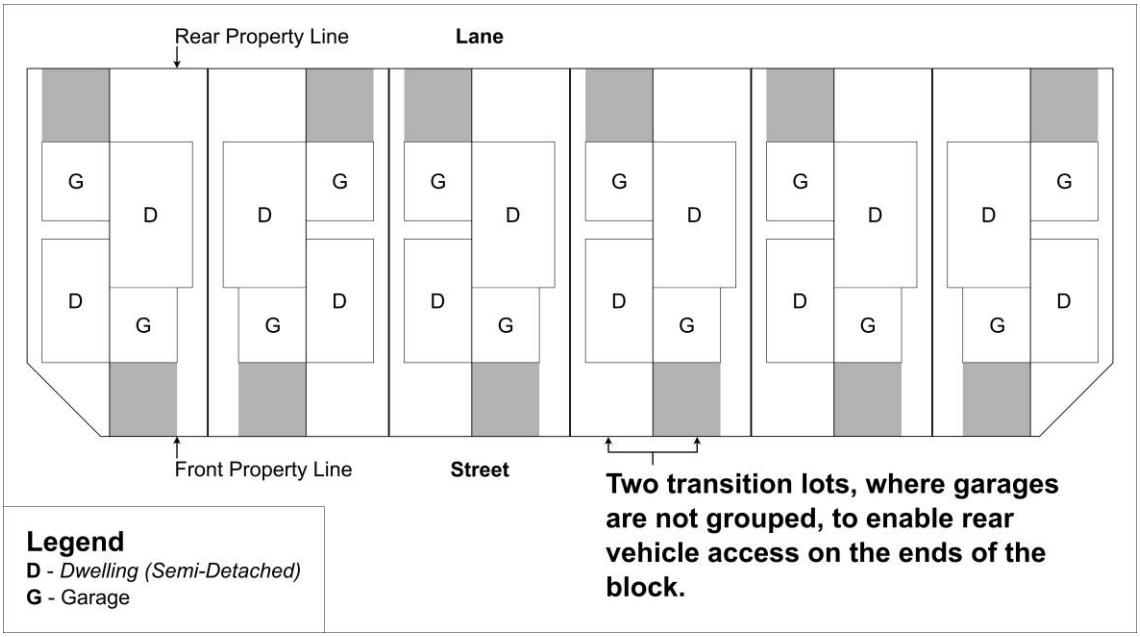
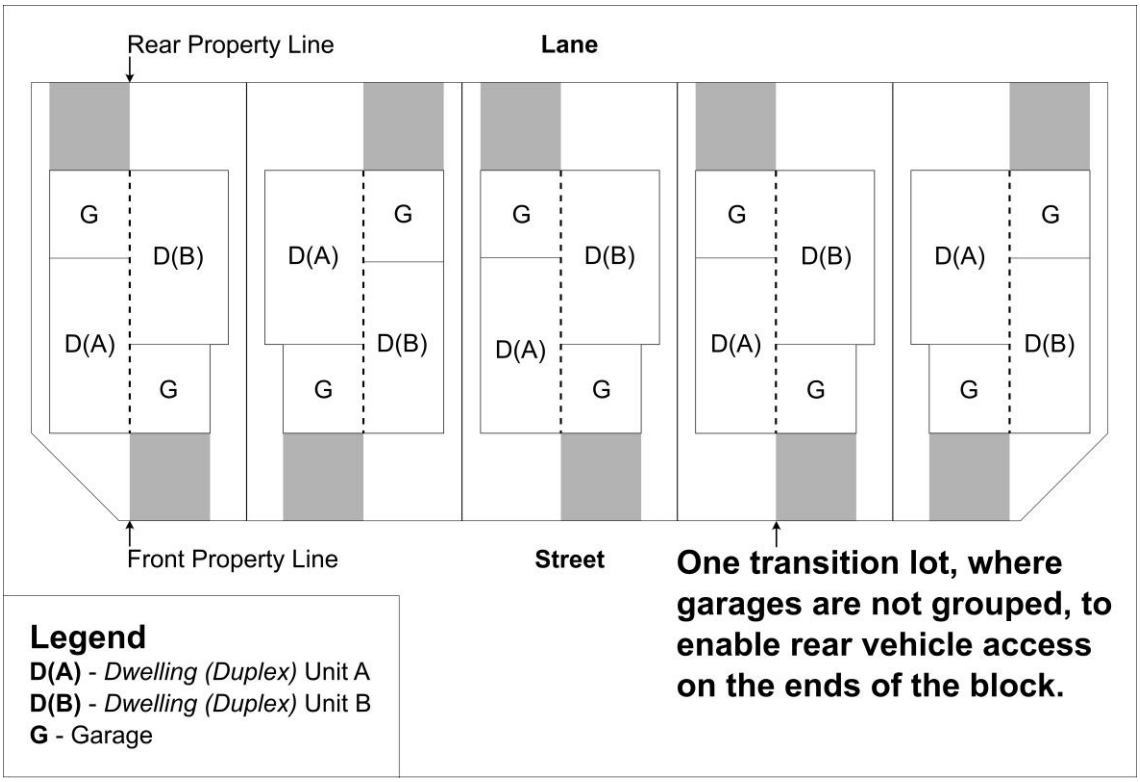


Figure 5-4: Grouping of Vehicular Access on Adjacent Lots for a Block of Dwelling (Duplex)



5.6 MDR - MEDIUM-DENSITY RESIDENTIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Medium-Density Residential (MDR) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the MDR District is to provide an area that allows for a range of medium-density housing options, and other *developments* that are compatible with the residential nature of the District.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Dwelling (semi-detached)* on the lands identified on *Figure 5-5*
(ii)	(a) *Dwelling (apartment)*	(b) *Home-based business (level two)*
(iii)	(a) *Dwelling (townhouse – complex)*	(b) *Public utility building*
(iv)	(a) *Dwelling (townhouse – single)* on the lands identified on *Figure 5-6*	(b) *Residential sales centre*
(v)	(a) *Group home*	(b) *Daycare facility*, if it is *accessory* to a *dwelling (apartment)* and integrated within the lower level(s) of the *building*
(vi)	(a) *Park*	(b) *Accessory Development* to a Discretionary Use, and *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*
(vii)	(a) *Supportive living accommodation*	
(viii)	(a) For a *dwelling (townhouse)* only, *Accessory Development*, excluding *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*	

(4) DWELLING (TOWNHOUSE)

(a) Refer to section 3.56 ‘Dwelling (Townhouse)’ for regulations regarding *dwelling (townhouse – complex)* and *dwelling (townhouse – single)*.

(5) LOT AREA

(a) The minimum *lot area* is 0.075 ha, excluding a *dwelling (townhouse – single)*.

(6) LOT FRONTAGE

(a) The minimum *lot frontage* is 25.00 m, excluding a *dwelling (townhouse – single)*.

(7) **SITE DENSITY**

(a) The minimum *site density* for the *site* is 40 *dwelling units* per net hectare and cannot exceed a maximum of 100 *dwelling units* per net hectare.

(b) For the purpose of calculating the *site* area, 27.50 m^2 may be added to the *lot area* for every *parking* stall which is constructed underground or under a *dwelling* at *finished grade*, if the *Development Authority* considers this to be appropriate given *site* constraints. The *site density* may not exceed the identified maximum in section (a).

(8) **SITE DENSITY BONUS**

(a) Notwithstanding section 5.6(7)(a), the maximum *site density* may be increased up to 125 *dwelling units* per net hectare only if the following conditions are met:

(i) A minimum of 70% of required *parking* stalls are provided under a *dwelling* at *finished grade*, in a *parking structure (underground)*, or within a *parking structure* integrated within the *building,* including high-quality exterior finishing that matches or complements the *principal building* exterior, where *site* design permits; and

(ii) A minimum of 5% of *dwelling units* shall be provided as *affordable non-market housing; and*

(iii) In the opinion of the *Development Authority*, at least one of the following *site* improvements are provided:

(A) Wider sidewalks or walkways internal to the *site*, together with street furniture, to the satisfaction of the *Development Authority*;

(B) Enhanced *landscaping,* to the satisfaction of the *Development Authority*;

(C) *Landscaping* that is drought tolerant, reducing the need for irrigation;

(D) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(E) *Barrier-free* design incorporated into *dwelling units* and the exterior feature of the *site*; or

(F) Indoor or outdoor common *amenity area*, in addition to the minimum required common and private *amenity area* when:

(I) Provided at a ratio of 1.50 m^2 per *dwelling unit*;

(II) Grouped into areas of not less than 30.00 m^2; and

(III) Not located in any required *setback*.

(9) **BUILDING HEIGHT**

(a) The maximum building height of a *principal building* is 18.00 m.

(b) The maximum building height of a *dwelling (townhouse – single)* is 14.00 m.

(10) **BUILDING SETBACKS**

(a) *Dwelling (apartment)*

(i) Front yard *setback*

(A) The minimum front yard building *setback* is 6.00 m.

(ii) Side yard *setback*

(A) The minimum side yard building *setback* is 3.00 m, plus an additional 1.00 m for each metre or portion thereof in height that the *building* exceeds 9.00 m from *finished grade*, to a maximum side yard *setback* of 6.00 m; and

(B) For properties identified on *Figure 5-5*, if a *lot* is not serviced by a rear *access lane*, at least one side yard must have a minimum building *setback* of 3.50 m to provide unobstructed *vehicle access* to the rear yard.

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* is 7.50 m.

(b) Other

(i) The minimum building *setback* for an *accessory building* is 3.00 m.

(ii) Unless otherwise specified in this Bylaw, a Discretionary Use listed in section (3) must be set back from any *property line* as required by the *Development Authority*.

(iii) A *public utility building* must have a minimum *setback* from any *property line* as determined by the *Development Authority*.

(11) **LOCATION OF BUILDINGS**

(a) For the minimum separation distances for apartment *buildings*, refer to section 3.55 ‘Dwelling (Apartment) And Dwelling Unit Above A Non-Residential Use.’

(12) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.52 ‘Design, Character, And Appearance Of

Residential Buildings,' all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(13) **PARKING AND VEHICULAR ACCESS**

(a) *Driveways* and vehicular *access* for a *dwelling (townhouse – complex)* shall only be provided from a *lane* or *private roadway*.

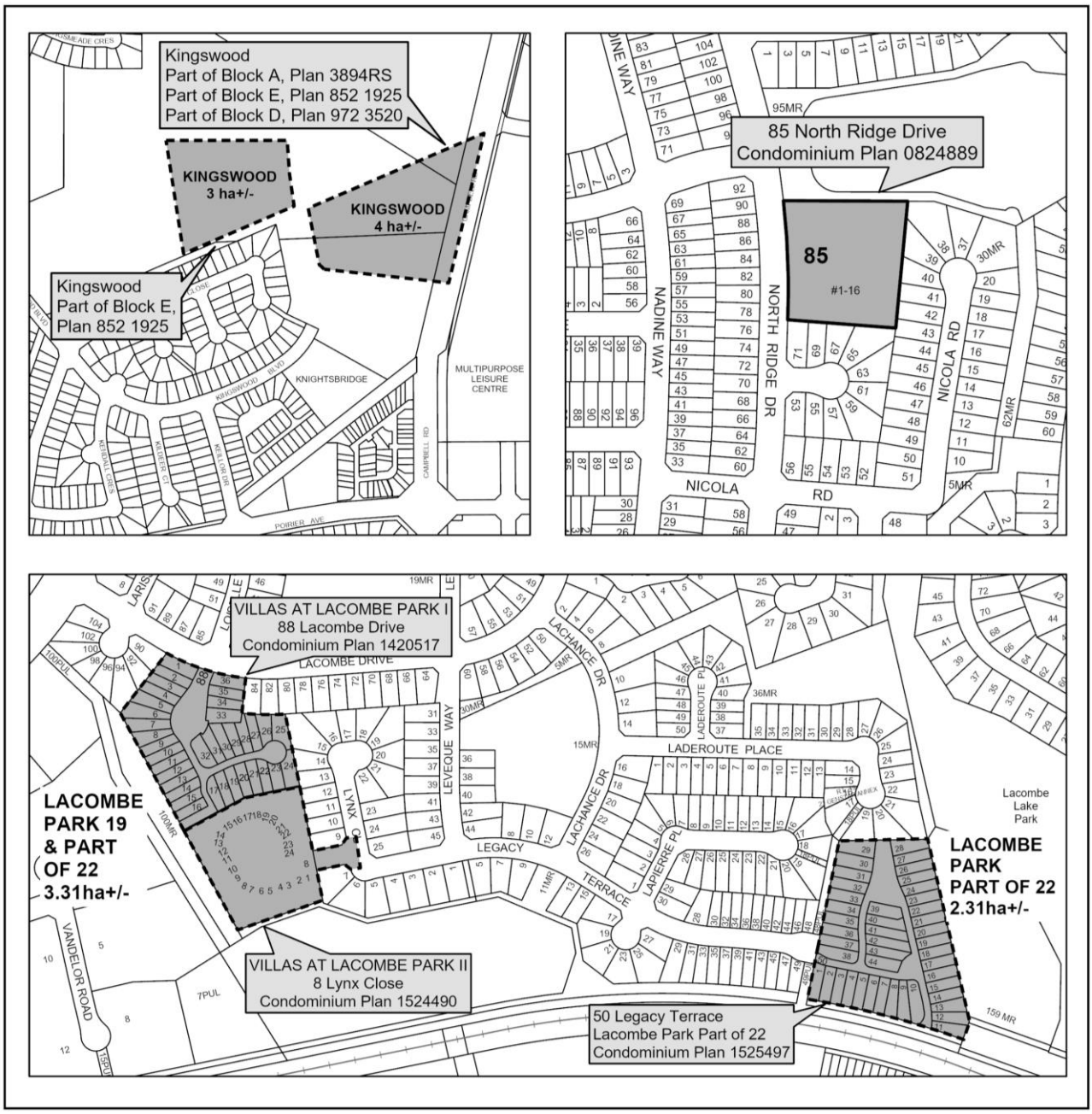
(b) Surface *parking* must not encroach into any required front yard *setback*.

(c) Surface *parking* must not encroach into any required perimeter landscape area or *landscape buffer*.

(14) **DWELLING (SEMI-DETACHED)**

(a) The floor area, *lot coverage*, building height, and *setbacks* of a *dwelling (semi-detached),* identified on *Figure 5-5*, shall comply with requirements within the LDR District.

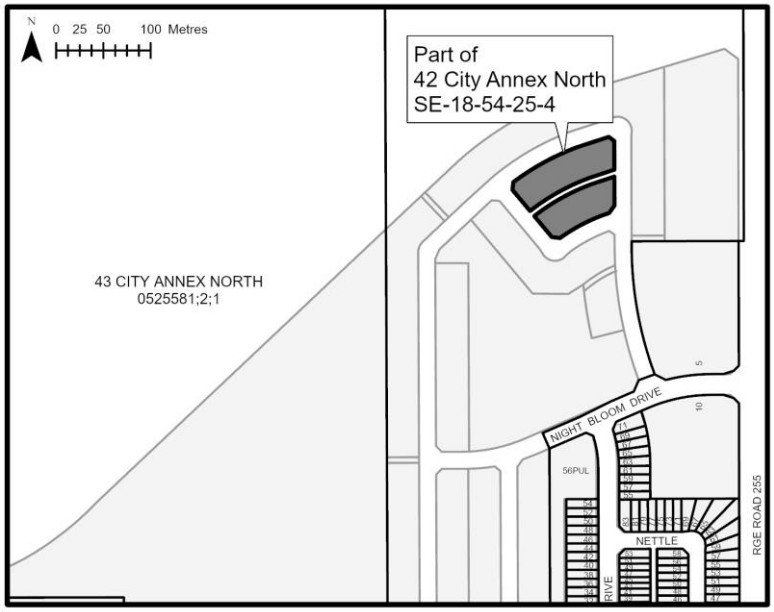
Figure 5-5: Sites for Dwelling (Semi-Detached)



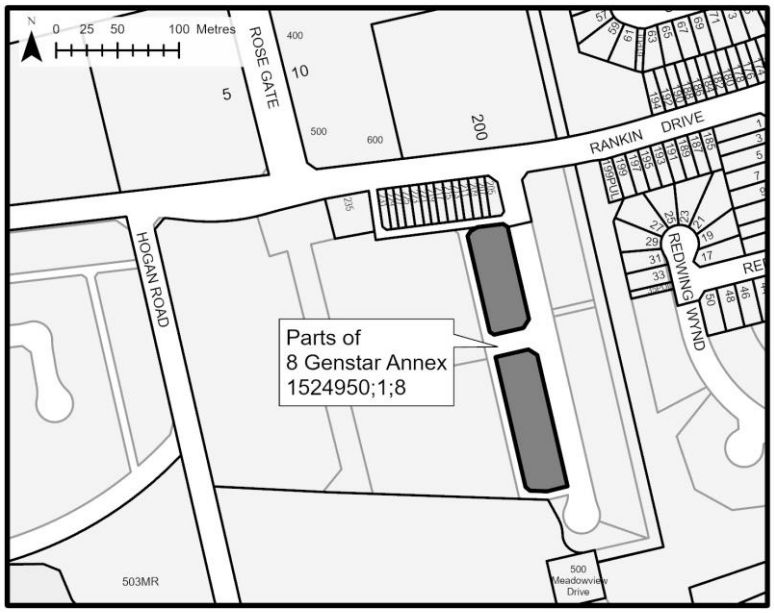
(15) **DWELLING (TOWNHOUSE – SINGLE)**

(a) Any amendments to the *ASPs* impacting the *dwelling (townhouse – single) sites* shown in *Figure 5-6* shall invalidate the opportunity to have townhouses on those *sites*, and no alternative *dwelling (townhouse – single)* can be placed within the MDR District.

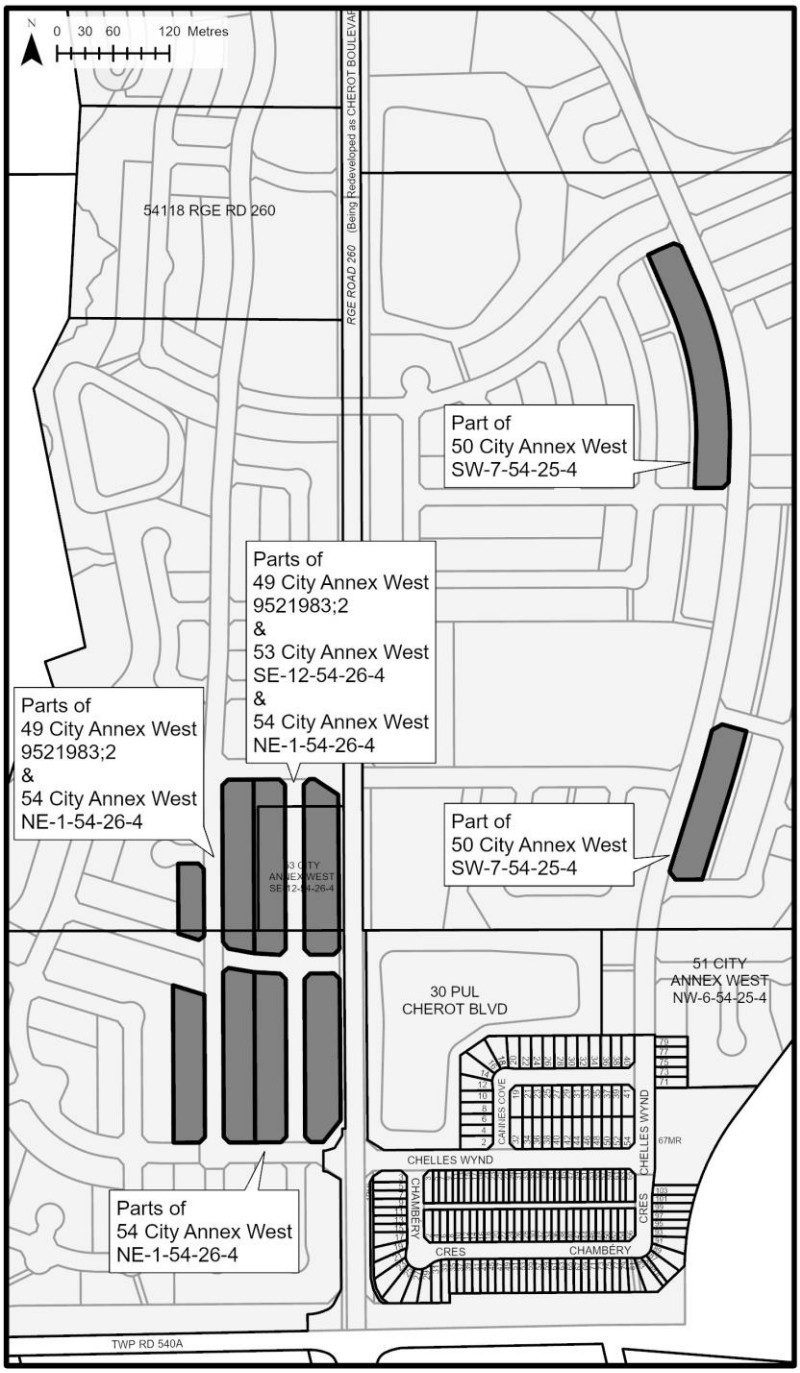
Figure 5-6: Sites for Dwelling (Townhouse – Single) in accordance with an Area Structure Plan



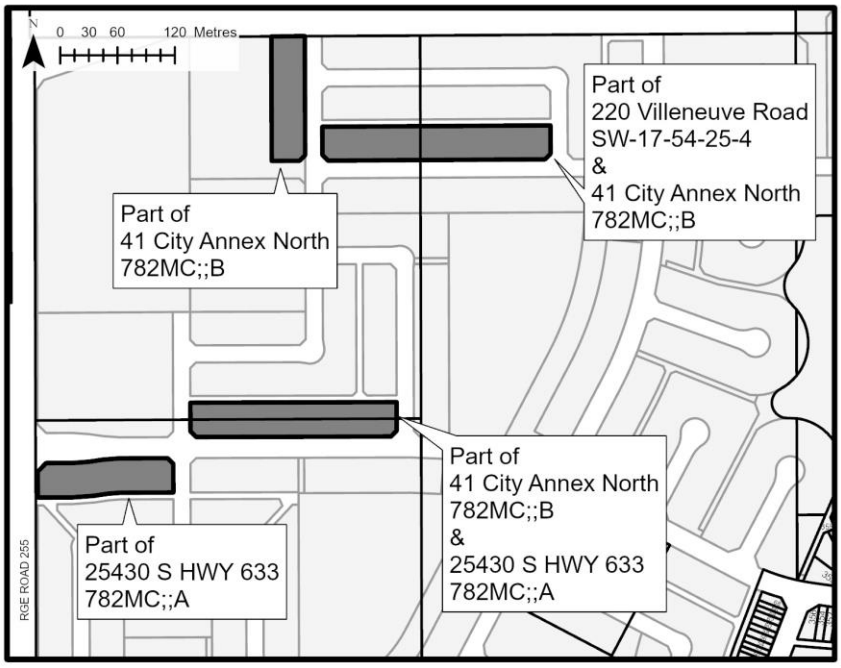
North Ridge ASP Phase 2



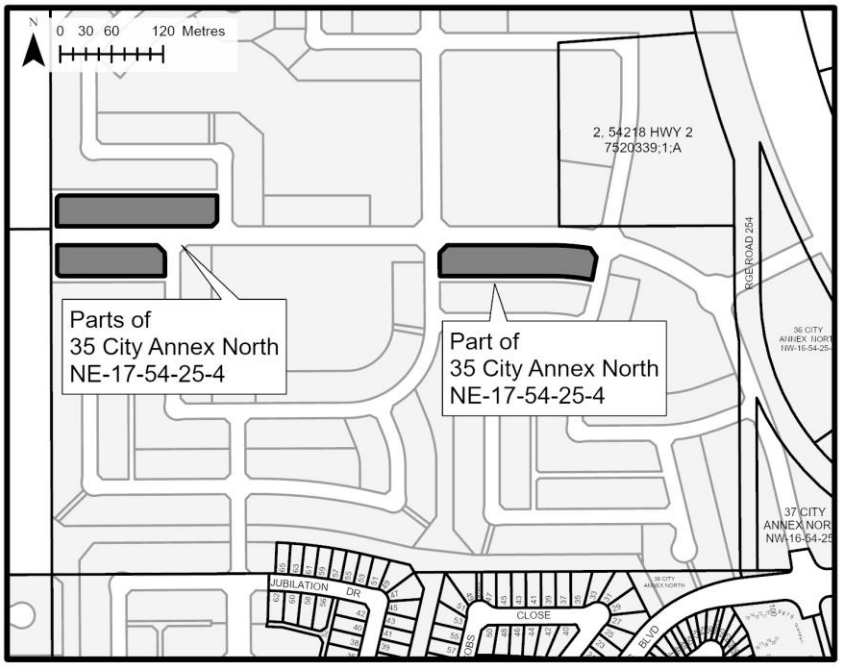
Riverside ASP


N
0 30 60 120 Metres
54118 RGE RD 260
RGE ROAD 260 (Being Redeveloped as CHEROT BOULEVARD)
Part of
50 City Annex West
SW-7-54-25-4
Parts of
49 City Annex West
9521983;2
&
53 City Annex West
SE-12-54-26-4
&
54 City Annex West
NE-1-54-26-4
Parts of
49 City Annex West
9521983;2
&
54 City Annex West
NE-1-54-26-4
Part of
50 City Annex West
SW-7-54-25-4
53 CITY ANNEX WEST SE-12-54-26-4
30 PUL
CHEROT BLVD
51 CITY
ANNEX WEST
NW-6-54-25-4
CHELLES WYND
CHELLES ROAD
CHELLES WYND
67MR
CHAMBERY CRES
CHAMBERY
CRES
Parts of
54 City Annex West
NE-1-54-26-4
TWP RD 540A

Cherot ASP



Jensen Lakes ASP



Jensen Lakes ASP Phase 2

5.7 HDR - HIGH-DENSITY RESIDENTIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as High-Density Residential (HDR) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the HDR District is to provide an area that allows for a mix of high-density housing options, and other *developments* that are compatible with the residential nature of the District.

(3) PERMITTED AD DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Home-based business (level two)*
(ii)	(a) *Dwelling (apartment)*	(b) *Public utility building*
(iii)	(a) *Dwelling unit above a non-residential use*	(b) *Residential sales centre*
(iv)	(a) *Group home*	(b) The following use, if it is *accessory* to a *dwelling (apartment)* and integrated within the lower level(s) of the *building*: (i) *Art gallery/studio* (ii) *Daycare facility* (iii) *Establishment (restaurant)* (iv) *Health service* (v) *Personal service* (vi) *Retail (general)*
(v)	(a) *Park*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
(vi)	(a) *Supportive living accommodation*	

(4) LOT AREA

The minimum *lot area* is 0.075 ha.

(5) LOT FRONTAGE

The minimum *lot frontage* is 25.00 m.

(6) SITE DENSITY

(a) The minimum *site density* for the *site* is 100 *dwelling units* per net hectare and cannot exceed a maximum of 140 *dwelling units* per net hectare.

(b) For the purpose of calculating the *site* area, 27.50 m^2 may be added to the *lot area* for every *parking* stall which is constructed underground or under a *dwelling*

at *finished grade*, if the *Development Authority* considers this to be appropriate given *site* constraints. The *site density* may not exceed the identified maximum in section (a).

(c) Notwithstanding sections (a) and (b), for the property legally described as Lot 1, Block 1B, Descriptive Plan 142 3673 (including any future revisions to this legal land description based on a subdivision or condominium plan), the maximum *density* cannot exceed 200 *dwelling units* per net hectare, and the *density* shall be in the same location as the maximum building heights shown on *Figure 11-3*.

(7) **SITE DENSITY BONUS**

(a) Notwithstanding section (6)(a), the maximum *site density* may exceed 140 *dwelling units* per net hectare only if the following conditions are met:

(i) A minimum of 70% of required *parking* stalls are provided in a *parking structure (underground)* or within a *parking structure* integrated within the *building,* including high-quality exterior finishing that matches or complements the *principal building* exterior, where *site* design permits;

(ii) A minimum of 5% of *dwelling units* shall be provided as *affordable non-market housing; and*

(iii) In the opinion of the *Development Authority*, at least one of the following *site* improvements are provided:

(A) Wider sidewalks or walkways internal to the *site*, together with street furniture to the satisfaction of the *Development Authority;*

(B) Enhanced *landscaping,* to the satisfaction of the *Development Authority*;

(C) *Landscaping* that is drought tolerant, reducing the need for irrigation;

(D) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(E) *Barrier-free* design incorporated into *dwelling units* and the exterior feature of the *site*; or

(F) Indoor or outdoor common *amenity areas*, in addition to the minimum required common and private *amenity areas* when:

(I) Provided at a ratio of 1.50 m^2 per *dwelling unit*;

(II) Grouped into areas of not less than 30.00 m^2; and

(III) Not located in any required *setback*.

(8) **SITE DESIGN STANDARDS**

(a) For any *development* that contains a *building* in excess of 20.00 m in height, densities greater than 140 *dwelling units* per net hectare, or *sites* greater than 1.50 ha, the *Development Authority* may impose any of the following requirements:

(i) Non-residential land uses located on the lower level(s);

(ii) A distinct building base or podium with a 3.00 m minimum *step-back* provided for upper floors, measured from the building face of the lower *storeys*, with consideration for the transitions between adjacent building designs and heights;

(iii) Orientation of the *building* to face the *public roadway* with a reduced front yard *setback* to create a continuous ground-level street front;

(iv) Highly visible direct entrances to ground-floor commercial uses to help promote *pedestrian-oriented development* and commercial activity adjacent to the *public roadway* and sidewalk;

(v) Accessible transit shelters, together with convenient, *barrier-free* pedestrian connections between transit zones and the *development*; or

(vi) An outdoor common *amenity area* of not less than 90.00 m^2 for building residents.

(9) **BUILDING HEIGHT**

(a) The maximum building height of a *principal building* is 25.00 m.

(i) Notwithstanding section (a), at the discretion of the *Development Authority,* the maximum building height may be increased up to 35.00 m subject to the provisions of this District. Application of this additional height bonus shall not be considered a *variance*.

(A) Notwithstanding sections (a) and (i), the maximum building heights shown on *Figure 11-3* for this Bylaw shall apply to the property legally described as Lot 1, Block 1B, Descriptive Plan 142 3673, including any future revisions to this legal land description, based on a subdivision or condominium plan.

(10) **BUILDING FRONTAGE**

(a) For a ground-floor non-residential use, the ground-floor *frontage* shall be divided into horizontal units to a maximum width of 15.00 m.

(i) Notwithstanding section (a), the *Development Authority* may permit a ground-floor unit *frontage* greater than 15.00 m if the *façade* is:

(A) Designed to maintain the continuity of the *streetscape*; and

(B) Creates the appearance of a series of smaller units.

(11) **BUILDING SETBACKS**

(a) Front yard *setback*

(i) The minimum front yard building *setback* is 6.00 m.

(b) Side yard *setback*

(i) The minimum side yard building *setback* is 5.00 m, unless otherwise determined by the *Development Authority*, taking into account adjacent uses and *on-site* constraints.

(c) Rear yard *setback*

(i) The minimum rear yard building *setback* is 7.50 m.

(d) Notwithstanding sections (a) through (c), for *developments* subject to the *site density* bonus of this District, the *Development Authority* may determine the minimum building *setbacks*, taking into account adjacent uses.

(e) Other

(i) The minimum building *setback* for an *accessory building* is 3.00 m.

(12) **LOCATION OF BUILDINGS**

(a) For the minimum *separation distances* for apartment *buildings* refer to section 3.55 ‘Dwelling (Apartment) And Dwelling Unit Above A Non-Residential Use.’

(13) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.52 ‘Design, Character, And Appearance Of Residential Buildings,’ all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be stamped concrete, cementitious boards or panels, exposed aggregate, stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

Commercial and Industrial Districts

5.8 NHC - NEIGHBOURHOOD COMMERCIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Neighbourhood Commercial (NHC) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the NHC District is to enable *development* that provides for the sale of goods and services to the community.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Broadcasting studio*
(ii)	(a) *Animal health* without outdoor kennels, pens, runs, or other similar enclosures	(b) *Car wash* (when *accessory* to a *service station* use only)
(iii)	(a) *Art gallery/studio*	(b) *Conference and banquet facility*
(iv)	(a) *Catering service* which uses up to three *vehicles*	(b) *Daycare facility*
(v)	(a) *Equipment service*	(b) *Drive-through*
(vi)	(a) *Establishment (restaurant)*	(b) *Dwelling unit above a non-residential use*
(vii)	(a) *Government service*	(b) *Establishment (brew pub)*
(viii)	(a) *Health service*	(b) *Establishment (drinking)*
(ix)	(a) *Personal service*	(b) *Establishment (entertainment)*
(x)	(a) *Professional office*	(b) *Funeral home*
(xi)	(a) *Retail (general)*	(b) *Home-based business (level two)*
(xii)	(a) *School (commercial)*	(b) *Parking lot,* for *off-site parking* only
(xiii)	(a) *Service station*	(b) *Public utility building*
(xiv)		(b) *Recreation (indoor)*
(xv)		(b) *Religious assembly*
(xvi)		(b) *Retail (cannabis)*
(xvii)		(b) *Shopping centre*
(xviii)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(4) BUILDING HEIGHT

The maximum building height is 18.00 m.

(5) **BUILDING SETBACKS**

(a) Front yard *setback*

(i) The minimum front yard building *setback* is 6.00 m.

(A) Notwithstanding section (i), a front yard building *setback* may be reduced to 3.50 m when the space between the *building* and the *lot* line is used for *landscaping* or pedestrian features such as sidewalks, *plazas*, and publicly accessible *amenity areas,* and is not used for *parking*.

(b) Side yard *setback*

(i) The minimum side yard building *setback* is:

(A) 2.50 m for a *development* adjacent to a *Non-Residential District* or use; and

(B) 6.00 m for a *development* adjacent to a *Residential District* or use.

(ii) Notwithstanding section (A), a 0.00 m side yard building *setback* may be approved when traffic circulation or deliveries would not be adversely affected.

(c) Rear yard *setback*

(i) The minimum rear yard building *setback* is:

(A) 3.50 m for *developments* adjacent to a *Non-Residential District* or use; and

(B) 6.00 m for *developments* adjacent to a *Residential District* or use.

(6) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) Building exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or metal accents;

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District;

(ii) Façades visible from a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park* shall be of a higher standard of design;

(iii) *Buildings* shall feature at *grade* windows and entryways placed at regular intervals;

(iv) Windows are encouraged to be located along abutting *public roadways, private roadways,* and pedestrian walkways, excepting those areas that are used for loading areas, or garbage and recycling storage;

(v) *Buildings* are encouraged to be oriented to, and have their main entrances face, a *public roadway*.

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5.9 TCC - TRAIL CORRIDOR COMMERCIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Trail Corridor Commercial (TCC) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the TCC District is to enable *development* that provides the opportunity along trail corridor areas for the exchange of the widest variety of goods and services to the community and surrounding region. This District encourages transit supportive mixed-use *development*. This area may also include *professional offices*, medium-density residential, high-density residential, or *mixed-use buildings*.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Auction (general)*
(ii)	(a) *Animal health*	(b) *Automotive (sales)*
(iii)	(a) *Art Galley/Studio*	(b) *Automotive (service)*
(iv)	(a) *Catering service* which uses up to three *vehicles*	(b) *Automotive (specialty)*
(v)	(a) *Dwelling unit above a non-residential use*	(b) *Broadcasting studio*
(vi)	(a) *Equipment service*	(b) *Car wash*
(vii)	(a) *Establishment (brew pub)*	(b) *Conference and banquet facility*
(viii)	(a) *Establishment (drinking)*	(b) *Construction service*
(ix)	(a) *Establishment (entertainment)*	(b) *Daycare facility*
(x)	(a) *Establishment (restaurant)*	(b) *Drive-through*
(xi)	(a) *Funeral home*	(b) *Dwelling (apartment)*
(xii)	(a) *Government service*	(b) *Equipment rental*
(xiii)	(a) *Group home*	(b) *Establishment (gaming)*
(xiv)	(a) *Health service*	(b) *Home-based business (level two)*
(xv)	(a) *Hotel*	(b) *Parking lot*, for *off-site parking* only
(xvi)	(a) *Personal service*	(b) *Public utility building*
(xvii)	(a) *Professional office*	(b) *Recycling depot*
(xviii)	(a) *Recreation (indoor)*	(b) *Religious assembly*
(xix)	(a) *Retail (general)*	(b) *Residential sales centre*
(xx)	(a) *School (commercial)*	(b) *Retail (adult)*
(xxi)	(a) *School (post-secondary)*	(b) *Retail (cannabis)*
(xxii)	(a) *Service station*	(b) *Storage facility (indoor)*
(xxiii)	(a) *Shopping centre*	(b) *Accessory Development* to any Permitted Use or Discretionary Use
(xxiv)	(a) *Supportive living accommodation*	
(xxv)	(a) *Warehouse store (retail)*	

(4) BUILDING HEIGHT

(a) The maximum building height is 22.00 m.

(5) **BUILDING SETBACKS**

(a) Front yard *setback*

(i) The minimum front yard building *setback* is 6.00 m.

(b) Side yard *setback*

(i) The minimum side yard building *setback* is:

(A) 3.50 m for a *development* adjacent to a *Non-Residential District* or use; and

(B) 6.00 m for a *development* adjacent to a *Residential District* or use.

(ii) Notwithstanding section (A), a 0.00 m side yard building *setback* may be approved when traffic circulation or deliveries would not be adversely affected.

(c) Rear yard *setback*

(i) The minimum rear yard building *setback* is:

(A) 0.00 m for *developments* adjacent to a *Non-Residential District* or use; and

(B) 6.00 m for *developments* adjacent to a *Residential District* or use.

(6) **RESIDENTIAL USE**

(a) There must be a direct *access* to a public right-of-way or an alternate means of *access*, to the satisfaction of the *Development Authority,* from a *building* used for residential purposes.

(7) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or metal accents;

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District;

(ii) *Façades* visible from public rights-of-way, *Residential District*, *residential use*, *natural area*, or *park* shall be of a higher standard of design;

(iii) *Buildings* shall feature at-grade windows and entryways placed at regular intervals;

(iv) Windows are encouraged to be located along abutting *public roadways, private roadways,* and pedestrian walkways, excepting those areas that are used for loading areas, or garbage and recycling storage; and

(v) *Buildings* are encouraged to be oriented to, and have their main entrances face, a *public roadway*.

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5.10 RCC - REGIONAL COMMERCIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Regional Commercial (RCC) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the RCC District is to:

(a) Provide a high-quality *Commercial District* for the sale of a wide variety of goods and services to the community and surrounding region;

(b) Require that *developments* are designed to provide a safe, pleasant, and pedestrian-friendly environment; and

(c) Require that *development* is effectively connected to surrounding *developments* for all means of transportation.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Animal health*
(ii)	(a) *Art gallery/studio*	(b) *Automotive (sales)*
(iii)	(a) *Catering service* which uses up to three *vehicles*	(b) *Automotive (service)*
(iv)	(a) *Equipment service*	(b) *Automotive (specialty)*
(v)	(a) *Establishment (brew pub)*	(b) *Broadcasting studio*
(vi)	(a) *Establishment (drinking)*	(b) *Car wash*
(vii)	(a) *Establishment (entertainment)*	(b) *Conference and banquet facility*
(viii)	(a) *Establishment (restaurant)*	(b) *Construction service*
(ix)	(a) *Government service*	(b) *Daycare facility*
(x)	(a) *Group home*	(b) *Drive-through*
(xi)	(a) *Health service*	(b) *Dwelling unit above a non-residential use*
(xii)	(a) *Hotel*	(b) *Equipment rental*
(xiii)	(a) *Park*	(b) *Establishment (gaming)*
(xiv)	(a) *Personal service*	(b) *Home-based business (level two)*
(xv)	(a) *Professional office*	(b) *Public utility building*
(xvi)	(a) *Recreation (indoor)*	(b) *Religious assembly*
(xvii)	(a) *Retail (general)*	(b) *Retail (cannabis)*
(xviii)	(a) *Service station*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
(xix)	(a) *Shopping centre*	
(xx)	(a) *Supportive living accommodation*	
(xxi)	(a) *Warehouse store (retail)*	

(4) **APPLICATION REQUIREMENTS**

(a) In addition to the application requirements of section 2.4 of this Bylaw, an Applicant for a *Development Permit* within the RCC District must submit, to the satisfaction of the *Development Authority*:

(i) An overall *conceptual site development plan* for the area designated as RCC or, if the Applicant is only developing a portion of the subject area, a *site development* plan in relation to the portion to be developed in which plan the Applicant has also illustrated how the *development* will be integrated with the area designated as RCC;

(ii) The overall *conceptual site development plan*, considered to be non-binding, must identify the proposed building types and locations, development phasing, vehicular and pedestrian routes, *amenity areas,* and signage; and

(iii) Details regarding the architectural guidelines proposed for the *development,* including design drawings illustrating the colour scheme and building materials.

(5) **BUILDING HEIGHT**

(a) The maximum building height is 22.00 m.

(6) **SETBACKS**

(a) Front yard *setback*

(i) The minimum front yard building *setback* is 6.00 m.

(b) Side yard *setback*

(i) The minimum side yard building *setback* is:

(A) 3.50 m adjacent to a Non-Residential District or use; and

(B) 6.00 m adjacent to a *Residential District* or use.

(ii) Notwithstanding section (A), a 0.00 m side yard building *setback* may be approved, when traffic circulation or deliveries would not be adversely affected.

(c) Rear yard *setback*

(i) The minimum rear yard building *setback* is:

(A) 0.00 m adjacent to a *Non-Residential District* or use; and

(B) 6.00 m adjacent to a *Residential District* or use.

(d) Notwithstanding sections (a) through (c), the *Development Authority* may reduce the building *setbacks* in order to accommodate pedestrian connectivity, *streetscape* continuity, or continuous storefront retail *development*, while having regard to *on-site* constraints, adjacent uses, urban design considerations, and safe traffic sightlines.

(7) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 'Design, Character, And Appearance Of A Building' and 3.80 'Design, Character, And Appearance Of Non-Residential Buildings,' all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or metal accents. Vinyl siding is prohibited;

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District;

(ii) *Façades* visible from public rights-of-way, *Residential District*, *residential use*, *natural areas*, or *parks* shall be of a higher standard of design;

(iii) *Buildings* shall feature at-grade windows and entryways placed at regular intervals; and

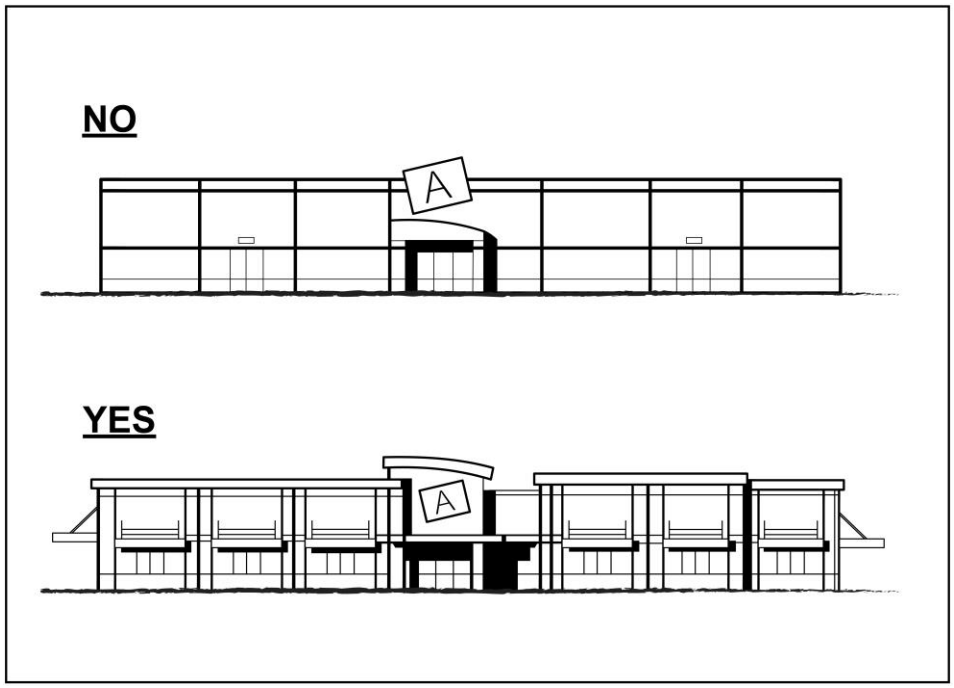
(iv) Windows are encouraged to be located along abutting *public roadways* and pedestrian walkways, excepting those areas that are used for loading areas, or garbage and recycling storage.

(b) *Buildings* within this District shall incorporate the following:

(i) Façades

(A) The massing of *building* walls shall be reduced through the use of architectural elements such as columns, ribs, pilasters or piers, recesses and projections, changes in building finishes, materials, textures and colours, or other features that create an identifiable pattern and sense of human scale. No uninterrupted length of any *façade* shall exceed 30.00 m, including any *façade* visible from adjoining properties or *public roadways (Figure 5-7)*; and

Figure 5-7: Massing of Building Walls



(B) Ground floor front *façades* that face *public roadways*, public sidewalks, or internal pedestrian walkways shall incorporate visual interest through articulation and other architectural features such as arcades, display windows, entry areas, *awnings*, recesses, or projections. They may also incorporate a high degree of visual interest through the use of colour change, texture change, or material module change;

(ii) Roofs

(A) The roof line of *buildings* shall consist of varying pitches, or flat roofs that include articulation, and the use of design elements that reduce any perceived mass and linearity of large *buildings,* and add architectural interest; and

(B) Parapets concealing flat roofs and rooftop mechanical equipment from public view shall be provided. The average height of such parapets shall not exceed 15.00% of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall;

(iii) Entrances

(A) Entrances must coordinate with pedestrian networking and public connectivity to and through the *site*; and

(B) Each *principal building* on a *site* shall have clearly defined, highly visible public entrances, featuring no less than two of the following:

(I) Canopies or porticos;

(II) Overhangs;

(III) Recesses or projections;

(IV) Arcades;

(V) Raised corniced parapets over the door;

(VI) Peaked roof forms;

(VII) Arches;

(VIII) Outdoor *patios*;

(IX) Architectural details such as tile work and moldings which are integrated into the building structure and design; or

(X) Integral planters or wing walls that incorporate *landscaped areas* or places for sitting.

(8) **DEVELOPMENT REGULATIONS**

(a) Central feature or *amenity area*

(i) The overall *development* shall contribute to the establishment or enhancement of public spaces by providing:

(A) At least one of the following:

(I) *Patio* or seating area;

(II) Pedestrian *plaza* with benches;

(III) Landscaped picnic area; or

(IV) Transit stop with amenities (benches, shelter, etc.); and

(B) At least two of the following shall be provided:

(I) Tree, flower, or pollinator garden;

(II) Window-shopping walkway;

(III) Outdoor playground area;

(IV) Kiosk area;

(V) Water feature;

(VI) Art feature;

(VII) Clock tower; or

(VIII) Other such deliberately shaped area, focal feature, or amenity, that, in the opinion of the *Development Authority*, adequately enhances public space.

(b) Pedestrian flows

(i) Pedestrian walkways shall be designed to provide a safe and convenient route between focal points;

(ii) Sidewalks shall be provided along all sides of the *site* that abut a *public roadway*, and all internal primary drive aisles. All sidewalks shall be continuous with other sidewalks or pedestrian walkways, both internally to the *site* and to adjacent *developments*;

(iii) Continuous internal pedestrian walkways on the *site* shall be at least 1.80 m in width for the pedestrian thoroughfare, and provide a minimum additional 1.20 m of *landscaping* on one or both sides of the walkway; and

(iv) Sidewalks along *buildings* shall be:

(A) Provided along the full *façade* of the *building,* featuring a customer entrance, and along any *façade* abutting public *parking* areas; and

(B) At least 3.60 m in width, of which 1.80 m will be a *frontage* zone for trees, benches, garbage cans, and other typical street amenities.

(9) **PARKING AND LOADING AREAS**

(a) *Parking* and loading areas must conform to the following requirements:

(i) A *loading dock* shall be located in the side or rear of the *site*;

(ii) The minimum *setback* for a *parking lot* or loading area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*;

(A) Notwithstanding section (ii), no *parking lot* or loading area shall be permitted within a required *landscape buffer* or perimeter landscape area;

(iii) A *parking lot* or *loading dock* shall be screened from the public right-of-way, *Residential District*, *residential use*, *natural area*, or *park,* to the satisfaction of the *Development Authority*;

(iv) Soft *landscaping* is to be used to enhance and visually break up *parking* areas;

(v) A *landscaping* ratio of 1.85 m^2 per *parking* stall shall be provided;

(vi) No *parking* stall shall be located more than 40.00 m from a *landscaped area* or island; and

(vii) If the maximum number of *parking* stalls for a *shopping centre* or *warehouse store (retail)* is proposed to exceed one-and-a-half times the minimum required in Part 4: Parking of this Bylaw, the *Development Authority* may determine that at least one of the following requirements is met:

(A) Additional *parking* stalls exceeding one-and-a-half times the minimum required are to be provided either in a *parking structure (underground)*, in a *parking structure* above the retail establishment, or screened by peripheral *buildings*; or

(B) A combination of low impact *development* techniques is implemented throughout the *parking* area.

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5.11 BP1 - BUSINESS PARK 1 DISTRICT

(1) APPLICATION

This section applies to the areas designated as Business Park 1 (BP1) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the BP1 District is to provide a mixed-use employment area that accommodates light industrial, office, and other commercial uses that benefit from being in proximity to one another, and include businesses that require easy *public access* and no *outdoor storage* or *outdoor display area*. *Buildings* shall be oriented and designed to encourage pedestrian activity, and may include retail or other active uses on the ground floor.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Car wash* (as *accessory* to a *service station* use only)
(ii)	(a) *Animal health*	(b) *Conference and banquet facility*
(iii)	(a) *Art gallery/studio*	(b) *Construction service*
(iv)	(a) *Catering service*	(b) *Daycare facility*
(v)	(a) *Equipment service*	(b) *Drive-through*
(vi)	(a) *Establishment (brew pub)*	(b) *Equipment rental*
(vii)	(a) *Establishment (restaurant)*	(b) *Establishment (drinking)*
(viii)	(a) *Government service*	(b) *Establishment (entertainment)*
(ix)	(a) *Health service*	(b) *Funeral home*
(x)	(a) *Personal service*	(b) *Hotel*
(xi)	(a) *Professional office*	(b) *Industrial (level one)*
(xii)	(a) *Public utility building*	(b) *Parking lot,* for *off-site parking* only
(xiii)	(a) *Retail (general)*	(b) *Recreation (indoor)*
(xiv)	(a) *School (commercial)*	(b) *Religious assembly*
(xv)	(a) *School (post-secondary)*	(b) *Retail (adult)*
(xvi)		(b) *Retail (cannabis)*
(xvii)		(b) *Service station*
(xviii)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(4) BUILDING HEIGHT

(a) Maximum building height is 18.00 m.

(i) Notwithstanding section (a), on a *lot* adjacent to the intersection of two Major Roadways (Schedule B), the maximum building height is 22.00 m.

(5) **BUILDING SETBACKS**

(a) The minimum building *setbacks* shall be provided as follows:

(i) Front yard *setback*

(A) The minimum front yard building *setback* is 6.00 m;

(ii) Side yard *setback*

(A) The minimum side yard building *setback* for an *interior lot* serviced by a rear *lane* is 0.00 m;

(B) The minimum side yard building *setback* for an *interior lot* not serviced by a rear *lane* is 5.00 m on one side of the *lot,* to provide *vehicle access* to the rear of the *lot*, or a greater amount - at the discretion of the *Development Authority*; and

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* is 3.50 m, except when a *lot* is serviced by a rear *lane* or abuts a *Residential District* - in which case it is 6.00 m.

(6) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) Building exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or metal accents;

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District;

(ii) Corrugated metal and similar materials are discouraged for use on building *façades* or roofs and shall not be used for *façades* visible from public rights-of-way, *Residential District*, *residential use*, *natural area*, or *park;* and

(iii) The use of chain-link fencing is prohibited where visible from a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*. Chain-link fencing may be allowed at the discretion of the *Development Authority*, taking into consideration the size of the *lot*, use of the area to be fenced, and visibility from any adjacent roadway.

(7) PARKING AND LOADING AREAS

(a) *Parking* and loading areas must conform to the following requirements:

(i) A *loading dock* shall be located in the side or rear of the *site*;

(ii) A *parking lot* is encouraged to be located in the side or rear of the *site*;

(iii) The minimum *setback* for a *parking lot* or loading area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*;

(A) Notwithstanding section (iii), no *parking lot* or loading area shall be permitted within a required *landscape buffer* or perimeter landscape area;

(iv) A *parking lot* or *loading dock* shall be screened from the public right-of-way, *Residential District*, *residential use*, *natural area*, or *park,* to the satisfaction of the *Development Authority*; and

(v) Required *parking* stalls shall be used for temporary employee and public *vehicle parking* only, and not for the storage of *vehicles* associated with the business.

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5.12 BP2 - BUSINESS PARK 2 DISTRICT

(1) APPLICATION

This section applies to the areas designated as Business Park 2 (BP2) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the BP2 District is to provide an architecturally consistent working environment for a mixture of commercial and light industrial uses to achieve *development* in a park-like setting that is an economic asset to the owners, neighbours, and the community. This District encourages attractively designed *buildings* with limited *outdoor storage*, provides for an abundance of *landscaping*, and establishes land uses that do not create air, ground, noise, and water pollution.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Animal service*
(ii)	(a) *Animal health*	(b) *Automotive (specialty)*
(iii)	(a) *Art gallery/studio*	(b) *Broadcasting studio*
(iv)	(a) *Catering service*	(b) *Cannabis production and distribution facility (micro)*
(v)	(a) *Equipment service*	(b) *Car wash* (as *accessory* to a *service station* use only)
(vi)	(a) *Establishment (brew pub)*	(b) *Chemical processing*
(vii)	(a) *Establishment (restaurant)*	(b) *Conference and banquet facility*
(viii)	(a) *Government service*	(b) *Construction service*
(ix)	(a) *Health service*	(b) *Crematorium*
(x)	(a) *Industrial (level one)*	(b) *Daycare facility*
(xi)	(a) *Personal service*	(b) *Drive-through*
(xii)	(a) *Professional office*	(b) *Equipment rental*
(xiii)	(a) *Public utility building*	(b) *Establishment (drinking)*
(xiv)	(a) *Retail (general)*	(b) *Establishment (entertainment)*
(xv)	(a) *School (commercial)*	(b) *Fleet service*
(xvi)	(a) *School (post-secondary)*	(b) *Funeral home*
(xvii)	(a) *Storage facility (indoor)*	(b) *Greenhouse and plant nursery*
(xviii)	(a) *Warehouse store (retail)*	(b) *Hotel*
(xix)		(b) *Parking lot,* for *off-site parking* only
(xx)		(b) *Recreation (indoor)*
(xxi)		(b) *Religious assembly*
(xxii)		(b) *Retail (adult)*
(xxiii)		(b) *Retail (cannabis)*
(xxiv)		(b) *Service station*
(xxv)		(b) *Storage facility (mini)*
(xxvi)		(b) *Transmitting station*
(xxvii)		(b) *Warehouse store (industrial)*

	PERMITTED USES	DISCRETIONARY USES
(xxviii)		(b) *Warehouse*, where a minimum of 10% of the *gross floor area* shall be developed as office or showroom
(xxix)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(4) **LOT AREA**

(a) The minimum *lot area* is 0.10 ha.

(5) **BUILDING HEIGHT**

(a) Maximum building height is 18.00 m.

(6) **BUILDING SETBACKS**

(a) The minimum building *setbacks* shall be provided as follows:

(i) Front yard *setback*

(A) The minimum front yard building *setback* is 6.00 m;

(ii) Side yard *setback*

(A) The minimum side yard building *setback* for an *interior lot* serviced by a rear *lane* is 0.00 m;

(B) The minimum side yard building *setback* for an *interior lot* not serviced by a rear *lane* is 5.00 m on one side of the *lot* to provide *vehicle access* to the rear of the *lot*, or a greater amount, at the discretion of the *Development Authority*; and

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* is 3.50 m, except when a *lot* is serviced by a rear *lane* or abuts a *Residential District*, in which case it is 6.00 m.

(7) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or metal accents;

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District;

(ii) Corrugated metal and similar materials are discouraged for use on building *façades* or roofs, and shall not be used for *façades* visible from public rights-of-way, *Residential District*, *residential use*, *natural area*, or *park*; and

(iii) The use of chain-link fencing is prohibited where visible from a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*. Chain-link fencing may be allowed at the discretion of the *Development Authority*, taking into consideration the size of the *lot*, use of the area to be fenced, and visibility from any adjacent roadway.

(8) **PARKING AND LOADING AREAS**

(a) *Parking* and loading areas must conform to the following requirements:

(i) A *loading dock* shall be located in the side or rear of the *site*;

(ii) A *parking lot* is encouraged to be located in the side or rear of the *site*; and

(iii) The minimum *setback* for a *parking lot* or loading area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*.

(b) Notwithstanding section (a)(iii), no *parking lot* or loading area shall be permitted within a required *landscape buffer* or perimeter landscape area.

(c) A *parking lot* or *loading dock* shall be screened from the public right-of-way, *Residential District*, *residential use*, *natural area*, or *park,* to the satisfaction of the *Development Authority*.

(d) Required *parking* stalls shall be used for temporary employee and public *vehicle parking* only, and not for the storage of *vehicles* associated with the business.

(9) **OUTDOOR STORAGE**

(a) Shall align with section 3.91 ‘Outdoor Storage.’

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5.13 ICS - INDUSTRIAL AND COMMERCIAL SERVICE DISTRICT

(1) APPLICATION

This section applies to the areas designated as Industrial and Commercial Service (ICS) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the ICS District is to provide for a number of light industrial and complementary commercial and service uses. Uses in the District are to contain all nuisances and impacts *on-site*, with *outdoor storage* as *accessory* to the *principal use* of the *site* or the *building*.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Animal service*
(ii)	(a) *Animal health*	(b) *Auction (general)*
(iii)	(a) *Art gallery/studio*	(b) *Broadcasting studio*
(iv)	(a) *Automotive (sales)*	(b) *Cannabis production and distribution facility*
(v)	(a) *Automotive (service)*	(b) *Cannabis production and distribution facility (micro)*
(vi)	(a) *Automotive (specialty)*	(b) *Car wash*
(vii)	(a) *Catering service*	(b) *Chemical processing*
(viii)	(a) *Construction service*	(b) *Conference and banquet facility*
(ix)	(a) *Equipment rental*	(b) *Crematorium*
(x)	(a) *Equipment service*	(b) *Daycare facility*
(xi)	(a) *Government service*	(b) *Drive-through*
(xii)	(a) *Heavy vehicle and equipment (sales and service)*	(b) *Establishment (adult)*
(xiii)	(a) *Industrial (level one)*	(b) *Establishment (brew pub)*
(xiv)	(a) *Personal service*	(b) *Establishment (drinking)*
(xv)	(a) *Professional office*	(b) *Establishment (gaming)*
(xvi)	(a) *Public utility building*	(b) *Establishment (restaurant)*
(xvii)	(a) *School (commercial)*	(b) *Fleet service*
(xviii)	(a) *School (post-secondary)*	(b) *Funeral home*
(xix)	(a) *Service station*	(b) *Greenhouse and plant nursery*
(xx)	(a) *Storage facility (indoor)*	(b) *Health service*
(xxi)	(a) *Storage facility (mini)*	(b) *Hotel*
(xxii)	(a) *Transmitting station*	(b) *Industrial (level two)*
(xxiii)	(a) *Warehouse*	(b) *Parking lot,* for *off-site parking* only
(xxiv)		(b) *Recreation (indoor)*
(xxv)		(b) *Recreation (outdoor)*
(xxvi)		(b) *Recycling depot*
(xxvii)		(b) *Retail (adult)*
(xxviii)		(b) *Retail (cannabis)*

	PERMITTED USES	DISCRETIONARY USES
(xxix)		(b) *Retail (general)*;
(xxx)		(b) *Surveillance suite*
(xxxi)		(b) *Warehouse store (industrial)*
(xxxii)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(4) **LOT AREA**

(a) The minimum *lot area* is 0.10 ha.

(5) **BUILDING HEIGHT**

(a) Maximum building height is 18.00 m.

(6) **BUILDING SETBACKS**

(a) The minimum building *setbacks* shall be provided as follows:

(i) Front yard *setback*

(A) The minimum front yard building *setback* is 6.00 m;

(ii) Side yard *setback*

(A) The minimum side yard building *setback* for an *interior lot* serviced by a *lane* is 0.00 m; and

(B) The minimum side yard building *setback* for an *interior lot* not serviced by a *lane* is 5.00 m on one side of the *lot,* to provide *vehicle access* to the rear of the *lot*, or a greater amount, at the discretion of the *Development Authority*; and

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* is 3.50 m, except when a *lot* is serviced by a *lane* or abuts a *Residential District*, in which case it is 6.00 m.

(7) **DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or commercial-grade metal cladding.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(8) **PARKING AND LOADING AREAS**

(a) In addition to the *on-site parking* and loading requirements under Part 4: Parking, *parking* and loading areas must conform to the following requirements:

(i) A *loading dock* shall be located in the side or rear of the *site*;

(A) Notwithstanding section (i), the *Development Authority* may allow a *loading dock* to be located at the front of the *site* along a portion of the *building*, based upon the *development* design, *site* functionality, building articulations, and exterior finishing materials;

(ii) A *parking lot* is encouraged to be located at the side or rear of the *site*;

(iii) The minimum *setback* for a *parking lot* or loading area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*;

(A) Notwithstanding section (iii), no *parking lot* or loading area shall be permitted within a required *landscape buffer* or perimeter landscape area;

(iv) A *parking lot* or *loading dock* shall be screened from the public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*, to the satisfaction of the *Development Authority*; and

(v) Required *parking* stalls shall be used for temporary employee and public *vehicle parking* only, and not for the storage of *vehicles* associated with the business.

(9) **OUTDOOR STORAGE**

(a) Shall align with section 3.91 ‘Outdoor Storage.’

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5.14 IND - INDUSTRIAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Industrial (IND) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the IND District is to provide for industrial *development* that may present impacts in the form of noise, vibration, odour, or any other adverse condition. The intent is to allow for a broad range of industrial and office uses that support employment growth. This District should be applied on *sites* that are separated from residential and *natural areas* by a buffer.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Automotive (service)*	(b) *Agriculture accessory building*
(ii)	(a) *Automotive (specialty)*	(b) *Agriculture (general)* on a *site* greater than 8.00 ha
(iii)	(a) *Bulk fuel sales depot*	(b) *Animal service*
(iv)	(a) *Bulk oil and chemical storage*	(b) *Auction (general)*
(v)	(a) *Construction service*	(b) *Broadcasting studio*
(vi)	(a) *Crematorium*	(b) *Chemical processing*
(vii)	(a) *Equipment rental*	(b) *Establishment (adult)*
(viii)	(a) *Government service*	(b) *Fleet service*
(ix)	(a) *Heavy vehicle and equipment (sales and service)*	(b) *Industrial (level three)*
(x)	(a) *Industrial (level one)*	(b) *Recreation (indoor)*
(xi)	(a) *Industrial (level two)*	(b) *Storage facility (indoor)*, if greater than one *storey*
(xii)	(a) *Professional office*	(b) *Surveillance suite*
(xiii)	(a) *Public utility building*	(b) *Warehouse store (industrial)*
(xiv)	(a) *Recycling depot*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
(xv)	(a) *School (commercial)*	
(xvi)	(a) *School (post-secondary)*	
(xvii)	(a) *Transmitting station*	
(xviii)	(a) *Warehouse*	

(4) DISTRICT PLACEMENT

(a) The IND District shall not be applied to a *lot*, that is within 150.00 m of a *lot* with a *residential district*, or the CON, PRK, or PSI District applied.

(5) **LOT AREA**

(a) Minimum *lot area* is 0.10 ha.

(6) **BUILDING HEIGHT**

(a) Maximum building height is 22.00 m.

(7) **BUILDING SETBACKS**

(a) The minimum building *setbacks* shall be provided as follows:

(i) Front yard *setback*

(A) The minimum front yard building *setback* is 6.00 m;

(ii) Side yard *setback*

(A) The minimum side yard building *setback* for an *interior lot* serviced by a rear *lane* is 0.00 m;

(B) The minimum side yard building *setback* for an *interior lot* not serviced by a rear *lane* is 5.00 m on one side of the *lot,* to provide *vehicle access* to the rear of the *lot*, or a greater amount, at the discretion of the *Development Authority*; and

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* is 6.00 m.

(8) **DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or commercial-grade metal cladding.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(9) **PARKING AND LOADING AREAS**

(a) In addition to the *on-site parking* and loading requirements under Part 4; Parking, *parking* and loading areas must conform to the following requirements:

(i) A *loading dock* shall be located in the side or rear of the *site*;

(A) Notwithstanding section (i), the *Development Authority* may allow a *loading dock* to be located in the front of the *site* along a portion of the *building*, based upon the *development* design, *site* functionality, building articulations, and exterior finishing materials;

(ii) A *parking lot* is encouraged to be located in the side or rear of the *site*;

(iii) The minimum *setback* for a *parking lot* or loading area is 3.00 m from any *property line* that abuts a public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*;

(A) Notwithstanding section (iii), no *parking lot* or loading area shall be permitted within a required *landscape buffer* or perimeter landscape area;

(iv) A *parking lot* or *loading dock* shall be screened from the public right-of-way, *Residential District*, *residential use*, *natural area*, or *park*, to the satisfaction of the *Development Authority*; and

(v) Required *parking* stalls shall be used for temporary employee and public *vehicle parking* only, and not for the storage of *vehicles* associated with the business.

(10) **OUTDOOR STORAGE**

(a) Shall align with section 3.91 ‘Outdoor Storage.’

(11) **EXISTING AGRICULTURAL USES**

(a) Subject to section 643 of the MGA, existing *agricultural (general) uses* located on a *site* greater than 8.00 ha in size, which were established prior to this Bylaw in accordance with the then-current regulations, may continue to operate, and make application to expand in accordance with this Bylaw, at the discretion of the *Development Authority*.

(b) Any proposed *agriculture accessory building* shall be at the discretion of the *Development Authority*.

(c) Regulations for an *agriculture (general) use* or an *agriculture accessory building* shall be at the discretion of the *Development Authority*.

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Mixed-Use Districts

5.15 MU1 - MIXED-USE LEVEL 1 DISTRICT

(1) APPLICATION

This section applies to the areas designated as Mixed-Use Level 1 (MU1) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the MU1 District is to allow suburban mixed-use *development* that provides *access* to compact, pedestrian-friendly *sites*, and a variety of commercial, institutional, and *residential uses*. This District allows medium-density built forms where multiple-unit *dwellings* can be arranged side-by-side or stacked, while permitting lower *storey* non-residential uses. This District promotes a range of small-scale commercial uses that support the day-to-day needs of residents and the surrounding area.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Animal health* without outdoor kennels, pens, runs, or other similar enclosures
(i)	(a) *Art gallery/studio*	(b) *Broadcasting studio*
(ii)	(a) *Catering service* which uses up to three *vehicles*	(b) *Conference and banquet facility*
(iii)	(a) *Community garden*	(b) *Daycare facility*
(iv)	(a) *Dwelling (apartment)*	(b) *Equipment service*
(v)	(a) *Dwelling (townhouse - complex)*	(b) *Establishment (brew pub)*
(vi)	(a) *Dwelling unit above a non-residential use*	(b) *Establishment (drinking)*
(vii)	(a) *Establishment (restaurant)*	(b) *Establishment (entertainment)*
(viii)	(a) *Government service*	(b) *Home-based business (level two)*
(ix)	(a) *Group home*	(b) *Hotel*
(x)	(a) *Health service*	(b) *Parking structure*
(xi)	(a) *Live/work unit*	(b) *Public utility building*
(xii)	(a) *Personal service*	(b) *Recreation (indoor)*
(xiii)	(a) *Professional office*	(b) *Recreation (outdoor)*
(xiv)	(a) *Residential sales centre*	(b) *Religious assembly*
(xv)	(a) *Retail (general)*	(b) *Retail (cannabis)*
(xvi)	(a) *School (commercial)*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
(xvii)	(a) *School (post-secondary)*	
(xviii)	(a) *Shopping centre*	
(xix)	(a) *Supportive living accommodation*	

(4) **APPLICATION REQUIREMENTS**

(a) In addition to the plans and information required under section 2.4, an Applicant for a *Development Permit* within a MU1 District must submit, to the satisfaction of the *Development Authority*:

(i) An overall *conceptual site development plan* for the area designated as MU1 or, if the Applicant is only developing a portion of the subject area, a *site development* plan in relation to the portion to be developed, in which plan the Applicant has illustrated how the *development* will be integrated within the area designated as MU1;

(ii) The overall *conceptual site development plan* is considered to be non-binding.

(iii) A traffic impact assessment that demonstrates that traffic impacts are compatible with the purpose of the MU1 District, and do not prejudice safety and traffic movements within the area designated as MU1 or on adjacent *public roadways*; and

(iv) Details regarding the architectural theme for a *development*, including design drawings illustrating the colour scheme, building materials, and any architectural guidelines proposed for the *development*.

(5) **PERFORMANCE STANDARDS**

(a) All applications shall be considered with regard to the following Performance Standards:

(i) How *site* design contributes to *streetscape* and the surrounding area;

(ii) Appropriate location of uses to support active *streetscapes* and fit within the area;

(iii) High-quality building design integrated with *streetscape* and surrounding *buildings*;

(iv) Pedestrian orientation; and

(v) Well-designed *amenity areas*.

(6) **LOT FRONTAGE**

(a) The minimum *lot frontage* is 25.00 m.

(7) **SITE DENSITY**

(a) The minimum *dwelling unit density* for a *residential use* must be at least 40 *dwelling units* per net hectare and cannot exceed a maximum of 100 *dwelling units* per net hectare.

(8) **SITE DENSITY BONUS**

(a) Notwithstanding section (7)(a), the maximum *site density* may be increased up to 125 *dwelling units* per net hectare, only if the following conditions are met:

(i) A minimum of 70% of required *parking* stalls are provided in a *parking structure (underground)*, or within a *parking structure* integrated within the *building,* including high-quality exterior finishing that matches or complements the *principal building* exterior, to the satisfaction of the *Development Authority*;

(ii) A minimum of 5% of *dwelling units* shall be provided as *affordable non-market housing; and*

(iii) In the opinion of the *Development Authority*, at least one of the following *site* improvements are provided:

(A) Wider sidewalks or walkways internal to the *site*, together with street furniture, to the satisfaction of the *Development Authority*;

(B) Enhanced *landscaping,* to the satisfaction of the *Development Authority*;

(C) *Landscaping* that is drought tolerant, reducing the need for irrigation;

(D) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(E) *Barrier-free* design is implemented into *dwelling units* and the exterior feature of the *site*; or

(F) Indoor or outdoor *amenity area (common)*, in addition to the minimum required common and private *amenity area,* when:

(I) Provided at a ratio of 1.50 m^2 per *dwelling unit*;

(II) Grouped into areas of not less than 30.00 m^2; and

(III) Not located in any required *setback*.

(9) **BUILDING HEIGHT**

(a) The maximum building height is 22.00 m.

(i) Notwithstanding section (a), at the discretion of the *Development Authority,* the maximum building height may be increased up to 35.00 m, subject to the provisions of this District. Application of this additional height bonus shall not be considered a *variance*.

(10) **BUILDING FRONTAGE**

(a) For a ground-floor non-residential use, the ground-floor *frontage* shall be divided into horizontal units to a maximum width of 15.00 m.

(i) Notwithstanding section (a), the *Development Authority* may permit a ground-floor unit *frontage* greater than 15.00 m if the *façade* is:

(A) Designed to maintain the continuity of the *streetscape*; and

(B) Creates the appearance of a series of smaller units.

(b) A *building* must provide a public pedestrian walkthrough or *frontage* break along the ground floor after each building length of no more than 90.00 m.

(11) **BUILDING SETBACK - BUILDING EQUAL TO OR LESS THAN 15.00 M IN HEIGHT**

(a) For a non-residential use, *dwelling (apartment)*, or *dwelling unit above a non-residential use* equal to or less than 15.00 m in height:

(i) Front yard *setback*

(A) The minimum front yard building *setback* is 6.00 m;

(B) Notwithstanding section (A), a front yard building *setback* may be reduced to 3.50 m when the space between the *building* and the *lot* line is used for *landscaping* or pedestrian features such as sidewalks, *plazas*, and publicly accessible *amenity areas,* and is not used for *parking*;

(ii) Side yard *setback*

(A) The minimum side yard building *setback* is:

(I) 2.50 m for a *development* adjacent to a *Non-Residential District* or use; and

(II) 6.00 m for a *development* adjacent to a *Residential District* or use;

(B) Notwithstanding section (A)(I), a 0.00 m side yard building *setback* may be approved when traffic circulation or deliveries would not be adversely affected; and

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* is:

(I) 3.50 m for *developments* adjacent to a *Non-Residential District* or use; and

(II) 6.00 m for *developments* adjacent to a *Residential District* or use.

(12) **BUILDING SETBACK – BUILDING GREATER THAN 15.00 M IN HEIGHT**

(a) For a non-residential use, *dwelling (apartment)*, or *dwelling unit above a non-residential use* greater than 15.00 m in height:

(i) Front *yard setback*

(A) The minimum front yard building *setback* is 6.00 m;

(ii) Side yard *setback*

(A) The minimum side yard building *setback* is 5.00 m, unless otherwise determined by the *Development Authority*, taking into account adjacent uses and *on-site* constraints; and

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* is 6.00 m, unless otherwise determined by the *Development Authority*, taking into account adjacent uses and *on-site* constraints.

(13) **ACCESSORY BUILDING SETBACK**

(a) The minimum *setback* for an *accessory building* is 3.00 m.

(14) **DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS**

(a) In addition to the requirements of sections 3.12 ‘Design, Character, And Appearance Of A Building,’ 3.52 ‘Design, Character, And Appearance Of Residential Buildings,’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) Design techniques, including the use of variations in building *setbacks* and articulation of building *façades,* in order to create architectural interest, and minimize the perceived mass and linearity of *buildings*;

(ii) Establishment of a common architectural theme for a *development,* including principal design elements, finishing materials, colours, and roof style; and

(iii) *Building* exteriors shall be stamped concrete, cementitious boards or panels, exposed aggregate, stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (iii) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(15) **BUILDING DESIGN**

(a) The *Development Authority* may require that a *building* be designed with a podium, as follows:

(i) Provide a minimum 7.50 m high podium, but no podium shall exceed 15.00 m in height; and

(ii) Provide a minimum front *step-back* from the podium of 3.00 m, as measured from the *building frontage* of the lower *storeys*.

(b) Additional *step-backs* may be required at higher *storeys* for the *building* if, in the opinion of the *Development Authority*, it is necessary to mitigate the building scale or wind, sun, or shadow impacts.

(16) **FLOOR AREA**

(a) Non-residential uses on a ground floor are limited to a maximum floor area of 1,000.00 m^2 per unit.

(i) Notwithstanding section (a), additional floor area is permitted when the unit extends to floors above the ground floor, or gives the appearance of a series of smaller units, in accordance with section (10).

(17) **NON-RESIDENTIAL DEVELOPMENT**

(a) A minimum of 30% of the *gross floor area* of a ground floor of a *mixed-use building* must contain non-residential uses.

(b) A minimum of 8% of the total *gross floor area* shall be used for non-residential purposes. In determining this calculation, the *Development Authority* may consider the total non-residential *site* area for all *buildings* on multiple *sites* that comprise an integrated, mixed-use *development*.

(c) All single use, non-residential *buildings* shall have a maximum footprint of 1,000.00 m^2, and shall have a total *gross floor area* of less than 4,000.00 m^2.

(18) **RESIDENTIAL DEVELOPMENT**

(a) All *dwelling (townhouse - complex) developments* in a MU1 District must comply with the following requirements for *development* in section 3.56 ‘Dwelling (Townhouse):’

(i) Building *separation distance*;

(ii) *Amenity area (private)*;

(iii) *Amenity area (common)*;

(iv) Vehicular *access*;

(v) *Setbacks*;

(vi) *Lot area*;

(vii) *Lot frontage*; and

(viii) *Density*.

(19) **OVERHEAD WEATHER PROTECTION**

(a) In addition to the regulations in section 3.25 'Overhead Weather Protection:'

(i) All non-residential *development* located on the ground floor must provide continuous overhead weather protection for pedestrians for the entire *building frontage* adjoining a sidewalk;

(ii) A *dwelling (apartment)*, *supportive living accommodation*, or a *dwelling unit above a non-residential use* must provide continuous overhead weather protection for pedestrians at lobbies or unit entrances at *grade*; and

(iii) Overhead weather protection must:

(A) Project a minimum of 1.00 m from the building face; and

(B) Have a vertical clearance of at least 2.50 m and at most 4.00 m above the sidewalk.

(20) **VEHICLE AND PEDESTRIAN CIRCULATION**

(a) In addition to the requirements of sections 3.82 'Emergency Access Lanes' and 3.42 'Vehicle Access - General' the following applies:

(i) In making a determination about the design of *on-site* motor *vehicle* and pedestrian circulation within the MU1 District, the *Development Authority* must ensure that motor *vehicle* and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient, and convenient circulation pattern for both *vehicles* and pedestrians, including *barrier-free* routes. Loading bays must be located in such a manner as to not impede the safe and efficient flow of traffic and pedestrian movement, and minimize impacts on adjacent land uses;

(ii) In addition to section 3.27 'Pedestrian Walkway Access,' the *Development Authority* may impose whatever conditions *it* considers necessary in order to require that the Applicant:

(A) Provide connections to *parking* areas and public rights-of way adjoining a *development* for *access* to transit, services, and amenities;

(B) Provide pedestrian *access* to ensure a *development* is integrated with a surrounding area;

(C) Provide pedestrian walkways along storefronts with doors or similar openings;

(D) Separate pedestrian movements and motor *vehicle* traffic by delineating crosswalks with special paving or, where possible, raising crosswalks; and

(E) Construct and maintain the pedestrian walkways for use by the public.

5.16 MU2 - MIXED-USE LEVEL 2 DISTRICT

(1) APPLICATION

This section applies to the areas designated as Mixed-Use Level 2 (MU2) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the MU2 District is to provide for a mixture of commercial, institutional, and medium- to high-density residential land uses. Such areas should be compact, attractive, pedestrian-friendly, and reasonably compatible with surrounding *developments*. *Development* within this District should provide a variety of housing options, the provision of commercial and *residential uses* within the same *building*, and an appropriate ratio of non-residential uses to create a community where residents can live and work.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Animal health* without outdoor kennels, pens, runs, or other similar enclosures
(i)	(a) *Art gallery/studio*	(b) *Broadcasting studio*
(ii)	(a) *Catering service* which uses up to three *vehicles*	(b) *Community garden*
(iii)	(a) *Dwelling (apartment)*	(b) *Conference and banquet facility*
(iv)	(a) *Dwelling (townhouse - complex)*	(b) *Daycare facility*
(v)	(a) *Dwelling unit above a non-residential use*	(b) *Equipment service*
(vi)	(a) *Establishment (restaurant)*	(b) *Establishment (brew pub)*
(vii)	(a) *Government service*	(b) *Establishment (drinking)*
(viii)	(a) *Group home*	(b) *Establishment (entertainment)*
(ix)	(a) *Health service*	(b) *Home-based business (level two)*
(x)	(a) *Live/work unit*	(b) *Hotel*
(xi)	(a) *Personal service*	(b) *Parking structure*
(xii)	(a) *Professional office*	(b) *Religious assembly*
(xiii)	(a) *Recreation (indoor)*	(b) *Retail (cannabis)*
(xiv)	(a) *Residential sales centre*	(b) *School (commercial)*
(xv)	(a) *Retail (general)*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
(xvi)	(a) *School (post-secondary)*	
(xvii)	(a) *Shopping centre*	
(xviii)	(a) *Supportive living accommodation*	

(4) APPLICATION REQUIREMENTS

(a) In addition to the plans and information required under section 2.4, an Applicant for a *Development Permit* within a MU2 District must submit, to the satisfaction of the *Development Authority*:

(i) An overall *conceptual site development plan* for the area designated as MU2 or, if the Applicant is only developing a portion of the subject area, a *site development plan* in relation to the portion to be developed, in which plan the Applicant has illustrated how the *development* will be integrated within the area designated as MU2;

(ii) The overall *conceptual site development plan* is considered to be non-binding.

(iii) A traffic impact assessment that demonstrates that traffic impacts are compatible with the purpose of the MU2 District and do not prejudice safety, and traffic movements within the area designated as MU2 or on adjacent *public roadways*;

(iv) Details regarding the architectural theme for a *development*, including design drawings illustrating the colour scheme, building materials, and any architectural guidelines proposed for the *development*;

(v) Notwithstanding section 2.6 'Height Impact Assessment And Sun Shadow Study,' for any *building* greater than 15.00 m in height:

(A) A building height impact assessment is required, demonstrating to the satisfaction of the *Development Authority,* that the impact on adjacent *buildings* or adjacent property has been minimized; and

(B) A sun shadow study is required.

(5) **URBAN DESIGN REVIEW (EXTERNAL)**

(a) In addition to the requirements of section 3.41 'Urban Design Review' an *Urban Design Review (External)* is required for any *development* that:

(i) Has a total building footprint greater than 2,500.00 m^2;

(ii) Is located on a landmark *site* identified in Schedule D; or

(iii) Is greater than 25.00 m in height.

(6) **PERFORMANCE STANDARDS**

(a) In addition to the Urban Design Review Recommendations Report, all applications shall be considered with regard to the following Performance Standards:

(i) How *site* design contributes to *streetscape* and the surrounding area;

(ii) Appropriate location of uses to support active *streetscapes* and fit within the area;

(iii) High-quality building design integrated with *streetscape* and surrounding *buildings*;

(iv) Pedestrian orientation; and

(v) Well-designed *amenity areas*.

(7) **FLOOR AREA**

(a) The maximum *gross floor area* for any *building* is 3.21 times the *site* area. In determining this calculation, the *Development Authority* may consider the total *site* area for multiple *sites* that comprise an integrated, mixed-use *development* inclusive of *public roadways* conveyed to the *City*.

(i) Notwithstanding section (a), the maximum *gross floor area* for any *building* is 1.90 times the *site* area for the following properties:

(A) Lot 9, Block 1, Plan 232 0303 (230 Bellerose Drive)

Including any future revisions to this legal description based on a subdivision or condominium plan.

(b) A minimum of 25% of the total *gross floor area* shall be used for commercial (non-residential) purposes. In determining this calculation, the *Development Authority* may consider the total commercial *gross floor area* for all *buildings* on multiple *sites* that comprise an integrated, mixed-use *development*.

(i) Notwithstanding section (b), a minimum of 11.60% of the total *gross floor area* shall be used for commercial (non-residential) purposes for the following properties:

(A) Units 1-321, Plan 162 4279 (5 St. Louis Street);

(B) Units 1-172, Plan 162 4296 (1 Goodman Drive); and

(C) Lot 69, Block 1, Plan 152 4029 (22 Sir Winston Churchill Avenue);

Including any future revisions to these legal descriptions based on a subdivision or condominium plan.

(ii) Notwithstanding sections (b) and (i), a minimum of 5% of the total *gross floor area* shall be used for commercial (non-residential) purposes for the following properties:

(A) Lot 9, Block 1, Plan 232 0303 (230 Bellerose Drive)

Including any future revisions to this legal description based on a subdivision or condominium plan.

(iii) Notwithstanding sections (b), (i), and (ii), a minimum of 10% of the total *gross floor area* shall be used for commercial (non-residential) purposes for the following properties:

(A) Lot C, Plan 942 3702 (825 St. Albert Trail); and

(B) Lot 1, Block 2, Plan 242 0625 (835 St. Albert Trail)

Including any future revisions to this legal description based on a subdivision or condominium plan.

(8) **BUILDING HEIGHT**

(a) The maximum building height is 25.00 m.

(i) Notwithstanding section (a), the maximum building height shown on Figure 11-1 applies to the following properties:

(A) Units 1-321, Plan 162 4279 (5 St. Louis Street);

(B) Units 1-172, Plan 162 4296 (1 Goodman Drive); and

(C) Lot 69, Block 1, Plan 152 4029 (22 Sir Winston Churchill Avenue);

Including any future revisions to these legal descriptions based on a subdivision or condominium plan.

(ii) Notwithstanding sections (a) and (i), the maximum building height shown on Figure 11-2 applies to the following properties:

(A) Lot 9, Block 1, Plan 232 0303 (230 Bellerose Drive);

Including any future revisions to these legal descriptions based on a subdivision or condominium plan.

(9) **BUILDING SETBACK**

(a) The minimum building *setbacks* shall be provided as follows:

(i) The front and rear yard building *setback* shall be determined by the *Development Authority* with regard to adjacent uses, urban design considerations, *on-site* constraints, or comparable Districts;

(ii) The minimum side yard building *setback* is 5.00 m, unless otherwise determined by the *Development Authority,* taking into account adjacent uses, urban design considerations, *on-site* constraints, or comparable Districts; and

(iii) The minimum *setback* for an *accessory building* is 3.00 m.

(10) **DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building,’ 3.52 ‘Design, Character, And Appearance Of Residential Buildings,’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all buildings in this District must be finished as follows to the satisfaction of the *Development Authority*:

(i) Design techniques, including the use of variations in building *setbacks* and articulation of building *façades,* in order to create architectural

interest and minimize the perceived mass and linearity of *buildings*;

(ii) Establishment of a common architectural theme for a *development* including principal design elements, finishing materials, colours, and roof style;

(iii) *Building* exteriors shall be stamped concrete, cementitious boards or panels, exposed aggregate, stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(A) Notwithstanding section (iii) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(iv) Use of a *step-back* 7.50 m or greater in height along a *façade* facing a *public roadway*; and

(v) Use of clear *glazing* on the ground floor to facilitate pedestrian interaction and safety.

(11) **RESIDENTIAL DEVELOPMENT**

(a) Residential *development* must:

(i) Provide an *amenity area (private)* as required in section 3.47 'Amenity Area (Private);'

(ii) Not be located below any *storey* used for commercial purposes within a *mixed-use building*;

(iii) Have an entrance separate from the entrance to any commercial component of the *building* within a *mixed-use building*; and

(iv) All *dwelling (townhouse - complex) developments* in a MU2 District must comply with the following requirements for *development* in section 3.56 'Dwelling (Townhouse):'

(A) Building *separation distance*;

(B) *Amenity area (private)*;

(C) *Amenity area (common)*;

(D) Vehicular *access*;

(E) *Setbacks*;

(F) *Lot area*;

(G) *Lot frontage*; and

(H) *Density*.

(12) **LANDSCAPING**

(a) In addition to the regulations in sections 3.100 'Perimeter Landscaping' and 3.101 'Landscaped Buffer:'

(i) For a residential *building* in the MU2 District located adjacent to a *public roadway*, the perimeter *landscaping* shall be increased to a minimum width of 6.00 m.

(A) Notwithstanding section (i), *developments* built to the *property line* are exempt from the perimeter *landscaping* requirement, but will be required to provide planters, hanging baskets, and other *landscaping* items, determined by the *Development Authority*, in consultation with Engineering Services.

(13) **OVERHEAD WEATHER PROTECTION**

(a) In addition to the regulations in section 3.25 'Overhead Weather Protection:'

(i) Continuous weather protection is encouraged along *building frontages* with retail uses at *grade*, and at residential lobbies or unit entrances at *grade*, where practical; and

(ii) Commercial and *mixed-use buildings* will provide overhead weather protection in a method suitable to the architectural style and function of the *building,* to the satisfaction of the *Development Authority*, having regard for the following:

(A) Provision of weather protection at pedestrian entrances;

(B) Weather protection provided at a height and depth to provide sufficient protection; and

(C) Location of weather protection to allow for signage and wayfinding.

(14) **VEHICLE AND PEDESTRIAN CIRCULATION**

(a) In addition to the regulations in sections 3.82 'Emergency Access Lanes' and 3.42 'Vehicle Access - General,' the following apply:

(i) In making a determination about the design of *on-site* motor *vehicle* and pedestrian circulation within the MU2 District, the *Development Authority* must ensure that motor *vehicle* and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient, and convenient circulation pattern for both *vehicles* and pedestrians, including *barrier-free* routes. Loading bays must be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement, and minimize impacts on adjacent land uses; and

(ii) The *Development Authority* may impose whatever conditions the *Development Authority* considers necessary in order to require that the Applicant:

(A) Provide connections to *parking* areas and public rights-of way adjoining a *development* for *access* to transit, services, and amenities;

(B) Provide pedestrian *access* to ensure a *development* is integrated with a surrounding area;

(C) Provide pedestrian walkways along storefronts with doors or similar openings;

(D) Separate pedestrian movements and motor *vehicle* traffic by delineating crosswalks with special paving or, where possible, raising crosswalks; and

(E) Construct and maintain the pedestrian walkways for use by the public.

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5.17 MID - MIDTOWN DISTRICT

(1) **APPLICATION**

(a) This section applies to the areas designated as Midtown (MID) District on the Land Use District Map, Schedule A of this Bylaw.

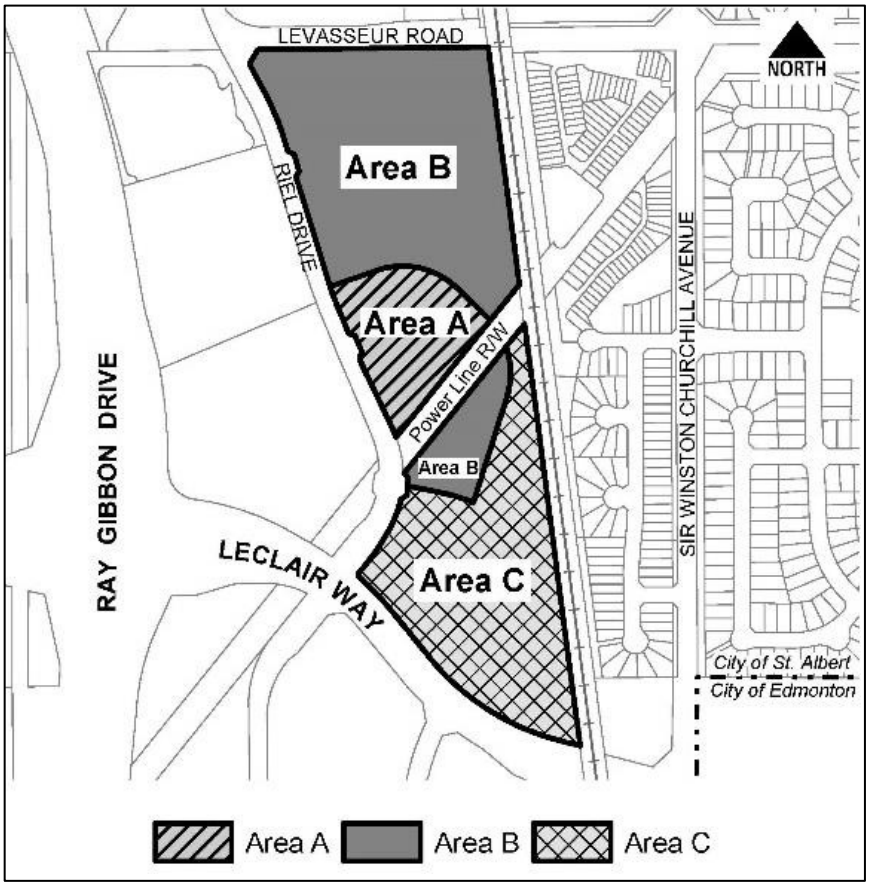
(b) The area designated as MID District encompasses residential areas A and B, and Mixed-Use Area C, as identified in *Figure 5-8*.

(c) *Municipal reserves* owing within the MID District will be districted Public Park (PRK) to align with the South Riel *ASP*.

(d) The regulations of the MID District, as described within the South Riel *ASP*, shall apply to Lot A, Block 1, Plan 082 8697 only, including any future revisions to this legal description based on a subdivision or condominium plan.

(e) *Development* of the land uses within the MID District shall comply with the provisions of this Bylaw, except as otherwise stated within the MID District - in which case the MID District shall prevail.

Figure 5-8: MID District Sub-Areas



(2) PURPOSE

The purpose of the MID District is to develop a vibrant community that includes a mixture of commercial and medium- to high-density residential land uses in a comprehensively planned neighbourhood. The MID District shall be developed as bare land or conventional condominium. The community will feature high-quality design, a broad mix of housing forms, employment opportunities, pedestrian accessibility, and a variety of public spaces. The neighbourhood will be developed into three character areas, residential areas A and B, located north of the AltaLink right-of-way, and Mixed-Use Area C - including residential and commercial uses, located south of the AltaLink right-of-way. The transition between these character areas is expected to be seamless, and connected through various pedestrian walkways and public and *private roadways*. The key attributes associated with the character areas include:

(a) Residential areas A and B, which will provide a variety of housing types that are built in a compact form and have direct pedestrian accesses to community amenities;

(b) Mixed-Use Area C, which will provide high-density residential areas and commercial uses that are integrated through high-quality design. The *residential uses* can be in standalone forms or integrated vertically with commercial uses. The commercial uses will provide goods and services to local and surrounding neighbourhoods, as well as provide employment opportunities.

(3) PERMITTED AND DISCRETIONARY USES - RESIDENTIAL AREAS A AND B

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Dwelling (apartment)* (Area B only)
(ii)	(a) *Dwelling (duplex)*	(b) *Home-based business (level two)*
(iii)	(a) *Dwelling (semi-detached)*	(b) *Parking lot* at *finished grade*
(iv)	(a) *Dwelling (townhouse - complex)*	(b) *Public utility building*
(v)	(a) *Group home*	(b) *Residential sales centre*
(vi)	(a) *Accessory Development* to a Permitted Use, excluding *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*	(b) *Supportive living accommodation*
(vii)		(b) *Accessory Development* to a Discretionary Use, and *decks* that are greater than 1.50m above *finished grade*, *private pools,* and *decorative ponds*

(4) PERMITTED AND DISCRETIONARY USES MIXED-USE AREA C

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Amenity area (public)*	(b) *Animal health*
(ii)	(a) *Animal grooming*	(b) *Broadcasting studio*
(iii)	(a) *Art gallery/studio*	(b) *Community garden*
(iv)	(a) *Dwelling (apartment)*	(b) *Conference and banquet facility*

	PERMITTED USES	DISCRETIONARY USES
(v)	(a) *Dwelling unit above a non-residential use*	(b) *Daycare facility*
(vi)	(a) *Establishment (brew pub)*	(b) *Dwelling (townhouse - complex)*
(vii)	(a) *Establishment (restaurant)*	(b) *Equipment service*
(viii)	(a) *Government service*	(b) *Establishment (drinking)*
(ix)	(a) *Health service*	(b) *Establishment (entertainment)*
(x)	(a) *Live/work unit*	(b) *Home-based business (level two)*
(xi)	(a) *Parking lot* at *finished grade*	(b) *Hotel*
(xii)	(a) *Parking structure*	(b) *Religious assembly*
(xiii)	(a) *Personal service*	(b) *Residential sales centre*
(xiv)	(a) *Professional office*	(b) *Retail (cannabis)*
(xv)	(a) *Public utility building*	(b) *School (commercial)*
(xvi)	(a) *Recreation (indoor)*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
(xvii)	(a) *Retail (general)*	
(xviii)	(a) *Shopping centre*	
(xix)	(a) *Supportive living accommodation*	

(b) No non-residential use is allowed above a *residential use*.

(5) **APPLICATION REQUIREMENTS**

(a) In addition to the plans and information required under section 2.4, an Applicant for a *Development Permit* must submit, to the satisfaction of the *Development Authority*:

(i) An overall *conceptual site development plan* for:

(A) The area designated as MID District; or

(B) If the Applicant is only developing a portion of the area designated as MID District, a *site development plan* showing the area to be developed and illustrating how the *development* will be integrated with the entire area designated as MID District;

(ii) The overall *conceptual site development plan*, considered to be non-binding, must identify the proposed building types and locations, *development* phasing, *density* calculations, vehicular and pedestrian routes, and *amenity areas,* in accordance with the purpose of this District;

(iii) Details regarding the architectural guidelines proposed for the *development*, including design drawings illustrating the colour scheme and building materials;

(iv) Any other studies that may be requested by the *Development Authority,* including one or more of the following:

(A) A traffic impact analysis that demonstrates that traffic impacts are

compatible with the purpose of the MID District, and do not prejudice safety and traffic movements within the MID District or on adjacent *public roadways*;

(B) *Crime Prevention Through Environmental Design (CPTED)* study to be submitted at the time of a *Development Permit* application; or

(C) A geotechnical report.

(b) Changes to an approved overall *conceptual site development plan* may require re-submission for review by the *Development Authority*.

(6) **URBAN DESIGN REVIEW (EXTERNAL) - AREA C**

(a) In addition to the requirements of section 3.41 'Urban Design Review' an *Urban Design Review (External)* is required for any *development* that:

(i) Has a total building footprint greater than 2,500.00 m^2;

(ii) Is greater than 28.00 m in height; or

(iii) In the opinion of the *Development Authority,* is deemed to have significant impact on the urban design of Area C.

(7) **URBAN DESIGN REVIEW (INTERNAL) - AREA C**

(a) Notwithstanding section (6)(a), if a *development* does not require an *Urban Design Review (External)*, but an Applicant wishes to receive recommendations related to urban design, they may request an *Urban Design Review (Internal)* be completed by staff designated by the *Development Authority,* prior to submission of an application.

(8) **PERFORMANCE STANDARDS**

(a) In addition to the Urban Design Review Recommendations Report, all applications shall be considered with regard to the following Performance Standards:

(i) *Site* design contribution to *streetscape* and the character of the area;

(ii) Appropriate location of uses to support active *streetscapes*;

(iii) High-quality building design integrated with *streetscape* and surrounding *buildings*;

(iv) Pedestrian orientation; and

(v) Well-designed *amenity areas*.

(9) **SITE DENSITY**

(a) The *site density* for the MID District is as follows:

(i) The minimum *site density* shall be 40 *dwelling units* per net hectare to a maximum of 54 *dwelling units* per net hectare for residential Area A;

(ii) The minimum *site density* shall be 40 *dwelling units* per net hectare to a maximum of 94 *dwelling units* per net hectare for residential Area B;

(iii) The minimum *site density* shall be 120 *dwelling units* per net hectare to a maximum of 250 *dwelling units* per net hectare for Mixed-Use Area C; and

(iv) Notwithstanding sections (i) through (iii), the overall *density* for the MID District shall be 81 *dwelling units* per net hectare.

(10) **SITE DENSITY BONUS**

(a) Notwithstanding section (9)(a)(iii), the maximum *site density* may exceed 250 *dwelling units* per net hectare in Area C, only if the following conditions are met:

(i) A minimum of 70% of required *parking* stalls are provided in a *parking structure (underground)* or within a *parking structure* integrated within the *building*, including high-quality exterior finishing that matches or complements the *principal building* exterior, where *site* design permits;

(ii) A minimum of 5% of *dwelling units* shall be provided as *affordable non-market housing*; and

(iii) In the opinion of the *Development Authority*, at least one of the following *site* improvements are provided:

(A) Wider sidewalks or walkways internal to the *site*, together with street furniture to the satisfaction of the *Development Authority*;

(B) Enhanced *landscaping*, to the satisfaction of the *Development Authority*;

(C) *Landscaping* that is drought tolerant, reducing the need for irrigation;

(D) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(E) *Barrier-free* design incorporated into *dwelling units* and the exterior feature of the *site*; or

(F) Indoor or outdoor common *amenity areas*, in addition to the minimum required common and private *amenity areas* when:

(I) Provided at a ratio of 1.50 m^2 per *dwelling unit*;

(II) Grouped into areas of not less than 30.00 m^2 ; and

(III) Not located in any required *setback*.

(11) **AMENITY AREA (PRIVATE)**

(a) Each *dwelling unit* must be provided with at least one of the following forms of an *amenity area (private)*:

(i) A *deck* or *balcony*;

(ii) A *patio* or yard; or

(iii) A recessed *balcony* or sunroom enclosed with exterior windows.

(b) An *amenity area (private)* must be located next to a *habitable room*.

(c) An *amenity area (private)* must have a minimum area of 4.00 m².

(d) An *amenity area (private),* at ground level and adjacent to public areas, must have a *landscape buffer* at least 1.00 m wide or a *fence* with a minimum height of 1.20 m.

(e) Notwithstanding the requirements of sections (a) through (d):

(i) Up to 25% of the required *amenity area (private)* may be substituted for an *on-site amenity area (common)* that is accessible to all residents, at the discretion of the *Development Authority*, for all *dwelling units* except *supportive living accommodation*; and

(ii) Up to 100% of the required *amenity area (private)* may be substituted for an *on-site amenity area (common)* that is accessible to all residents, at the discretion of the *Development Authority*, for *supportive living accommodation*.

(f) *Balconies* and *decks* must be located at least 1.00 m from:

(i) All *property line*s;

(ii) A roadway;

(iii) A common or visitor *parking* stall; and

(iv) A common walkway, except that portion of the walkway that provides direct *access* to the *building*.

(g) Notwithstanding the provisions under section (f), a *deck* may be developed to a 0.00 m *setback* along the centre line of the common firewalls on a *dwelling (duplex)*, *dwelling (semi-detached)*, and *dwelling (townhouse)*.

(12) **AMENITY AREA (COMMON)**

(a) The MID District shall provide outdoor *amenity area (common)* as follows:

(i) Areas A, B, and C shall each provide at least two *amenity area (common)*

spaces;

(ii) *Amenity area (common)* may include:

(A) A rooftop *amenity area* or rooftop garden, not less than 30.00 m²;

(B) A *balcony* or terraced *balcony*, not less than 30.00 m²;

(C) An at-grade *amenity area*, including a common garden area, not less than 30.00 m²; or

(D) Some other *amenity area (common),* including an interior *amenity area* not less than 30.00 m², which is common to and accessible by all residents, excluding *parking lots* and pedestrian walkways;

(iii) Each *amenity area (common)* shall have a minimum area of 500.00 m², excluding *parking lots* and pedestrian walkways;

(iv) Each *amenity area (common)* shall have a minimum width of 6.00 m at its narrowest point;

(v) The *amenity area (common)* shall not be located in any required *setback*;

(vi) The *amenity area (common)* required under section (12) is in addition to an *amenity area (common)* that may be provided under section (11)(e); and

(vii) The *Development Authority* may, at its discretion, vary the requirements of sections (iii) and (iv) above, taking into account *site* constraints, adjacent uses, and urban design considerations.

(13) **WALKWAYS**

(a) All common walkways shall have a minimum width of 1.50 m, except that portion of the walkway that provides direct *access* to the *building*.

(14) **LOT WIDTH**

(a) For residential bare land condominium *development*:

(i) When vehicular *access* is provided from the front:

(A) The minimum *lot width* for a *dwelling (duplex)* is:

(I) 11.00 m on an *interior lot*;

(II) 15.80 m on a *corner lot*; and

(B) The minimum *lot width* for a *dwelling (semi-detached)* is:

(I) 5.50 m per *dwelling unit* on an *interior lot*;

(II) 10.30 m per *dwelling unit* on a *corner lot*; and

(C) The minimum *lot width* for *dwelling (townhouse - complex)* is:

(I) 4.30 m per *townhouse (interior unit)*;

(II) 5.50 m per *townhouse (end unit)* on an *interior lot*;

(III) 10.30 m per *townhouse (end unit)* on a *corner lot*; and

(ii) When vehicular *access* is provided from the rear:

(A) The minimum *lot width* for a *dwelling (duplex)* is:

(I) 14.70 m on an *interior lot*; and

(II) 19.50 m on a *corner lot*;

(B) The minimum *lot width* for a *dwelling (semi-detached)* is:

(I) 7.40 m per *dwelling unit* on an *interior lot*;

(II) 12.20 m per *dwelling unit* on a *corner lot*; and

(C) The minimum *lot width* for a *dwelling (townhouse - complex)* is:

(I) 6.20 m per *townhouse (interior unit)*;

(II) 7.40 m per *townhouse (end unit)* on an *interior lot*; and

(III) 12.20 m per *townhouse (end unit)* on a *corner lot*.

(15) **LOT DEPTH**

(a) For residential bare land condominium *development*, the minimum *lot depth* is:

(i) 16.00 m when vehicular *access* is provided from the front for a:

(A) *Dwelling (duplex)*;

(B) *Dwelling (semi-detached)*; and

(C) *Dwelling (townhouse - complex)*; and

(b) 12.00 m when vehicular *access* is provided from a rear *lane* for a:

(i) *Dwelling (duplex)*;

(ii) *Dwelling (semi-detached)*; and

(iii) *Dwelling (townhouse - complex)*.

(16) **LOT COVERAGE**

(a) The maximum *lot coverage* for bare land condominium *development* is:

(i) 58% for a *dwelling (duplex)*; *dwelling (semi-detached)*; and *townhouse (end unit)*; and

(ii) 70% for a *townhouse (interior unit)*.

(17) **LOT FRONTAGE**

(a) The minimum *lot frontage* is 25.00 m for:

(i) Conventional condominium *development*;

(ii) *Dwelling (apartment)*; and

(iii) *Dwelling unit above a non-residential use*.

(18) **LOT AREA**

(a) The minimum *lot area* is 0.075 ha for:

(i) Conventional condominium *development*;

(ii) *Dwelling (apartment)*; and

(iii) *Mixed-use building*.

(19) **BUILDING HEIGHT**

(a) The maximum height of a *principal building*:

(i) *Dwelling (duplex)* and *dwelling (semi-detached)*, is 15.00 m;

(ii) *Dwelling (townhouse - complex)*, is 18.00 m;

(iii) *Dwelling (apartment)* (Area B only), is 18.00 m; and

(iv) *Dwelling (apartment), mixed-use building* (Area C only), or non-residential *building,* is 25.00 m.

(b) Notwithstanding section (a), at the discretion of the *Development Authority*, the maximum building height may be increased up to 35.00 m if a *development* provides at least two of the following:

(i) Superior or innovative building style;

(ii) High-quality exterior finishing including, brick, brick veneer, wood, natural stone, tinted or textural concrete, glass, or concrete masonry units;

(iii) A distinct building base or podium with a 3.00 m minimum *step-back* provided for upper floors, measured from the building face of the podium, with consideration for the transitions between adjacent building designs and heights;

(iv) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(v) Peaked roof; or

(vi) Enhanced *landscaping*.

(20) **RESIDENTIAL BARE LAND CONDOMINIUM SETBACKS**

(a) For a residential bare land condominium *development* of *dwelling (duplex)*; *dwelling (semi-detached)*; and *dwelling (townhouse - complex)*:

(i) The minimum front yard building *setback* is:

(A) 3.00 m when vehicular *access* is provided from the rear;

(B) 6.00 m when vehicular *access* is provided from the front;

(C) 6.00 m when *development* is fronting LeClair Way, Levasseur Road, and Riel Drive; and

(D) The projection shall not span the entire width of the *dwelling*;

(ii) Notwithstanding section (i), for *development* fronting LeClair Way, Levasseur Road, and Riel Drive, a covered stairway which only serves to provide direct *access* to the *dwelling* may project up to 2.50 m into the minimum required 6.00 m front yard *setback*;

(iii) The minimum side yard building *setback* is:

(A) 0.00 m to the centre line of the interior common firewalls;

(B) 1.20 m to the outside of the exterior wall on an *interior lot*; and

(C) 2.40 m to the outside of the exterior wall on a *corner lot*;

(iv) The minimum rear yard building *setback* is:

(A) 1.50 m when vehicular *access* is provided from a rear *lane*;

(B) 3.00 m when vehicular *access* is provided from the front; and

(C) 0.00 m for a back-to-back *dwelling (townhouse - complex)*; and

(v) Notwithstanding section (iii), a *development* without an attached *garage* and no *lane* must have a minimum side yard building *setback* of 3.00 m on one side to provide unobstructed *vehicle access* to the rear yard.

(21) **RESIDENTIAL CONVENTIONAL CONDOMINIUM SETBACKS**

(a) For a residential conventional condominium *development* of *dwelling (duplex)* and *dwelling (semi-detached)*:

(i) The minimum *setback* from a *property line* to the exterior of the front wall of a *building* is:

(A) 3.00 m when vehicular *access* is provided from a rear *lane*;

(B) 6.00 m when vehicular *access* is provided from the front;

(C) 6.00 m when *development* is fronting LeClair Way, Levasseur Road, and Riel Drive; and

(D) The projection shall not span the entire width of the *dwelling*;

(ii) Notwithstanding section (i), for *development* fronting LeClair Way, Levasseur Road, and Riel Drive, a covered stairway which only serves to provide direct *access* to the *dwelling* may project up to 2.50 m into the minimum required 6.00 m front yard *setback*;

(iii) The minimum *setback* from the exterior of the side wall of a *building* is:

(A) 0.00 m to the centre line of the interior common firewalls;

(B) 1.20 m to the outside of the exterior wall on an *interior lot*; and

(C) 2.40 m to the outside of the exterior wall on a *corner lot*; and

(iv) The minimum *setback* from the exterior of the rear wall of a *building* is:

(A) 1.50 m when vehicular *access* is provided from a rear *lane*;

(B) 3.00 m when vehicular *access* is provided from the front; and

(C) 0.00 m for back-to-back *dwelling (townhouse - complex)*.

(22) **RESIDENTIAL SETBACKS ADJOINING A PUBLIC ROADWAY**

(a) For a *dwelling (duplex), dwelling (semi-detached)*, and *dwelling (townhouse - complex)* - on a *corner lot* - the side of the *lot* that adjoins a flanking *public roadway* must have a minimum side yard building *setback* of:

(i) 6.00 m from the edge of the sidewalk nearest the *property line* to the face of the *garage,* where a *garage* faces the flanking *public roadway*, excluding a *lane*; or

(ii) 6.00 m from the closest edge of the roadway where there is no sidewalk to the face of the *garage*, where a *garage* faces the flanking *public roadway*, excluding a *lane*.

(23) **APARTMENT OR MIXED-USE BUILDING SETBACK**

(a) For a *dwelling (apartment)* or *mixed-use building*:

(i) The minimum front yard building *setback* is 3.00 m;

(ii) The minimum side yard building *setback* is 3.00 m; and

(iii) The minimum rear yard building *setback* is 3.00 m.

(24) **SITE DENSITY BONUS SETBACK**

(a) Notwithstanding sections (20), (22), and (23) for *developments* in Area C subject to the *site density* bonus of this District, the *Development Authority* may determine the minimum building *setbacks,* taking into account adjacent uses.

(25) **NON-RESIDENTIAL BUILDING SETBACK**

(a) For a stand-alone, non-residential or commercial *building*:

(i) The minimum front yard building *setback* is 3.00 m;

(ii) The minimum side yard building *setback* is 3.00 m; and

(iii) The minimum rear yard building *setback* is 3.00 m.

(26) **BUILDING SEPARATION DISTANCE**

(a) The minimum *separation distance* for residential *buildings* in areas A and B, or for a *dwelling (townhouse – complex)* in Area C is:

(i) 10.00 m between the exterior of the front or rear wall of each *building* and any separate wall of any other *building*;

(ii) 2.40 m between the exterior side wall of each *building* and the exterior side wall of any other *building,* unless a greater separation is required by the *Development Authority*;

(iii) 1.50 m between a *building* and:

(A) A roadway;

(B) A common or visitor *parking* stall;

(iv) 1.00 m between a *building* and a common walkway, except that portion of the walkway that provides direct *access* to the *building*; and

(v) 1.50 m between a *principal building* and an *accessory* building, except for a common amenity *building* which has a minimum *separation distance* of 2.40 m.

(b) The minimum *separation distance* for a *dwelling (apartment), mixed-use building,* or a non-residential *building* in Area C is:

(i) 7.50 m between the exterior wall of a *dwelling (apartment)*, *mixed-use building*, or non-residential *building* and any separate wall of any other *dwelling (apartment), mixed-use building,* or non-residential *building*;

(ii) 1.50 m between a *principal building* and an *accessory building*, except for a common amenity *building* which has a minimum *separation distance* of 2.40 m;

(iii) 3.00 m between the exterior wall of a *dwelling (apartment)* or *mixed-use building* and:

(A) A roadway;

(B) A common or visitor *parking* stall; and

(C) A common walkway, except that portion of the walkway that provides direct *access* to the *building*.

(27) **DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building,’ 3.52 ‘Design, Character, And Appearance Of Residential Buildings,’ and 3.80 ‘Design, Character, And Appearance Of Non-

Residential Buildings,' all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) No building *façade* shall exceed 60.00 m in length;

(A) Notwithstanding section (i), at the discretion of the *Development Authority,* a building may exceed 60.00 m in length, to a maximum of 90.00 m, if the building provides a public pedestrian walkthrough or frontage break along the ground floor;

(ii) To reduce building massing, building *façade(s)* shall be articulated by a combination of recesses, entrances, windows, projections, change in building materials, colours, roof design, or physical breaks in *building mass*, to create attractive *streetscapes* and interfaces at the discretion of the *Development Authority*. A continuous building *façade* without recess, *balcony*, or other form of articulation shall not exceed 15.00 m in horizontal direction;

(iii) *Building* exteriors shall be stamped concrete, cementitious boards or panels, exposed aggregate, stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents;

(A) Notwithstanding section (iii) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District;

(iv) Building massing must respect the existing topography of the *site* by terracing the *building* where appropriate;

(v) Rooftop mechanical equipment must be screened on all sides, to the satisfaction of the *Development Authority*;

(vi) Walls, including *retaining walls* for general *landscaping*, *amenity area (private)* and *amenity area (common)*, and perimeter walls must be constructed or finished in a similar material and colour to that used for the *principal building* exterior, at the discretion of the *Development Authority*;

(vii) All exterior pedestrian entrances to a *dwelling (apartment)* or *dwelling unit above a non-residential use* must have overhead weather protection; and

(viii) The principal pedestrian entrance to a *dwelling (apartment)* or *dwelling unit above a non-residential use* must have *barrier-free access*.

(28) **PARKING**

(a) This District shall comply with Part 4: Parking.

(i) Notwithstanding the *on-site parking* requirements in sections 4.3 'Residential On-Site Parking Requirements' and 4.6 'Non-Residential On-Site Parking Requirements,' *on-site parking* shall be provided as follows:

RESIDENTIAL LAND USE		MINIMIMUM PARKING REQUIREMENT	
(b)	*Dwelling (duplex)* *Dwelling (semi-detached)*	(i)	Two stalls per *dwelling unit*; plus
		(ii)	One stall per seven *dwelling units* for visitor *parking*.
(c)	*Dwelling (townhouse - complex)*	(i)	For a *dwelling unit* equal to or greater than 5.18 m in width, 1.5 stalls per *dwelling unit*;
		(ii)	For a *dwelling unit* less than 5.18 m in width, one stall per *dwelling unit*; plus
		(iii)	One stall per seven *dwelling units* for visitor *parking*.
(d)	*Dwelling (apartment)* *Dwelling (loft unit)* *Dwelling (studio unit)* *Dwelling unit above a non-residential use*	(i)	One stall per *dwelling unit* or *dwelling (loft unit);*
		(ii)	0.00 stalls per *dwelling (studio unit)*, for the first 10% of *dwelling (studio units)* within a *building*, and then 0.60 stalls per *dwelling (studio unit)* thereafter;
		(iii)	0.60 stalls per *affordable non-market housing dwelling unit*; and
		(iv)	One stall per seven *dwelling units* for visitor *parking*.
(e)	*Group home*	(i)	One stall per three *sleeping unit*s; plus
		(ii)	One stall per resident staff member.
(f)	*Live/work unit*	(i)	1.50 stalls for the residential components; and
		(ii)	One stall per 45.00 m² of *gross floor area* for the commercial component.
		(iii)	Notwithstanding sections (i) and (ii), a *Development Authority* may, at its discretion, vary the *parking* requirements based upon the number of *bedrooms* in the residential component, or the provision of adjacent *parking* on a *public roadway* or in a common *parking* area accessible to the public.

RESIDENTIAL LAND USE	MINIMUM PARKING REQUIREMENT
(g) *Supportive living accommodation*	(i) One stall per six *dwelling units*; (ii) One stall per seven *dwelling units* for visitor *parking*; and (iii) One stall for every one-and-a-half employees required during the *maximum working shift*.

NON-RESIDENTIAL LAND USE	MINIMUM PARKING REQUIREMENT
(h) Non-residential, except *hotel*	(i) One stall per 45.00 m² of *gross floor area*. (ii) The *Development Authority* may determine *parking* requirements based on a *parking* study requested at its discretion.
(i) *Hotel*	(i) One stall per guest room; and (ii) Additional stalls in accordance with the *parking* requirements of this section for any other uses which form part of the *hotel*.

(j) If a calculation under sections (b) through (i) results in a fractional number, the number shall be rounded upwards to the next whole number.

(k) Notwithstanding section 4.11 'Parking Stall And Drive Aisle Requirements,' *parking* spaces and drive aisles shall meet the following criteria:

(i) A *parking* stall must be a minimum of 2.60 m wide and 5.80 m deep;

(ii) A parallel *parking* stall shall be a minimum 2.60 m wide and 7.00 m deep; and

(iii) A drive aisle must be a minimum of 7.30 m wide for two-way traffic.

(l) Notwithstanding section (k)(iii), the *Development Authority* may reduce the minimum width of a drive aisle for *parking* spaces provided at an angle or for one-way drive aisles.

(m) Required *parking* stalls for all *residential uses* that are provided in a private *driveway* or *garage* may be located in tandem, with no more than two of the total required *parking* spaces in tandem.

(n) Small-car *parking* spaces may comprise a maximum of 20% of required *parking* for a *dwelling (apartment)* and *mixed-use building* only.

(29) **VEHICLE ACCESS**

(a) There shall be no residential vehicular *access* onto roadways designated as neighbourhood, connector, or crosstown.

(b) Where a rear *lane* is provided, vehicular *access* shall only be provided from the *lane*, except for front-back semi-detached, or front-back duplex products where one *dwelling unit* has vehicular *access* from the *lane*, and the other has vehicular *access* from the roadway.

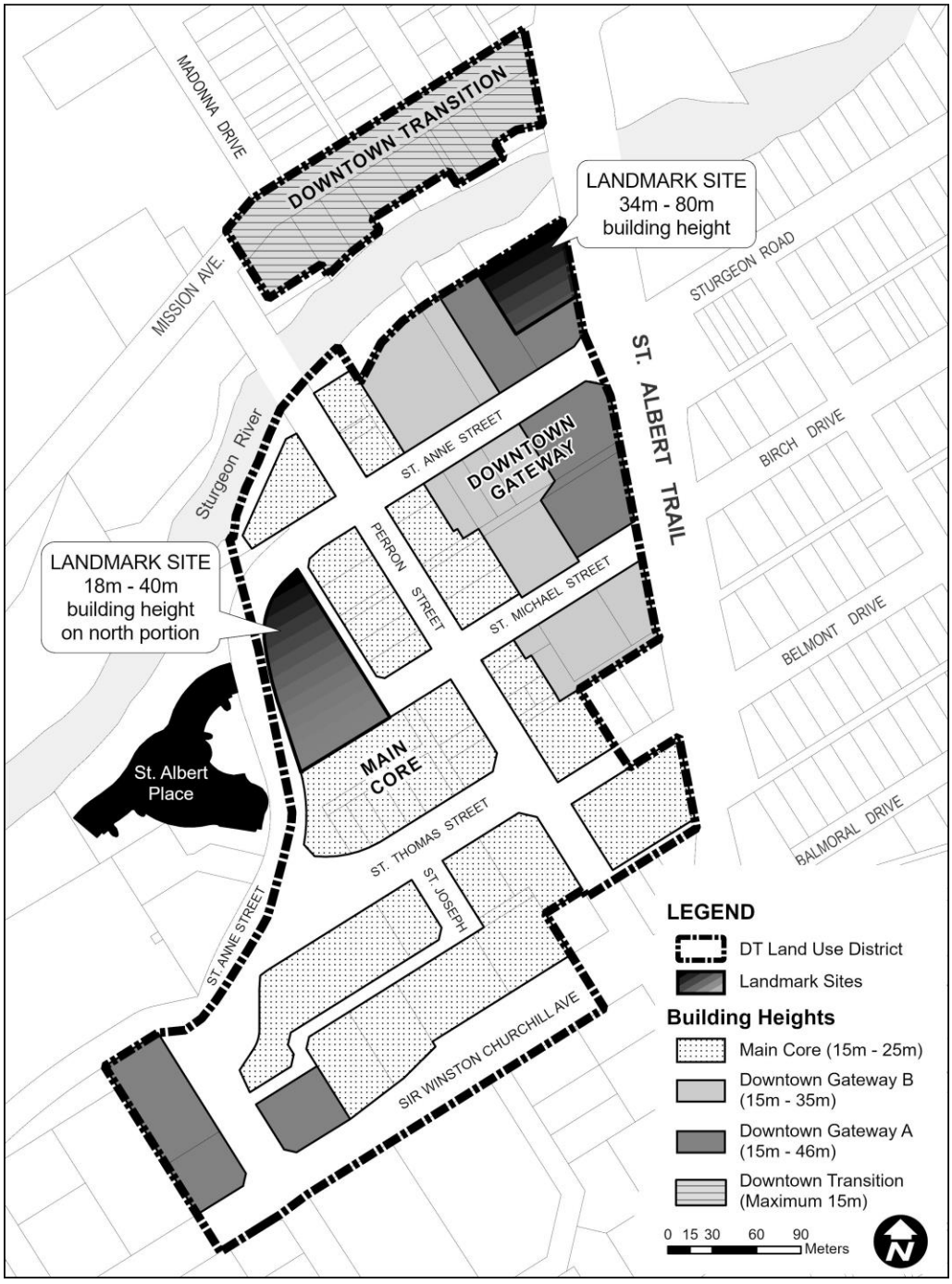
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5.18 DTN - DOWNTOWN DISTRICT

(1) APPLICATION

This section applies to the areas designated as Downtown (DTN) District as identified in Schedule A of this Bylaw and in *Figure 5-9*.

Figure 5-9: Downtown



(2) **PURPOSE**

The purpose is to provide for a vibrant downtown that includes a mixture of employment, commercial, institutional, government, and medium- to high-density residential land uses, with a focus on high-quality *development* which engage the public realm. *Development* in the DTN District should be compact, pedestrian-friendly, and compatible with surrounding areas, creating a unique and recognizable neighbourhood. *Buildings* within this District shall provide a variety of housing options – with *residential uses* located predominantly above the ground floor – and include an appropriate mix of uses within the same *building*. A specified area north of the river, called Downtown Transition, shall provide for an orderly transition from downtown that is integrated with the Mission neighbourhood.

(3) **PERMITTED AND DISCRETIONARY USES – DOWNTOWN**

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Animal grooming*	(b) *Animal health* without outdoor kennels, pens, runs, or other similar enclosures
(ii)	(a) *Art gallery/studio*	(b) *Broadcasting Studio*
(iii)	(a) *Community garden*	(b) *Conference and banquet facility*
(iv)	(a) *Dwelling (apartment)*	(b) *Daycare facility*
(v)	*(a) Dwelling unit above a non-residential use*	(b) *Dwelling (townhouse - complex)* only when integrated with a *dwelling (apartment)* or *dwelling unit above a non-residential use*
(vi)	(a) *Establishment (brew pub)*	(b) *Equipment service*
(vii)	(a) *Establishment (entertainment)*	(b) *Establishment (drinking)*
(viii)	(a) *Establishment (restaurant)*	(b) *Home-based business (level two)*
(ix)	(a) *Government service*	(b) *Live/work unit*
(x)	(a) *Group home*	(b) *Parking structure*
(xi)	(a) *Health service*	(b) *Public utility building*
(xii)	(a) *Hotel*	(b) *Religious assembly*
(xiii)	(a) *Park*	(b) *Retail (cannabis)*
(xiv)	(a) *Personal service*	(b) *School (commercial)* – when located on the ground *storey*
(xv)	(a) *Professional office*	(b) *Shopping centre*
(xvi)	(a) *Public market*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
(xvii)	(a) *Residential sales centre*	
(xviii)	(a) *Retail (general)*	
(xix)	(a) *School (commercial)* – when located above the ground *storey*	
(xx)	(a) *School (post-secondary)*	
(xxi)	(a) *Supportive living accommodation*	

(4) PERMITTED AND DISCRETIONARY USES – DOWNTOWN TRANSITION

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Art gallery/studio*	(b) *Daycare facility*
(ii)	(a) *Community garden*	(b) *Dwelling (apartment)*
(iii)	(a) *Dwelling unit above a non-residential use*	(b) *Establishment (drinking)* with up to 50 seats
(iv)	(a) *Establishment (restaurant)* with equal to or less than 50 seats	(b) *Establishment (restaurant)* with greater than 50 seats
(v)	(a) *Government service*	(b) *Home-based business (level two)*
(vi)	(a) *Group home*	(b) *Hotel*
(vii)	(a) *Health service*	(b) *Live/work unit*
(viii)	(a) *Personal service* with a *gross floor area* equal to or less than 120.00 m^2	(b) *Public utility building*
(ix)	(a) *Professional office*	(b) *Retail (cannabis)* with a *gross floor area* of equal to or lesser than 120.00 m^2
(x)	(a) *Residential sales centre*	(b) *Retail (general)* with a *gross floor area* greater than 120.00 m^2
(xi)	(a) *Retail (general)*; with a *gross floor area* equal to or less than 120.00 m^2	(b) *School (commercial)*
(xii)	(a) *Supportive living accommodation*	(b) *School (post-secondary)*
(xiii)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(5) APPLICATION REQUIREMENTS

(a) In addition to the plans and information required under section 2.4, an Applicant for a multiple-site or a multiple-building *development* must submit, to the satisfaction of the *Development Authority*:

(i) An overall *conceptual site development plan* for:

(A) The entire proposed *development* area; or

(B) If the Applicant is only developing a portion of the proposed *development* area, a *site development* plan showing the area to be developed, illustrating how the *development* will be integrated with the adjacent area.

(b) The overall *conceptual site development plan*, considered to be non-binding, must identify the proposed building types and locations, *development* phasing, *density* calculations, vehicular and pedestrian routes, and *amenity areas* - in accordance with the purpose of this District.

(6) **SITE DENSITY**

(a) The minimum *site density* for *residential uses* is 70 *dwelling units* per net hectare and cannot exceed a maximum of 300 *dwelling units* per net hectare.

(b) In determining *site density*, the *Development Authority* may consider the total number of units for multiple built forms when they comprise a *development* on a single *lot*.

(7) **SITE DENSITY BONUS**

(a) Notwithstanding section (6)(a), the maximum *site density* may exceed 300 *dwelling units* per net hectare only if the following conditions are met:

(i) A minimum of 70% of required *parking* stalls are provided in a *parking structure (underground)* or within a *parking structure* integrated within the *building,* including high-quality exterior finishing that matches or complements the *principal building* exterior, where *site* design permits; and

(ii) A minimum of 5% of *dwelling units* shall be provided as *affordable non-market housing;*

(iii) In the opinion of the *Development Authority*, at least one of the following *site* improvements are provided:

(A) Wider sidewalks or walkways internal to the *site*, together with street furniture to the satisfaction of the *Development Authority;*

(B) Enhanced *landscaping,* to the satisfaction of the *Development Authority*;

(C) *Landscaping* that is drought tolerant, reducing the need for irrigation;

(D) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(E) Incorporate *barrier-free* design into *dwelling units* and the exterior feature of the *site*;

(F) Indoor or outdoor common *amenity areas*, in addition to the minimum required common and private *amenity areas* when:

(I) Provided at a ratio of 1.50 m^2 per *dwelling unit*;

(II) Grouped into areas of not less than 30.00 m^2; and

(III) Not located in any required *setback*.

(8) **BUILDING HEIGHT**

(a) As illustrated in *Figure 5-9*, building height in the DTN District is as follows:

(i) Downtown Transition Area:

(A) The maximum building height is 15.00 m;

(ii) Main Core:

(A) The minimum building height is 15.00 m; and

(B) The maximum building height is 25.00 m;

(iii) Downtown Gateway B:

(A) The minimum building height is 15.00 m; and

(B) The maximum building height is 35.00 m;

(iv) Downtown Gateway A:

(A) The minimum building height is 15.00 m; and

(B) The maximum building height is 46.00 m;

(v) Landmark *sites*:

(A) Building height shall be in accordance with *Figure 5-9*.

(9) **MIDRISE BUILDING DESIGN**

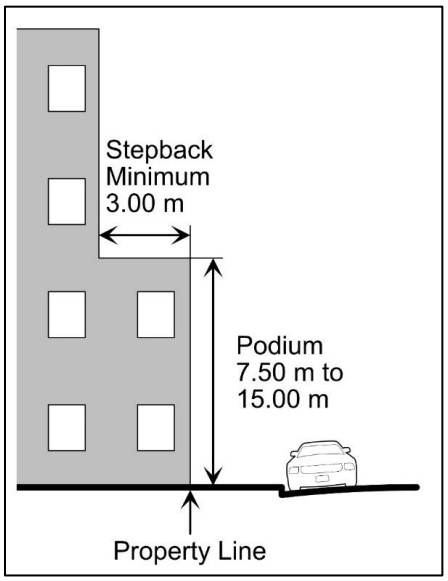
(a) A *building* greater than 22.00 m but equal to or less than 35.00 m in height, shall:

(i) Provide a minimum 7.50 m high podium, but no podium shall exceed 15.00 m in height (*Figure 5-10*) adjacent to any *public roadway*; and

(i) Provide a minimum front *step-back* from the podium of 3.00 m, as measured from the *building frontage* of the lower *storeys* (*Figure 5-10*) adjacent to any *public roadway*.

(b) Additional *step-backs* may be required at higher *storeys* for the *building* if, in the opinion of the *Development Authority*, it is necessary to mitigate the building scale or wind, sun, or shadow impacts.

Figure 5-10: Downtown Podium and Step-Back



(10) **HIGH-RISE BUILDING DESIGN**

(a) Refer to section 3.18 'High-Rise Building Design,' for regulations regarding *buildings* greater than 35.00 m in height.

(11) **BUILDING FRONTAGE**

(a) *Buildings* located on a corner shall comply with section 3.10 'Corner Lots - Traffic Sight Lines.'

(b) For a ground floor commercial use, the front of a unit shall not be more than 15.00 m wide.

(i) Notwithstanding section (b), the *Development Authority* may permit a ground-floor unit *frontage* greater than 15.00 m if the *façade*:

(A) Is designed to maintain the continuity of the *streetscape*; and

(B) Creates the appearance of a series of smaller retail units.

(12) **BUILDING SETBACKS**

(a) Downtown

(i) Front yard *setback*

(A) The front yard building *setback* is 0.00 m;

(B) Notwithstanding section (A), the front yard building *setback* may be increased to up to 3.00 m to accommodate a recessed

entrance, rest area, courtyard, outdoor café, *amenity space (common)*, *building recess,* or similar amenity if, in the opinion of the *Development Authority*:

(I) The design of the *building frontage* maintains the continuity of the *streetscape*;

(II) Pedestrian amenity and connectivity are maintained; and

(III) The recessed entrance complies with the *building frontages* in section (11).

(ii) Side yard *setback*

(A) The side yard building *setback* is 0.00 m;

(B) Notwithstanding section (A), a side yard *setback* of 3.00 m or more may be permitted if, in the opinion of the Developer Officer:

(I) It is to accommodate a rest area, courtyard, outdoor café, *amenity area (common)*, or similar amenity;

(II) Pedestrian amenity and safety are maintained;

(III) The *setback* does not create a visual gap or discontinuity of the architectural form or rhythm of the *streetscape*; or

(IV) It is to accommodate a pedestrian walkway or *service lane*.

(iii) Rear yard *setback*

(A) The minimum rear yard building *setback* shall be determined by the *Development Authority*, taking into account:

(I) Adjacent and *on-site* uses;

(II) *Access* to *service lanes*; and

(III) *On-site parking* requirements.

(B) Notwithstanding section (A), the maximum rear yard building *setback* shall be 50% of the *lot depth*, as measured from the rear *property line*.

(b) Downtown Transition Area building *setbacks*:

(A) Front yard *setback*

(I) The minimum front yard building *setback* is 4.00 m;

(B) Side yard *setback*

(I) The minimum side yard building setback is 1.80 m; and

(C) Rear yard *setback*

(I) The minimum rear yard building *setback* is 0.00 m.

(13) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements of in sections 3.12 'Design, Character, And Appearance Of A Building,' 3.52 'Design, Character, And Appearance Of Residential Buildings,' and 3.80 'Design, Character, And Appearance Of Non-Residential Buildings,' all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) Windows

(A) The *fenestration* area for a non-residential *use*, on a ground-storey *building frontage* facing a *public roadway,* shall provide transparent glazing for a minimum of 50% to a maximum of 70% of the *fenestration* area;

(B) Notwithstanding section (A) , the *Development Authority* may permit a lesser amount of transparent glazing on the side or rear of a building, for the following properties:

(I) Plan 212 1125, Block 3, Lot 58 (22 St. Thomas Street)

Including any future revisions to this legal description based on a subdivision or condominium plan.

(C) The *fenestration* area shall be transparent *glazing* that allows interior activity to be seen from the street;

(D) Windows shall have window frame members of substantial depth, and recessed from the *building frontage* to provide architectural interest in the *streetscape*;

(E) A *building* must provide windows on each floor of a *façade* which faces a *public roadway*, *park*, *natural area*, or PSI District; and

(F) A ground-storey *façade* of a *building* that faces a surface *parking lot, lane,* or pedestrian walkway must provide a transparent window that provides full viewing of the area.

(ii) Doors and entries

(A) All non-residential ground-storey units facing a *public roadway* shall have, at minimum, one direct functioning public entrance from that *public roadway*.

(B) *Development* on a *corner lot* is encouraged to have its main entrance angled to the *public roadway* intersection.

(I) Notwithstanding section (B), if an angled entrance is not provided, then one entrance is required on each *public roadway façade*.

(iii) Building projections and overhead weather protection

(A) Building projections must be designed to the satisfaction of the *Development Authority* and have regard for the following:

(I) *Balconies* shall be designed as integral components of the *building* and shall not project over or into amenity spaces or *City* property;

(II) *Developments* are encouraged to provide continuous overhead weather protection for pedestrians along the *building frontage* adjoining a public sidewalk;

(III) Overhead weather protection shall maintain a minimum 0.60 m *setback* from the outside edge of the curb line, in keeping with the adjacent *streetscape*;

(IV) Overhead weather protection shall have a vertical clearance of at least 2.50 m and at most 4.00 m above the sidewalk; and

(V) If overhead weather protection or its supporting structure encroaches on *City* property, a written encroachment agreement is required.

(iv) Exterior finishing

(A) *Building* exteriors shall be stamped concrete, cementitious boards or panels, exposed aggregate, stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents;

(I) Notwithstanding section (A) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(B) The use of vinyl siding or metal cladding on *building frontages* is prohibited;

(C) The exterior finishes of *buildings* shall provide a variation in materials and design treatments on the ground-storey or pedestal of a building, to the satisfaction of the *Development Authority*;

(D) In addition to the requirements of sections 3.97 through 3.102, and section 3.51, walls and fencing must be constructed of wrought iron, brick, brick veneer, or a combination thereof; and

(E) A *building* is encouraged to include an exterior date stamp, identifying the year of construction, visible from the public street.

(v) Signs

(A) A *sign* in this District is encouraged to be *pedestrian-oriented signage*.

(14) **PARKING AND LOADING AREAS**

(a) *Vehicle access* from a *public roadway* shall only be permitted if, in the opinion of the *Development Authority*, the proposed *access*:

(i) Is in compliance with *City* of St. Albert current *Municipal Engineering Standards* and The Transportation Association of Canada (TAC);

(ii) Is necessary because *access* from a *service lane* is not feasible;

(iii) Does not front on to St. Anne Street, St. Thomas Street, or Perron Street; and

(iv) Will not interfere with the continuity of the *streetscape*, pedestrian movement, or safety along a public street.

(b) There shall be no surface *parking* between a *building* and a public street.

(c) Surface *parking* shall be accessed from a *service lane*.

(d) Notwithstanding sections (a) through (c), in the Downtown Transition Area surface *parking* shall be located in the front of a *development* and may be accessed from a public street.

(e) Where a surface *parking lot* is adjacent to any *public roadway* or open space, the *lot* must be screened, to the satisfaction of the *Development Authority*.

(f) Exclusive of the Downtown Transitional Area, *parking* for *residential uses* shall be provided in a *parking structure (underground)*, or a *parking structure* within the *development site*.

(i) Notwithstanding section (f), required visitor *parking* stalls may be provided at *grade*.

(g) A *parking lot* or loading area shall be a minimum of 3.00 m from the *property line* when adjacent to St. Albert Trail.

(h) *Parking structure*

(i) The *building frontage* of a *parking structure*, when adjacent to a *public roadway*, *park*, or *natural area*, shall:

(A) Be designed to resemble a fenestrated *building* for the first 7.50 m of height;

(B) Integrate with the surrounding built form and *streetscape*; and

(C) Have a *façade* composed of high-quality materials.

(15) **DOWNTOWN ON-SITE PARKING WAIVER**

(a) Any additional *parking* requirements necessitated by a change in use of an existing *building* located in the DTN District may be waived by the *Development Authority*.

(b) Where an existing *building* is being enlarged in the DTN District, additional *parking* requirements shall be provided only for that portion of the *building* being enlarged.

(c) At the discretion of the *Development Authority*, in the DTN District, required *on-site parking* for a non-residential use may be reduced by up to 30% if the *development lot* is within 75.00 m of the public *parking lot* located at 6 St. Anne Street.

(i) Notwithstanding section (c), in the DTN District, *on-site parking* is not required for a non-residential use if the *building* is directly adjacent to the public *parking lot* located at 6 St. Anne Street.

(d) In the DTN District the *Development Authority* may, at its discretion, determine the *on-site parking* requirements based on a parking and transportation study required under section 2.5 ‘Additional Plans And Information,’ of this Bylaw.

(16) **VEHICLE AND PEDESTRIAN CIRCULATION**

(a) In addition to the regulations in sections 3.82 ‘Emergency Access Lanes’ and 3.42 ‘Vehicle Access - General,’ the following apply:

(i) In making a determination about the design of *on-site* motor *vehicle* and pedestrian circulation within the DTN District, the *Development Authority* must ensure that motor *vehicle* and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient, and convenient circulation pattern for both *vehicles* and pedestrians - including *barrier-free* routes. Loading bays must be located in such a manner so as to not impede the safe and efficient flow of traffic and pedestrian movement, and minimize impacts on adjacent land uses;

(i) The *Development Authority* may impose whatever conditions it considers necessary in order to require that the Applicant:

(A) Provide connections to *parking* areas and public rights-of way adjoining a *development* for *access* to transit, services, and amenities;

(B) Provide pedestrian *access* to ensure a *development* is integrated with a surrounding area;

(C) Provide pedestrian walkways along storefronts with doors or similar openings;

(D) Separate pedestrian movements and motor *vehicle* traffic by delineating crosswalks with special paving or, where possible, raising crosswalks; and

(E) Construct and maintain the pedestrian walkways for use by the public.

(17) **TOWNHOUSING**

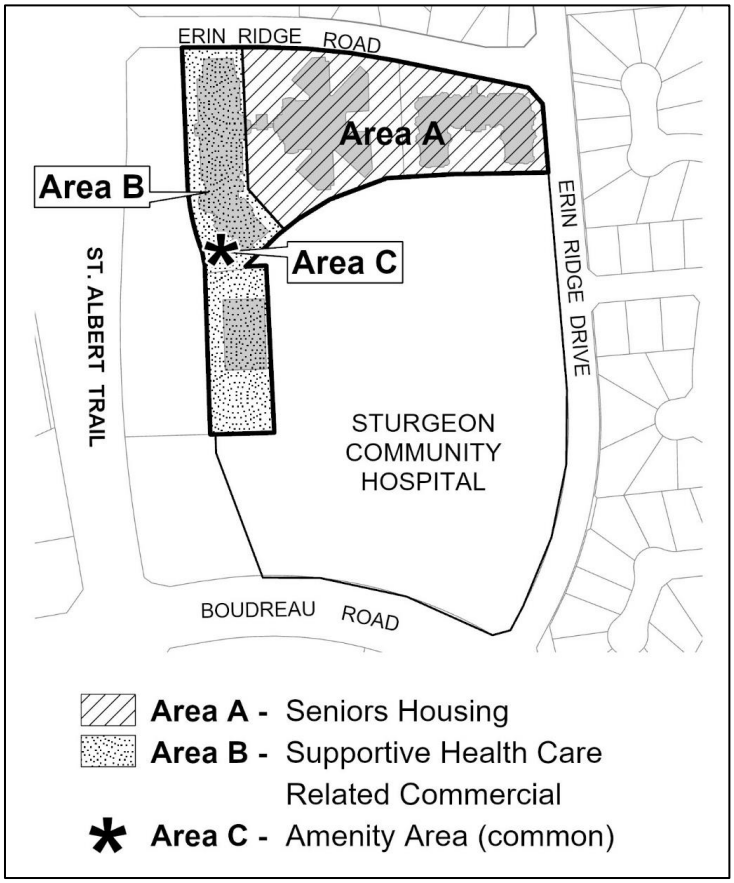
(a) For the minimum requirements for townhousing, refer to section 3.56 ‘Dwelling (Townhouse).’

5.19 ICC - INTEGRATED CARE COMMUNITY DISTRICT

(1) APPLICATION

This section applies to the area designated as Integrated Care Community (ICC) District on the Land Use District Map, Schedule A of the Land Use Bylaw. The area designated as ICC District encompasses Area A - seniors housing, Area B - supportive health-care-related commercial, and Area C - *amenity area (common),* as identified in *Figure 5-11*.

Figure 5-11: ICC District Subareas



(2) PURPOSE

The purpose of the ICC District is to create a mixed-use *development* that encompasses a complementary mix of land uses and activities wherein everything is within a convenient walking distance. The ICC District will encompass a supportive living environment and communal *amenity area*, and integrate seniors housing and health-care-related services within a compact, walkable area. This District encourages attractively designed *buildings* that complement the surrounding neighbourhood.

(3) **PERMITTED AND DISCRETIONARY USES - SENIORS HOUSING - AREA A**

The following are Permitted Uses and Discretionary Uses in Area A of the ICC District:

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Supportive living accommodation*	(b) *Hospital*
(ii)		(b) *Personal service*
(iii)		(b) *Residential sales centre*
(iv)		(b) *Retail (general)*
(v)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(4) **PERMITTED AND DISCRETIONARY USES - SUPPORTIVE HEALTH-CARE-RELATED COMMERCIAL - AREA B**

The following are Permitted Uses and Discretionary Uses in Area B of the ICC District:

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Group home*	(b) *Animal health*
(ii)	(a) *Health service*	(b) *Catering service* which uses up to three *vehicles*
(iii)	(a) *Supportive living accommodation*	(b) *Daycare facility*
(iv)		(b) *Dwelling (apartment)*
(v)		(b) *Dwelling unit above a non-residential use*
(vi)		(b) *Establishment (restaurant)*
(vii)		(b) *Government service*
(viii)		(b) *Personal service*
(ix)		(b) *Professional office*
(x)		(b) *Residential sales centre*
(xi)		(b) *Retail (cannabis)*
(xii)		(b) *Retail (general)*
(xiii)		(b) *School (commercial)*
(xiv)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(5) **PERMITTED USES - AMENITY AREA (COMMON) - AREA C**

The following are Permitted Uses and Discretionary Uses in Area C of the ICC District:

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	
(ii)	(a) *Park*	
(iii)	(a) *Accessory Development* to a Permitted Use	

(6) **APPLICATION REQUIREMENTS**

(a) In addition to the plans and information required under section 2.4, an Applicant for a *Development Permit* must submit, to the satisfaction of the *Development Authority*:

(i) An overall *conceptual site development plan* for the area designated as ICC District;

(A) Notwithstanding section (i), if the Applicant is only developing a portion of the area designated as ICC District, a *site development* plan, which illustrates how the *development* will be integrated into the remainder of the area;

(ii) The overall *conceptual site development plan*, considered to be non-binding, must identify the proposed building types and locations, *development* phasing, vehicular and pedestrian routes, and *amenity areas,* in accordance with the purpose of this District;

(iii) A traffic impact assessment that demonstrates that traffic impacts are compatible with the purpose of the ICC District, and do not prejudice safety and traffic movements within the ICC District or on adjacent *public roadways*; and

(iv) Design drawings illustrating the colour scheme and building materials in accordance with section (11).

(7) **SITE DENSITY**

(a) Regulations applicable to areas A and B:

(i) The maximum *site density* is 115 sleeping or *dwelling units* per hectare for *supportive living accommodation*; and

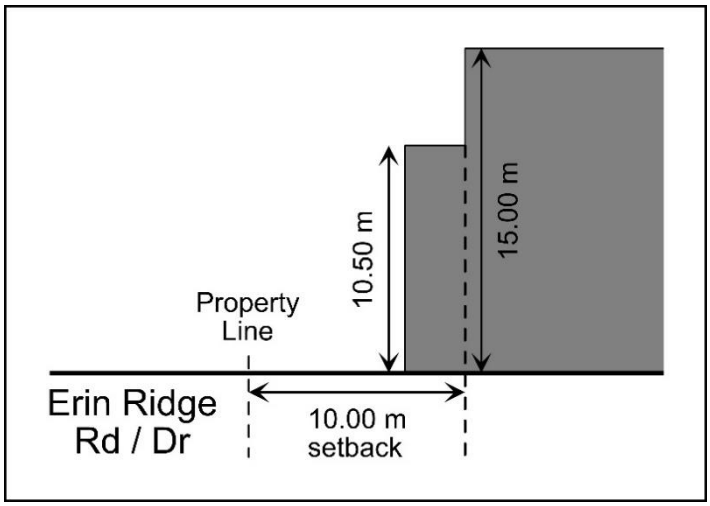
(ii) For the purpose of calculating the maximum *site density*, 27.50 m^2 may be added to the *lot area* for every *parking* stall which is constructed underground, if the *Development Authority* considers this to be appropriate given *site* constraints.

(8) **BUILDING HEIGHT**

(a) The maximum building height is 15.00 m.

(b) Notwithstanding section (a), the building height shall not exceed 10.50 m for any portion of the *building* located within 10.00 m of a *property line* adjacent to Erin Ridge Road or Erin Ridge Drive (*Figure 5-12*).

Figure 5-12: ICC Building Height Adjacent to Erin Ridge Drive and Erin Ridge Road



(c) In the instance where the heliport approach and departure surfaces require a lesser building height, the heliport height provisions shall prevail.

(9) **BUILDING SETBACKS**

(a) The minimum building *setback* within Area A is:

(i) 6.00 m when located adjacent to Erin Ridge Road or Erin Ridge Drive;

(ii) 6.00 m for a side yard adjacent to an internal roadway or *property line*; and

(iii) 6.00 m for a rear yard.

(b) The minimum building *setback* within Area B is:

(i) 6.00 m when located adjacent to Erin Ridge Road (*Figure 5-12*); or

(ii) 3.00 m from any other *property line* or internal roadway; and

(iii) Notwithstanding sections (i) and (ii), a lesser *setback* may be allowed for a courtyard, rest area, *patio*, landscape feature, or similar amenity where, in the opinion of the *Development Authority*, the design is in keeping with the purpose of the ICC District.

(10) **SEPARATION DISTANCE**

(a) Area A

(i) The minimum *separation distance* from the exterior wall of a *principal building* to any other *principal building* within Area A is 10.00 m; and

(ii) The minimum *separation distance* is 3.00 m if an exterior wall of a *building* contains a window, door, or other opening that faces onto an internal roadway, common walkway, or *parking* area.

(b) Area B

(i) The minimum *separation distance* is 3.00 m to any internal roadway.

(c) General

(i) The minimum *separation distance* between a *principal building* located within Area A and a *principal building* located within Area B is 9.00 m; and

(ii) A *breezeway* may be allowed between two *principal buildings* at the discretion of the *Development Authority*. If a *breezeway* is proposed between two *principal buildings*, no building *separation distance* is required between the *principal building* and the *breezeway*.

(11) **DESIGN, CHARACTER, AND APPEARANCE**

(a) General

(i) In addition to the provisions in sections 3.12 'Design, Character, And Appearance Of A Building,' 3.52 'Design, Character, And Appearance Of Residential Buildings,' and 3.80 'Design, Character, And Appearance Of Non-Residential Buildings,' the following regulations are applicable to areas A and B;

(A) The *Development Authority* may require that a building design:

(I) Utilize features including the use of sloped roofs, variations in building *setbacks*, and articulation of building *façades*;

(II) Establish a single architectural theme, including design elements, finishing materials, colours, and roof style; and

(III) Incorporate brick work similar to that utilized in the Sturgeon Community Hospital and Health Centre as an exterior finishing material.

(B) *Building* exteriors shall be stamped concrete, cementitious boards or panels, exposed aggregate, stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents.

(I) Notwithstanding section (B) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

(b) Regulation applicable to Area B

(i) The ground level of any *building* facing towards a pedestrian walkway or internal roadway may be required to provide clear *glazing* along at least 50% of the *façade* to allow visual penetration into the interior of the *building*; and

(ii) In addition to the provisions of section (a)(A), the *Development Authority* may require that any side of a *building* that fronts onto a pedestrian walkway must incorporate design features which will create a pedestrian friendly environment, including:

(A) Street entrances providing direct *access* to the sidewalk; and

(B) Architectural features or street furniture.

(12) **DEVELOPMENT REGULATIONS**

(a) General

(i) Compliance with *site plan:*

(A) *Buildings* shall be located in accordance with the overall *conceptual site development plan* identified in section (6)(a).

(ii) Limits on Discretionary Uses for Area A:

(A) The total floor area to be occupied by all Discretionary Uses referred to in section (3) must not exceed 10% of the floor area of the *building* in which they are located; and

(B) The maximum *gross floor area* of any individual discretionary land use referred to in section (3) must not exceed 275.00 m^2.

(iii) Regulations applicable to Area B

(A) *Health service* uses must comprise at least 30% of the *gross floor area* of Area B available for commercial *development*.

(b) *Amenity area (common)*

(i) Notwithstanding any provision of section 3.46 ‘Amenity Area (Common)’ in Area A:

(A) A *development* which includes 40 or more sleeping or *dwelling units* must provide a minimum *amenity area* of 2.50 m^2 per sleeping or *dwelling unit,* to be developed as an outdoor *amenity area (common)* and incorporated into areas of not less than 100.00 m^2 for the benefit of the residents in each *building*; and

(B) The *amenity area (common)* may include seating areas, raised gardens, courtyards, and recreational areas;

(ii) Notwithstanding any provision of section 3.46 'Amenity Area (Common)' in Area C:

(A) A single *amenity area (common)*, identified as Area C on *Figure 5-11*, must be provided for the benefit of all *development* within Area B;

(B) The *amenity area (common)*:

(I) Shall be centrally located on the Area B *site*;

(II) Shall be designed to serve as a space for the active or passive recreation and enjoyment of users;

(III) May include a *plaza* or focal point;

(IV) Must be a minimum of 100.00 m^2 in size;

(V) May include elements such as street furnishings, *hard-surfacing*, plantings, amenities, art and sculpture, and architectural features to create a strong sense of a communal gathering place, to the approval of the *Development Authority*;

(VI) Shall provide an area of overhead weather protection for a portion of the *amenity area (common)*; and

(VII) Shall provide for at least one pedestrian walkway connection to Sturgeon Community Hospital and Health Centre, Area A, Area B, and *off-site* pedestrian linkages.

(c) Pedestrian circulation

(i) In making a determination about the design of *on-site* pedestrian circulation within the ICC District, the *Development Authority* must ensure that pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient, inclusive, and convenient circulation pattern for pedestrians;

(ii) In the ICC District, all *developments* must:

(A) Provide *on-site* exterior pedestrian walkways which connect *on-site* uses to each other and to the public right-of-way adjoining the *development*;

(B) Provide pedestrian *access* to the adjacent neighbourhood, and between Area A and Area B;

(C) Provide pedestrian walkways along storefronts which have doors or similar openings;

(D) Separate pedestrian movements and *vehicle* traffic by raising or ramping pedestrian walkways when traversing drive aisles, and delineating crosswalks with coloured concrete or painted lines;

(E) Construct and maintain the pedestrian walkways for use by the public; and

(F) Design pedestrian routes that offer minimal disruption to the continuity of pedestrian circulation;

(iii) Pedestrian walkways must:

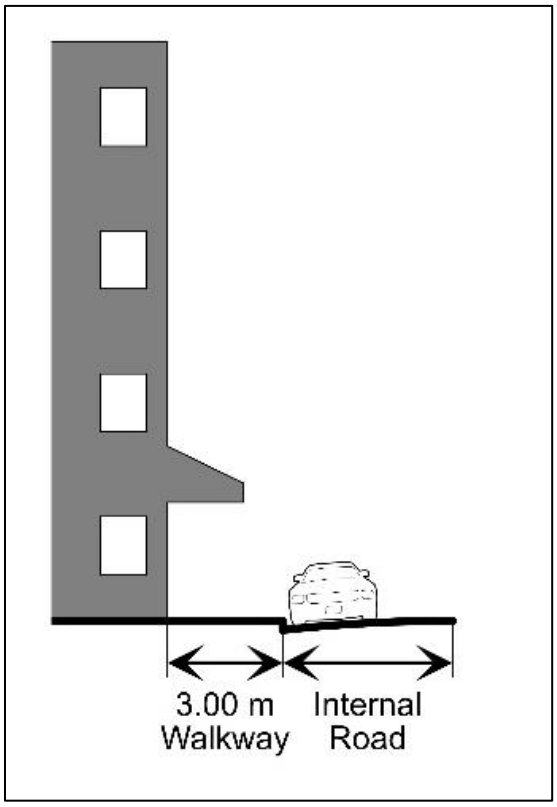
(A) Be constructed of a *hard-surface* material; and

(B) Be a minimum of 2.50 m in width, except in the case of:

(I) A storefront *access* where a minimum 3.00 m walkway width must be provided (*Figure 5-13*); and

(II) A *breezeway* where a minimum 5.00 m walkway width must be provided.

Figure 5-13: ICC Storefront Access



(d) Outdoor lighting

(i) In addition to the regulations of section 3.24 'Outdoor Lighting:'

(A) All outdoor lighting within the ICC District shall be of a design and style that is consistent with the architectural character of the *development*, and shall add visual interest; and

(B) Outdoor lighting must be provided for all *amenity areas*, private walkways, and *parking lots,* to the satisfaction of the *Development Authority*.

(e) Overhead weather protection

(i) In addition to the regulations in section 3.25 'Overhead Weather Protection:'

(A) In Area A, overhead weather protection must be provided at primary pedestrian entrances, to the satisfaction of the *Development Authority*;

(B) In Area B, a *development* must provide continuous overhead weather protection for pedestrians for the entire *building frontage* adjoining a sidewalk; and

(C) In Area B, overhead weather protection must:

(I) Project a minimum of 2.00 m over the sidewalk; and

(II) Have a vertical clearance of at least 2.50 m and at most 4.00 m above the sidewalk.

(f) *Landscaping*

(i) In addition to the regulations of sections 3.98 through 3.102, in Area A - seniors housing:

(A) All minimum required yards within must be landscaped;

(B) Within required yards, trees must be planted at an overall ratio of one tree per 75.00 m^2 of landscape area;

(C) Trees must be planted in clusters and be dispersed within the *site*; and

(D) Coniferous trees must comprise a minimum proportion of 40% of all trees planted.

(g) *Vehicle* circulation

(i) In areas A and B, when making a determination about the design of *on-site vehicle* circulation within the ICC District, the *Development Authority* must ensure that *vehicle* routes are located and designed in a manner

that provides a clearly defined, safe, efficient, and convenient circulation pattern for *vehicles*.

(13) **PARKING AND LOADING AREAS**

(a) In addition to the *parking* and loading provisions identified in Part 4: Parking of this Bylaw, the following regulations are applicable to areas A and B:

(i) Shared *parking* may be considered, at the discretion of the *Development Authority,* in consultation with Engineering Services, to fulfill the *parking* requirements of Part 4: Parking; and

(ii) A proposal for shared *parking* shall have regard for the existing and future *parking* needs of the District, existing *parking* requirements for the Sturgeon Community Hospital and Health Centre, and the ratio of *parking* proposed to be shared in Areas A and B.

(iii) Additional regulations applicable to Area A:

(A) A vehicular drop-off area to accommodate residents and adult day-program users must be provided to the satisfaction of the *Development Authority*, in consultation with Engineering Services;

(B) Signage, which specifically designates visitor and staff *parking*, and handi-bus pick-up and drop-off areas, must be provided, to the satisfaction of the *Development Authority*.

(iv) Additional regulations applicable to Area B:

(A) A *parking lot* is encouraged to be located to the side or rear of the *building*.

Special Districts

5.20 PRK - PUBLIC PARK DISTRICT

(1) **APPLICATION**

This section applies to the areas designated as Public Park (PRK) District on the Land Use District Map, Schedule A of this Bylaw.

(2) **PURPOSE**

The purpose of the PRK District is to provide *parks* along with complementary facilities throughout the *City* for the purpose of public recreation and cultural activities. The intent is also to protect lands within the flood-risk area from *development*.

(3) **PERMITTED AND DISCRETIONARY USES**

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Park*	(b) *Campground*
(ii)		(b) *Community garden*
(iii)		(b) *Conference and banquet facility*
(iv)		(b) *Daycare facility*
(v)		(b) *Exhibition grounds*
(vi)		(b) *Government service*
(vii)		(b) *Greenhouse and plant nursery*
(viii)		(b) *Public market*
(ix)		(b) *Public utility building*
(x)		(b) *Recreation (indoor)*
(xi)		(b) *Recreation (outdoor)*
(xii)		(b) *Stadium*
(xiii)		(b) *Surveillance suite*
(xiv)		(b) *Accessory Development* to a Permitted Use or Discretionary Use

(4) **BUILDING HEIGHT**

(a) Maximum building height is 10.00 m.

(b) For an *accessory building*, the minimum building height shall be determined by the *Development Authority*.

(5) **SETBACKS**

(a) For a *building* adjoining a *Residential District* or use, the minimum *setback* is 10.00 m from a *property line*.

(b) For a *parking lot*, the minimum *setback* is 4.00 m from a *property line*.

(c) For a sports field or *recreation (outdoor)* use, the *setback* shall be at a distance as determined by the *Development Authority*, to prevent the sport or recreation activity from interfering with adjoining developments.

(d) In all other cases, *setbacks* shall be as determined by the *Development Authority* to prevent or reduce interference with adjoining developments and ensure the orderly flow of pedestrian and vehicular traffic.

(e) For an *accessory building*, the minimum *setback* shall be determined by the *Development Authority*.

(6) **DEVELOPMENT ON PROPERTIES WITHIN THE FLOOD-RISK AREA**

(a) Property adjacent to Big Lake, the Sturgeon River Valley, the Carrot Creek Valley, riparian areas, or within the flood-risk area shall be held to the following additional Performance Standards:

(i) *Development* should allow *public access* to public lands along Big Lake, the Sturgeon River, or Carrot Creek banks, where appropriate;

(ii) Any *development* that disturbs the normal hydrological process within Big Lake, the Sturgeon River Valley, or Carrot Creek Valley must minimize the risk of *on-site* and *off-site* flood damage; and

(iii) *Development* that includes any channelization or diking along the riverbanks shall be designed in consultation with the responsible provincial authority.

5.21 CON - CONSERVATION DISTRICT

(1) APPLICATION

This section applies to the areas designated as Conservation (CON) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the CON District is to provide for the protection and stewardship of *natural areas* and environmentally sensitive lands, and to preserve ecological integrity and biodiversity while allowing limited passive recreation. The intent is also to protect lands within the flood-risk area from *development*.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Natural area*	(b) *Accessory Development* to a Permitted Use or Discretionary Use

(4) BUILDING HEIGHT

(a) For an *accessory building*, the minimum height shall be determined by the *Development Authority*.

(5) SETBACKS

(a) *Principal building* and *accessory* building *setbacks* shall be as determined by the *Development Authority*.

(6) DEVELOPMENT ON PROPERTIES WITHIN THE FLOOD-RISK AREA

(a) Property adjacent to Big Lake, the Sturgeon River Valley, the Carrot Creek Valley, riparian areas, or within the flood-risk area shall be held to the following additional performance standards:

(i) *Development* should allow *public access* to public lands along Big Lake, the Sturgeon River, or Carrot Creek banks, where appropriate;

(ii) Any *development* that disturbs the normal hydrological process within Big Lake, the Sturgeon River Valley, or Carrot Creek Valley must minimize the risk of *on-site* and *off-site* flood damage; and

(iii) *Development* that includes any channelization or diking along the riverbanks, shall be designed in consultation with the responsible provincial authority.

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5.22 PSI - PUBLIC, PRIVATE, AND INSTITUTIONAL SERVICE DISTRICT

(1) APPLICATION

This section applies to the areas designated as Public, Private, and Institutional Service (PSI) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the PSI District is to provide areas for the location and establishment of facilities which, under public franchise, ownership, or private enterprises – operating for the public convenience and necessity – provide public services such as education, community services, health care, recreation, and utilities.

(3) PERMITTED AND DISCRETIONARY USES

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Cemetery*
(ii)	(a) *Government service*	(b) *Conference and banquet facility*
(iii)	(a) *Park*	(b) *Daycare facility*
(iv)	(a) *Public market*	(b) *Dwelling (dormitory)*
(v)	(a) *School (elementary or secondary)*	(b) *Health service*
(vi)	(a) *School (post-secondary)*	(b) *Hospital*
(vii)	(a) *Supportive living accommodation*	(b) *Parking lot,* for *off-site parking* only
(viii)	(a) *Transitional accommodation*	(b) *Parking structure*
(ix)		(b) *Public utility building*
(x)		(b) *Recreation (indoor)*
(xi)		(b) *Recreation (outdoor)*
(xii)		(b) *Religious assembly*
(xiii)		(b) *Accessory Development* to any Permitted Use or Discretionary Use

(4) BUILDING HEIGHT

(a) The maximum building height is 15.00 m.

(b) For an *accessory building*, the minimum building height shall be determined by the *Development Authority*.

(5) BUILDING SETBACKS

(a) The minimum *principal building setback* is 6.00 m from any *property line*.

(i) Notwithstanding section (a), all *developments* must provide a minimum building *setback* of 10.00 m from any *property line* which adjoins a *residential use* or *Residential District*.

(b) For an *accessory building*, the minimum *setback* shall be determined by the *Development Authority*.

(6) **DESIGN, CHARACTER, AND APPEARANCE**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building’ and 3.80 ‘Design, Character, And Appearance Of Non-Residential Buildings,’ all *buildings* in this district must be finished as follows to the satisfaction of the *Development Authority*:

(i) *Building* exteriors shall be concrete, cementitious boards or panels, exposed aggregate, stucco, glass, brick, brick veneer, natural stone, wood, or metal accents.

(A) Notwithstanding section (i) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District.

5.23 ALT - ALTERNATE JURISDICTION DISTRICT

(1) APPLICATION

This section applies to the areas designated as Alternate Jurisdiction (ALT) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the ALT District is to provide for lands that do not require a *Development Permit* when falling under the jurisdiction of federal or provincial legislation.

(3) PERMITTED AND DISCRETIONARY USES

Any use that is consistent with those uses, activities, and operations prescribed in the appropriate superior legislation.

(4) DEVELOPMENT REGULATIONS

(a) A *Development Permit* is not required under the ALT District if the *development* is exempted from this Bylaw by reason of provisions in federal or provincial legislation, or the developer being the crown, a crown agency, or a federal industry.

(b) If *development* of the lands within the ALT District no longer satisfies the requirement of section (a), a *Development Permit* is required.

(c) If for any reason, including a change in ownership or legislation, the lands to which this District originally applies, but subsequently become subject to the *City's* jurisdiction, the lands shall be redistricted to an appropriate District.

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5.24 FUD - FUTURE URBAN DEVELOPMENT DISTRICT

(1) APPLICATION

This section applies to the areas designated as Future Urban Development (FUD) District on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the FUD District is to control land areas which are undeveloped or developed to low intensity, which may include agricultural and rural land use activities of a limited nature, and to ensure their orderly transformation to future urban expansion or intensification of *development*.

(3) DISCRETIONARY USES

	DISCRETIONARY USES
(i)	(a) *Agriculture (general)*
(ii)	(a) *Agriculture accessory building*
(iii)	(a) *Animal grooming*
(iv)	(a) *Animal service*
(v)	(a) *Community garden*
(vi)	(a) *Congregate housing (level two)*
(vii)	(a) *Construction service*
(viii)	(a) *Dugout*
(ix)	(a) *Dwelling (single detached)*
(x)	(a) *Greenhouse and plant nursery*
(xi)	(a) *Group home*
(xii)	(a) *Home-based business (level two)*
(xiii)	(a) *Home-based business (level three)*
(xiv)	(a) *Public utility building*
(xv)	(a) *Recreation (outdoor)*
(xvi)	(a) *Religious assembly*
(xvii)	(a) *Secondary suite (internal)*
(xviii)	(a) *Sod farm*
(xix)	(a) *Topsoil processing and sales*
(xx)	(a) *Accessory Development* to any Discretionary Use

(4) **USE REGULATIONS**

(a) Each of the land uses listed in the following table shall comply with the regulations set out for that use in the applicable District as follows:

Land Use	Applicable District
(i) *Animal service*	ICS
(ii) *Construction service*	ICS
(iii) *Dwelling (single detached)*	LDR
(iv) *Public utility building*	PSI
(v) *Religious assembly*	PSI
(vi) Regulations for all other uses not listed in section (a), but listed in section (3), will be at the discretion of the *Development Authority*.	

(b) Notwithstanding section (a), the *Development Authority* may refer to a corresponding conventional District or any part of the Land Use Bylaw to determine land use regulations that may be applied to a prospective *Development Permit*.

(c) The *Development Authority* may refer to a corresponding conventional *Land Use District*, or any part of the Land Use Bylaw, to determine *development* regulations that may be applied to a *Development Permit* referenced in section (vi).

(5) **SUBDIVISION REGULATIONS**

(a) Multi-lot residential subdivision (greater than one additional *lot* per quarter section) shall be prohibited.

(i) Notwithstanding section (a), multi-lot residential subdivisions (greater than one additional *lot* per quarter section) are permitted in accordance with the applicable *ASP*, *ARP*, or *Neighbourhood Plan*.

(6) **DEVELOPMENT REGULATIONS**

(a) The *Development Authority* shall not approve a Discretionary Use that would prejudice the future subdivision, servicing, or *development* of the subject lands for future urban expansion or intensification *development*.

(b) The *Development Authority* may specify the length of time a use is permitted in the FUD District having regard for the subdivision, staging, and *development* of the subject lands for urban expansion or intensification.

(7) **DWELLINGS AND DRIVEWAYS**

(a) The size of a *site* for a *dwelling (single detached)* shall be between 0.40 ha and 1.00 ha.

(b) No *driveway* shall be located closer than 100.00 m from the intersection of two municipal roadways, or as otherwise determined by the *Development Authority* in consultation with the *City* Engineer.

(8) **SITE CONDITIONS**

(a) The *Development Authority,* in considering an application, may impose conditions requiring the retention of trees or additional plantings of such a type and amount that are considered necessary.

(b) The *Development Authority* may prescribe one or more *setback* or *screening* requirements for uses that may be incompatible with adjacent land uses to minimize potential *off-site* impacts.

(c) The *Development Authority* may impose conditions requiring *screening* for uses that involve the *outdoor storage* of goods, machinery, *vehicles*, building materials, waste materials, and other comparable items.

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5.25 TRN - TRANSITIONAL DISTRICT

(1) APPLICATION

This section applies to the areas designated as Transitional (TRN) on the Land Use District Map, Schedule A of this Bylaw.

(2) PURPOSE

The purpose of the TRN District is to regulate land areas which are undeveloped or developed to low intensity, and to accommodate traditional agricultural operations and the supportive services they use, which do not compromise the ability for future urban intensity *development* to occur in an orderly and efficient manner.

(3) PERMITTED USES

	PERMITTED USES
(i)	(a) *Agriculture (general)*
(ii)	(a) *Agriculture accessory building*
(iii)	(a) *Animal health (rural)*
(iv)	(a) *Dugout*
(v)	(a) *Dwelling (manufactured home)*
(vi)	(a) *Dwelling (single detached)*
(vii)	(a) *Farm help accommodation* (for *lots* with an area over 4.00 ha)
(viii)	(a) *Group home*
(ix)	(a) *Home-based business (level two)*
(x)	(a) *Secondary suite (garage)*
(xi)	(a) *Secondary suite (garden)*
(xii)	(a) *Secondary suite (internal)*
(xiii)	(a) *Supportive living accommodation*
(xiv)	(a) *Accessory Development* to any Permitted Use

(4) DISCRETIONARY USES

	Discretionary uses for lots with an area of 16.00 ha and greater	Discretionary uses for lots with an area of 4.00 ha to 15.99 ha	Discretionary uses for lots with an area less than 4.00 ha
(i)	(a) *Agricultural support service*	(b) *Agricultural support service*	(c) *Agricultural support service*
(ii)	(a) *Agriculture (intensive)*	(b) *Agriculture (intensive)*	(c) *Animal grooming*
(iii)	(a) *Animal grooming*	(b) *Animal grooming*	(c) *Animal health*
(iv)	(a) *Animal health*	(b) *Animal health*	(c) *Animal service*
(v)	(a) *Animal service*	(b) *Animal service*	(c) *Cannabis production and distribution (micro)*
(vi)	(a) *Auction (agriculture)*	(b) *Cannabis production and distribution (micro)*	(c) *Community garden*
(vii)	(a) *Auction (general)*	(b) *Community garden*	(c) *Construction service*
(viii)	(a) *Cannabis production and distribution (micro)*	(b) *Construction service*	(c) *Event venue (rural)*
(ix)	(a) *Community garden*	(b) *Equestrian facility*	(c) *Farm help accommodation*

	Discretionary uses for lots with an area of 16.00 ha and greater	Discretionary uses for lots with an area of 4.00 ha to 15.99 ha	Discretionary uses for lots with an area less than 4.00 ha
(x)	(a) *Congregate housing (level two)*	(b) *Congregate housing (level two)*	(c) *Congregate housing (level two)*
(xi)	(a) *Construction service*	(b) *Event venue (rural)*	(c) *Home-based business (level three)*
(xii)	(a) *Dwelling (secondary)* on a *lot* 32.40 ha and greater	(b) *Home-based business (level three)*	(c) *Religious assembly*
(xiii)	(a) *Equestrian facility*	(b) *Public utility building*	(c) *Sod farm*
(xiv)	(a) *Event venue (rural)*	(b) *Religious assembly*	(c) *Accessory Development* to a Discretionary Use
(xv)	(a) *Home-based business (level three)*	(b) *Sod farm*	
(xvi)	(a) *Public utility building*	(b) *Storage facility (recreation vehicle and equipment)*	
(xvii)	(a) *Sod farm*	(b) *Topsoil processing and sales*	
(xviii)	(a) *Storage facility (recreation vehicle and equipment)*	(b) *Accessory Development* to a Discretionary Use	
(xix)	(a) *Topsoil processing and sales*		
(xx)	(a) *Accessory Development* to a Discretionary Use		

(5) **LOT COVERAGE**

(a) The maximum *lot coverage* is 15% for *lots* equal to or less than 15.99 ha.

(b) The maximum *lot coverage* for *lots* 16.00 ha or greater is at the discretion of the *Development Authority*.

(6) **SITE DENSITY**

(a) The maximum *dwelling unit* density shall be as follows:

(i) Two principal *dwelling units* on a *lot* 32.40 ha and greater; and

(ii) One *dwelling unit* on all other *lots*.

(7) **SUBDIVISION REGULATIONS**

(a) Single *lot* subdivision:

(i) Single *lot* subdivision may be allowed when subdivided from a parent *lot* with an area:

(A) Between 48.00 and 79.99 ha, which shall be considered equivalent to 64.70 ha, or a full quarter section; and

(B) Between 16.00 and 47.99 ha, which shall be considered equivalent to 32.40 ha, or half of a quarter section;

(ii) Existing *lots* under 16.00 ha shall have no further subdivision;

(iii) A single *lot* subdivision shall have a maximum area of 1.00 ha, unless a larger area is essential to meet one or both of the below:

(A) Encompass mature shelterbelts, existing *buildings,* or any other related features associated with an existing *farmstead* (however, additional farmland will not be compromised to accommodate a septic system, the *setback* distances associated with a septic system, a *dugout*, or an extensive area of fencing); or

(B) Mitigate any *site* constraints which could otherwise significantly limit the *development* potential of a 1.00 ha (2.47 ac) *lot* or create land use conflicts such as *setback* distances from pipelines, low-lying or steep topography, inaccessible portions of land, or land fragmentation (however, additional farmland will not be compromised when a *site* constraint could equally be addressed by modifying the location, the dimensions of the proposed 1.00 ha (2.47 ac) *lot*).

(b) Four-*lot* subdivision maximum:

(i) Multi-lot country residential subdivision (greater than four *lots* per quarter section) shall be prohibited.

(ii) Unless otherwise indicated within an *ASP*, a quarter section of 64.70 ha in the TRN District shall contain a maximum *lot density* of four, comprising:

(A) Two *lots*, each 32.40 ha, or alternative areas necessary due to land fragmentation; and

(B) Two *lots* for *residential uses*, one from each of the two 32.40 ha *lots*, to a maximum area of 1.00 ha each.

(8) **FLOOR AREA**

(a) The maximum floor area for an *accessory building*:

(i) For *lots* between 4.00 and 15.99 ha, is 465.00 m^2; and

(ii) For *lots* less than 4.00 ha, is 230.00 m^2.

(9) **BUILDING HEIGHT**

(a) The maximum building height of a *principal building* or any *accessory building* is at the discretion of the *Development Authority*.

(10) **BUILDING SETBACK**

(a) Front yard *setback*

(i) The minimum front yard building *setback* for a:

(A) *Principal building* is 35.00 m; and

(B) *Agriculture accessory building* or *accessory building* is 20.00 m.

(b) Side yard *setback*

(i) The minimum side yard building *setback* for a:

(A) *Principal building* is 6.00 m; and

(B) *Agriculture accessory building* or *accessory building* is 3.00 m.

(ii) Notwithstanding section (b), the minimum side yard building *setback* for a *corner lot* side yard that adjoins a flanking *public roadway*:

(A) For a *principal building*, is 35.00 m; and

(B) For an *agriculture accessory building* or *accessory building*, is 20.00 m.

(c) Rear yard *setback*

(i) The minimum rear yard building *setback* for a:

(A) *Principal building* is 6.00 m; and

(B) *Agriculture accessory building* or *accessory building* is 3.00 m.

(d) Notwithstanding sections (a) through (c), for an *agriculture (intensive)* use, the *Development Authority* shall determine *setbacks*. No *setback* for a new *agriculture (intensive)* use shall be less than 100.00 m from the *property line* of an existing residential *lot*. The required *setback* may be reduced if the residential *lot* is also owned by the proponent of the *agriculture (intensive)* use.

(11) **DEVELOPMENT REGULATIONS**

(a) General

(i) Intensification of a use on *lots* in existence as of February 22, 2022, may trigger a planning process that includes preparation of an *ASP*, redistricting, or both.

(ii) No new uses or expansion of existing, *agriculture (intensive)* uses shall be supported in the TRN District.

(iii) When reviewing an application for a Discretionary Use, the *Development Authority* shall not approve Discretionary Uses that would prejudice the future subdivision, servicing, or *development* of the subject lands for future urban expansion or intensification of *development.*

(iv) The *Development Authority* may specify the length of time a Discretionary Use is permitted in the TRN District, having regards for the subdivision, staging, and *development* of the subject lands for urban expansion or intensification.

(b) *Driveways*

(i) No *driveway* shall be located closer than 100.00 m from the intersection of two municipal roadways, or as otherwise determined by the *Development Authority,* in consultation with the *City* Engineer.

(c) *Building separation*

(i) An *agricultural accessory building* or *farm help accommodation* shall be set back a minimum of 1.90 m from the *principal building* or another *accessory building*.

(d) *Farm help accommodation*

(i) Each *building* may contain a maximum of eight *sleeping units*, a common kitchen or dining area, and common bathroom facilities.

(12) **SITE CONDITIONS**

(a) In addition to the above, the *Development Authority,* considering an application may impose conditions requiring the retention of trees or additional plantings of such a type and amount that are considered necessary.

(b) The *Development Authority* may prescribe requirements for *setbacks, screening,* or both for uses that may be incompatible with adjacent land uses.

(c) The *Development Authority* may impose conditions requiring *screening* for uses that involve the *outdoor storage* of goods, machinery, *vehicles*, building materials, waste materials, and other comparable items.

(13) **SHIPPING CONTAINER**

(a) The maximum number of *shipping containers* allowed on a *lot* without a *Development Permit* in the TRN District are:

(i) Five on *lots* 16.00 ha or greater;

(ii) Three on *lots* with an area of 4.00 to 15.99 ha; and

(iii) One on *lots* with an area of 0.50 ha to less than 4.00 ha.

(b) The storage of *shipping containers* in excess of the maximum amount for the District as listed in section (a) shall be considered as *outdoor storage* and will require a *Development Permit*.

(c) Stacking of *shipping containers* shall not be permitted.

5.26 DC - DIRECT CONTROL DISTRICT

(1) **APPLICATION**

This section applies to the areas designated as *Direct Control* (DC) on the Land Use District Map, Schedule A of this Bylaw.

(2) **PURPOSE**

The purpose of a *Direct Control* (DC) District is to enable *Council* to exercise particular control over the use and *development* of land or *buildings* within the area so designated. The DC District may be used to create site-specific regulations for *lots*, including *historic resources*.

(3) **APPROVAL AUTHORITY**

(a) *Council* shall determine the uses that may be allowed in a DC District, and may impose such standards and conditions it considers appropriate to regulate that use.

(i) Notwithstanding section (a), *Council* may delegate the following Discretionary Uses for approval by the *Development Authority*, and the *Development Authority* may impose standards and conditions it considers appropriate to regulate, including:

(A) *Accessory Developments* to a use enabled within a DC District.

(b) *Council*, or the *Development Authority* where delegated by *Council*, may issue a *Development Permit* for any use in a DC District, and impose such conditions as it consider appropriate.

(c) In addition to section 2.16, the *Development Authority* where delegated by *Council*, may impose such conditions as it deems appropriate.

(4) **DEVELOPMENT REGULATIONS**

(a) *Council,* or the *Development Authority,* where delegated by *Council*, may refer to a corresponding conventional District or any part of the Land Use Bylaw to determine land use regulations that may be applied to a DC District *Development Permit*.

(b) A DC District is a separate and distinct bylaw from this Bylaw and can be made with reference to Districts in this Bylaw.

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Part 6
Signage

This part outlines signage regulations that apply throughout St. Albert.

6.1 APPLICATION

(1) This part shall apply to all *signs* that are posted, placed, or erected on both *private property* and *public property*:

(a) Notwithstanding section (1), this part does not apply to *municipal signs* or *signs* that are posted, placed, or erected in accordance with a contractual arrangement between the *City* and another party; and

(b) Notwithstanding section (1), unless otherwise indicated herein, the *Traffic Bylaw* 18/2005 regulates signage that is posted, placed, or erected on *highways,* lanes, and *public roadways*.

6.2 GENERAL SIGN REGULATIONS

(1) A *sign* shall not be constructed or located such that it may be confused with or detract from a *traffic control device*, *municipal sign,* or other municipal device.

(2) A *sign* shall not be constructed or located such that it interferes with the safe or orderly movement of pedestrians or motor *vehicles*, or the sight lines required under this or any other bylaw.

(3) A *sign* shall not project beyond the boundary of the *site* upon which it is located.

(4) A *sign* is limited to *first-party advertising*, unless otherwise specified by this Bylaw.

(5) A *sign* displaying a neighbourhood name must be consistent with any *City* neighbourhood naming policy or bylaw.

(6) A *sign height* must not exceed the maximum building height allowed in the applicable District.

(7) The *illumination* of a *sign* must not negatively affect nor pose a safety hazard to an *adjacent site* or area.

(8) Wiring and conduits for electrified *signs* must be concealed from view.

(9) A *sign* must be designed and constructed to ensure:

(a) The durability of the *sign* (taking into account whether it is a permanent or *temporary sign*);

(b) The compatibility of the *sign* with adjacent *development*; and

(c) The integration of design elements and building materials that complement the architecture of the *on-site buildings*.

(10) If a *sign* fits within two or more *sign* categories, then:

(a) It shall be a Permitted Use, if it is a Permitted Use under each *sign* category;

(b) It shall be a Discretionary Use, if it is a Discretionary Use under at least one *sign* category; and

(c) It shall comply with all regulations applicable to each category of *sign*.

(11) The separation or *setback* distance of a *sign* shall be measured from the point of the *sign* closest to another *sign*, *property line*, or *building*.

(12) A *self-supported sign* shall maintain a minimum *separation distance* of 3.00 m from any other *sign*, unless otherwise specified by this Bylaw.

(13) No *sign* shall be placed on a *site* prior to the *site* being issued *Development Permit* approval for a *building* or use.

(a) Notwithstanding section (13), a *real estate sign*, *developer marketing sign*, *development directional sign*, *developer marketing fence sign*, or *neighbourhood identification sign* may be placed on an undeveloped site not associated with a *Development Permit*.

(14) When a *sign* has been erected or displayed without the issuance of a required *Development Permit*, retroactive application fees shall be charged in accordance with the current *Master Rates Bylaw.*

(15) A *sign* shall be maintained in good repair and without limiting the generality of the foregoing:

(a) A *sign* shall at all times be structurally sound;

(b) A *sign* shall not be allowed to peel or become torn; and

(c) Any portion of a *sign* that is metal shall not be allowed to rust.

(16) If the *Development Authority* determines that a sign is in an unacceptable state of disrepair, or poses a safety concern or emergency condition, the Development Authority may require that the sign owner undertake repairs or removal.

(17) A *live/work unit* shall be limited to a maximum of one *sign*.

(18) Unless otherwise stated in section 6.3 'Signs Not Requiring A Development Permit,' all *signs* must have a *Development Permit* in compliance with Part 6 of this Bylaw.

6.3 SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

(1) A *Development Permit* is not required for:

(a) A *sign* posted or exhibited inside a *building*;

(b) A *window sign* in a *Residential District* up to 0.30 m^2 in *sign area*;

(c) A *window sign* in *Commercial*, *Industrial*, and *Mixed-Use Districts* up to 0.80 m^2 in *sign area*;

(d) A *vehicle sign*, provided the *vehicle* is not temporarily or permanently parked for the purpose of displaying the *sign*;

(e) A *sign* erected, pursuant to a valid *development agreement*, to notify of a statutory plan amendment or to identify a Municipal Historic Resource;

(f) An emergency or warning *sign* placed on a public *building*, *lot,* or utility right-of-way;

(g) Municipal address identification;

(h) A *self-supported sign* in a *Residential District* up to 0.80 m^2 in *sign area*, for the purpose of advertising an *on-site* contractor undertaking renovation work on a property, that is displayed for a period of no more than 14 consecutive days;

(i) A *sign* on *private property* indicating *on-site* traffic circulation or *parking* regulations, less than 2.00 m^2 in *sign area* and to maximum height of 2.00 m; and

(j) A *sign* which is exempt from the requirements for a *Development Permit* in this Bylaw.

6.4 PROHIBITED SIGNS

(1) The following *sign* types are prohibited:

(a) *Attention-getting devices*;

(b) *Flashing signs*; and

(c) *Walkway decals*.

(2) With the exception of *vehicle signs*, all *signs* displayed on or within trailers, or other *vehicles*, are prohibited in all Districts.

(3) *Signs* that employ motion picture projections, animations, or non-static digital images are prohibited.

6.5 THIRD-PARTY ADVERTISING

(1) *Third-party advertising* is not permitted.

(a) Notwithstanding section (1), *third-party advertising* is allowed to be displayed on *billboards* or *freestanding signs with a digital display*.

(i) Notwithstanding section (1)(a), in a PSI District, a *freestanding sign with digital display* shall not display *third-party advertising*.

(2) At the determination of the *Development Authority*, in a *Commercial* or *Industrial* District where abutting *lots* have the appearance and function of a single *site* by virtue of having mutual *access* agreements, shared *parking*, *private roadway*, or *access* points, a *sign* that relates to a use on any of the associated *lots* may not be considered t*hird-party advertising* when placed on another *lot*, but excludes a *billboard*.

6.6 SIGNS WITH A DIGITAL DISPLAY

(1) *Signs* containing a *digital display* shall meet the following requirements:

(a) Unless otherwise stated in Part 6, a *digital display* may only be approved in the TCC, ICS, IND, or PSI Districts; *digital displays* are prohibited in all other Districts;

(b) Subject to approval, a *digital display* is only permitted on a *billboard*, *fascia sign*, or *freestanding sign*. A *digital display* is not permitted on any other *sign* type;

(c) A *sign* with a *digital display* located on or attached to the roof of a *building* is prohibited;

(d) Unless otherwise stated in Part 6, a *digital display* must be located a minimum of 30.50 m from a roadway intersection;

(e) *Landscaping* required under an approved *Development Permit* may be removed or altered to accommodate the placement or visibility of a *sign* with a *digital display*, subject to the approval of an updated *landscaping* plan;

(f) A *digital display sign*-face may be mounted on one or two sides of a *sign* only. If a *digital display* is two-sided, each side must be parallel with the other. Triple-sided, multi-sided, V-shaped, curved *digital displays*, or any other configurations are not permitted;

(g) All *digital displays* must be enclosed to the satisfaction of the *Development Authority*;

(h) A *sign* with a *digital display* shall not face a Residential, PRK or CON District;

(i) The *Development Authority* shall be satisfied that the *sign*:

(i) Does not physically obstruct the sightlines or view of a *traffic control device* or traffic control signal for oncoming vehicular traffic;

(ii) Is not located in the field-of-view near or past a *traffic control device* or traffic control signal in the sightlines of oncoming vehicular traffic; and

(iii) Is not located in the field-of-view near or past other traffic-conflict points such as intersections, merge points, exit ramps, or curved roadways.

(j) All *signs* containing a *digital display* must be equipped with an ambient light sensor, in accordance with the following:

(i) The ambient light sensor shall automatically adjust the brightness level of the *copy* area based on ambient light conditions; and

(ii) Brightness levels of the *digital display* shall not exceed 0.3 *foot-candles* above ambient light conditions when measured from the *digital display* face at its maximum brightness;

(k) In the PSI District, a *sign* with *digital display* shall only be illuminated and operational between the hours of 7 a.m. and 10 p.m.;

(l) *Copy* shall be static and remain in place for a minimum of six seconds before switching to the next *copy*;

(m) The transition time between each *digital display copy* shall be instantaneous and without any digital effects, including action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects;

(n) *Copy* shown in a manner requiring the intended message to be viewed over multiple *copy* transitions is not permitted;

(o) If an electrical power supply is provided to a *digital display*, it shall be provided underground unless otherwise allowed by the *Development Authority*;

(p) Existing *digital displays* (previously known as *electronic message signs*) approved prior to the effective date of this Bylaw amendment shall be bound by their original *Development Permit* approval;

(q) An Applicant with a valid existing *Development Permit* approval for a *digital display* which permits static text-only *copy* may apply for a new *Development Permit* to allow the addition of static images to the display. All regulations for *digital displays*, including the design guidelines, must be achieved;

(r) At any time, if the *Development Authority* determines that the brightness or light level of a *digital display* exceeds the limits set out in section (j)(ii), the *Development Authority* may direct the *Development Permit* holder to change the settings in order to bring the *digital display* into compliance with this Bylaw, and, if that direction is not complied with, the *Development Authority* may undertake enforcement in accordance with Part 1 of this Bylaw;

(s) If any component of 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.

(t) The *sign* owner shall provide the name and telephone number 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.

6.7 COMPREHENSIVE SIGN PLAN

(1) Where required by a *Development Authority*, a *comprehensive sign plan*:

(a) Is subject to the issuance of a *Development Permit*;

(b) May be applied for by an Applicant in any District;

(c) Is a Permitted Use in all Districts;

(i) Notwithstanding section (c), is a Discretionary Use when a *variance* is applied;

(d) Shall apply to temporary and permanent *signs*;

(e) Shall comply with the overall intent of Part 6 and the regulations of the applicable *sign* type with respect to the type of allowable *signs* within a District, *sign height*, *sign area*, *separation distance*, location, and *setbacks*;

(f) May permit, at the discretion of the *Development Authority*, a *variance* to the total number of *signs* allowed per *site*;

(g) Is binding when approved, and no deviations to the *comprehensive sign plan* shall occur until a revised *comprehensive sign plan* is approved; and

(h) Approval shall require that separate *Development Permit*s are obtained for each individual *sign* within a *comprehensive sign plan*.

6.8 TEMPORARY SIGNS

(1) The following *sign* types are considered *temporary signs*:

(a) *A-board sign*;

(b) *Balloon sign*;

(c) *Banner sign*;

(d) *Construction site identification sign*;

(e) *Developer marketing sign*;

(f) *Developer marketing fence sign*;

(g) *Development directional sign*;

(h) *Election sign*;

(i) *Lawn sign*;

(j) *Portable sign*;

(k) *Promotional advertising sign*; and

(l) *Real estate sign.*

6.9 A-BOARD SIGN

(1)	District	(a)	Commercial (NHC, CTC, RCC, ICC Area B)	Permitted
		(b)	Industrial (BP1, BP2, ICS, IND)	
		(c)	Mixed-Use (DTN, MID Area C)	
(2)	*Development Permit* requirement	(a)	No *Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is 0.80 m²	
		(b)	Maximum height is 1.00 m	

(4) Maximum number of A-*board signs* per *site* is one per business, per *site frontage*.

(5) An A-*board sign* must maintain a minimum *separation distance* of 3.00 m from another *A-board sign*.

Figure 6-1: A-Board Sign



(6) An A-*board sign* must:

(a) Not be located on a *public utility lot*;

(b) Be displayed during business hours of operation; and

(c) When located in the DTN District, be placed in line with the public street furniture.

6.10 AWNING AND CANOPY SIGN

(1)	District	(a)	Residential (MDR, HDR) for *on-site* name and address only	Permitted

		(b)	Commercial (NHC, TCC, RCC, ICC Area B)	
		(c)	Industrial (BP1, BP2, ICS, IND)	
		(d)	Mixed-Use (DTN, MU1, MU2, and MID Area C)	
		(e)	Special (PSI)	
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum vertical dimension is 1.50 m	

(4) An *awning* or *canopy sign* must:

(a) On a one-storey *building*, not extend more than 0.30 m above the roof or parapet;

(b) On a *building* with more than one *storey*, not extend more than 0.75 m above the floor of the second *storey*;

(c) Not extend over the bottom of any second-storey window sill;

(d) Provide a minimum vertical clearance of 2.50 m from *finished grade* to the bottom of the *sign*; and

(e) Not extend beyond the width of the *building frontage,* except where the *sign* is wrapped around a corner, in which case it must extend for a distance that is equal to the outward projection of the *sign*.

Figure 6-2: Awning and Canopy Sign



6.11 BALLOON SIGN

(1)	District	(a)	Commercial (TCC, NHC, RCC)	Discretionary
		(b)	Industrial (ICS, IND)	
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Mounted on the ground, the maximum height is 8.00 m	

		(b)	Mounted on a *building,* the maximum height is the combined total height of the *building* and the *sign*, which shall not exceed the maximum building height allowance in the district	
(4)	*Setbacks*	(a)	Minimum *setbacks* are: (i) 30.00 m from a *Residential District* (ii) 1.50 m from all *property lines* when located on the ground (iii) 6.00 m on a *corner lot*	

(5) Maximum number of *signs* per *site* is one.

(6) A *balloon sign* must maintain a minimum *separation distance* of 150.00 m from another *balloon sign*.

(7) A *balloon sign* must not interfere with the *access* to or from a *site*.

(8) A *Development Permit* for a *balloon sign* is valid for a maximum of 60 consecutive days. Following the expiration of the *Development Permit*, the *site* shall remain free of *balloon signs* for a minimum of 30 consecutive days. *Balloon signs* may be displayed on a *site* for a maximum of 180 days in a calendar year.

6.12 BANNER SIGN

(1)	District	(a)	Commercial (NHC, TCC, RCC, ICC Area B)	Permitted
		(b)	Industrial (ICS, IND)	
		(c)	Special (PRK, PSI)	
		(d)	Mixed-Use (MU1, MU2)	
(2)	*Development Permit* requirement	(a)	*Sign* for non-profit or charity event ≤ 72 hours per month	No *Development Permit* required
		(b)	*Sign* for non-profit or charity event > 72 hours per month	*Development Permit* required
		(c)	*Sign* for commercial or industrial uses	
(3)	*Sign* dimensions	(a)	Maximum area is 50.00 m² or 20% of a building or unit face, whichever is less, when attached to a *building*	

(4) Unless otherwise noted in section (2), a *Development Permit* for a *banner sign* is valid for a maximum of 60 consecutive days. Following the expiration of the *Development Permit*, the *site* shall remain free of *banner signs* for a minimum of 30 consecutive days. *Banner signs* can be displayed on a *site* for a maximum of 180 days in a calendar year.

6.13 BILLBOARD (WITHOUT A DIGITAL DISPLAY)

(1)	District	(a)	When located adjacent to but not on the roadways that are shown on the Billboard Sign Locations Map in *Figure 6-4*: (i) Commercial (TCC) (ii) Industrial (BP1, BP2, ICS, IND) (iii) Special (TRN)	Discretionary
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is 30.00 m²	
		(b)	Maximum height is 8.00 m	
(4)	*Setbacks*	(a)	Minimum *setbacks* are: (i) 30.50 m from a roadway intersection (ii) 3.00 m from a *property line* (iii) 100.00 m from a *Residential*, *Mixed-Use*, PRK, CON or PSI District	

(5) A *billboard* must maintain a minimum *separation distance* of:

(a) 150.00 m from another *billboard*; and

(b) 25.00 from a *freestanding sign*.

(6) A billboard must be *self-supported*.

(7) A *billboard* may not be combined with any other *sign*.

6.14 BILLBOARD (WITH A DIGITAL DISPLAY)

(1)	District	(a)	When located adjacent to but not on the roadways that are shown on the Billboard *Sign* Locations Map in *Figure 6-4*. (i) Commercial (TCC) (ii) Industrial (ICS, IND)	Discretionary
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a) (b)	Maximum area is 18.60 m² Maximum height is 8.00 m	
(4)	*Setbacks*	(a)	Minimum *setbacks* are: (i) 30.50 m from a roadway intersection (ii) Notwithstanding section (i), 3.0 m from a *property line* (iii) 100.00 m from a Residential or PRK District	

(5) A billboard with a *digital display* must maintain a minimum *separation distance* of:

(a) 150.00 m from a *billboard* without a *digital display* facing the same oncoming traffic;

(b) 300.00 m from a *billboard* with a *digital display* facing the same oncoming traffic;

(c) 25.00 m from a *freestanding sign* without a *digital display*; and

(d) 150.00 m from a *freestanding sign* with a *digital display*, facing the same oncoming traffic.

(6) A billboard with a *digital display* must be *self-supported*.

(7) The space between the faces of a double-faced *billboard* with a *digital display* must be enclosed.

(8) A *billboard* may not be combined with any other *sign*.

Figure 6-3: Billboard (with a Digital Display)

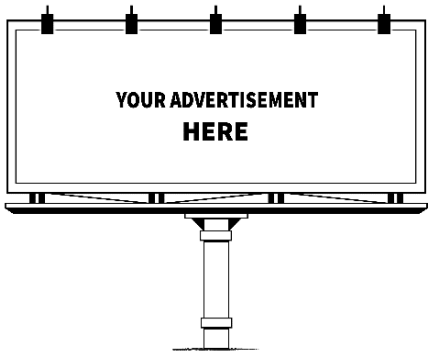
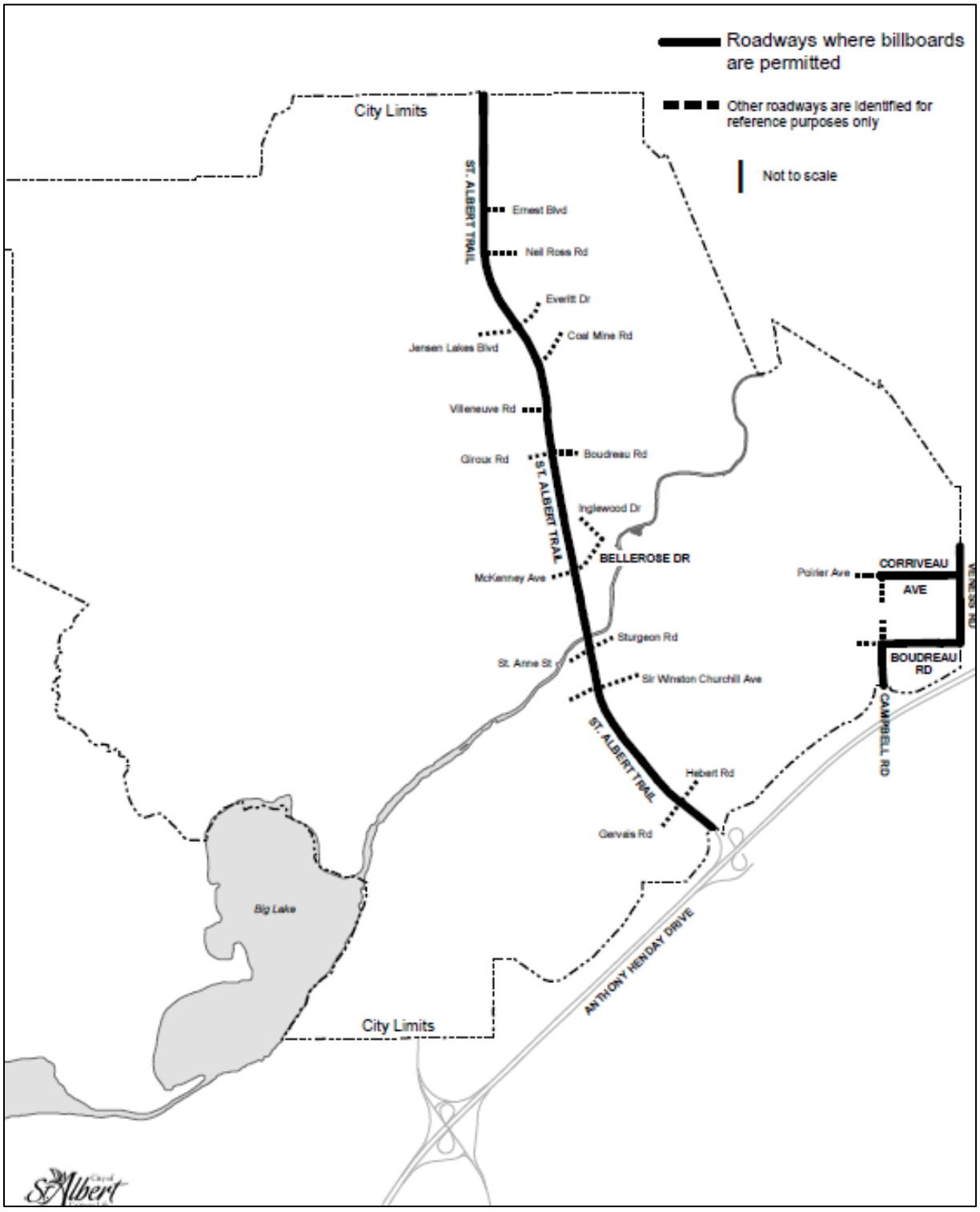


Figure 6-4: Billboard Sign Locations



6.15 CONSTRUCTION IDENTIFICATION SIGN

(1)	District	(a)	All Districts	Permitted
(2)	*Development Permit* requirement	(a)	No *Development Permit* required	
(3)	*Sign* dimensions	(a) (b)	Maximum area is 6.00 m² Maximum height is 3.00 m	

(4) Maximum number of *signs* per *site* is two.

(5) A *construction site identification sign*:

(a) Must be *self-supported* or *wall-mounted*; and

(b) May only be located *on-site* for the duration of time in which the project is being constructed, as determined by the *Development Authority*.

6.16 DEVELOPMENT DIRECTIONAL SIGN

(1)	District	(a)	When located adjacent to but not on the Major Roadways listed in Schedule B, excluding Ray Gibbon Drive: (i) Residential (LDR, SLR, LLR, FBR, MDR, HDR, MID areas A and B) (ii) Commercial (NHC, TCC, RCC) (iii) Industrial (BP1, BP2, ICS, IND)	Permitted
		(b)	When located adjacent to but not on the Major Roadways listed in Schedule B, excluding Ray Gibbon Drive: (i) Mixed-Use (MU1, MU2, MID Area C) (ii) Special (FUD, TRN)	Discretionary
(2)	*Development Permit* requirement	(a)	For section (1)(a)	No *Development Permit* required
		(b)	For section (1)(b)	*Development Permit* required

(3)	*Sign* dimensions	(a)	Maximum area is 1.50 m²	
		(b)	Maximum height is 3.00 m	
(4)	*Setbacks*	(a)	Minimum 30.50 m from a roadway/intersection	

(5) Maximum number of *signs* per *site* is one.

(6) A *development directional sign* must maintain a minimum *separation distance* of 150.00 m from another *development directional sign*.

(7) A *development directional sign* must be a *self-supported* sign.

6.17 DEVELOPER MARKETING SIGN

(1)	District	(a)	Residential (LDR, MDR, HDR, ICC Area A, MID areas A and B)	Permitted
		(b)	Commercial (NHC, TCC, RCC, ICC Area	
		(c)	Industrial (BP1, BP2, ICS, IND)	
		(d)	Mixed-Use (DTN, MU1, MU2, MID Area C)	
		(e)	Special (PSI)	Discretionary
(2)	*Development Permit* requirement	(a)	For section (1)(a) through (1)(d)	No *Development Permit* required
		(b)	For section (1)(e)	*Development Permit* required
(3)	*Sign* dimensions	(a)	Maximum area is: (i) 3.00 m² for a *frontage* < 30.00 m (ii) 9.00 m² for a *frontage* of 30.00 m to 100.00 m (iii) 18.00 m² for a *frontage* > 100.00 m and minimum *site* area of 1.00 ha	
		(b)	Maximum height is: (i) 3.00 m for a *frontage* < 30.00 m (ii) 3.70 m for a *frontage* of 30.00 m to 100.00 m	

	(iii)	4.90 m for a *frontage* > 100.00 m and minimum *site* area of 1.00 ha	

(4) Maximum number of *signs* per *site* is two.

(5) The *frontage* along which a *sign* is located shall be deemed the applicable *frontage* length. Multiple *frontages* shall not be combined.

(6) A *developer marketing sign* must:

(a) Be a *self-supported sign*;

(b) Not be illuminated; and

(c) Be located upon the *site* that the *developer marketing sign* advertises.

(7) In the case of a *developer marketing sign* in the PSI District, the *Development Authority* may specify the period of time the *sign* is displayed.

6.18 DEVELOPER MARKETING FENCE SIGN

(1)	District	(a)	Residential (LDR, MDR, HDR, ICC Area A, MID areas A and B)	Discretionary
		(b)	Commercial (NHC, TCC, RCC, ICC Area B)	
		(c)	Industrial (BP1, BP2, ICS, IND)	
		(d)	Mixed-Use (DTN, MID Area C, MX)	
		(e)	Special (PRK, PSI, ICC Area C)	
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Minimum length is 20.00 m	
		(b)	Maximum length is at the discretion of the *Development Authority*	
		(c)	Maximum height is 2.50 m	

(4) A *developer marketing fence sign* must:

(a) Be located on a *site* with more than 30.00 m of *frontage*; and

(b) Be located along the perimeter of the *site*.

(5) A *Development Permit* for a *developer marketing fence sign* may be issued for a maximum initial period of two years. Upon application, the *Development Authority* may issue a subsequent *Development Permit* for a specified time period thereafter.

6.19 DIRECTIONAL SIGN

(1)	District	(a)	Residential (MID Area A, MID Area B, MDR, HDR)	Permitted
		(b)	Commercial (NHC, TCC, RCC)	
		(c)	Industrial (BP1, BP2, ICS, IND)	
		(d)	Mixed-Use (DTN, MU1, MU2, MID Area C)	
		(e)	Special (PRK, PSI)	
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is 3.00 m²	
		(b)	Maximum height is 3.00 m	
(4)	*Setbacks*	(a)	Minimum 30.50 m from a roadway intersection	

(5) A *directional sign* must be a *self-supported* or *wall-mounted sign*.

(6) In the MID (Area C), ICC, DTN, MU1, and MU2 Districts, *pedestrian-oriented signage* may be utilized to clearly delineate pedestrian walkways, to provide directions, or to provide control where vehicular and pedestrian conflicts are deemed likely to occur.

6.20 ELECTRONIC MESSAGE SIGN

(1)	District	(a)	Commercial (NHC, TCC, RCC)	Permitted
		(b)	Industrial (ICS, IND)	
		(c)	Industrial (BP1, BP2)	Discretionary
		(d)	Mixed-Use (DTN, MU1,MU2, MID Area C)	
		(e)	Special (PSI)	

(2)	*Development Permit* requirement	(a)	For sections (1)(a) and (1)(b), no *Development Permit* required, provided the *sign* is located in a window	
		(b)	For sections (1)(c) through (1)(e), a *Development Permit* is required, provided the *sign* is located in a window	

(3) An *electronic message sign area* shall not exceed 0.50 m^2.

6.21 ELECTION SIGN

(1)	District	(a)	All Districts	Permitted
(2)	*Development Permit* requirement	(a)	No *Development Permit* required	
(3)	*Sign* dimensions	(a)	In a *Residential District*: (i) Maximum area is 3.00 m^2 (ii) Maximum height is 3.00 m	
		(b)	On any *site* adjacent to St. Albert Trail: (i) Minimum 1.22 m x 1.22 m	
(4)	*Setbacks*	(a)	Minimum 30.50 m from a roadway intersection	

(5) An *election sign* shall be posted:

(a) With respect to municipal and school-board elections, only between 12 p.m. on nomination day and 48 hours after the closing of polling stations; and

(b) With respect to provincial and federal elections, only between 12 p.m. on the day when an election writ is handed down and 48 hours after the closing of polling stations.

(6) In a *Residential District*, an *election sign* must be *self-supported* or *wall-mounted*.

(7) An *election sign* may not be posted on or within any *City*-owned or occupied facility, or on or within any *site* upon which a *City*-owned facility is situated.

6.22 ENTRY FEATURE SIGN

(1)	District	(a)	Residential (LDR, MDR, HDR, ICC Area A, MID areas A and B) (b) Commercial (NHC, TCC, RCC, ICC Area B) (c) Industrial (BP1, BP2, ICS, IND) (d) Mixed-Use (DTN, MU1, MU2, MID Area C) (e) Special (PRK, PSI, ICC Area C)	Permitted
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a) (b)	Maximum area is 2.50 m^2 Maximum height is 2.00 m	
(4)	*Setbacks*	(a)	Minimum *setbacks* are: (i) 1.50 m from a *property line* (ii) 30.50 m from a roadway intersection.	

(5) Maximum number of *signs* per vehicular *access* point is two.

(6) An *entry feature sign* must be located at the vehicular *access* points to a *site*.

6.23 FASCIA SIGN (WITHOUT A DIGITAL DISPLAY)

(1)	District	(a)	All *Non-Residential Districts*: (i) Notwithstanding section (a), in the MDR and HDR Districts, for commercial uses only (ii) Notwithstanding sections (a) and (i), in the MDR and HDR Districts, for *residential uses - on-site* name and address only	Permitted * Discretionary when facing a *Residential District*
(2)	*Development Permit* requirement	(a)	≤ 0.50 m^2	No *Development Permit* required

		(b)	> 0.50 m²	*Development Permit* required
(3)	*Sign* dimensions	(a)	Maximum 50.00 m² or 20% of a building or unit face, whichever is less	

(4) A *fascia sign* without a *digital display* must:

(a) Be limited to individual letters or shapes when the *fascia sign* is greater than 25.00 m^2 in *sign area*;

(b) Not extend more than 0.30 m in height above a *building* or parapet;

(c) Not extend more than 0.40 m outward from the supporting *building's frontage*; and

(d) In the MID Area C, ICC, MU2, and DTN Districts must:

(i) Not be above the roof line, except where the *sign* forms part of an architectural feature designed to the satisfaction of the *Development Authority*;

(ii) Be similar in proportion, construction materials and placement to that of other *fascia signs* located on a *building's façade*; and

(iii) Not obscure architectural elements of the *building*.

6.24 FASCIA SIGN (WITH A DIGITAL DISPLAY)

(1)	District	(a)	Commercial (TCC)	Discretionary
		(b)	Industrial (ICS, IND)	
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum 5.00 m² or 20% of a building or unit face, whichever is less	

(4) A *fascia sign* with a *digital display* must:

(a) Have a minimum vertical clearance of 2.50 m from *finished grade* to the bottom of the *sign*;

(b) Not extend more than 0.30 m in height above a *building* or parapet; and

(c) Not extend more than 0.40 m outward from the supporting *building's frontage*.

6.25 FREESTANDING SIGN (WITHOUT A DIGITAL DISPLAY)

(1)	District	(a)	Commercial (NHC, TCC, RCC, ICC Area B)	Permitted
		(b)	Industrial (BP1, BP2, ICS, IND)	
		(c)	Mixed-Use (DTN, MU1, MU2, MID Area C)	
		(d)	Special (PRK, PSI, FUD, TRN)	
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is: (i) 7.50 m² for a *frontage* ≤ 30.00 m (ii) 7.50 m² plus 1.20 m² for each additional 10.00 m of *frontage* > 30.00 m	
		(b)	Notwithstanding section (a), the maximum area is 2.50 m^2 in the BP1 and BP2 Districts	
		(c)	Maximum height is 10.00 m	
		(d)	Notwithstanding section (c), the maximum height is 2.00 m in the BP1 and BP2 Districts	
(4)	*Setbacks*	(a)	Minimum *setbacks* are: (i) 3.00 m from a *property line* (ii) 30.50 m from a roadway intersection	

(5) Maximum number of *signs* per *site*:

(a) One on a *site* measuring less than 0.50 ha;

(b) Two on a *site* measuring between 0.50 and 1.00 ha, or if the *site* consists (at least partially) of a commercial *building* that measures at least 4,000.00 m² in floor area, provided that:

(i) The *site* is located in a NHC, TCC, RCC, or *Industrial District*; and

(ii) At least one of the *signs* is a multiple tenant *sign*; and

(c) Three on a *site* measuring at least 1.00 ha, or if the *site* consists (at least partially) of a commercial *building* that measures at least 10,000.00 m² in floor area, provided that:

(i) The *site* is located in a NHC, TCC, RCC, or *Industrial District*; and

(ii) At least one of the *signs* is a multiple tenant *sign*.

(6) Minimum *separation distance* for a freestanding sign:

(a) In a *Mixed-Use*, *Commercial*, or *Industrial District*, is 25.00 m from any other *freestanding sign* or a *billboard*; and

(b) In the ICC District, is 75.00 m from another *freestanding sign* or a *billboard*.

(7) In the ICC District, up to 25% of the *sign area* of a *freestanding sign* (as determined by the *Development Authority*) must employ *changeable copy*.

6.26 FREESTANDING SIGN (WITH A DIGITAL DISPLAY)

(1)	District	(a)	Commercial (TCC) (b) Industrial (ICS, IND) (c) Special (PSI)	Discretionary
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	The maximum *digital display* area shall not: (i) Exceed 10.00 m² in TCC, ICS, and IND Districts (ii) Exceed 4.00 m² in the PSI District (b) Maximum height is: (i) 10.00 m in the TCC, ICS, and IND Districts; and (ii) 4.00 m in the PSI District	
(4)	*Setbacks*	(a)	Minimum *setbacks* are: (i) 30.50 m from a roadway intersection (ii) 3.00 m from a *property line*	

	(iii)	20.00 m from a Residential or PRK District when the *sign* is located on a PSI District *lot*	
	(iv)	75.00 m from a Residential, PRK, or PSI District when the *sign* is located on a TCC, ICS, or IND District *lot*	

(5) Maximum number of *signs* per *site* is one.

(a) Notwithstanding section (5), in the TCC, ICS, or IND Districts a maximum of two *freestanding signs* with a *digital display* may be permitted on a *site* measuring at least 1.00 ha, or consisting (at least partially) of a commercial *building* that measures at least 10,000.00 m² in floor area, provided that at least one of the *signs* is a multiple tenant *sign*.

(b) Notwithstanding section (5), in the PSI District, a maximum of one *freestanding sign* with a *digital display* may be permitted per school, at the discretion of the *Development Authority*.

(6) A *freestanding sign* with a *digital display* must maintain a minimum *separation distance* of:

(a) 25.00 m from a *freestanding sign* without a *digital display*;

(b) 150.00 m from a *freestanding sign* with a *digital display* facing the same oncoming traffic;

(c) 25.00 m from a *billboard* without a *digital display*; and

(d) 150.00 m from a *billboard* with a *digital display* facing the same oncoming traffic.

(7) Section (6) does not apply to a *digital display* with *copy* that only displays a motor *vehicle* fuel price or a *drive-through* menu board.

6.27 LAWN SIGN

(1)	District	(a)	Residential (LDR, SLR, LLR, MDR, HDR)	Permitted
		(b)	Mixed-Use (DTN)* for Residential only	
		(c)	Special (FUD, TRN)	
(2)	*Development Permit* requirement	(a)	No *Development Permit* required	

(3)	*Sign* dimensions	(a)	Maximum area is 0.30 m²	
		(b)	Maximum height is 1.00 m	
(4)	*Setbacks*	(a)	Minimum 1.00 m from a *property line*	

(5) Maximum number of *signs* per *dwelling unit* is one.

(6) A *lawn sign* must be a *self-supported sign* or attached to a *balcony*.

6.28 NEIGHBOURHOOD IDENTIFICATION SIGN

(1)	District	(a)	All Districts	Permitted
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is 6.00 m²	
		(b)	Maximum height is 3.00 m	

(4) A *neighbourhood identification sign* must:

(a) Be a *self-supported sign*;

(b) In accordance with *City* policy, incorporate the neighbourhood name specified by the relevant plans or bylaw.

(5) A *neighbourhood identification sign* may incorporate the logo of the developer.

6.29 PORTABLE SIGN

(1)	District	(a)	Commercial (NHC, TCC, CRC, ICC Area B)	Permitted
		(b)	Industrial (ICS, IND)	
		(c)	Special (PRK, PSI, FUD, TRN)	Discretionary
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is 5.00 m²	
		(b)	Maximum height is 2.50 m	
(4)	*Setbacks*	(a)	Minimum 1.50 m from *property line*	

(5) In the NHC, TCC, and RCC Districts, the maximum number of *portable signs* is:

(a) One *sign* on *sites* with *frontages* less than or equal to 30.00 m; and

(b) Two *signs* on *sites* with *frontages* greater than 30.00 m.

(6) A *portable sign* must maintain a minimum *separation distance* of 30.00 m from another *portable sign*.

(7) No more than one *sign* per business is allowed.

(8) A *Development Permit* for a *portable sign* shall be valid for 90 days, 180 days, or one year.

6.30 PROJECTING SIGN

(1)	District	(a)	Residential (HDR) (b) Commercial (NHC, TCC, RCC) (c) Industrial (BP1, BP2, ICS, IND) (d) Mixed-Use (DTN, MU1, MU2, MID Area C) (e) Special (PSI, FUD, TRN)	Permitted
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is 0.50 m²	

(4) A *projecting sign* must:

(a) Extend at least 0.50 m outward from a *building*;

(b) Be placed so that the distance between the nearest edge of the *sign* and the *building* to which it is attached does not exceed 0.35 m;

(c) Provide a minimum vertical clearance of 2.50 m from *finished grade* to the bottom of the *sign*;

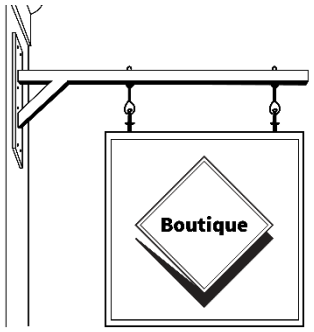
(d) Have clearance from any electrical power lines or other utilities, and provide for safe pedestrian movement or any other activities or use underneath the *projecting sign*;

(e) Except for corner locations, be located at right angles to the building *façade*;

(f) Complement the architecture, and coordinate with other *streetscape* improvements and *development*;

(g) On a one-storey *building*, not extend more than 0.30 m above the roof or parapet; and

Figure 6-5: Projecting Sign



(h) On a *building* with more than one *storey*, not extend more than 0.75 m above the floor of the second *storey*.

(i) Notwithstanding section (h), a *projecting sign* must not extend over the bottom of any *storey* windowsill.

6.31 PROMOTIONAL ADVERTISING SIGN

(1)	District	(a) (a)	Commercial (NHC, TCC, RCC) Industrial (ICS, IND)	Permitted
(2)	*Development Permit* requirement	(a)	No *Development Permit* required	
(3)	*Sign* dimensions	(a) (b)	Maximum area is 2.50 m² Maximum height is 2.00 m	
(4)	*Setbacks*	(a)	Minimum 1.50 m from a *property line*	

(5) No more than two *signs* per 30.00 m of *site frontage* is allowed (up to a maximum of four *signs* per *site*).

(6) A *promotional advertising sign* shall only advertise an event, service, or product available on the *site*.

6.32 REAL ESTATE SIGN

(1)	District	(a)	All Districts	Permitted
(2)	*Development Permit* requirement	(a)	No *Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is: (i) 1.50 m² in the LDR, SLR, LLR, and FBR Districts (ii) in the MDR, HDR, Mixed-Use, and ICC Area A Districts: (A) 3.00 m² (B) 0.17 m² per panel for a consolidated post *sign* (maximum 10 panels) (iii) 3.00 m² in all other Districts	
		(b)	Maximum height is: (i) 1.80 m in the LDR, SLR, LLR, and FBR Districts; (ii) In the MDR, HDR, Mixed-Use, and ICC Area A Districts: (A) 3.00 m (B) 1.80 m for a consolidated post *sign* (iii) 3.00 m in all other Districts	

(4) Maximum number of *signs* per *site* is two.

(5) A *real estate sign*:

(a) Shall be *self-supported* or *wall-mounted*;

(b) Shall only advertise the *site* upon which the *sign* is located; and

(c) In the LDR, SLR, LLR, or FBR Districts, shall not be illuminated.

Figure 6-6: Real Estate Sign



6.33 ROOF SIGN

(1)	District	(a)	Commercial (TCC, RCC)	Permitted
		(b)	Industrial (ICS, IND)	
		(c)	Special (FUD)	Discretionary
(2)	*Development Permit* requirement	(a)	*Development Permit* required	
(3)	*Sign* dimensions	(a)	Maximum area is 8.00 m²	
		(b)	Maximum height is 3.00 m, provided the combined total height of the *building* and the *sign* does not exceed the maximum building height allowance in the District	

(4) Maximum number of *signs* per *building* is one.

(5) A *roof sign* shall not overhang a *building*.

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Part 7
Definitions

This section provides definitions for terms used within the Land Use Bylaw.

Please note, definitions pertaining to specific uses are below, and signage-related definitions are located in section 7.2 'Definitions - Signs.'

7.1 DEFINITIONS – GENERAL

ABATTOIR means a *building* where *livestock* is slaughtered and the meat may be cut, cured, smoked, aged, wrapped, or frozen for wholesale distribution.

ACCESS means an area that serves as the physical connection between a *site* and a *public roadway*.

ACCESSORY means subordinate, incidental to, and exclusively devoted to a *principal use* or *principal building*.

ADJACENT SITE means a *site* that is contiguous to a *site* which includes land that would be contiguous if not for a *public roadway*, *public utility lot*, *public utility* right-of-way, railway right-of-way, river, stream, or sidewalk.

ADJOINING SITE means a *site* that is contiguous to another *site* along a common *property line*. An *adjoining site* also includes a *site* that is adjacent across a rear *lane*, but not across a street.

AFFORDABLE NON-MARKET HOUSING is as defined in the Council Policy C-P&E-06 *Affordable Housing.*

AGRICULTURE (GENERAL) means the cultivation of soil for the growing of a crop or the raising of *livestock*, but does not include *agriculture (intensive)* or *topsoil processing and sales*.

AGRICULTURE (INTENSIVE) means a *development* used for the raising of *livestock* under confined conditions in pens or *buildings*. Typical *development* includes a hatchery, feedlot, poultry operation, hog barn, piggery, or insect farm.

AGRICULTURE ACCESSORY BUILDING means a *building* associated with an agricultural use on the *lot* on which it is located that is used for the housing of *livestock*, the storage of farm produce or *livestock* feed, or the storage and maintenance of agricultural machinery, including a grain bin or silo for the storage of on-farm produced crops, not including a *building* used for *dwelling*.

AGRICULTURAL SUPPORT SERVICE means a use directly related to supporting or servicing the *on-site* agricultural industry (such as milling, drying, cleaning, sorting, slaughtering, distilling, refining). Typical *development* includes an *abattoir*, bottling dairy products, hay storage, dairy processing, not including *auction (agriculture)*.

AMENITY AREA means any portion of a *development site* intended for active or passive recreation including *landscaped areas*, *patios*, and *balconies*.

AMENITY AREA (COMMON) means any portion of a *development* intended for active or passive recreation that is designed for the common usage of the owners and residents within a *development*. These areas may include one or more of the following: *plazas*, courtyards, recreation areas, swimming pools, tennis courts, bike storage rooms, common gathering rooms, gardens, private *parks*, and open spaces, including elements such as street furnishings, *hard-surfacing*, plantings, and architectural features that create a strong sense of communal gathering space.

AMENITY AREA (PRIVATE) means a *balcony*, *patio*, *deck*, or other similar structure which is attached to and has a private entrance from the interior of a *dwelling unit*.

AMENITY AREA (PUBLIC) means any portion of a *development* intended for active or passive recreation, gathering, and enjoyment of the public, located and designed to maximize the accessibility and use of the area by the public during the hours that the surrounding *development* is open to the public. An *amenity area (public)* shall be owned and maintained by the owners of the *development* or in common. Access shall be at no cost to the public.

ANIMAL GROOMING means a *development* entirely located within an enclosed *building* for the grooming of a *domestic pet*. This does not include *animal service*.

ANIMAL HEALTH means a *development* used for the medical care, treatment, and incidental overnight accommodation of a *domestic pet*, but not *livestock*. Typical *development* includes a veterinary clinic or animal *hospital*, not including *animal service*.

ANIMAL HEALTH (RURAL) means a *development* used for the medical care, treatment, and incidental overnight accommodation of a *domestic pet* and *livestock*. Typical *development* includes a veterinary clinic or animal *hospital*, not including *animal service*.

ANIMAL SERVICE means a *development* primarily located within an enclosed *building* used for the accommodation, boarding, breeding, impoundment, training, and sale of a *domestic pet*, not including *agriculture (intensive)* or *animal health*.

ARCHITECTURAL PROJECTION means a building feature that is mounted on and/or extends from the surface of an exterior building wall or *façade*, typically above *finished grade*. Examples of *architectural projections* include *balconies*, bay windows, or *cantilevered wall sections*, not including eaves or chimneys.

AREA STRUCTURE PLAN (ASP) means a statutory plan, as provided for in the *MGA*, which provides direction through policies on future *development* areas.

AREA REDEVELOPMENT PLAN (ARP) means a statutory plan, in accordance with the *MGA*, which provides direction through policies on the redevelopment of existing areas.

ART GALLERY/STUDIO means a public or private facility which is used for the production or sale of or as a repository of works of individual art pieces not mass produced, including paintings, photographs, drawings, etchings, pottery, or sculptures.

AUCTION (AGRICULTURE) means a *development* used for the auctioning of *livestock* and agricultural equipment, including the temporary storage of such *livestock* and equipment, not including *auction (general)*.

AUCTION (GENERAL) means a *development* used for the auctioning of goods, *vehicles,* and equipment, including the temporary storage of such goods and equipment, not including *auction (agriculture)*.

AUTOMOTIVE (SALES) means a *development* used for the sale of a *vehicle*, *recreation vehicle*, or *recreation equipment* and may include an *automotive (service)* component. Typical *development* includes a car or motorcycle dealership, not including *automotive (specialty)* or *heavy vehicle and equipment (sales and service)*.

AUTOMOTIVE (SERVICE) means a *development* used for the service and repair of a *vehicle*, *recreation vehicle*, or *recreation equipment* or their components. Typical *development* includes automotive painting, collision repair, and service shops, not including *automotive (specialty)*, or *heavy vehicle and equipment (sales and service)*.

AUTOMOTIVE (SPECIALTY) means a *development* used for the sale and installation of accessory components for a *vehicle*, *recreation vehicle*, or *recreation equipment*. Typical *development* includes *vehicle* wrap, window tint, decal shop, audio or visual equipment, not including *automotive (sales)*, *automotive (service)* or *heavy vehicle and equipment (sales and service)*.

AUTOMOTIVE WRECKER means a *development* used for the storing, junking, dismantling, sale, or wrecking of three or more *vehicles*, not in running condition, or parts of them. Typical *development* includes a salvage yard or automotive recycler.

AWNING means a detachable, roof-like structure, covered by fabric or other flexible material, supported from a *building* by a fixed or retractable frame, without a supporting structure.

BALCONY means an above-grade exterior platform projecting from a wall and located adjacent to an entry to a *dwelling unit*.

BASEMENT means the lowest floor level of a *building*, located wholly or partly below the *finished grade*.

BARE LAND CONDOMINIUM UNIT means a bare land unit as defined in the *Condominium Property Act*, RSA 2000, c. C-22.

BARRIER-FREE means to allow proper and safe access and use of buildings, facilities, and open areas, with a proper and safe outcome for accessibility.

BED AND BREAKFAST means a *home-based business* that is an *accessory* use to a *dwelling (single detached), dwelling (semi-detached),* or *dwelling (duplex)*; and provides temporary sleeping accommodation and meals to visitors. The *development* must be operated by a permanent resident of the *dwelling unit*. This use does not include a *boarding house* or *short-term rental*.

BEDROOM means a private room planned and intended for sleeping.

BERM means an elongated mound of earth projecting above the adjoining average *finished grade,* designed to provide *screening* or noise attenuation within a *development* or between adjoining *developments*.

BICYCLE PARKING means the provision of space and facilities to temporarily park bicycles that does not impede pedestrian or *vehicle* traffic.

BOARDING HOUSE means a *development* located within a *dwelling unit* or any part thereof to provide more than 10 individuals with shared access to any of the following on a fee-for-service basis:

(1) Washroom facilities;

(2) Sleeping accommodations; and

(3) Cooking or eating facilities.

Typical *development* includes rooming houses, but does not include a *bed and breakfast*, *congregate housing (level one)*, *congregate housing (level two)*, or *short-term rental*.

BREEZEWAY means a roofed structure that connects two *buildings* and provides pedestrian access only.

BROADCASTING STUDIO means a *development* used for the production or broadcast of audio or visual programming including radio, music, television, and movie programs.

BUILDING includes anything constructed or placed on, in, over, or under land, but does not include a *highway* or bridge that forms part of a *highway*.

BUILDING CODE means the *National Building Code - Alberta Edition.*

BUILDING ENVELOPE means the three-dimensional space within which a *building* can be constructed.

BUILDING FRONTAGE means a wall or *façade* on the exterior of a *building* which faces a *public roadway*, other than a *lane*.

BUILDING MASS means the height, width, and depth of a *building*.

BUILDING RECESS means a recessed area at *finished grade* that is created by an overhanging upper part of a *building* at the *building frontage* or by setting a portion of a *building* back from the front *property line*.

BULK FUEL SALES DEPOT means a *development* used for the bulk storage, distribution, and sale of petroleum products, and may include card lock sales.

BULK OIL AND CHEMICAL STORAGE means a *development* where refined or crude oil, or liquid or solid chemicals, are stored outdoors. Typical uses include tank farms.

BYLAW ENFORCEMENT OFFICER means an individual appointed as such in accordance with *Bylaw 21/2003*, the *Bylaw Enforcement Officer Bylaw*.

CAMPGROUND means a *development* used to provide outdoor spaces to the public for temporary accommodation in tents or *recreation vehicles*. For the purposes of this definition, a *recreation vehicle* is considered to be an *accessory building* when utilized for the purpose of a *dwelling* for security and maintenance of the *campground*.

CANNABIS has the meaning given to it in the *Cannabis Act, S.C. 2018, c.16*.

CANNABIS PRODUCTION AND DISTRIBUTION FACILITY means a *development* where federally approved medical or non-medical (recreational) *cannabis* plants are grown, processed, packaged, tested, destroyed, stored, or loaded for distribution – with a plant canopy area of equal to or greater than 200.00 m^2 – that meets all federal or provincial requirements and all requirements of this Bylaw. This does not include *retail (cannabis)*.

CANNABIS PRODUCTION AND DISTRIBUTION FACILITY (MICRO) means a *development* where federally approved medical or non-medical (recreational) *cannabis* plants are grown, processed, packaged, tested, destroyed, stored, or loaded for distribution – with a plant canopy area of less than 200.00 m^2 – or as otherwise defined by the *Federal Cannabis Regulations SOR/2018-144*. This does not include *retail (cannabis)*.

CANOPY (ATTACHED) means a fixed structure that provides overhead shelter comprised of a roof and supporting structure that are attached to and extend from a *building,* and may include a theatre marquee.

CANOPY (FREESTANDING) means a fixed structure made of rigid materials that provides overhead shelter comprised of a roof and supporting posts, and is not attached to any other *building*.

CANTILEVERED WALL SECTION means a projection of part of an exterior wall of a *building* not supported by a foundation wall for the purpose of accommodating a bow or bay window, shelving units, closets, a fireplace, or a portion of a room.

CARPORT means a structure, with a minimum 40% of its perimeter open and unobstructed, used to provide overhead shelter for a *vehicle*.

CAR WASH means a *development* used for the cleaning of *vehicles*.

CATERING SERVICE means a *development* where food and beverages, to be served off the premises, are prepared for sale to the public.

CEMETERY means a *development* where the entombment of the deceased occurs and may include such facilities as a columbarium, mausoleum, memorial *park* or garden, or interment ground.

CHEMICAL PROCESSING means a *development* used for processing, manufacturing, and any *accessory* storing or warehousing of chemicals and petrochemicals.

CHIEF ADMINISTRATIVE OFFICER means the individual appointed by *Council* to the position of *Chief Administrative Officer* under section 205 of the *MGA*, and pursuant to the *Chief Administrative Officer Bylaw 13/2002*.

CITY means the City of St. Albert.

CITY STANDARDS means a *City* document including a bylaw, municipal engineering standard, public participation standard, *Neighbourhood Plan*, Concept Plan, or *Council* policy, that specifics how *development* is to be designed or completed.

COMMERCIAL DISTRICT includes the NHC, TCC, ICC (Area B), and RCC Districts.

COMMUNITY GARDEN means an area on a whole *site* or part of a *site* where flowers, vegetables, or fruit are cultivated for consumption or distribution on a not-for-profit basis.

CONGREGATE HOUSING (LEVEL ONE) means a group of up to six individuals living together communally in a *dwelling (single detached)*, *dwelling (semi-detached)*, or *dwelling (duplex)*. This does not include *congregate housing (level two)*, *short-term rental*, or a *boarding house*.

CONGREGATE HOUSING (LEVEL TWO) means a group of seven to 10 individuals living together communally in a *dwelling (single detached)*. This does not include *congregate housing (level one)*, *short-term rental*, or a *boarding house*.

CONFERENCE AND BANQUET FACILITY means a *development* that provides auditorium, banquet, exhibition, gymnasium, meeting, or seminar facilities. This use does not include *establishment (gaming)*.

COMPLIANCE CERTIFICATE means a document that may be issued by the *Development Authority* indicating that a *building*, as shown on documentation provided to the *City*, is located in accordance with the building setback requirements in this Bylaw at the time the certificate is issued or in compliance with the yard or building *setbacks* specified in any *Development Permit* which may have been issued.

CONCEPTUAL SITE DEVELOPMENT PLAN means a *development* plan for a *site* or *lot*, which identifies how a proposed *development* will fit into the larger *development* area, including the proposed building types and location, *development* phasing, vehicular and pedestrian routes, connectivity, *parks*, *amenity areas*, and *on-site* signage.

CONSTRUCTION SERVICE means a *development* used to provide *landscaping*, electrical, plumbing, heating, painting, woodworking, or similar contractor services to households or to general contractors. This use does not include *equipment rental*.

CORNER LOT means a *lot* located at the intersection of two or more *public roadways*, but not the intersection of a street and a rear *lane,* or a *lot* that has two public road *frontages*.

COUNCIL means the *Council* of the *City* of St. Albert.

CPTED (CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN) means the broad study and design of environments to encourage desirable behaviour and functionality, and decrease undesirable behaviour and criminal actions.

CREMATORIUM means a *development* with one or more chambers used for the reduction of the deceased. This use does not include *cemetery* or *funeral home*.

CUL-DE-SAC means a *non-through roadway*, that terminates in one or more bulbs.

DAY CARE FACILITY means a *development* used to provide care and supervision to seven or more children or adults. Typical *development* includes a day-care centre, preschool, kindergarten, and adult support programs.

DANGEROUS OR HAZARDOUS GOODS means a product, substance, or organism listed in the *Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4* and by the *Major Industrial Accidents Council of Canada (MIACC)*.

DECK means a raised platform, normally attached to a *dwelling unit*, which projects beyond the *principal building,* including *balconies*.

DECK (COVERED) means a *deck* that has a roof over it and has more than 50% of its perimeter open to the outside.

DECK (ENCLOSED) means a *deck* that has a roof over it and has less than 50% of its perimeter open to the outside.

DECORATIVE POND means any *decorative pond*, whether above or below the ground. This does not include a *private pool*.

DENSITY means the number of *dwelling units* and *live/work units* on a *lot*, expressed in units per hectare or in units per *lot*, not including *secondary suites*.

DENSITY REQUIREMENT means the *density* target set for a *lot* by the *Area Structure Plan (ASP)*, *Area Redevelopment Plan (ARP)*, or *Neighbourhood Plan*, which may be comprised of residential, commercial, or mixed-use *development*, or any combination thereof.

DESIGNATED FLOOD LINE means the observed and calculated elevation for the 1:100 year flood elevation along the Sturgeon River, Big Lake, and Carrot Creek as indicated on the *Land Use Map*.

DESIGNATED OFFICER means an individual who may carry out the powers, duties, and functions delegated to them by the *Chief Administrative Officer* of the *City* of St. Albert in accordance with the *Chief Administrative Officer Bylaw* 13/2002. This includes a *Development Officer* or a *Bylaw Enforcement Officer*.

DEVELOPMENT means:

(1) An *excavation* or stockpile, and the creation of either of them;

(2) A *building,* an addition to a *building*, replacement or repair of a *building,* and the construction or placing in, on, over, or under land of any of them;

(3) A change of use of land or a *building,* or any act done in relation to land or a *building,* that results in or is likely to result in a change in the use of the land or *building*; or

(4) A change in the intensity of use of land or a *building,* or any act done in relation to land or a *building,* that results in or is likely to result in a change in the intensity of use of the land or *building*.

DEVELOPMENT AGREEMENT means an agreement between a developer or property owner and the *City* that defines the terms and conditions under which a *development* must be carried out.

DEVELOPMENT AUTHORITY has the same meaning as set out in the *MGA*.

DEVELOPMENT OFFICER means the *Director of Planning and Development*, or an individual appointed to the office of *Development Officer* in accordance with this Bylaw.

DEVELOPMENT PERMIT means the document issued by the *Development Authority* or by *Council* in a *Direct Control* District under this Bylaw or any previous Land Use Bylaw, and includes any plans or conditions of approval.

DIGITAL MINING means the use of computer systems and associated infrastructure, and components for the digital transactions required for processing data. This includes, but is not limited to, digital currency processing, non-fungible tokens, and blockchain transactions.

DIRECT CONTROL means a customized land use designation. A Direct Control development or District has a set of rules specific to a particular property or development.

DIRECTOR OF PLANNING AND DEVELOPMENT means the person appointed to that position by the CAO.

DOMESTIC PET means dogs, cats, or other domesticated household pets ordinarily kept within the confines of a *dwelling unit*.

DRIVEWAY means a privately owned, *hard-surfaced access* that connects *on-site parking* areas to the *public roadway*.

DRIVE-THROUGH means part of a *development* designed to serve customers remaining in their *vehicles*.

DUGOUT means a *development* where earth, rock, concrete, or other material is removed in order to retain water for household, *landscaping*, stormwater management, or general agricultural uses, including a borrow pit, but not including a lagoon for wastewater.

DWELLING OR DWELLING UNIT means a self-contained residence comprising cooking, washroom, living, and sleeping facilities with a separate private entrance from the exterior of a *building* or from a common hall, lobby, or stairway inside a *building*, but does not include any part of a *hospital*, *hotel*, or *recreation vehicle*.

DWELLING (APARTMENT) means a *building* containing three or more principal *dwelling units* with a common entrance from the exterior.

DWELLING (DUPLEX) means a single *building* on a single *lot* containing two *dwelling units*, each having a separate direct entrance from the exterior, with one or more *habitable rooms* above *finished grade*. This use does not include *dwelling (semi-detached)*.

DWELLING (DORMITORY) means an *accessory* building containing a *dwelling* for more than 10 staff or students, located on the same *site* or campus as a *school (elementary or secondary)* or *school (post-secondary).* A *dwelling (dormitory)* may have common cooking, washroom, and living facilities.

DWELLING (LOFT UNIT) means a *dwelling unit* in which all of the cooking, living, and sleeping areas are combined in a single room, within a *dwelling (apartment)*, *mixed-use building*, or *supportive living accommodation*. This does not include a *dwelling (studio unit)*. The minimum floor area of a *dwelling (loft unit)* shall be greater than 46.50 m^2.

DWELLING (MANUFACTURED HOME) means a *dwelling* that is manufactured to be moved from one point to another, which provides year-round residential accommodation, and meets the requirements for a residence under the Canadian Standards Association.

DWELLING (SECONDARY) means a secondary *dwelling* on a *lot*, and may be a *dwelling (single detached)* or *dwelling (manufactured home)*. This use does not include *farm help accommodation* or a *secondary suite*.

DWELLING (SEMI-DETACHED) means a single *building* containing two side-by-side *dwelling units* each with its own title and direct connection to *finished grade,* and separated from each other by a party wall extending from foundation to roof, which is designed and constructed as two *dwellings* at the time of initial construction of the *building*. This use does not include *dwelling (duplex)*.

DWELLING (SINGLE DETACHED) means a *building* comprised of one *dwelling unit* on a *site* separated by open space from any *development* on an *adjoining site*. This does not include a *dwelling (manufactured home)*.

DWELLING (STUDIO UNIT) means a dwelling unit in which all of the cooking, living, and sleeping areas are combined in a single room, within a *dwelling (apartment)*, *mixed-use building*, or *supportive living accommodation*. This does not include a *dwelling (loft unit)*. The maximum floor area of a *dwelling (studio)* shall be 46.50 m^2.

DWELLING (TOWNHOUSE) means a *building* comprised of three or more *dwelling units*, where each unit has a separate, direct entrance from the exterior to *grade*, and includes *dwelling (townhouse - single)*, *dwelling (townhouse - plex)*, and *dwelling (townhouse - complex)*. Typical examples include back-to-back townhouses, stacked townhouses, and street-oriented townhouses.

DWELLING (TOWNHOUSE - SINGLE) means a *building* comprised of three or more *dwelling units,* where each *dwelling unit* is on its own *lot* and each unit has a separate, direct entrance from the exterior to *grade*.

DWELLING (TOWNHOUSE - PLEX) means a *building* containing three to four *dwelling units* all on a *lot*, where each unit has a separate, direct entrance from the exterior to *grade*.

DWELLING (TOWNHOUSE - COMPLEX) means a *development* comprised of more than one *building*, each containing three or more *dwelling units*, all on a *lot*, where each unit has a separate, direct entrance from the exterior to *grade*. This may also include a *development* of a mixed-form, including townhousing incorporated with a *dwelling (apartment)* or *dwelling unit above a non-residential use*.

DWELLING UNIT ABOVE A NON-RESIDENTIAL USE means a *dwelling unit*, located in a *mixed-use building*, which is located above any non-residential use.

ENVIRONMENTAL RESERVE is as defined in the *MGA.*

EQUESTRIAN FACILITY means a *development* used for the training of riders or horses, and may include the boarding of horses.

EQUIPMENT RENTAL means a *development* used to rent household equipment or light machinery to the public. This use does not include *fleet service*.

EQUIPMENT SERVICE means a *development* that provides repair services for household goods, equipment, and appliances. Typical uses include radio, television, and appliance repair shops, and furniture refinishing and upholstery shops.

ESTABLISHMENT (ADULT) means a *development* of:

(a) adult theaters or erotic dance clubs, which are any premises wherein live performances, motion pictures, video tapes, digital video discs, slides or similar electronic photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed, shown, or conducted on the premises; or

(b) massage service establishment (for adult use only) that is distinguished or characterized by its emphasis on, or the provision of services, which are sexually explicit in nature.

ESTABLISHMENT (BREW PUB) means a *development* where food and beverages are prepared and served for consumption by the public, and alcoholic beverages, excluding spirits, are brewed on the premises as an *accessory* use. This use may include *accessory* retail sales on or off the premises. This use does not include *establishment (drinking)* or *establishment (restaurant)*.

ESTABLISHMENT (DRINKING) means a *development* licensed to serve alcoholic beverages for consumption on the premises, and may include up to 10 video lottery terminals as an *accessory* use. This use does not include *establishment (brew pub)* or *establishment (restaurant)*.

ESTABLISHMENT (ENTERTAINMENT) means a *development* where live performances or motion pictures are shown. Typical *development* includes a cinema, theatre, or music hall, not including *establishment (adult)*.

ESTABLISHMENT (GAMING) means a *development* that provides patrons the opportunity to engage in games of chance and skill. Typical *development* includes a racetrack with betting facility (either *on-site* or *off-site*), casino, and bingo hall.

ESTABLISHMENT (RESTAURANT) means a *development* where food and beverages are prepared and served for consumption by the public. Typical *development* includes restaurants, fast-food restaurants, and takeout restaurants, not including *establishment (brew pub)* or *establishment (drinking)*.

ESTABLISHED NEIGHBOURHOOD means those neighbourhoods identified in *Figure 10-4*.

EVENT VENUE (RURAL) means an *accessory* use to the *principal use* that brings additional visitors and guests to an agricultural *lot* for an assembly or event. This use may include the provision of facilities to enable entertainment, and/or the preparation of food and beverage services. This use does not include *bed and breakfast*, *conference and banquet facility*, *exhibition grounds*, *campground*, or *home-based business*.

EXCAVATION means any breaking of ground, but does not include landscaping of a *use* for which a *Development Permit* has been issued, agricultural cultivating, limited household gardening, or ground care.

EXHIBITION GROUNDS means an outdoor facility used to host public events, including rodeos, horse shows, and exhibitions, and any *accessory building* used for spectator seating or viewing.

FAÇADE means the exterior, outward face of the *building*.

FAMILY means adult interdependent partners (married or common-law), lone parent households, or single persons living in the same *dwelling* with related household members or caring for non-related children through an authorized guardianship, foster care, or kinship agreement.

FAMILY DAY HOME means a *home-based business* that is *accessory* to a *dwelling unit*, or part thereof, used to provide care and supervision to more than four but less than seven children or adults, not including any children who are otherwise permanent residents of the *dwelling unit*.

FARM HELP ACCOMMODATION means a temporary housing *development* that may include a maximum of four *buildings* grouped together on a *site*, where the occupants are persons that are an integral part of an *agricultural (general)*, an *agriculture (intensive)*, or an *equestrian facility* that is located on the same *site*. This use does not include a *boarding house*, *dwelling (secondary)*, or *secondary suite*.

FARMSTEAD means a *development* on an agricultural *lot*, which includes a *dwelling,* and improvements related to the raising or production of crops or *livestock*. A *farmstead* may include *accessory buildings*, *accessory agricultural buildings*, and shelterbelts.

FENCE means a vertical physical barrier constructed to provide visual *screening,* or to enclose a *lot* or *site*.

FENESTRATION means the design and disposition of doors, windows, and other exterior openings of a *building*.

FINISHED GRADE means the elevation of the ground upon placement of soil and sod above the *rough grade*, or as may be identified on plot plans.

FLEET SERVICE means a *development* from which three or more *vehicles* are operated for the transportation of passengers or goods.

FREEBOARD ELEVATION means a specified elevation above which all building openings must be built.

FRONTAGE means the *property line* of a *site* along any *public roadway* except a *lane*.

FULL CUT-OFF LIGHT FIXTURE means a fixture that directs light down towards the ground and does not emit any light above the horizontal plane. These fixtures reduce light pollution, and are dark sky friendly.

FUNERAL HOME means a *development* used for the arrangement of funerals or holding of funeral services, and may include the preparation of the deceased for burial or cremation. This use does not include a *religious assembly*.

GARAGE means a *building* that is intended to provide *parking* for *vehicles*, is enclosed on all sides, and may either be attached to or detached from the *principal building*.

GARAGE SALE means an *Accessory Development* involving the sale of goods from a *garage* or yard in a *Residential District*.

GLAZING means the portion of a wall, window, or door that is made of transparent glass.

GOVERNMENT SERVICE means a *development* where municipal, provincial, or federal *government services* are provided directly to the public, and includes *development* required for the public protection of persons or property. Typical *development* includes a police station, fire station, courthouse, post office, transit service, public museum, library, school board or social services office.

GRADE means either *rough grade* or *finished grade*, depending on the application context.

GRADING means any land disturbance, removal or fill, or any combination thereof, and shall include the conditions resulting from any land disturbance. This does not include *excavation* or *stripping*.

GROUP HOME means a *development* consisting of the use of a residential *dwelling* for care and supervision of occupants. A *group home* is intended to provide room and board for occupants requiring specialized or personal care, guidance, or supervision. The residential character of the *development* shall be primary, with the occupants living together as a single housekeeping group, and using cooking facilities shared in common. This does not include *transitional accommodation*.

GREENHOUSE AND PLANT NURSERY means a *development* used for the growing, storage, and sale of vegetables or *landscaping* plants, either in a greenhouse or garden, and for the storage and sale of related gardening goods and equipment.

GROSS FLOOR AREA means the total area of all floors of a *building* located totally or partially above *finished grade,* and the total area of all mechanical equipment areas. The area comprising the *gross floor area* must be enclosed or have a roof over the area, but does not require interior finishing. *Gross floor area* shall be measured:

(1) To the outside surface of the exterior walls; or

(2) Where *buildings* are separated by firewalls, to the centre line of the common firewalls.

GROSS VEHICLE WEIGHT means the licensed maximum weight of the *vehicle*, as set out on the *vehicle's* certificate of registration.

GROUND COVER means low-profile vegetation commonly used for *landscaping,* and includes herbaceous perennials and flowers, but does not include grass.

HABITABLE ROOM means a *bedroom*, dining room, family room, or living room.

HARD-SURFACED or **HARD-SURFACING** means the provision of durable, dust-free material constructed and maintained to the satisfaction of the *Development Authority*, in consultation with the Engineering Department. Typical materials include concrete, asphalt, or similar material. For vehicle parking, including *parking pads*, *driveways*, and *parking lots*, materials that are capable of withstanding expected *vehicle* loads.

HEALTH SERVICE means a *development* used for the provision of physical and mental out-patient health care, and social or counseling services. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Typical *development* includes medical and dental offices, health and physiotherapy clinics, or massage therapy clinics.

HIGH-DENSITY RESIDENTIAL DISTRICT includes the HDR District.

HIGHWAY is as defined in the *Traffic Safety Act RSA 2000, c. T-6*.

HISTORIC RESOURCE means a *building*, group of *buildings*, District, landscape, archaeological *site*, or other place that has been formally recognized by the *City*, provincial, and/or federal government for its heritage value.

HEAVY VEHICLE AND EQUIPMENT (SALES AND SERVICE) means a *development* used for the sale, service, and rental of heavy *vehicles*, machinery, or mechanical equipment, and may include *vehicles* and equipment used for farming, construction, or oilfield operations. This use does not include *automotive (sales)*, *automotive (service)*, or *automotive (specialty)*.

HOME-BASED BUSINESS (LEVEL ONE) means an *Accessory Development* contained within one room in a *dwelling unit* or an *accessory building*, for a business that is operated by a permanent resident of the *dwelling unit*, and involves office functions only. No *on-site* employees, except the resident, are permitted for a *home-based business (level one).*

HOME-BASED BUSINESS (LEVEL TWO) means an *Accessory Development* in a *dwelling unit* or an *accessory building*, for a business that is operated by a permanent resident of the *dwelling unit*, and may include one employee who does not reside on the property. This use does not include *animal service*, *automotive (service)*, *automotive specialty*, *fleet service*, or a dry cleaner.

HOME-BASED BUSINESS (LEVEL THREE) means an *Accessory Development* in a *dwelling unit* or an *accessory building*, for a business that is operated by a permanent resident of the *dwelling unit*, which may have four employees who do not reside on the property, with limited *outdoor storage*. Typical activity includes contractor services, landscape supplies, commercial *vehicles parking*, automotive and auto body repair, and *on-site* light fabrication.

HOSPITAL means an institutional *development* used to provide in-patient and out-patient health care to the public, which is recognized, authorized, licensed, or certified by a public authority. Typical *development* includes a *provincial health care facility*, community health centre, *hospital*, palliative care, long-term care, auxiliary *hospital*, mental health facility, detoxification, or addictions treatment.

HOTEL means a commercial *development* used to provide temporary sleeping accommodation to the public, and which may also contain a restaurant, drinking establishment, or *conference and banquet facility*. Typical *development* includes a *hotel*, hostel, or motel.

ILLUMINATION means lighting by artificial means.

INDIRECT LIGHTING means illumination not focused on a specific area, which spills over onto an adjacent *lot* or *site*.

INDUSTRIAL (LEVEL ONE) means a *development* where any actual or potential nuisance factor generated by the *development* is contained within an enclosed *building*, which may include manufacturing, product testing, and warehousing. This use does not include *bulk oil and chemical storage,* or *chemical processing*.

INDUSTRIAL (LEVEL TWO) means a *development* where any actual or potential nuisance factor generated by the *development* is contained within the boundaries of the *site*, which may include processing of raw (transported to the *site*), semi, or finished material; assembling goods; cleaning, servicing, and repairing of goods and equipment; product testing, warehousing and distribution; and training of personnel in general industrial operations. This use does not include the removal and extraction of raw materials, *automotive wrecker,* or *chemical processing*.

INDUSTRIAL (LEVEL THREE) means a *development* where any actual or potential nuisance factor generated by the *development* may extend beyond the boundaries of the *site,* and may have impact on the land and neighbouring *lots*. This use shall not require a high level of servicing capacity. This use does not include the removal and extraction of raw materials, refineries, upgraders, animal rendering, or *automotive wrecker*.

INDUSTRIAL (LEVEL FOUR) means a *development* where any actual or potential nuisance factor generated by the *development* will extend beyond the boundaries of the *site*, and may have impact on the safety, use, amenity, and enjoyment of *adjacent sites*. This use may consume large quantities of land or require a high level of servicing capacity. This use may include the removal and extraction of raw materials, refineries, upgraders, or animal rendering.

INDUSTRIAL DISTRICT includes the BP1, BP2, ICS, and IND Districts.

INFILL DEVELOPMENT means the process of developing vacant or underused *sites*, or redeveloping existing or underused structures.

INTERIOR LOT means any *lot* other than a *corner lot*.

LAND AND PROPERTY RIGHTS TRIBUNAL (LPRT) means a quasi-judicial tribunal established under the *Land and Property Rights Tribunal Act, SA 2020, c L-2.3*.

LANDSCAPE BUFFER means a *landscaped area* with dense *landscaping,* intended to separate and screen adjacent differing land uses.

LANDSCAPED AREA means that portion of a *site* which is required to be landscaped.

LANDSCAPING means preserving, enhancing, or incorporating vegetative and other materials in a *development,* and includes combining new or existing vegetative materials with architectural elements, existing *site* features, or other *development* features – including *fences* or walls.

LAND USE DISTRICT means an area of the *City* established as a *Land Use District* by this Bylaw.

LAND USE MAP means the *Land Use Map.*

LANE means an alley as defined in the *Traffic Safety Act, RSA 2000, c.T-6*.

LIVE/WORK UNIT means a unit designed to be used concurrently as a *dwelling unit* and as a commercial use.

LIVESTOCK includes horses, cattle, pigs, sheep, goats, llamas, ostriches, bison, roosters, turkeys, ducks, geese, pigeons, foxes, mink, rabbits, skunks, insects, and all other animals; fowl and birds, whether of a domestic nature or wild; but does not include hens that are kept pursuant to a valid and subsisting Hen Licence issued under the *Hen Bylaw*, or bees that are kept pursuant to a valid and subsisting Urban Beekeeping License issued under the *Urban Beekeeping Bylaw*. This does not include a *domestic pet*.

LOADING DOCK means a door used in connection with a *loading space*.

LOADING SPACE means a space that accommodates a *vehicle* while it is being loaded or unloaded.

LODGER means someone who pays for a place to sleep, which may include meals, but does not include the purchase of a room in a *hotel*.

LOT means:

(1) A quarter section;

(2) A river *lot* shown on an official plan, as defined in the *Surveys Act, RSA 2000, c. S-26*, that is filed or lodged in a land titles office;

(3) A settlement *lot* shown on an official plan, as defined in the *Surveys Act, RSA 2000, c. S-26*, that is filed or lodged in a land titles office;

(4) A part of a *lot* described in a certificate of title, if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision;

(5) A part of a *lot* described in a certificate of title, if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

LOT AREA means the area of a *lot,* including any area dedicated to an easement or a right-of-way, as shown on a plan of subdivision or described in a copy of a certificate of title.

LOT COVERAGE means percentage of *lot area* covered by *buildings*.

LOT DEPTH means the distance between the front and rear *property lines* of the *lot,* as measured perpendicularly or radially from the mid-point of the front *property line* to the mid-point of the rear *property line* of the *lot*.

LOT FRONTAGE means the width of a *lot* or *site* at the front *property line* adjoining a *public roadway*.

LOT WIDTH means the distance between the side *property lines,* as measured along the minimum front yard building *setback*, unless otherwise specified in this Bylaw.

LOW-DENSITY RESIDENTIAL DISTRICT includes the LDR, SLR, LLR, and FBR Districts.

MANAGER OF THE DEVELOPMENT BRANCH means the means the person appointed to that position by the CAO.

MAXIMUM WORKING SHIFT means the period of time that the greatest number of employees are required to be present at the *development*.

MEDIUM-DENSITY RESIDENTIAL DISTRICT includes the MDR District.

MIXED-USE BUILDING means the *development* of a *building* with a variety of complementary and integrated uses, which includes a residential component and a non-residential component, in a compact, urban form. The non-residential component may include office, retail, *government service*, restaurant, or entertainment in a compact urban form.

MIXED-USE DISTRICT includes the MID (Area C), MU1, MU2, and DTN Districts.

MOVING POD/REFUSE BIN means an *accessory development* that is placed to assist with the temporary storage of goods related to a move, or disposal of waste materials during renovations. This does not include a *shipping container*.

MULTI-TENANT means three or more non-residential units separated by partition walls that separate one tenant's space from another or from the *building's* common area such as a public corridor, as shown on a submitted floor plan.

MUNICIPAL GOVERNMENT ACT (MGA) means the *MGA.*

MUNICIPAL RESERVE is as defined in the *MGA.*

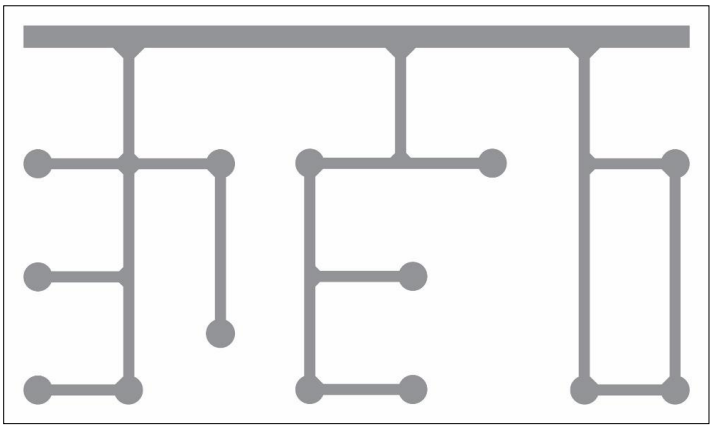
NATURAL AREA means land or water, identified as environmentally sensitive, that require protection and stewardship. Examples include wetlands, watercourses, ravines, forests, meadows, grasslands, and riparian areas.

NEIGHBOURHOOD PLAN (NP) means a non-statutory plan whose plan area must be located within an approved *Area Structure Plan*.

NET FLOOR AREA means the *gross floor area* of a *building*, less the area of stairways, elevators, mechanical floors or rooms, vertical service shafts, common corridors, lobbies, public washrooms, internal garbage storage, and internal vehicular areas.

NON-THROUGH ROADWAY means a *public roadway,* built to *City standards*, other than a *lane*, that has one permanent point of ingress and egress. This includes a *cul-de-sac* or any road design with one access point and spine, and one or more bulbs or dead ends. See *Figure 7-1* for examples of typical *non-through roadway* designs.

Figure 7-1: Example of Typical Non-Through Roadway Designs



NON-RESIDENTIAL DISTRICT includes a *Commercial District*, *Industrial District*, *Special District*, and any non-residential component of a *Mixed-Use District*.

OFF-SITE means a location other than the *site* which is the subject of a *development*.

ON-SITE means a location on the *site* which is the subject of a *development*.

OUTDOOR DISPLAY AREA means an outdoor area, forming part of a *development,* used to exhibit or show *vehicles*, *recreation vehicles*, equipment, goods, materials, or products.

OUTDOOR STORAGE means an *accessory* outdoor area, forming part of a *development* used for the storage of equipment, goods, materials, motor *vehicles*, *recreation vehicles*, or products. This use does not include *storage facility (indoor)*, *storage facility (mini)*, or *storage facility (recreation vehicle and equipment)*.

OVERLAY DISTRICT means an identified area where additional regulations, requirements, or both are imposed or supersede the underlying *Land Use District*(s) to which it is applied. The overlay area cannot change the Permitted Uses and Discretionary Uses.

PANHANDLE LOT means a *lot* which is serviced and gains frontage through the use of a narrow strip of land, which is an integral part of the *lot*.

PARK means land that is intended to be used by the public for active and passive recreation, or general enjoyment.

PARKING means leaving a *vehicle* temporarily on a *lot* or *site*.

PARKING LOT means a *development* which provides for the access, maneuvering, and *parking* of *vehicles*.

PARKING PAD means a *hard-surfaced* area intended to accommodate the required *on-site parking*, but does not include a *driveway*.

PARKING STRUCTURE means a *building* or portion thereof used for the *parking* of *vehicles,* and may be located either below, at, or above *finished grade*.

PARKING STRUCTURE (UNDERGROUND) means a *building* or portion thereof used for the *parking* of *vehicles*, where the majority of the *parking structure* is contained below *finished grade*.

PATIO means an at-grade concrete slab or other *hard-surface* that adjoins a *dwelling unit* for the purpose of outdoor gathering.

PEACE OFFICER is as defined in the *Provincial Offences Procedures Act, RSA 2000, c. P-34*.

PEDESTRIAN-ORIENTED DEVELOPMENT means a *development* designed, scaled, and located to provide priority to pedestrians and non-motorized modes of travel.

PERSONAL SERVICE means a *development* used to provide services related to the care and appearance of an individual, including the cleaning and repair of clothing, but does not include *health service* or *establishment (adult)*. Typical *development* includes dry cleaner, hair salon, tanning salon, laundromat, tailor, shoe repair, and aesthetician services.

PLAZA means an open space that provides opportunity for community gathering, events, and social interactions.

PRINCIPAL BUILDING means a *building* that accommodates the *principal use* of a *lot* or *site*.

PRINCIPAL USE means the primary or main purpose for which a *building* or *lot* is used.

PRIVATE POOL means any private swimming pool or hot tub, whether above or below the ground. This does not include a *decorative pond*.

PRIVATE PROPERTY means property that is not defined as *public property*.

PRIVATE ROADWAY means a *vehicle* thoroughfare created for the purpose of vehicular access and circulation. It may include common property pursuant to the *Condominium Property Act, RSA 2000, c. C-22*, or be part of a *lot* subject to a mutual access agreement. *Private roadways* include drive aisles.

PROFESSIONAL OFFICE means an office use providing professional services. Typical *development* includes offices providing accounting, architectural, employment, engineering, insurance, investment, legal, real estate, planning, secretarial, *broadcasting studios,* and travel agent services. This use does not include *health service* or *government service*.

PROPERTY LINE means a line of record bounding a *lot* that divides one *lot* from another *lot,* a *public roadway,* or any other public space.

PROPERTY LINE (COMMON) means the shared *property line* between *dwelling (semi-detached)* or *dwelling (townhouse)* units.

PROVINCIAL HEALTH CARE FACILITY means an approved *hospital* as defined in the *Hospitals Act, RSA 2000, c. H-12*.

PUBLIC ACCESS for the purpose of section 3.70 means a portion of a *public roadway* built to *City standards*, other than a *lane*, that provides a way to approach and enter onto a *lot* or *site*, or cross another *public roadway*. Typically, if a roadway only has one *public access*, it is considered a *non-through roadway* and, if a roadway has two or more *public accesses,* it is considered a *through-street*.

PUBLIC MARKET means a temporary market, set up indoors or outdoors, comprising a variety of small-scale and local vendors.

PUBLIC PROPERTY means, except for *highways*, any property owned, held, or controlled by the *City* or other public authority.

PUBLIC ROADWAY means a road as defined in section 616 of the MGA and does not include a *private roadway* or *highway*.

PUBLIC UTILITY means a system or works used to provide one or more of the following for public consumption, benefit, convenience, or use:

(1) Water or steam;

(2) Sewage disposal;

(3) Telecommunications;

(4) Irrigation;

(5) Drainage;

(6) Fuel;

(7) Electric power;

(8) Heat;

(9) Waste management; or

(10) Residential and commercial street lighting;

and includes the thing that is provided for public consumption, benefit, convenience, or use.

PUBLIC UTILITY BUILDING means a *development* in which the owner or operator of a *public utility* maintains or houses any operation in connection with the distribution of a *public utility*, but does not include any *development* for the production of electric power or gas.

RADIO ANTENNA means a device used for commercial fleet dispatch and ham (or hobby) *radio antennas,* and its support structures, designed to receive and transmit radio waves for limited commercial uses and non-commercial uses, including commercial *fleet services* or amateur radio operators.

REAL PROPERTY REPORT means a document showing building location and other *site* data prepared by a Registered Alberta Land Surveyor, according to the standards of the Alberta Land Surveyors Association.

RECREATION (INDOOR) means a *development* used for sports or recreation within an enclosed *building*. Typical *development* includes a health and fitness club, swimming pool, bowling alley, amusement arcade, athletic field, rink, or court, not including *conference and banquet facility* or *establishment (gaming)*.

RECREATION (OUTDOOR) means a *development* used for outdoor sports or recreation. Typical *development* includes a picnic area, playground, pedestrian and bicycle trail, boating facility, swimming pool, spray *park*, golf course, and athletic field, rink, or court.

RECREATION EQUIPMENT means a utility trailer, boat, boat trailer, all-terrain *vehicle,* or snowmobile, but not a *recreation vehicle*.

RECREATION VEHICLE means a *vehicle*, with seating and sleeping capacity to provide temporary living accommodation, either carried on or pulled by another *vehicle*, or transported under its own power.

RECESSED ARCADE means a pedestrian area created by an overhanging part of a *building* that is supported by columns.

RECYCLING DEPOT means a *development* for collecting, sorting, and temporarily storing recyclable materials including bottles, cans, paper, boxes, and small household goods, not including *automotive wrecker*.

RELIGIOUS ASSEMBLY means a *development* used for worship and related religious, philanthropic, or social activities, and includes *accessory* rectories, manses, meeting rooms, and food preparation and service facilities. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, or monasteries.

RELOCATABLE BUILDING means a *building* that is designed to be relocated from *site* to *site*, but is not used for residential purposes.

RESIDENTIAL DISTRICT includes the LDR, SLR, LLR, FBR, MDR, HDR, MID (areas A and B), and ICC (Area A) Districts.

RESIDENTIAL SALES CENTRE means a *dwelling unit* or temporary *building* that is used to exhibit *dwelling units* for sale, rent, or raffle. Typical uses include show or raffle homes.

RESIDENTIAL USE means *congregate living (level one)*, *congregate living (level two), dwelling (apartment), dwelling (duplex), dwelling (manufactured home), dwelling (secondary), dwelling (semi-detached), dwelling (single detached), dwelling (townhouse - complex), dwelling (townhouse - plex), dwelling (townhouse - single), dwelling unit above a non-residential use, group home, secondary suite (garage), secondary suite (garden), secondary suite (internal), supportive living accommodation,* or *townhousing*.

RETAIL (ADULT) means a *development* where more than 30% of the *gross floor area* is for the display or retail sale of sexually explicit goods, intended to be used for sexual pleasure. This does not include *retail (cannabis)*, *retail (general)*, or *establishment (adult)*.

RETAIL (CANNABIS) means a *development* used for the retail sale of cannabis that is authorized by provincial or federal legislation. This does not include a *cannabis production and distribution facility* or a *cannabis production and distribution facility (micro)*.

RETAIL (GENERAL) means a *development* for the retail sale of a wide range of consumer goods and services with a floor area less than 4,000.00 m^2, but does not include *warehouse store (retail)*. Typical *development* includes a grocery store, variety store, clothing store, sporting goods store, furniture store, jewelry store, financial institution, pharmacy, or liquor store.

RETAINING WALL means a wall structure which supports and contains the ground on a *site*.

ROUGH GRADE means the elevation of ground existing at completion of *grading*, but prior to the placement of soil and sod.

SATELLITE DISH means a parabolic device and its support structure, designed to receive or transmit frequencies transmitted by satellites.

SCHOOL (COMMERCIAL) means a commercial *development* used for training and instruction in a trade, skill, or service. Typical *development* includes trade, secretarial, business, hairdressing, driver training, music, or academic tutoring schools, not including *school (elementary or secondary)* or *school (post-secondary)*.

SCHOOL (ELEMENTARY OR SECONDARY) means a *development* used for public or private elementary or secondary education, or both, and includes its administrative offices on the same *site*. This use does not include *school (post-secondary)*, *school (commercial)*, or *daycare facility*.

SCHOOL (POST-SECONDARY) means a *development* offering public or private education or instruction to individuals beyond a secondary school. Typical *development* includes colleges and universities, not including *school (commercial)*.

SCREENING means the concealment of a *development* by a *fence*, wall, *berm*, *landscaping*, or combination thereof. Such *screening* is intended to mitigate any visual nuisance of the *development*.

SECONDARY SUITE means an *accessory* secondary *dwelling unit* that is located within, attached to, or separate from a principal *dwelling unit*. A *secondary suite* contains cooking, washroom, living, and sleeping facilities separate from those of the principal *dwelling*. A *secondary suite*, in any form, cannot be subdivided from the principal *dwelling* so as to create a separate legal title for the *secondary suite*.

SECONDARY SUITE (INTERNAL) means an *accessory* secondary *dwelling unit* that is located within a *dwelling (single detached)*, *dwelling (semi-detached)*, or *dwelling (duplex)*. A *secondary suite (internal)* may include the *development* or conversion of *basement*, where a portion of the suite is located below *finished grade.* This use does not include a *secondary suite (garage)* or *secondary suite (garden)*.

SECONDARY SUITE (GARAGE) means an *accessory* secondary *dwelling unit* that is located above a detached *garage*, and has an entrance separate from the *vehicle* entrance to the *garage*. A *secondary suite (garage)* is only allowed in conjunction with a *dwelling (single detached)*, *dwelling (semi-detached)*, or *dwelling (duplex)*. This use does not include a *secondary suite (internal)* or *secondary suite (garden)*.

SECONDARY SUITE (GARDEN) means a single-storey*, accessory,* secondary *dwelling unit* that is located in a *building* separate from the principal *dwelling*. A *secondary suite (garden)* is only allowed in conjunction with a *dwelling (single detached)*, *dwelling (semi-detached)*, or *dwelling (duplex)*. This use does not include *secondary suite (internal)* or *secondary suite (garage)*.

SELF-SUPPORTED means supported by one or more columns, uprights, or braces in or upon the ground that are not attached to and do not form part of a *building*.

SENSITIVE LAND USE means *buildings*, *amenity areas*, or outdoor spaces where routine or normal activities occurring at reasonably expected times may experience one or more adverse effects from operational emissions generated by a nearby rail facility. Examples may include *dwelling units*, *daycare facilities*, *school (elementary or secondary), school (post-secondary), hospital, provincial health care facility*, playgrounds, *stadium*, public *parks* and trails, *recreation (indoor)*, *recreation (outdoor)*, *religious assembly, conference and banquet facility*, *hotels*, *supportive housing*, *group homes*, *transitional accommodation*, and any uses that are sensitive to dust, odour, noise, and vibration emissions.

SEPARATION DISTANCE means an open space around *dwellings,* separating them from adjacent *buildings* or activities, and providing daylight, ventilation, and privacy. *Separation distance* is not a front yard building *setback*, side yard building *setback,* or rear yard building *setback* as defined herein.

SERVICE LANE means a building access route for motor *vehicles* found at the rear or side of a *building*.

SERVICE STATION means a *development* used for the sale of *vehicle* fuels, electric charging, lubricating oils, and other automotive fluids and incidental goods.

SETBACK means the distance from the foundation wall of a *building* to the *property line* at right angles or radially to it. Where there is no foundation wall, the distance shall be measured from the exterior wall at *grade*, not including *cantilevered wall sections* or *architectural projections*.

SHED means an *accessory building* used for the storage of gardening or household equipment, materials, and tools in a residential *development,* and includes a storage *shed*.

SHIPPING CONTAINER means an *accessory development* that was previously used to transport goods, and is now used for storage purposes only. This does not include a *moving pod/refuse bin*.

SHOPPING CENTRE means a *development* comprised of three or more separate commercial or *mixed-use buildings* that operate as a unit and share a common *parking* area.

SHORT-TERM RENTAL means a *dwelling* or portion of a *dwelling* that is advertised for rent for a period of less than 30 days, but does not include a *bed and breakfast* or a *boarding house*.

SITE means one or more *lots* on which a *development* exists or occurs, or for which an application for a *Development Permit* is made.

SITE AREA means the total area of a *lot* or *site*, including any area dedicated to an easement or right-of-way, as shown on a plan of subdivision registered in a land titles office.

SITE DENSITY means the number of *dwelling units* per hectare of *site area*.

SITE PLAN means a detailed dimensional plan, at a reproducible scale, providing information and graphic depiction of all physical *development* relationships to occur on a *site*.

SLEEPING UNIT means a room that is intended for human occupancy but is not equipped with self-contained cooking facilities. It may provide accommodation for not more than two persons.

SOD FARM means a commercial farm growing sod through seeding and *stripping* of topsoil, and selling the final product.

SOLAR COLLECTOR (FREESTANDING) means a non-reflective *accessory* structure not attached to a *building*, used to collect sunlight, that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.

SOLAR COLLECTOR (ATTACHED) means a non-reflective *accessory* structure attached to a *building*, used to collect sunlight, that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.

SPECIAL DISTRICT includes the ALT, PRK, CON, ICC (Area C), PSI, FUD, TRN, and *DC* Districts.

STADIUM means a *building*, containing an athletic field, which is used primarily for spectator sporting events. The *building* can be fully enclosed or built without a roof.

STEP-BACK means a horizontal recess to a building *façade* from the vertical *façade* immediately below it.

STOREY means the space between the top of any floor above *finished grade*, and the top of the next floor above it and, if there is no floor above it, the part between the top of the floor and the ceiling above it. The bottom *storey* of a *building* located at street level is commonly referred to as the ground *storey*. For the purposes of calculating a *storey*, *walkout basements* are not included.

STREETSCAPE means the area that lies between the street curb and the *building frontage* of the adjacent *buildings*, the role of which is to define the pedestrian corridor and the distinguishing character of a particular street, including *landscaping*, trees, lawns, sidewalks and other surfacing, lighting, street furniture, and signage.

STRIPPING means any activity that removes or significantly disturbs vegetated or otherwise stabilized soil surface, including clearing and grubbing operations. This does not include *grading* or *excavation*.

STORAGE FACILITY (INDOOR) means a *development* containing non-portable storage units constructed within a single, wholly enclosed *building* with a common entrance to the exterior.

STORAGE FACILITY (MINI) means a *development* of storage units where each unit contains a separate *access* from the exterior of the *building*.

STORAGE FACILITY (RECREATION VEHICLE AND EQUIPMENT) means a *development* where the primary use is the storage of unoccupied *recreation vehicles* or *recreation equipment*.

SUBDIVISION AUTHORITY means the authority established by the *City of St. Albert Subdivision Authority Bylaw* 19/95.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD (*SDAB*) means the body established by the *City of St. Albert Subdivision and Development Appeal Board Bylaw*.

SUPPORTIVE LIVING ACCOMMODATION means a *development,* in a multiple *dwelling* or *sleeping unit* form, that provides residents with access to *on-site* professional care and daily living support, and is recognized, authorized, licensed, or certified by a public authority.

SURVEILLANCE SUITE means a *dwelling unit* or *sleeping unit*, that is *accessory* to the *principal use*, and which is used solely to accommodate a person or persons whose function is to provide surveillance, maintenance, and security of the *principal use*.

TANDEM PARKING means one *vehicle* parked in front of or behind the other *vehicle*, either on a *driveway* or *parking pad*, or in a *parking lot*, *parking structure*, or *garage*.

TELECOMMUNICATION TOWER means any tower used to provide communication services through the transmitting, receiving, or relaying of voice and data signals including radio, cellular, broadcast, Personal Communication Services (PCS), or wireless data – such as cell phone towers and wireless internet towers. For the purposes of this Bylaw, this excludes *radio antenna* and *satellite dish*.

THROUGH-STREET means a *public roadway* built to *City standards*, other than a *lane*, that has two separate points of ingress and egress. A *lane* cannot serve as a secondary route for ingress or egress for a *through-street*.

TIME EXTENSION AGREEMENT means a written request to extend the processing time of a *Development Permit* application, or a written request to extend a *Development Permit* approval.

TOPSOIL PROCESSING AND SALES means the act of *stripping* and refining raw soil for reuse as topsoil, and may include processing, stockpiling, and sales of soil.

TRANSITIONAL ACCOMMODATION means a *development,* in a multiple *dwelling* or *sleeping unit* form, that provides residents with temporary accommodation and access to individualized programs and services. This does not include *group home*.

TRANSMITTING STATION means a *development* used for the rebroadcast of radio or television signals.

TOP OF BANK means the upper, natural topographical break that signifies the upper edge of the slope to a watercourse or water body, or upper edge of an escarpment with a slope over 15%.

TOWNHOUSE (INTERIOR UNIT) means a *dwelling unit* forming part of a townhouse *building*, which is not a *townhouse (end unit)*.

TOWNHOUSE (END UNIT) means the last *dwelling unit* forming the end of a townhouse *building*.

UPLIGHTING means outdoor lighting that angles upwards to the sky.

URBAN DESIGN REVIEW (EXTERNAL) means a preliminary review of the design and architecture of a proposed *development*, conducted by a contracted third-party or appointed review committee.

URBAN DESIGN REVIEW (INTERNAL) means a preliminary review of the design and architecture of a proposed *development*, conducted by internal staff designated by the *Development Authority.*

VARIANCE means a deviation or waiver of a development regulation. A site density bonus or height bonus is not a *variance*.

VEHICLE has the same meaning as 'motor *vehicle*' as defined in the *Traffic Safety Act, RSA 2000, c. T-6*.

VIOLATION TICKET means a "violation ticket" as defined in the *Provincial Offences Procedures Act, RSA 2000, c. P-34*.

WALKOUT BASEMENT means a *basement* with a direct entrance from the *finished grade*, but not an entrance through a door well where the entirety of the door well is located below *finished grade*.

WALL MURAL means a graphic painted or affixed to an exterior wall of a *building* for decorative purposes only. This does not include a *sign*.

WALL-MOUNTED means attached to the wall of a *building*.

WAREHOUSE means a commercial *development* for the indoor storage of equipment, goods, *vehicles*, *recreation vehicles*, materials, or products.

WAREHOUSE STORE (INDUSTRIAL) means a *development* – with a *gross floor area* of 4,000 m^2 or greater for the indoor storage of bulky goods, materials, or products – that also contains a limited wholesale or retail sale component. The size and nature of the principal goods being stored and sold typically require a large floor area for direct display to the purchaser or consumer. Typical *development* includes furniture sales, flooring or carpet sales, appliance sales, and building materials.

WAREHOUSE STORE (RETAIL) means a *development* with a *gross floor area* of 4,000 m^2 or greater for the wholesale or retail sale of goods. Typical *development* includes a large grocery store, big box store, or home improvement store.

ZERO LOT-LINE means a form of residential *development* where one side of a *dwelling (single detached house)* is placed on a side *property line* with no side yard *setback*. An attached or detached *garage* may also be placed on the same side *property line*. *Zero lot-line dwellings* exist in conjunction with a maintenance easement to allow mutual access to the side of the *building* placed on the *property line*.

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7.2 DEFINITIONS - SIGNS

A-BOARD SIGN means an A-shaped *sign* with no external supporting structure, that is set upon, but not attached to, the ground.

ATTENTION-GETTING DEVICE means any pennant, flag, valance, propeller, spinner, streamer, searchlight, *mascot*, message, ornamentation, audible component, or *sign* not otherwise defined under this section that is displayed in any manner for the purpose of drawing attention to a *development*, business, or fundraising activity. Lights or other ornamentations associated with the holiday season, if displayed between Nov. 15 and Jan. 15 of the following year, shall not be considered *attention-getting devices*.

AWNING SIGN means a *sign* incorporated upon or within an *awning*.

BALLOON SIGN means an air-inflated *sign*.

BANNER SIGN means a *sign* constructed from a non-rigid fabric, in a banner style, which is attached to a pole or other structure.

BILLBOARD means a *sign* displaying only *third-party advertising*.

CANOPY SIGN means a *sign* incorporated upon or within a canopy.

COPY means the text or graphics that comprise the message on a *sign* face.

CHANGEABLE COPY means that portion of a *sign* upon which *copy* (excluding time, date, temperature, and fuel pricing displays) may be changed manually through the utilization of attachable *copy*, or changed automatically through the electronic switching of lamp banks or illuminated tubes.

COMPREHENSIVE SIGN PLAN means a master plan for signage on a *site* for the purpose of creating a consistent overall theme and design concept, and may include several *sign* types.

CONSTRUCTION SITE IDENTIFICATION SIGN means a *sign* erected on a *development site* for the purpose of advertising or providing information related to the referenced construction project, and may include information on the contractor, building material supplier, and financial institution involved.

DEVELOPER MARKETING SIGN means a *sign* promoting vacant *lots*, show homes, or new *developments,* and may include the project name, developer information, logograms, conceptual plans, or lifestyle images, but excludes construction, directional, and *real estate sign* information.

DEVELOPER MARKETING FENCE SIGN means a *sign* designed to provide continuous visual *screening* of a *lot* or *site* for the purpose of promoting current or future *on-site development,* and may incorporate construction, marketing, directional, and real estate content.

DEVELOPMENT DIRECTIONAL SIGN means a *sign* for the purpose of guiding or directing pedestrian or vehicular traffic to new subdivisions, new *development* areas or show homes, and may include the *development* name, developer information, logograms, and directional arrows.

DIGITAL DISPLAY means a device intended to display *copy* using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated, or digital technology.

DIRECTIONAL SIGN means a *sign* directing pedestrian or vehicular traffic, including ingress, egress and *parking signs* and may include text-only *copy*, logograms and directional arrows.

ELECTION SIGN means a *sign* connected with the holding of a federal, provincial, or municipal government, or school board election.

ELECTRONIC MESSAGE SIGN means a *sign* or part of a *sign* upon which programmable or electronic switching of changeable, text-only *copy* is displayed.

ENTRY FEATURE SIGN means a *self-supported sign* which incorporates design and building materials that accentuate the architectural theme of the *on-site buildings*. *Entry feature signs* are limited to *development* name and address identification only.

FASCIA SIGN means a *sign* that is attached, etched, or painted on a *building*. A *wall mural* shall not be considered a *fascia sign*.

FIRST-PARTY ADVERTISING means the advertising of a business, commodity, service, or entertainment product that is conducted, sold, or offered on the *site* upon which the *sign* is located.

FLASHING SIGN means a *sign* that contains an intermittent or flashing light source. An *electronic message sign* shall not be considered a *flashing sign*.

FOOT-CANDLE means a unit of measure of the intensity of light falling on a surface.

FREESTANDING SIGN means a *sign* anchored into the ground and not attached to a *building*.

LAWN SIGN means a *sign* erected or placed for the purpose of identifying an opinion or position on a topic, cause, or political issue, but does not advertise a *home-based business* or business, and excludes an *election sign*.

MASCOT means a person, figure, or automaton – dressed in costume – displaying or holding signage for the purpose of attracting attention to a business or fundraising activity.

***VEHICLE* SIGN** means a *sign* placed on, placed within, or attached to the exterior of a *vehicle*, which advertises or promotes:

(1) The business for which the *vehicle* is being used; or

(2) The sale of that *vehicle*, in the form of a “for-sale” *sign*, provided that the *vehicle* is parked entirely on a private residential property, or entirely on the property of an approved automotive or *recreation vehicle* sales establishment.

MULTIPLE-TENANT ADVERTISING means when a *sign* advertises two or more *on-site* businesses.

MUNICIPAL SIGN means a *sign* erected or placed by, or on behalf of, the *City*.

NEIGHBOURHOOD IDENTIFICATION SIGN means a *sign* that displays the name of a *City* neighbourhood.

PEDESTRIAN-ORIENTED SIGNAGE means a *sign* that is designed, scaled, and located in such a way that the primary purpose of the *sign* is to provide information to pedestrians and bicyclists.

PORTABLE SIGN means a *sign* with *changeable copy*, designed to be readily relocated.

PROJECTING SIGN means a *sign* that is attached to, supported by, and extends outward from a *building*. Neither a *canopy sign* nor an *awning sign* shall be considered a *projecting sign*.

PROMOTIONAL ADVERTISING SIGN means a *sign* displayed for the purpose of advertising temporary events or activities including grand openings, sales, and new or discounted products.

REAL ESTATE SIGN means a *sign* for the purpose of advertising real estate property for sale, lease, or rent.

ROOF SIGN means a *sign* attached to the roof of a *building* or parapet of a *building*.

SELF-SUPPORTED means supported by one or more columns, uprights, or braces in or upon the ground that are not attached to, and do not form part of, a *building*.

SIGN means an *accessory* device or structure erected or placed for the purpose of providing directions or information, and includes *copy*. This does not include a *wall mural*.

SIGN AREA means the areas of a *sign* that are available for *copy* (excluding the main support structure). The *sign area* of a multiple faced *sign* is the area of the largest face.

SIGN HEIGHT means the vertical distance measured at right angles, from the lowest point of *finished grade* at the *sign* base, to the highest point of the *sign* or *sign* structure.

TEMPORARY SIGN means a *sign*, not permanently installed and placed for a limited period of time.

THIRD-PARTY ADVERTISING means the advertising of a business, commodity, service, or entertainment product that is conducted, sold, or offered elsewhere than on the *site* upon which the *sign* is located.

TRAFFIC CONTROL DEVICE means any *sign*, signal, marking, or device placed, marked or erected by the *City* for the purpose of regulating, warning, or guiding traffic.

WALKWAY DECAL means a *sign* adhered to a travel surface that is designated for pedestrian use.

WINDOW SIGN means a *sign* placed on or inside a window that faces outward, and is intended to be seen from the outside.

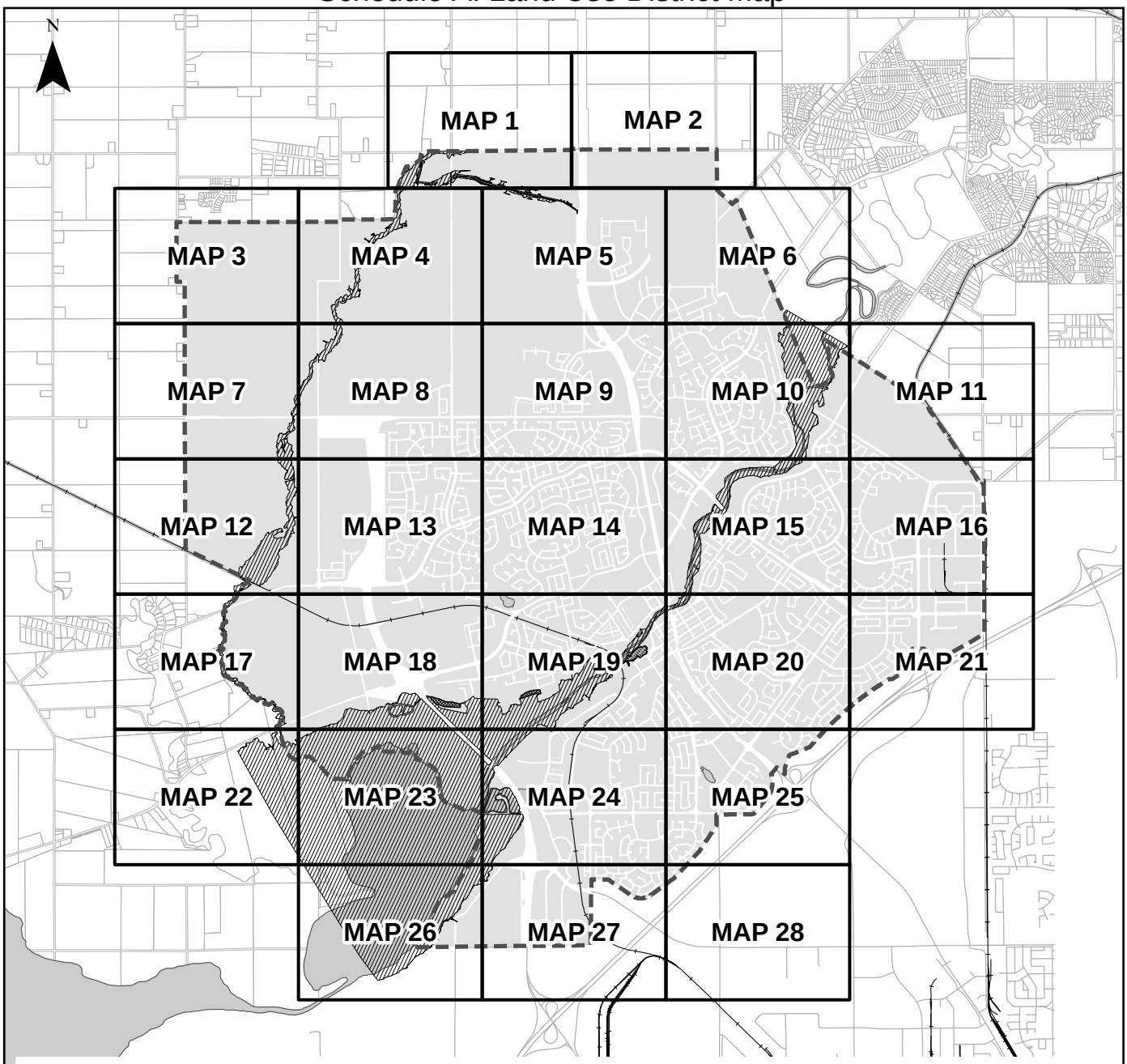
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Schedule A

Land Use District Map

An interactive Land Use District Map map can be found online at:
https://stalbert.ca/dev/planning/documents/lub/

Schedule A: Land Use District Map



Land Use Districts:

LDR	Low Density Residential
SLR	Small Lot Residential
LLR	Laned Lot Residential
FBR	Front Back Residential
MDR	Medium Density Residential
HDR	High Density Residential
MU1	Mixed-Use 1
MU2	Mixed-Use 2
MID	Midtown
DTN	Downtown
NHC	Neighbourhood Commercial
TCC	Trail Corridor
RCC	Regional Commercial
BP1	Business Park 1
BP2	Business Park 2
ICS	Industrial and Commercial Service
IND	Industrial
ICC	Integrated Care Community
PSI	Public, Private, and Institutional Service
PRK	Public Park
CON	Conservation
ALT	Alternate Jurisdiction
TRN	Transitional
FUD	Future Urban Development
DC	Direct Control

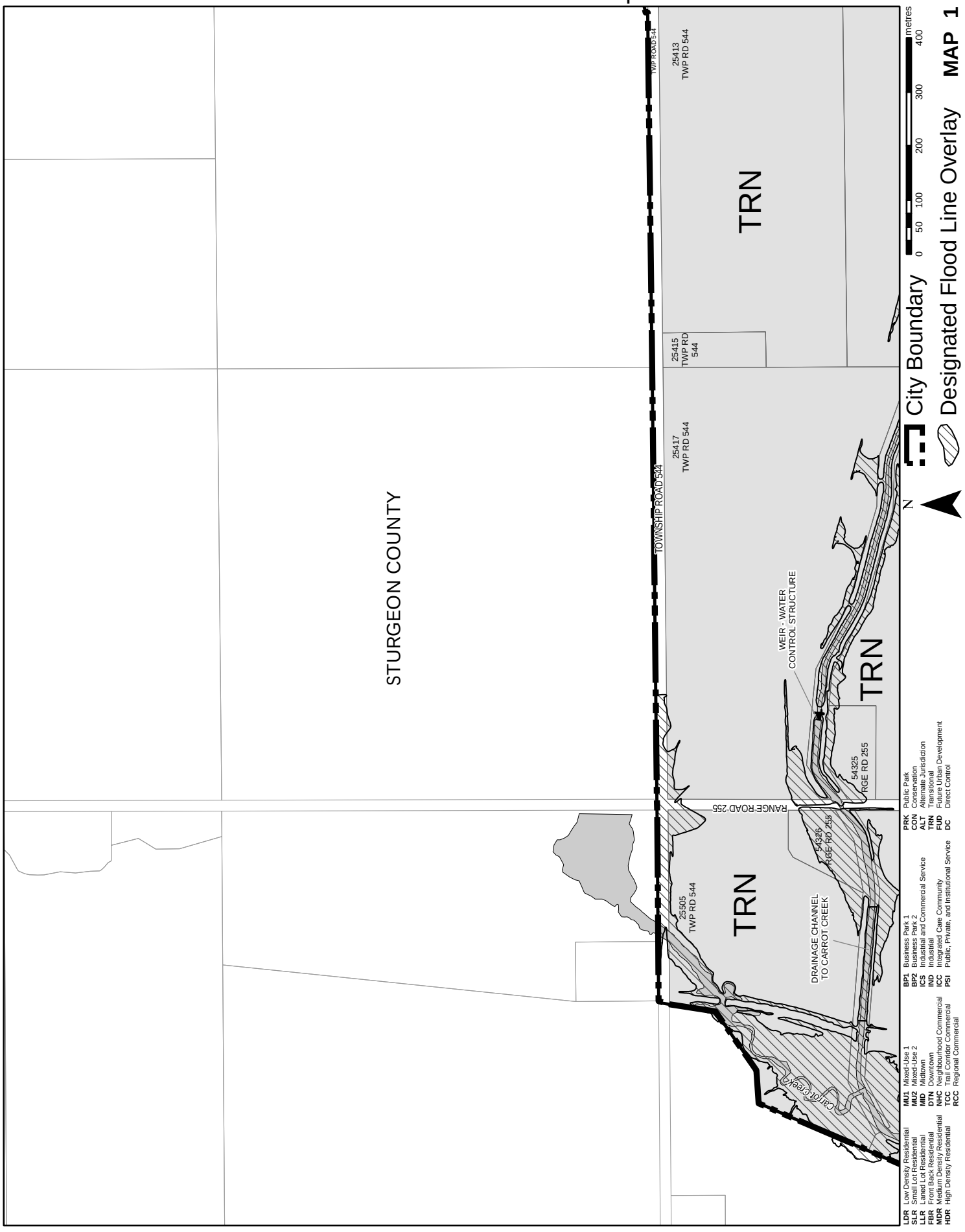
- City of St. Albert Boundary
- Protected Flood Fringe
- Permitted Fill Areas
- Designated Flood Line Overlay

Land Use Districts Map Index

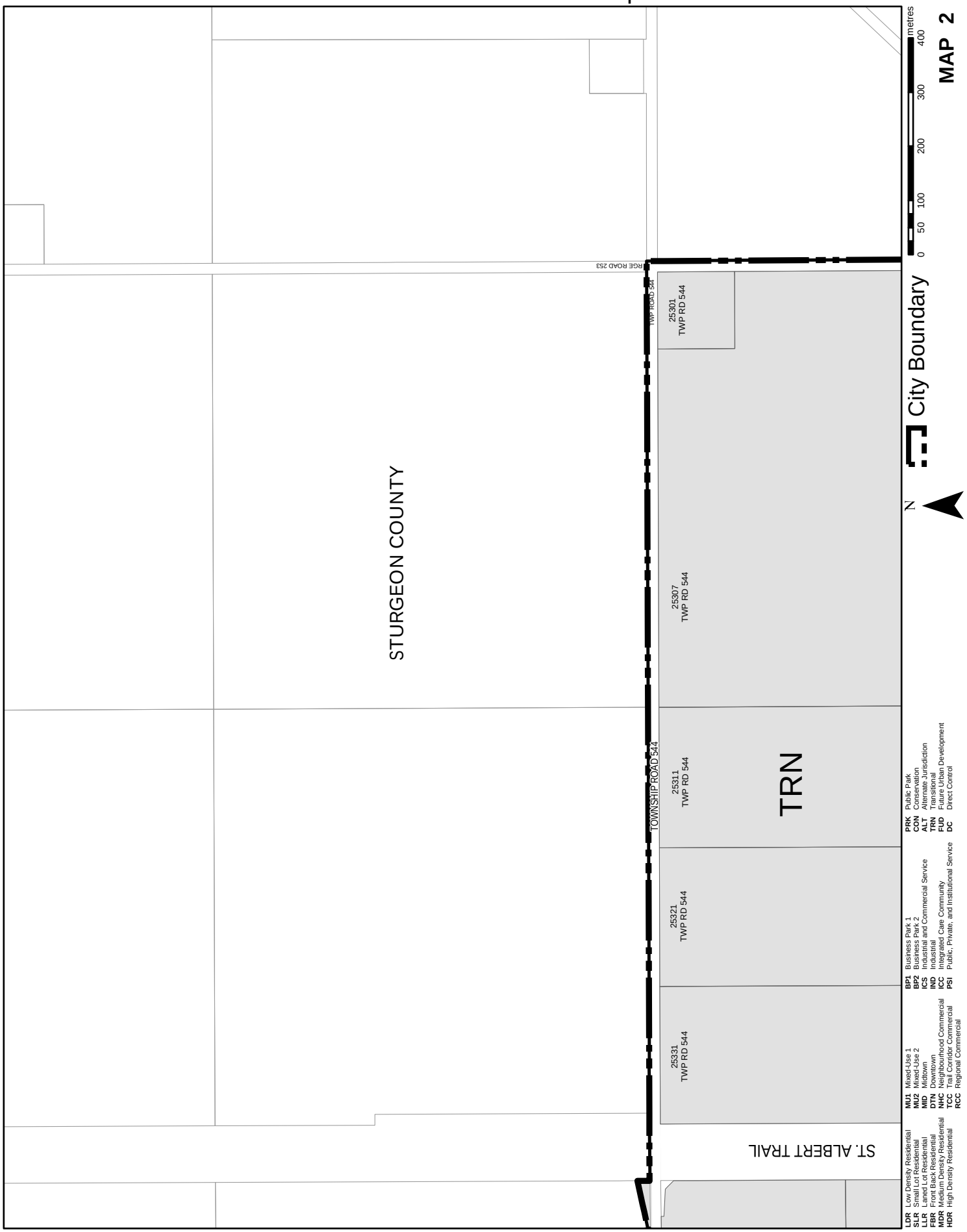
metres
0 500 1000 2000 3000 4000

The district boundaries specified under Section 1.9 are described in the short form on the LAND USE DISTRICTS MAP which is Schedule A of the Bylaw and is an integral part of this Bylaw.

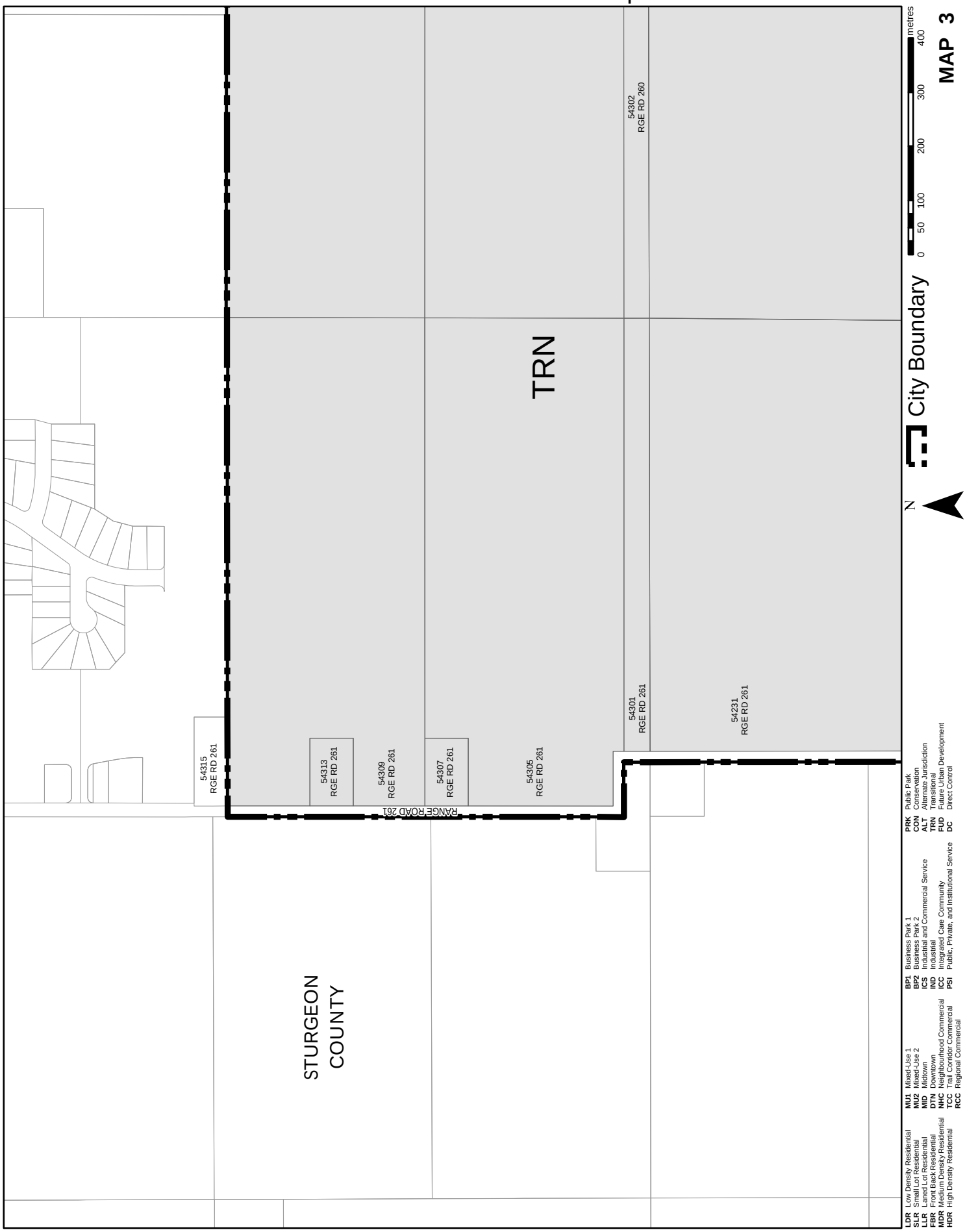
Schedule A: Land Use District Map



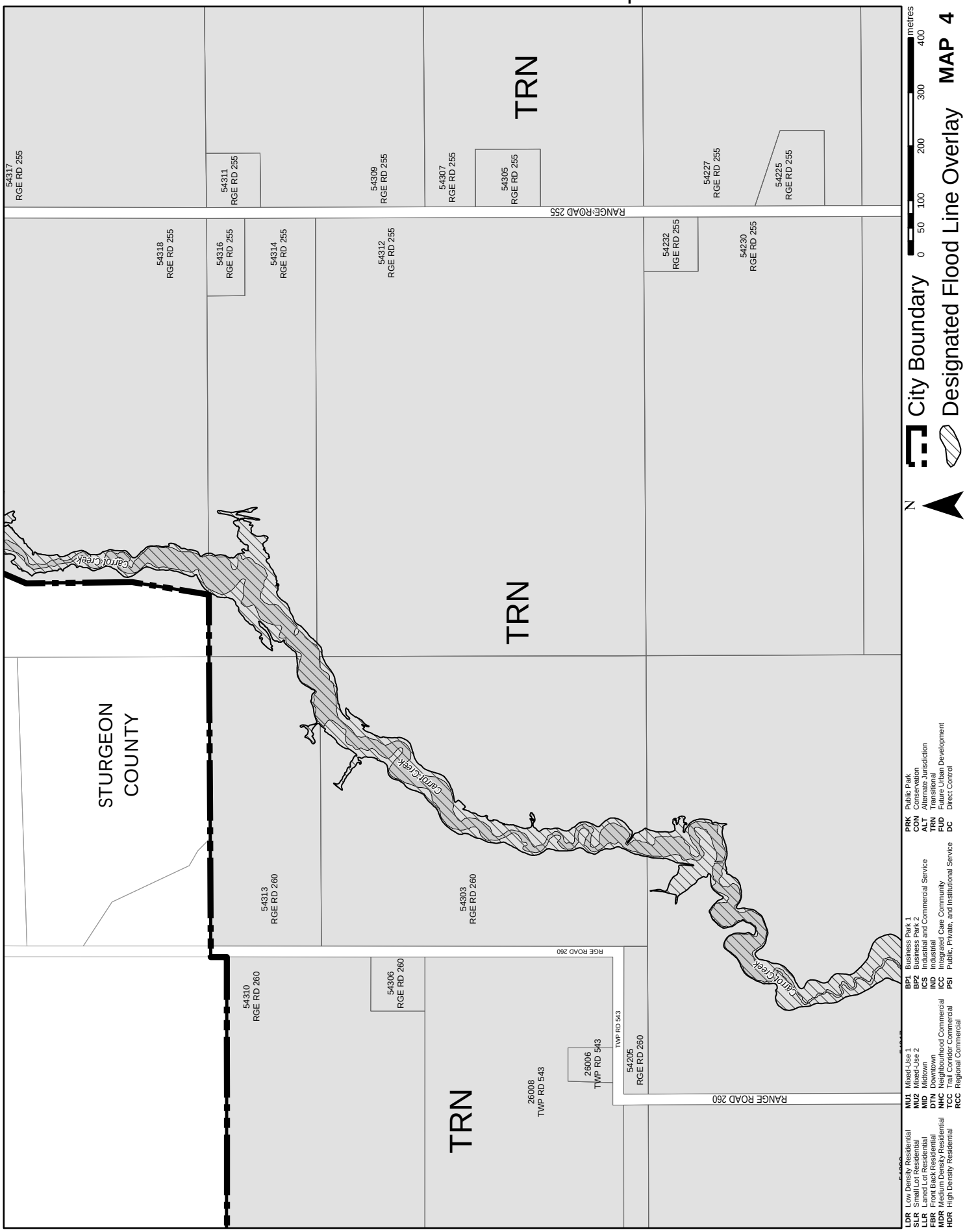
Schedule A: Land Use District Map



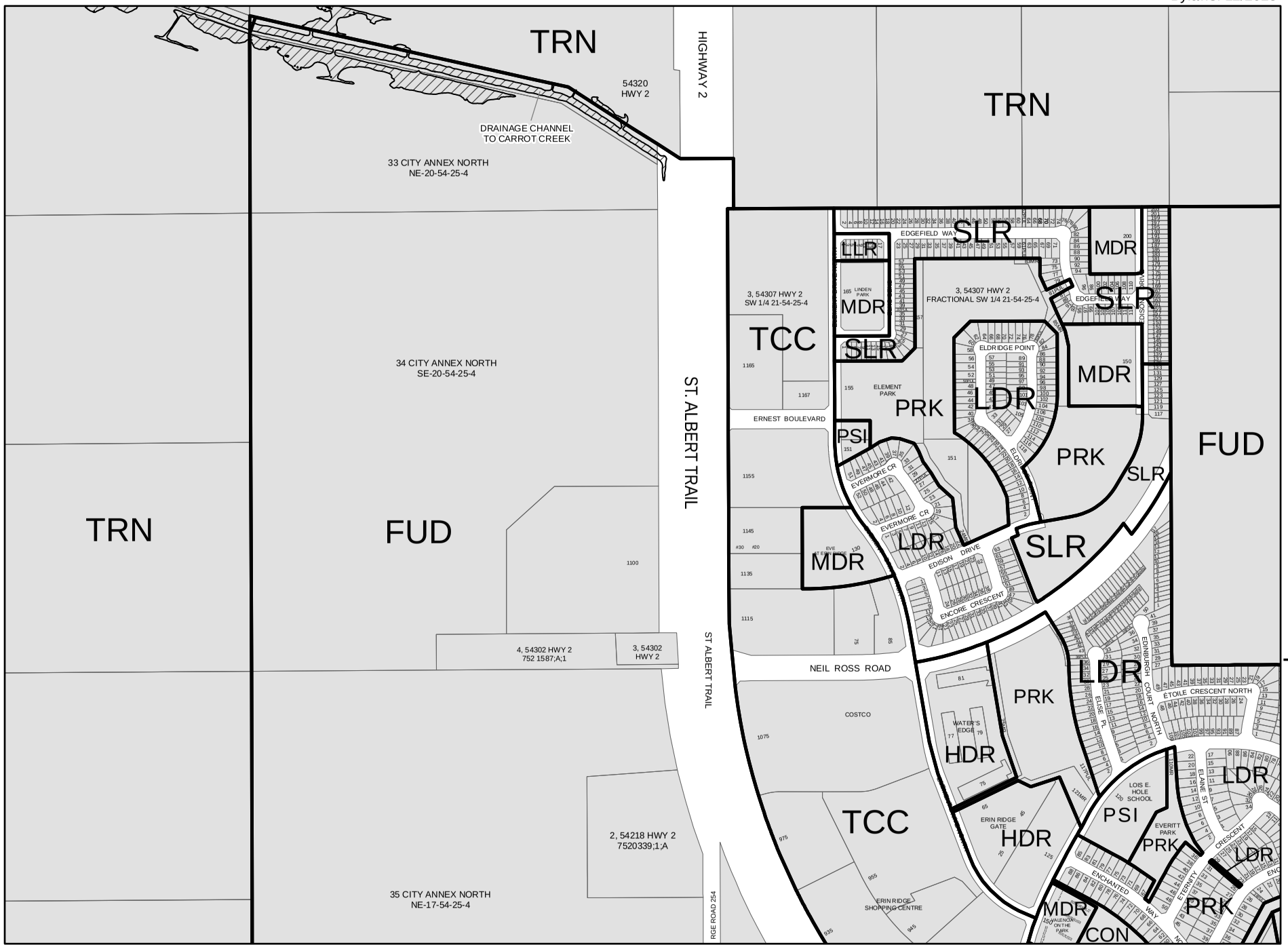
Schedule A: Land Use District Map



Schedule A: Land Use District Map



Schedule A: Land Use District Map



LDR	Low Density Residential	**MU1**	Mixed-Use 1	**BP1**	Business Park 1	**PRK**	Public Park
SLR	Small Lot Residential	**MU2**	Mixed-Use 2	**BP2**	Business Park 2	**CON**	Conservation
LLR	Laned Lot Residential	**MID**	Midtown	**ICS**	Industrial and Commercial Service	**ALT**	Alternate Jurisdiction
FBR	Front Back Residential	**DTN**	Downtown	**IND**	Industrial	**TRN**	Transitional
MDR	Medium Density Residential	**NHC**	Neighbourhood Commercial	**ICC**	Integrated Care Community	**FUD**	Future Urban Development
HDR	High Density Residential	**TCC**	Trail Corridor Commercial	**PSI**	Public, Private, and Institutional Service	**DC**	Direct Control
		RCC	Regional Commercial				

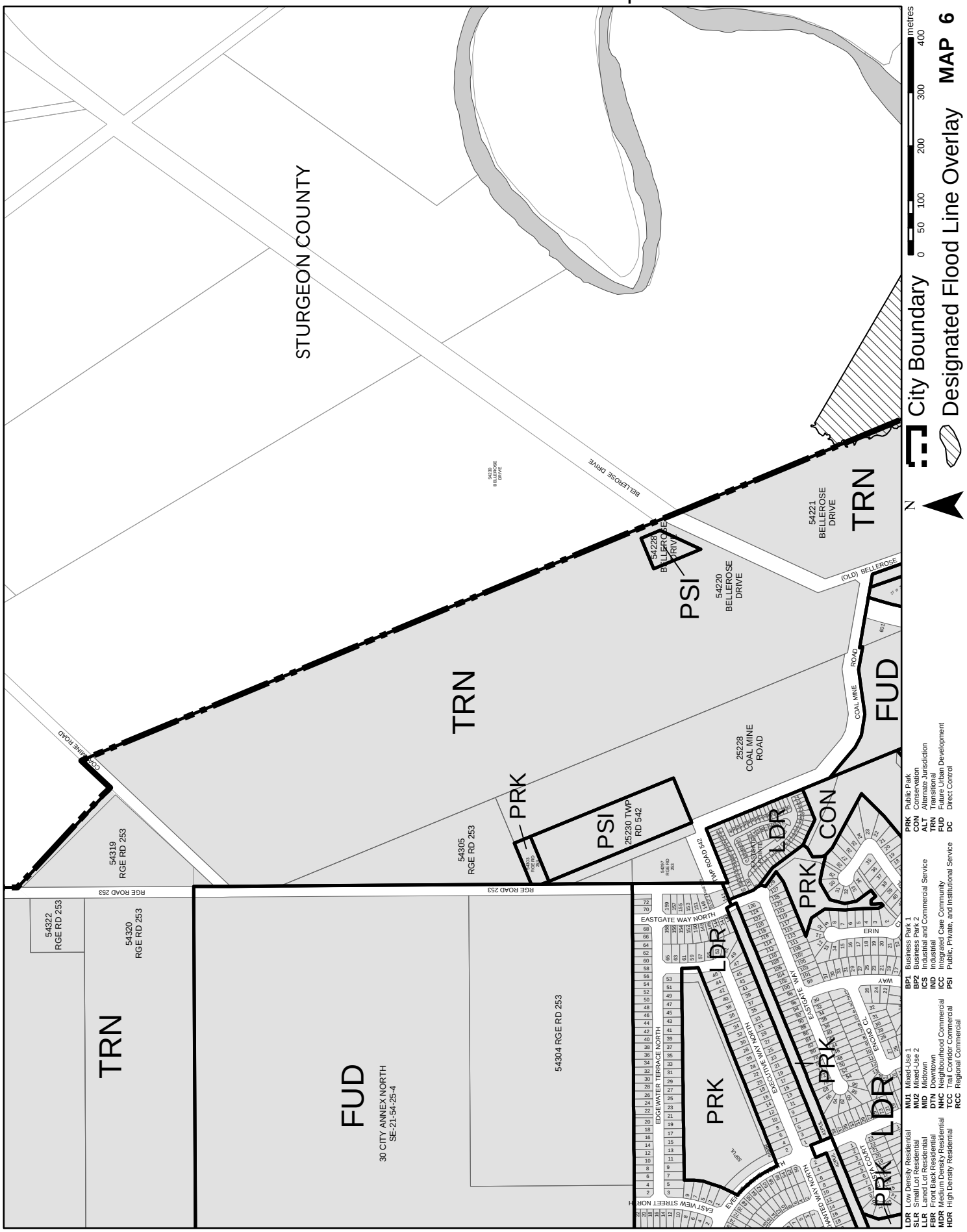
City Boundary

Designated Flood Line Overlay

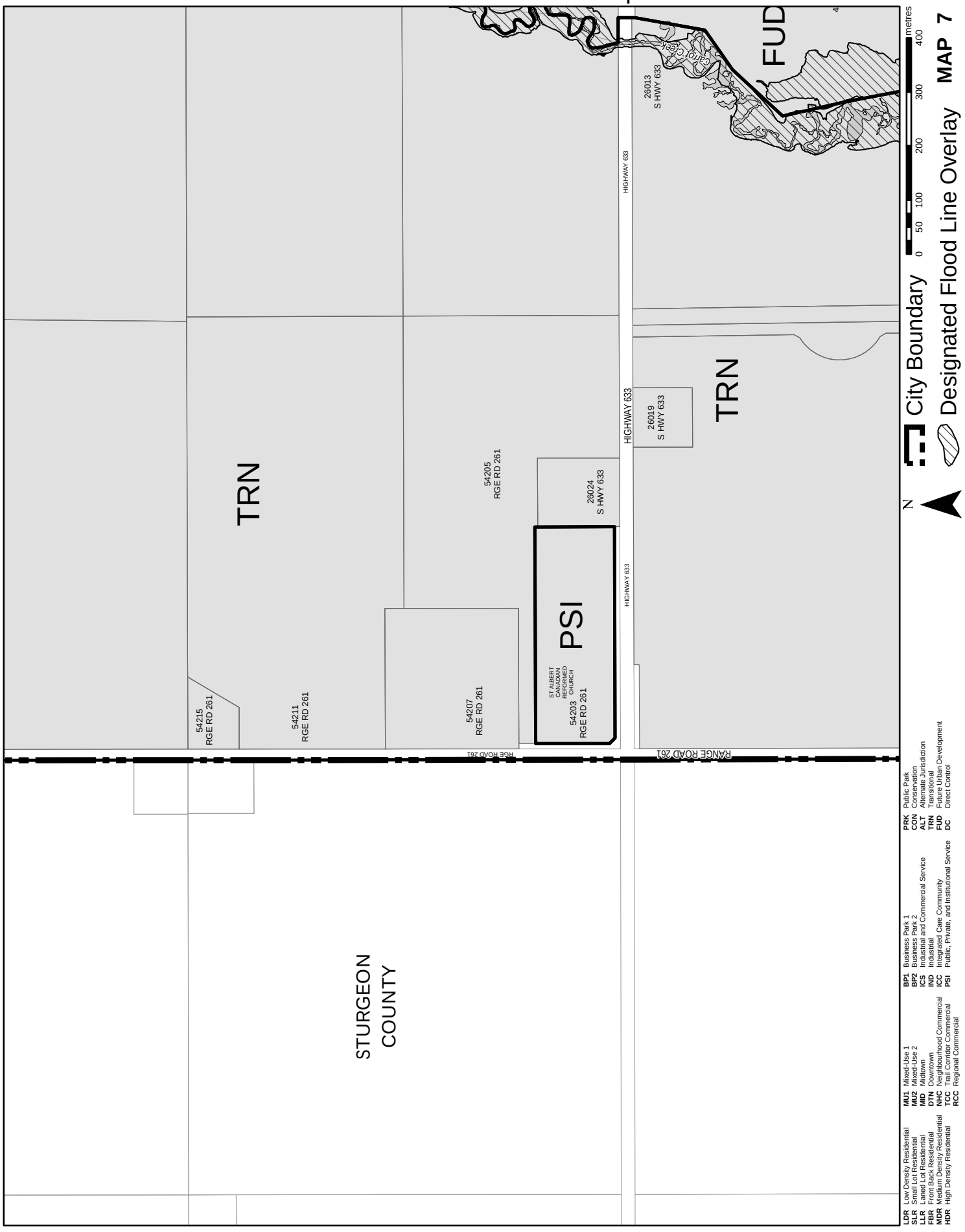
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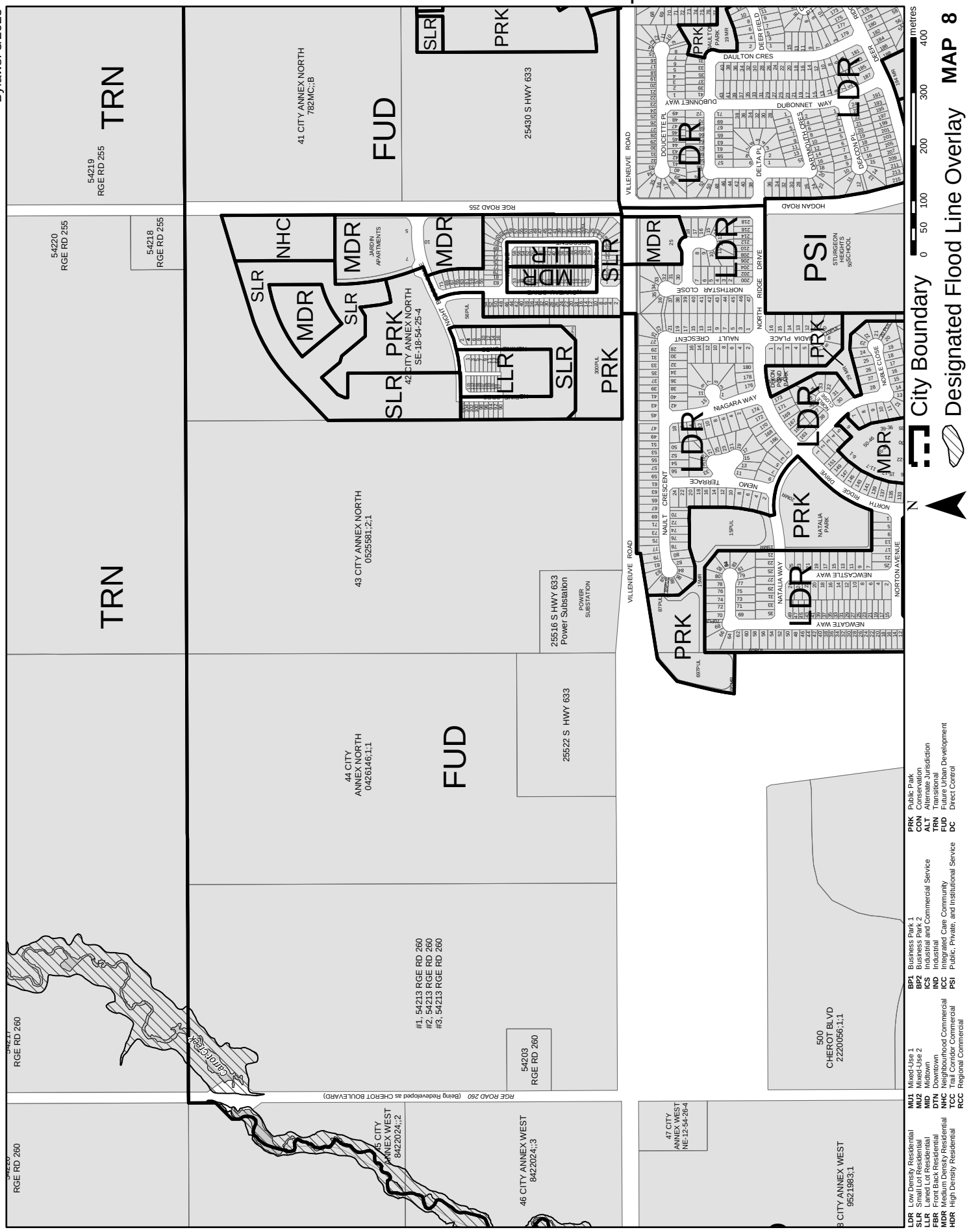
MAP 5

Schedule A: Land Use District Map



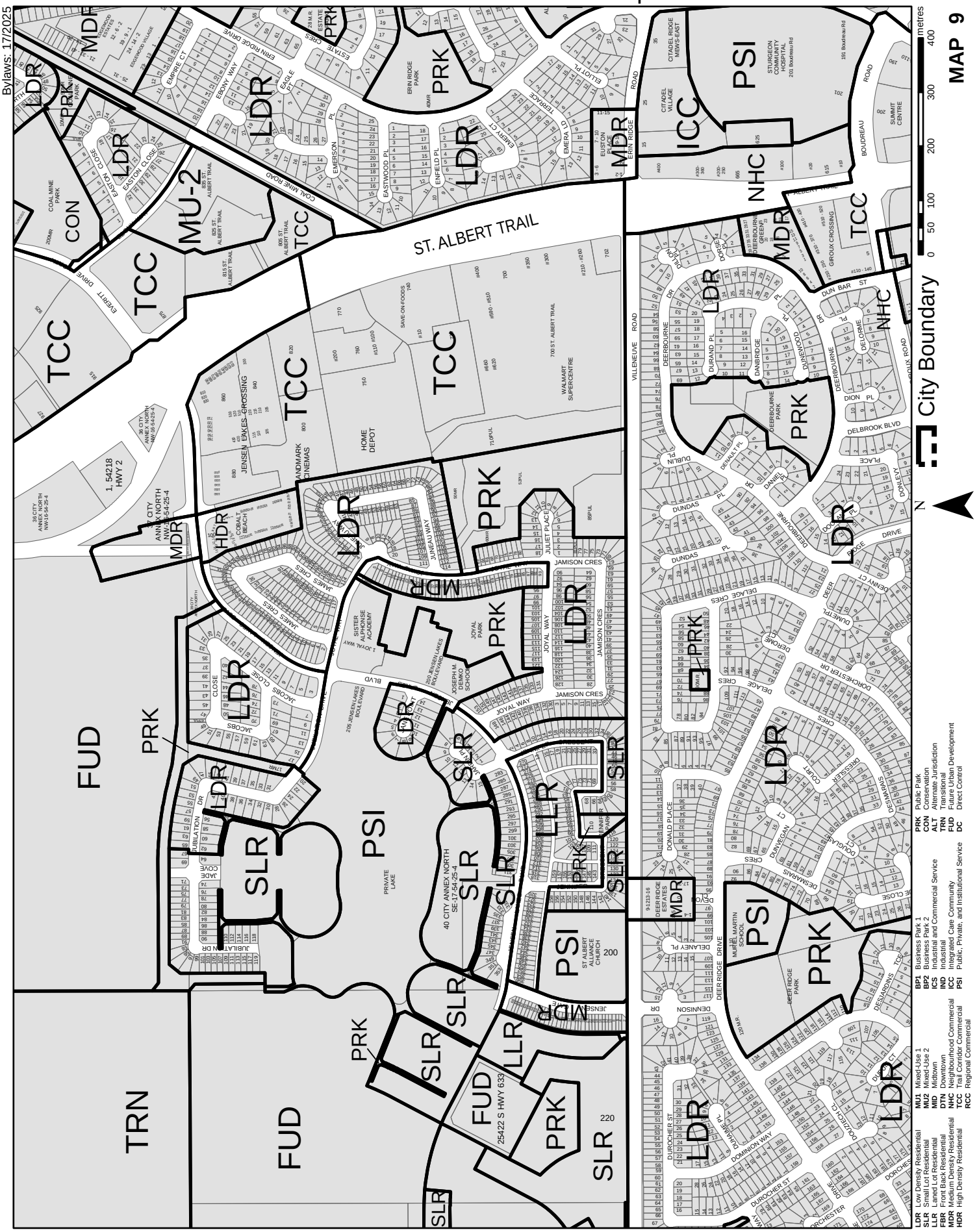
Schedule A: Land Use District Map



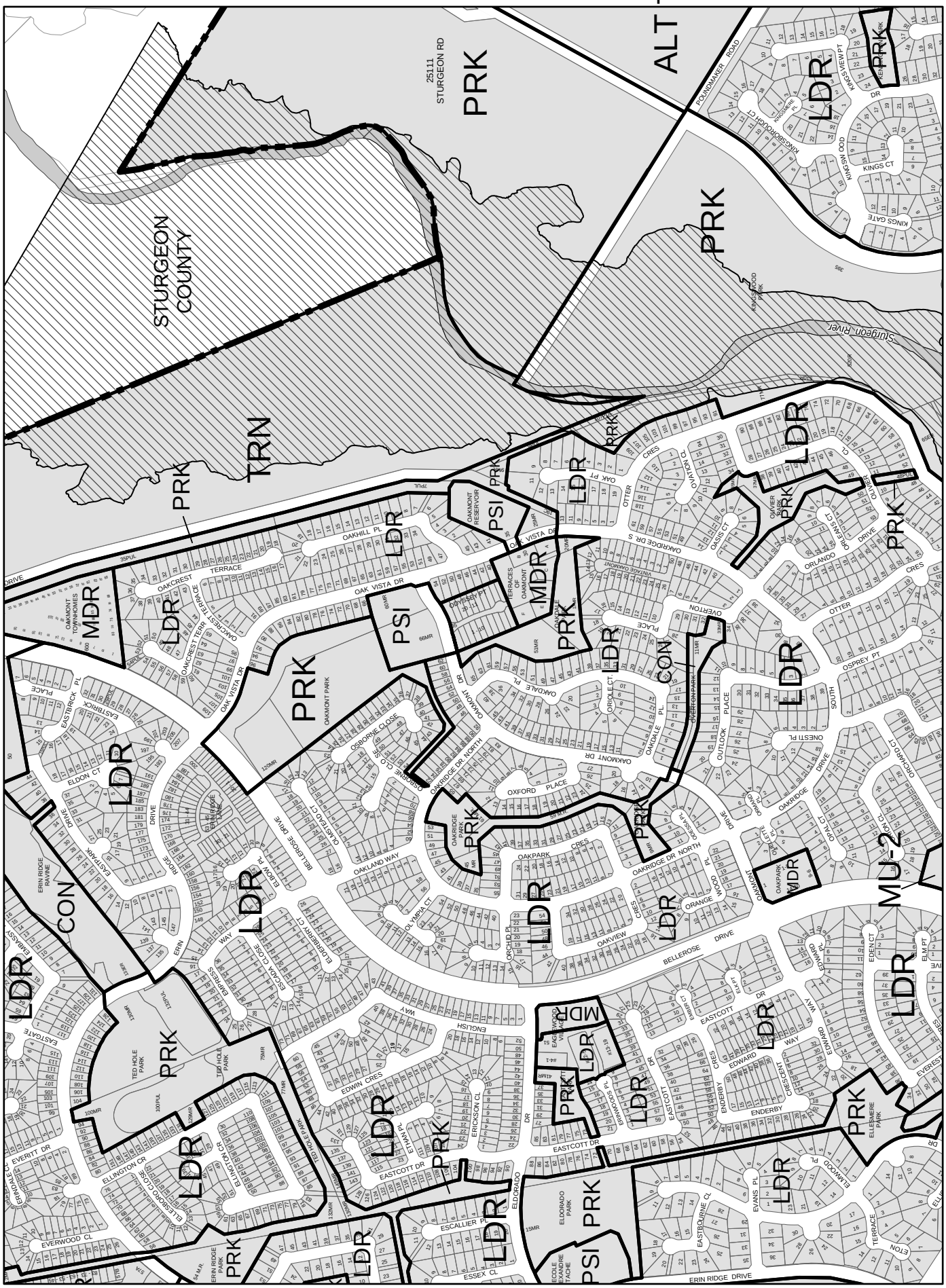

Bylaws: 3/2025
MAP 8
City Boundary
Designated Flood Line Overlay
metres
0 50 100 200 300 400
N
TRN
FUD
PSI
LDR
MDR
NHC
SLR
LLR
PRK
54219 RGE RD 255
54220 RGE RD 255
54218 RGE RD 255
41 CITY ANNEX NORTH 782MC;;B
25430 S HWY 633
42 CITY ANNEX NORTH SE-18-54-25-4
43 CITY ANNEX NORTH 0525581;2;1
25516 S HWY 633 Power Substation
44 CITY ANNEX NORTH 0426146;1;1
25522 S HWY 633
#1, 54213 RGE RD 260
#2, 54213 RGE RD 260
#3, 54213 RGE RD 260
54203 RGE RD 260
500 CHEROT BLVD 2220056;1;1
45 CITY ANNEX WEST 8422024;;2
46 CITY ANNEX WEST 8422024;;3
47 CITY ANNEX WEST NE-12-54-26-4
8 CITY ANNEX WEST 9521983;1
RGE ROAD 260 (Being Redeveloped as CHEROT BOULEVARD)
RGE ROAD 255
VILLENEUVE ROAD
HOGAN ROAD
NORTON AVENUE
DAULTON CRES
DUBONNET WAY
DOUCETTE PL
DELTA PL
DARMOUTH CRES
DEACON PL
DEER FIELD CRES
DEER RIDGE DRIVE
NORTHSTAR CLOSE
NORTH RIDGE DRIVE
NAULT CRESCENT
NIAGARA WAY
NEMO TERRACE
NEWCASTLE WAY
NATALIA WAY
NATALIA PLACE
NORTH RIDGE CLOSE
JARDIN APARTMENTS
STURGEON HEIGHTS SCHOOL
DAULTON PARK
NATALIA PARK
LDR Low Density Residential
SLR Small Lot Residential
LLR Laned Lot Residential
FBR Front Back Residential
MDR Medium Density Residential
HDR High Density Residential
MU1 Mixed-Use 1
MU2 Mixed-Use 2
MID Midtown
DTN Downtown
NHC Neighbourhood Commercial
TCC Trail Corridor Commercial
RCC Regional Commercial
BP1 Business Park 1
BP2 Business Park 2
ICS Industrial and Commercial Service
IND Industrial
ICC Integrated Care Community
PSI Public, Private, and Institutional Service
PRK Public Park
CON Conservation
ALT Alternate Jurisdiction
TRN Transitional
FUD Future Urban Development
DC Direct Control

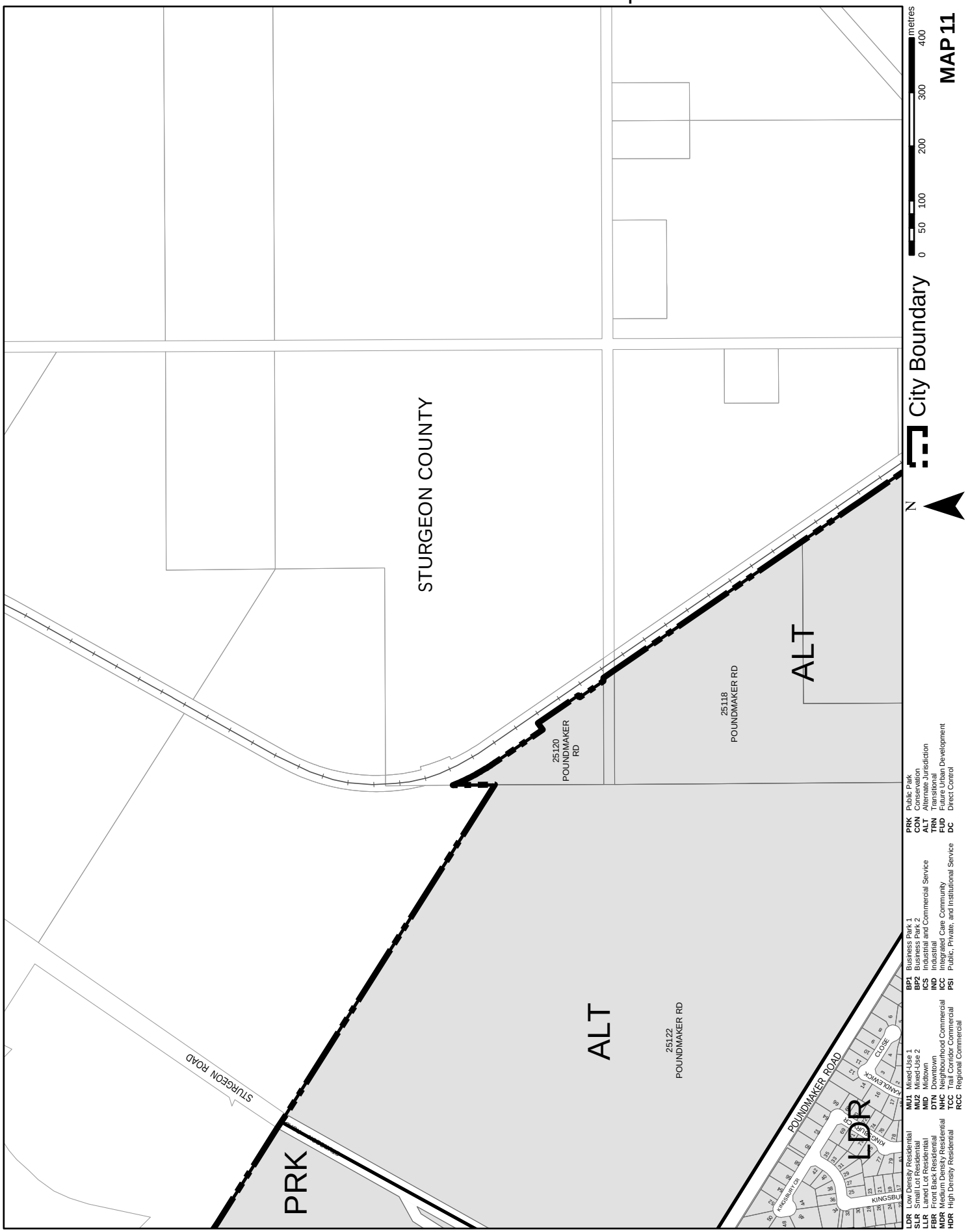
Schedule A: Land Use District Map

Bylaws: 17/2025

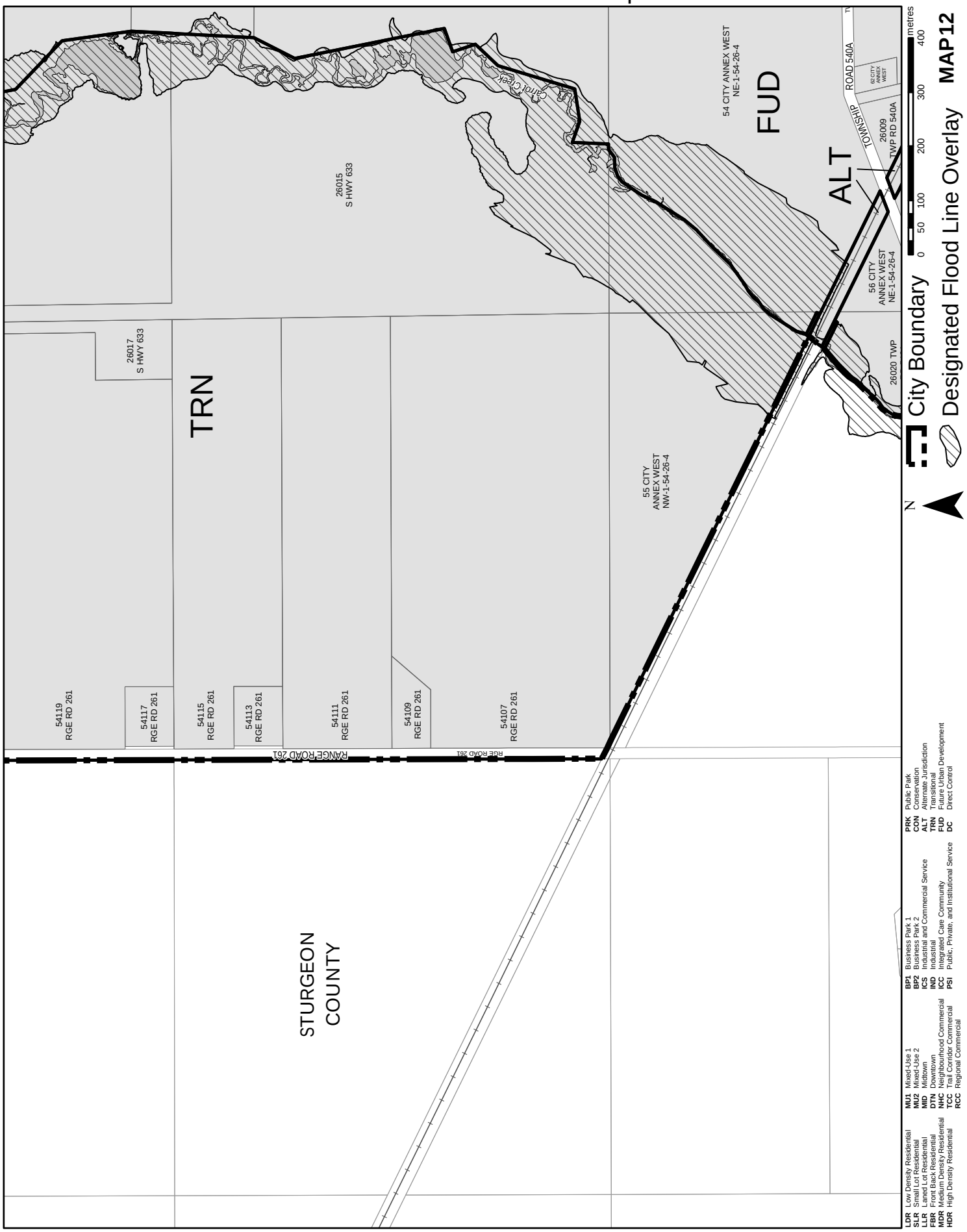


Schedule A: Land Use District Map



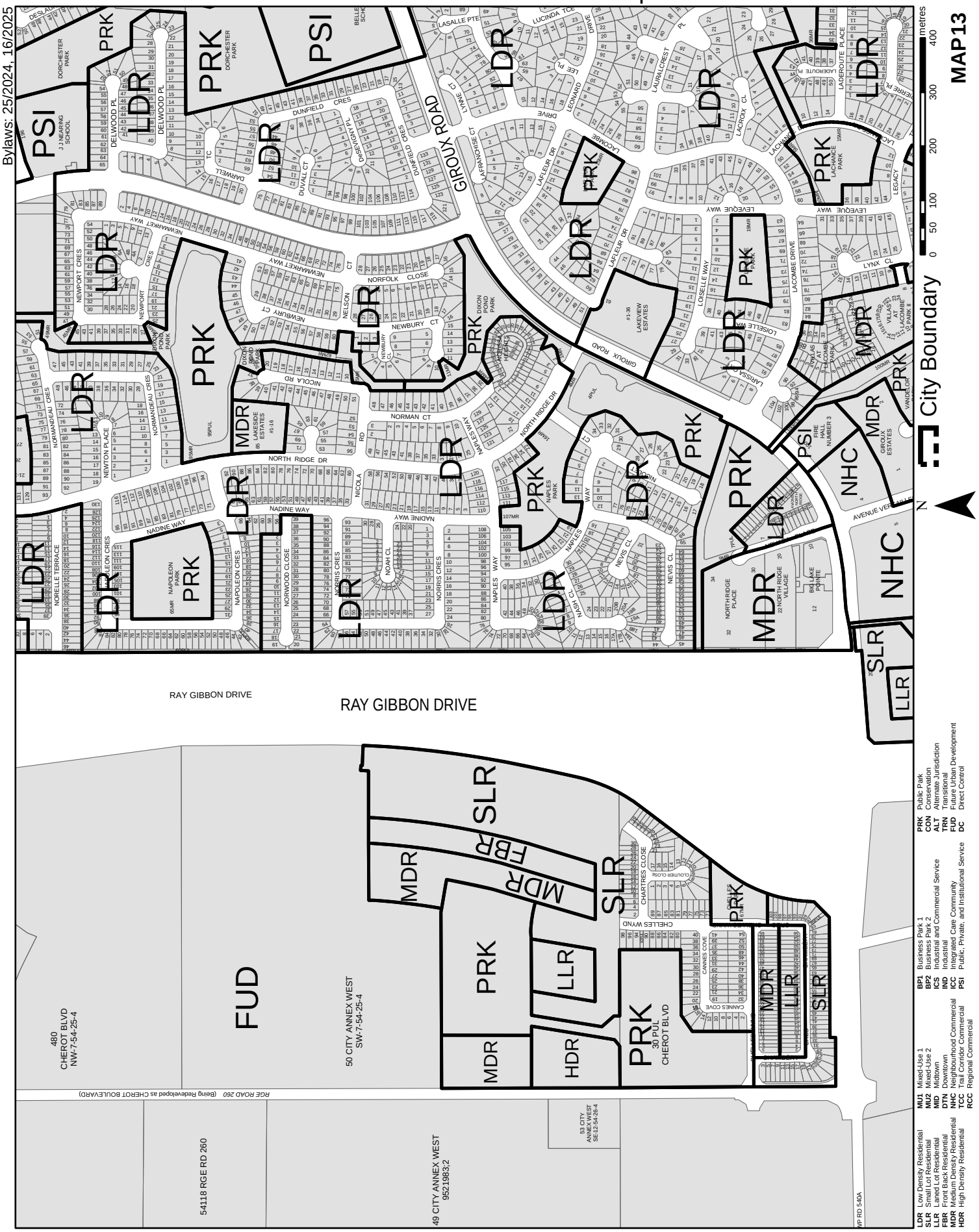

MAP 11
0 50 100 200 300 400 metres
City Boundary
N
STURGEON COUNTY
STURGEON ROAD
PRK
ALT
ALT
ALT
LDR
25122 POUNDMAKER RD
25120 POUNDMAKER RD
25118 POUNDMAKER RD
POUNDMAKER ROAD
KINGSBURY CLOSE
KINGSBURY WAY
KANDLEWICK
LDR Low Density Residential
SLR Small Lot Residential
LLR Laned Lot Residential
FBR Front Back Residential
MDR Medium Density Residential
HDR High Density Residential
MU1 Mixed-Use 1
MU2 Mixed-Use 2
MID Midtown
DTN Downtown
NHC Neighbourhood Commercial
TCC Trail Corridor Commercial
RCC Regional Commercial
BP1 Business Park 1
BP2 Business Park 2
ICS Industrial and Commercial Service
IND Industrial
ICC Integrated Care Community
PSI Public, Private, and Institutional Service
PRK Public Park
CON Conservation
ALT Alternate Jurisdiction
TRN Transitional
FUD Future Urban Development
DC Direct Control

Schedule A: Land Use District Map

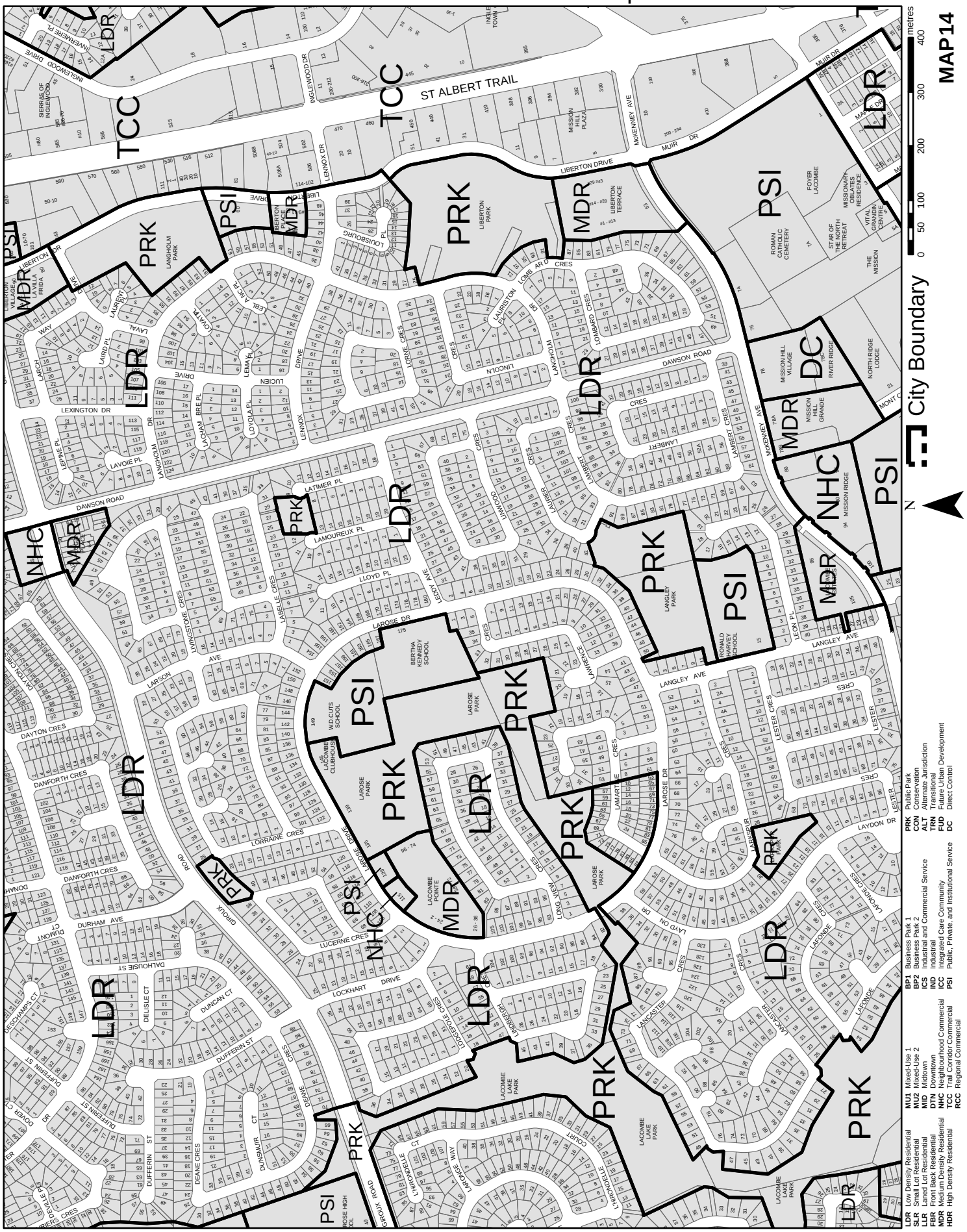


MAP12

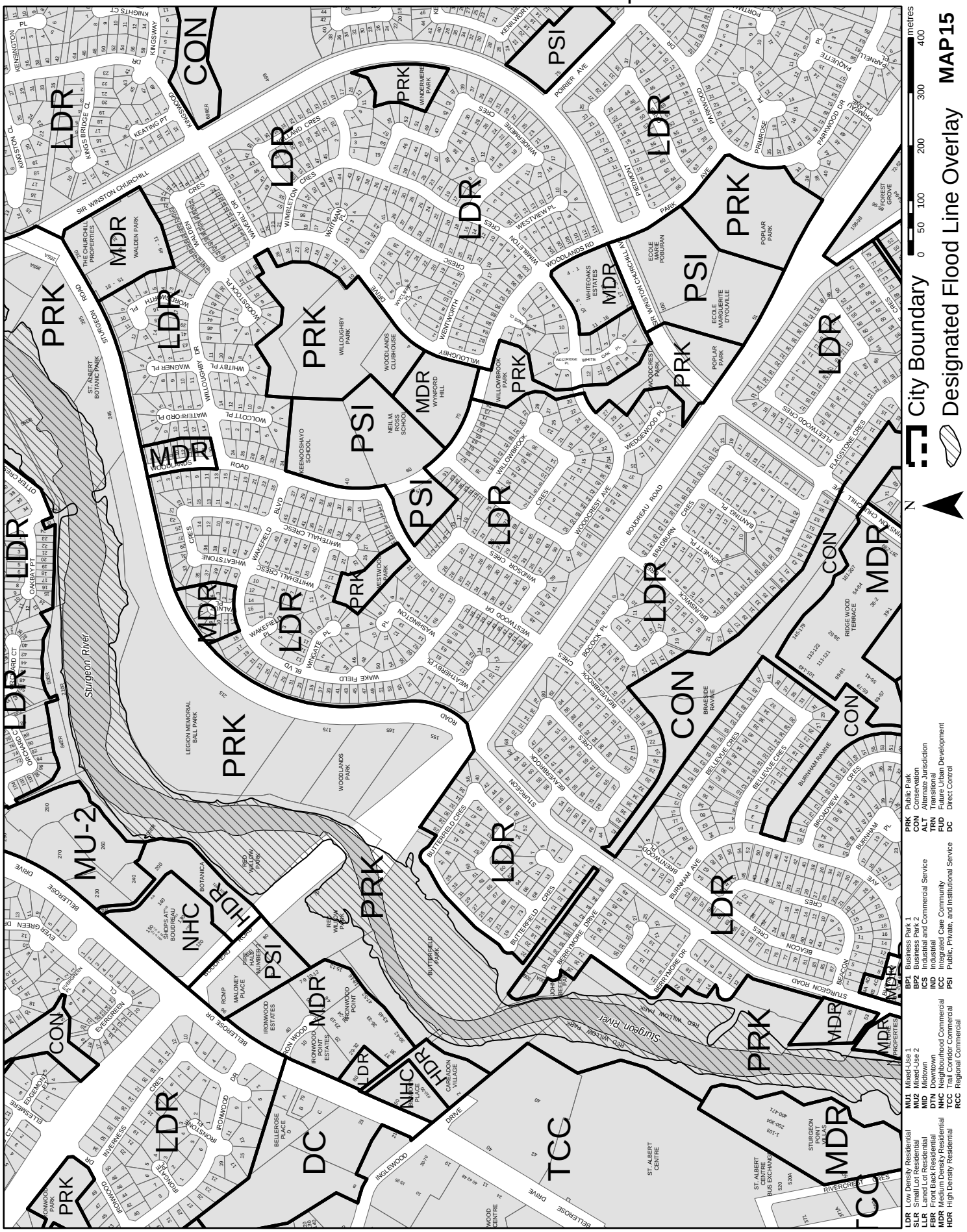
Bylaws: 25/2024, 16/2025



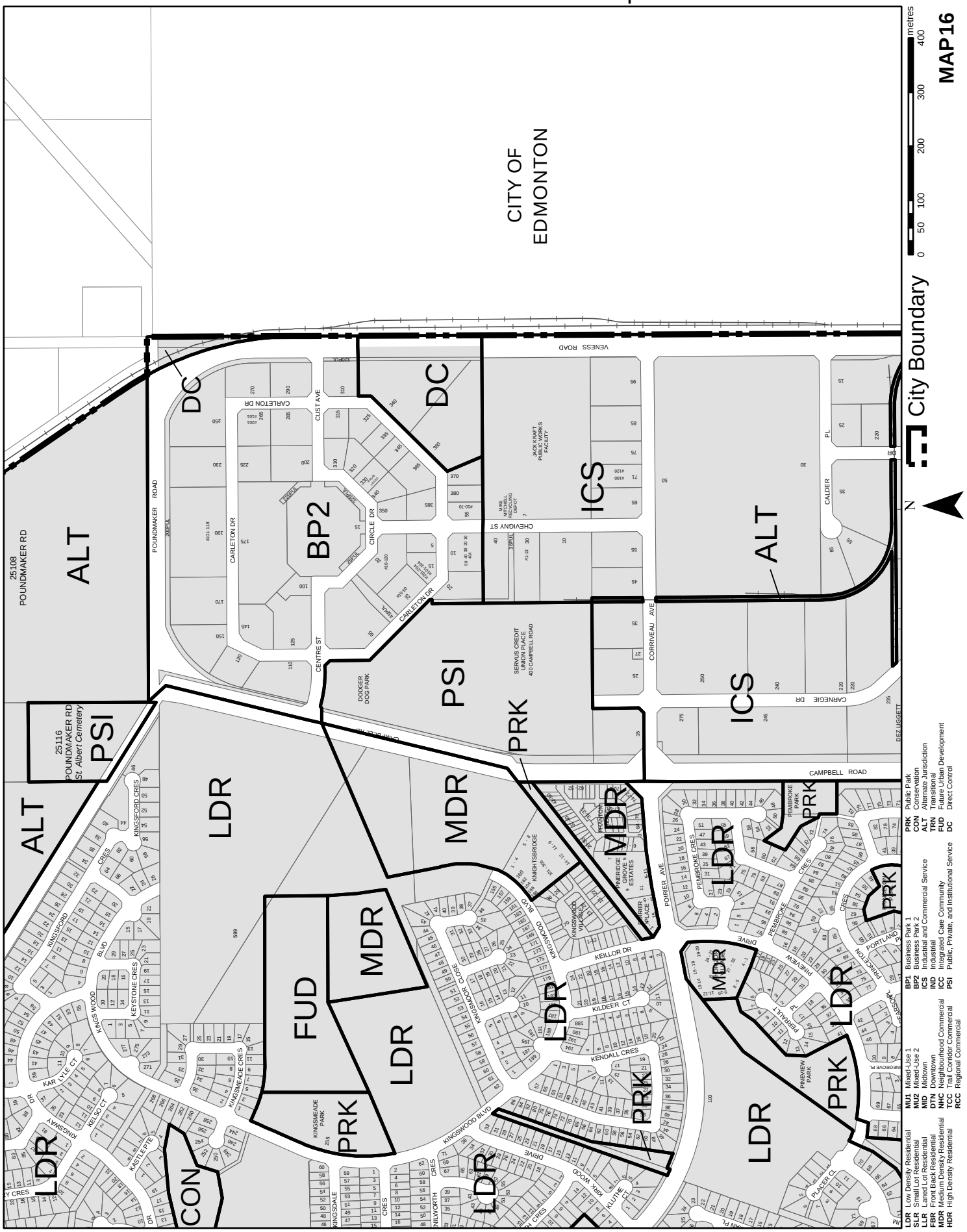
Schedule A: Land Use District Map


ST ALBERT TRAIL
LIBERTON DRIVE
MUIR DR
MCKENNEY AVE
INGLEWOOD DR
LENNOX DR
DAWSON ROAD
LEXINGTON DR
LATIMER PL
LAMOUREUX PL
LLOYD PL
LAROSE DR
LANGLEY AVE
LARSON AVE
DAYTON CRES
DANFORTH CRES
LORRAINE CRES
DURHAM AVE
LUCERNE CRES
LOCKHART DRIVE
LAYDON DR
DUFFERIN ST
DUNCAN CT
DELISLE CT
DESCHAMBS CT
OUIMONT CT
DALHOUSIE ST
LAVOIE PL
LAURENT PL
LAIRD PL
LARCH WAY
LAVAL DRIVE
LOVAT DRIVE
LEMAY PL
LUCIEN DRIVE
LAGHAM BAY PL
LOYOLA PL
LAVALLA FRIDA WAY
LIBERTON VILLAGE
LIBERTON PLACE
LOUISBOURG PL
LOMBARD CRES
LAURISTON DR
LINCOLN CRES
LORNE CRES
LANGHOLM CRES
LAMBERT CRES
LAMARTINE CRES
LAWRENCE CRES
LESTER CRES
LABROSSE CRES
LACOMBE VIEW
LACOMBE DRIVE
LACOMBE POINTE CRES
LACOMBE LAKE COURT
LACOMBE LAKE WAY
LACOMBE LAKE CT
LACOMBE LAKE PARK
LACOMBE CLUBHOUSE
LACOMBE PARK
LANCASTER CRES
LACONDE CRES
LACONDE DR
LUDGER GREY CRES
LOUISBOURG CRES
LONG VIEW CRES
LAMOUREUX CRES
LABELLE CRES
LIVINGSTONE CRES
LEVOY AVE
LAWRENCE AVE
LANGHOLM CRES
LAMBERT CRES
LAMARTINE CRES
LESTER CRES
LABROSSE CRES
LACONDE CRES
LANCASTER CRES

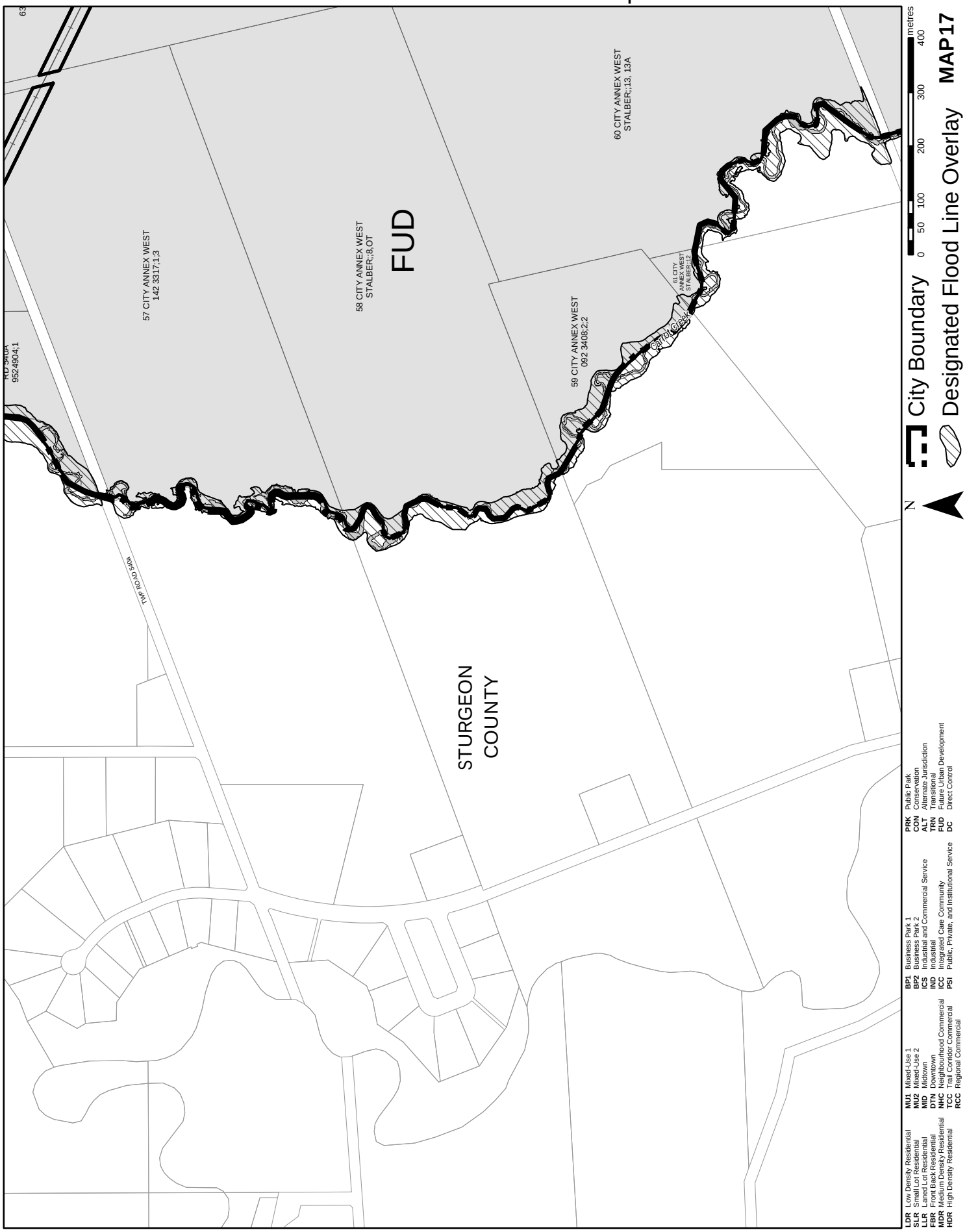
Schedule A: Land Use District Map

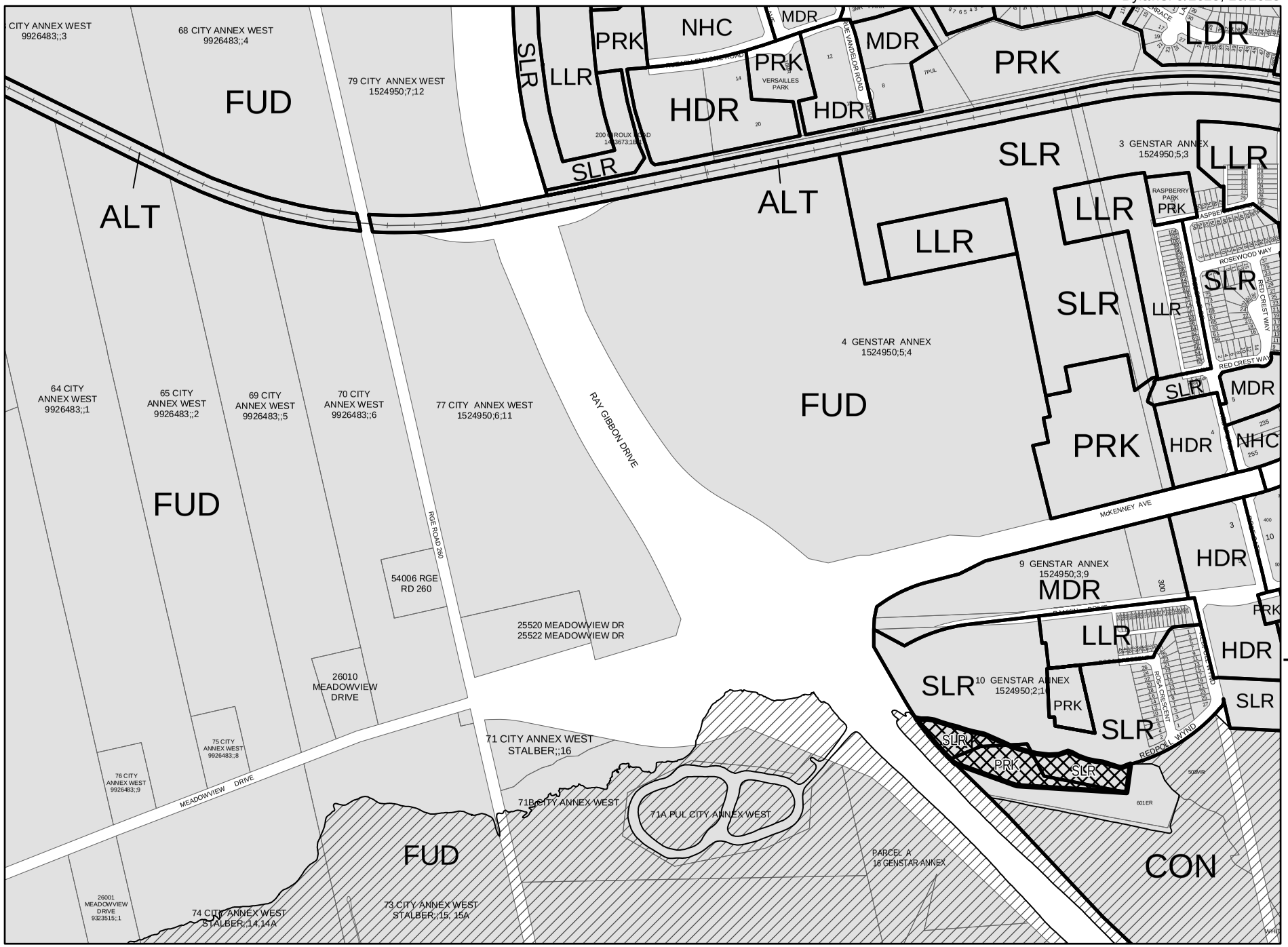


Schedule A: Land Use District Map



Schedule A: Land Use District Map





LDR Low Density Residential
SLR Small Lot Residential
LLR Laned Lot Residential
FBR Front Back Residential
MDR Medium Density Residential
HDR High Density Residential

MU1 Mixed-Use 1
MU2 Mixed-Use 2
MID Midtown
DTN Downtown
NHC Neighbourhood Commercial
TCC Trail Corridor Commercial
RCC Regional Commercial

BP1 Business Park 1
BP2 Business Park 2
ICS Industrial and Commercial Service
IND Industrial
ICC Integrated Care Community
PSI Public, Private, and Institutional Service

PRK Public Park
CON Conservation
ALT Alternate Jurisdiction
TRN Transitional
FUD Future Urban Development
DC Direct Control

N

Permitted Fill Area

Designated Flood Line Overlay

0 50 100 200 300 400 metres

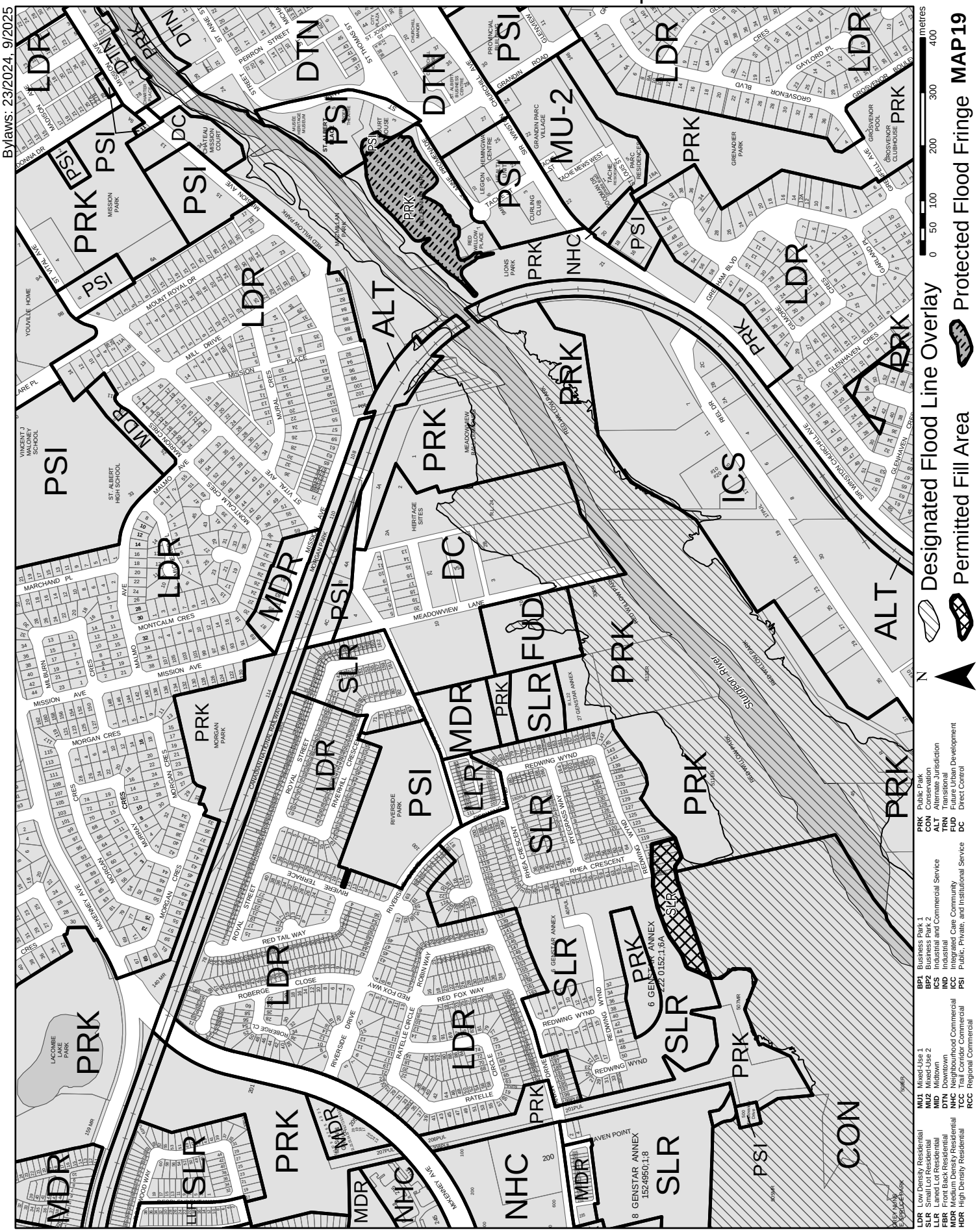
MAP18

Schedule A: Land Use District Map

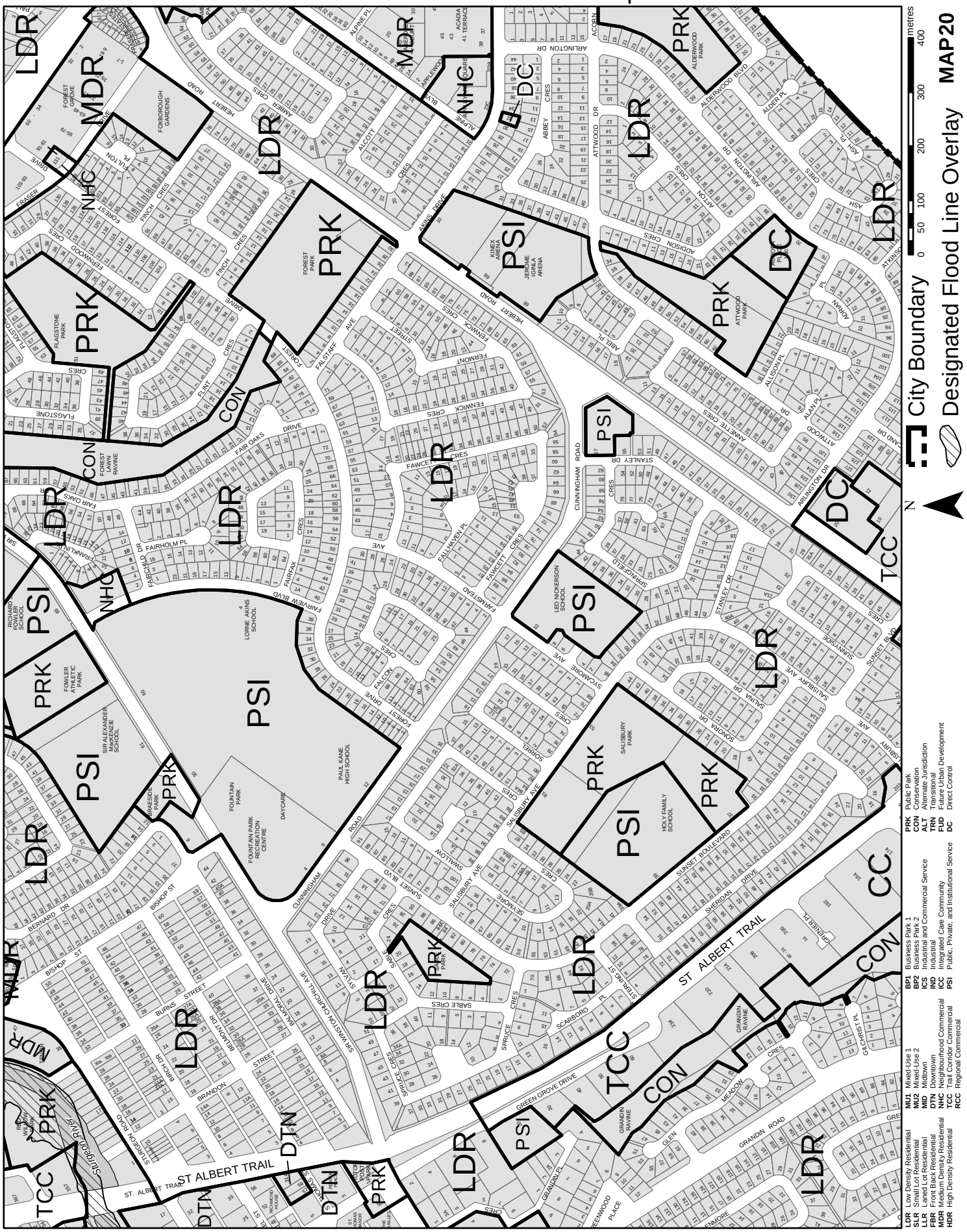
City of St. Albert
Land Use Bylaw

Schedule A: Land Use District Map

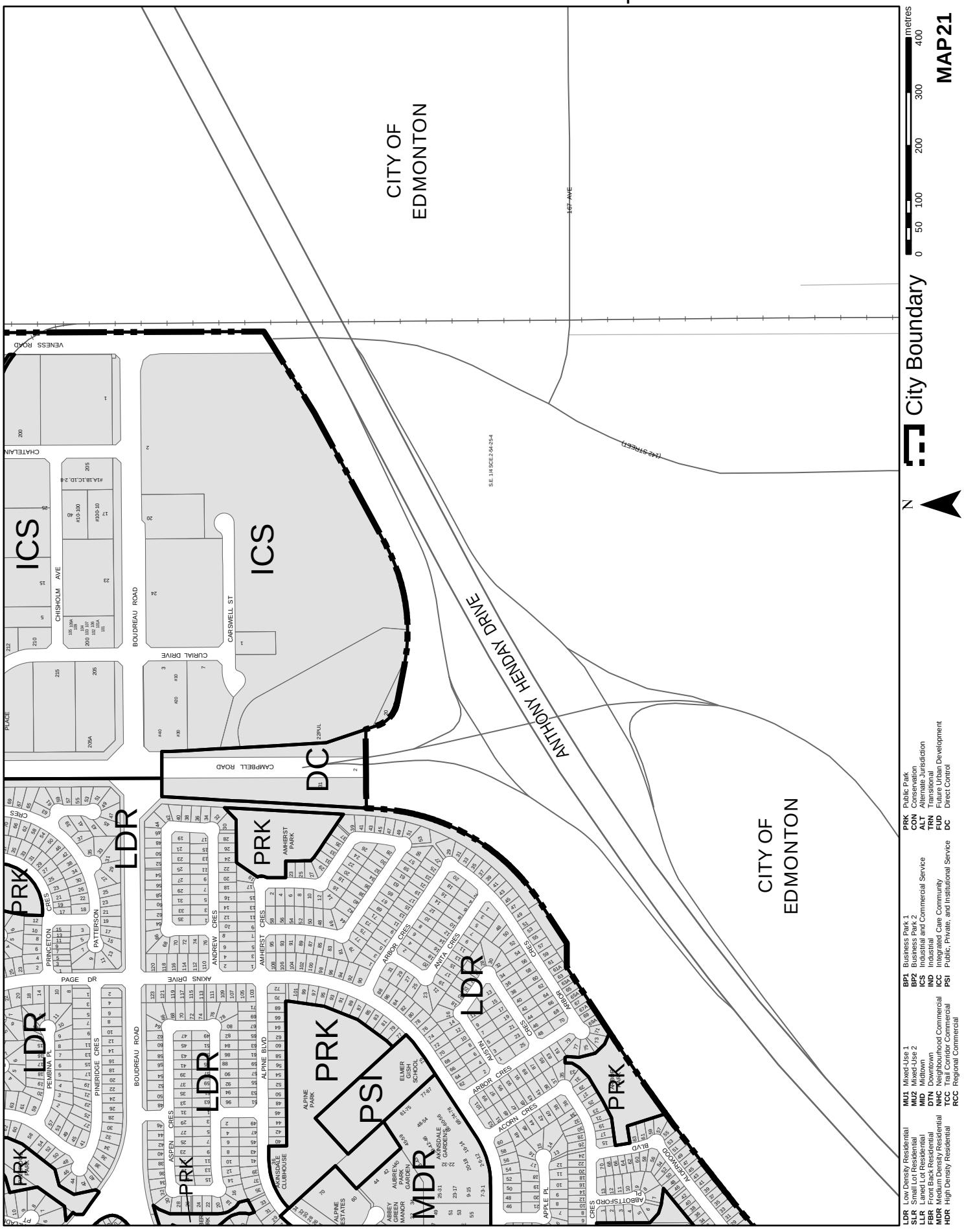
Bylaws: 23/2024, 9/2025



Schedule A: Land Use District Map



Schedule A: Land Use District Map

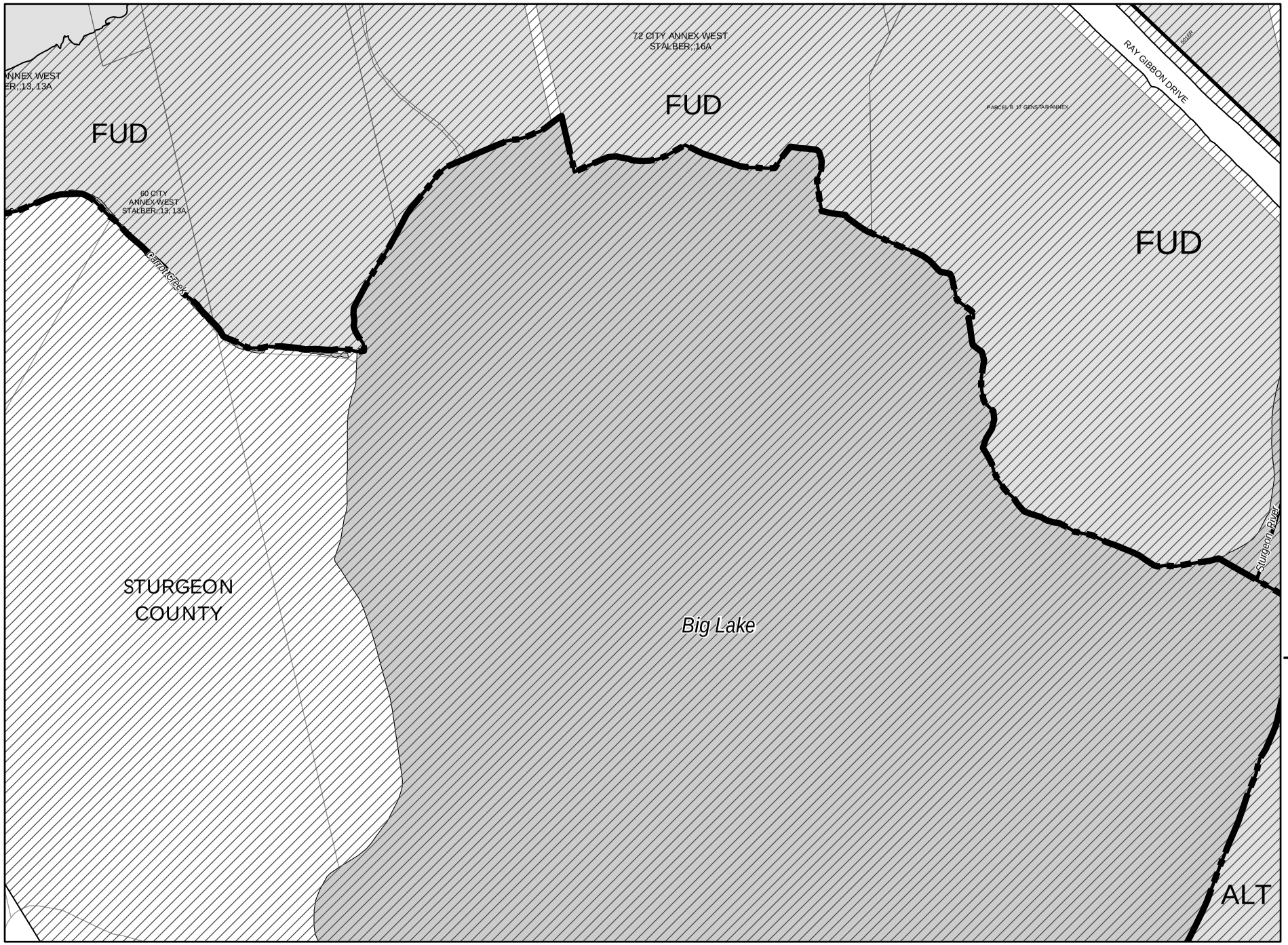


LDR	Low Density Residential	MU1	Mixed-Use 1	BP1	Business Park 1
SLR	Small Lot Residential	MU2	Mixed-Use 2	BP2	Business Park 2
LLR	Laned Lot Residential	MID	Midtown	ICS	Industrial and Commercial Service
FBR	Front Back Residential	DTN	Downtown	IND	Industrial
MDR	Medium Density Residential	NHC	Neighbourhood Commercial	ICC	Integrated Care Community
HDR	High Density Residential	TCC	Trail Corridor Commercial	PSI	Public, Private, and Institutional Service
		RCC	Regional Commercial		

PRK	Public Park		
CON	Conservation		
ALT	Alternate Jurisdiction		
TRN	Transitional		
FUD	Future Urban Development		
DC	Direct Control		

Schedule A: Land Use District Map

Schedule A: Land Use District Map



LDR	Low Density Residential	**MU1**	Mixed-Use 1	**BP1**	Business Park 1	**PRK**	Public Park
SLR	Small Lot Residential	**MU2**	Mixed-Use 2	**BP2**	Business Park 2	**CON**	Conservation
LLR	Laned Lot Residential	**MID**	Midtown	**ICS**	Industrial and Commercial Service	**ALT**	Alternate Jurisdiction
FBR	Front Back Residential	**DTN**	Downtown	**IND**	Industrial	**TRN**	Transitional
MDR	Medium Density Residential	**NHC**	Neighbourhood Commercial	**ICC**	Integrated Care Community	**FUD**	Future Urban Development
HDR	High Density Residential	**TCC**	Trail Corridor Commercial	**PSI**	Public, Private, and Institutional Service	**DC**	Direct Control
		RCC	Regional Commercial				

N

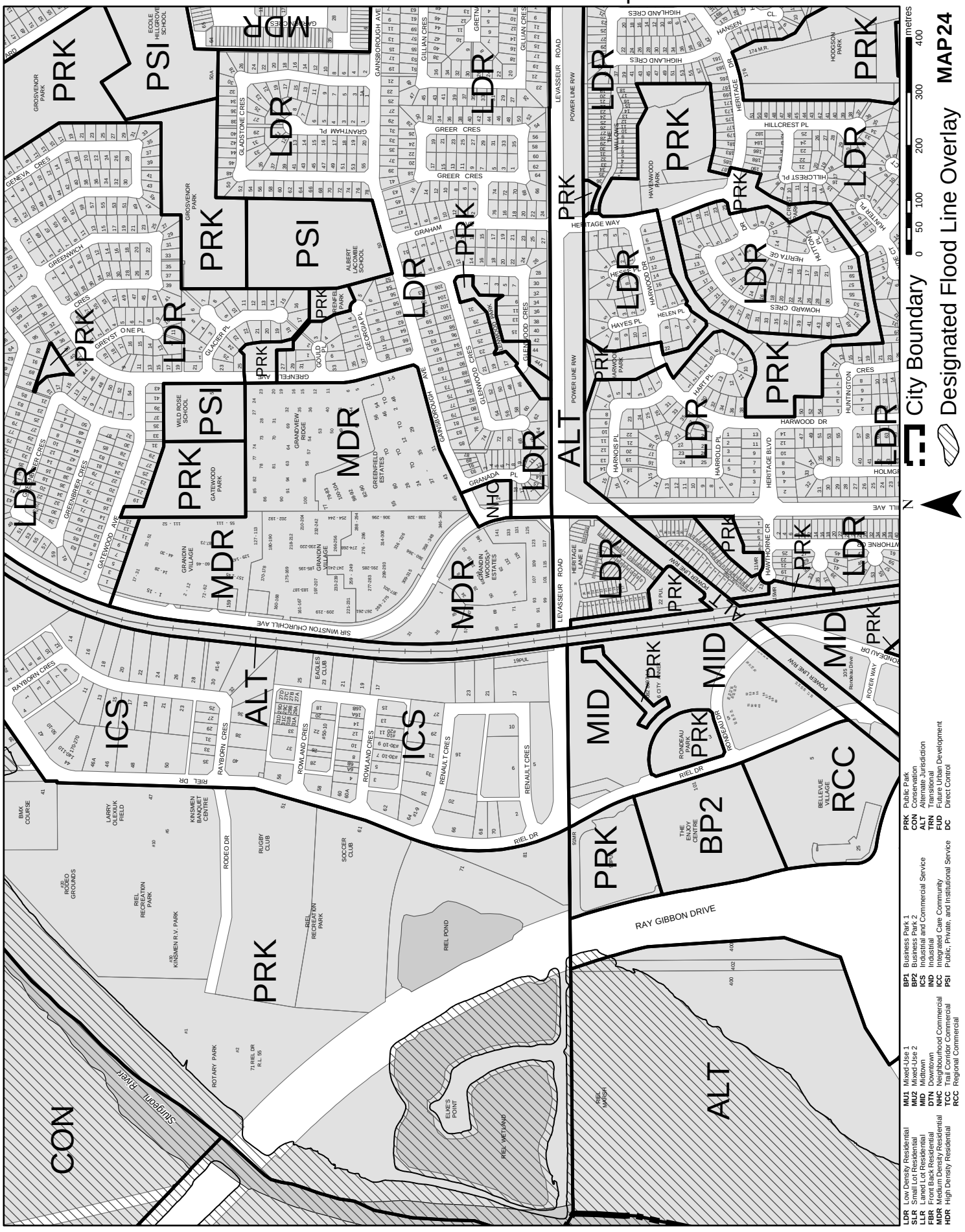
City Boundary

Designated Flood Line Overlay

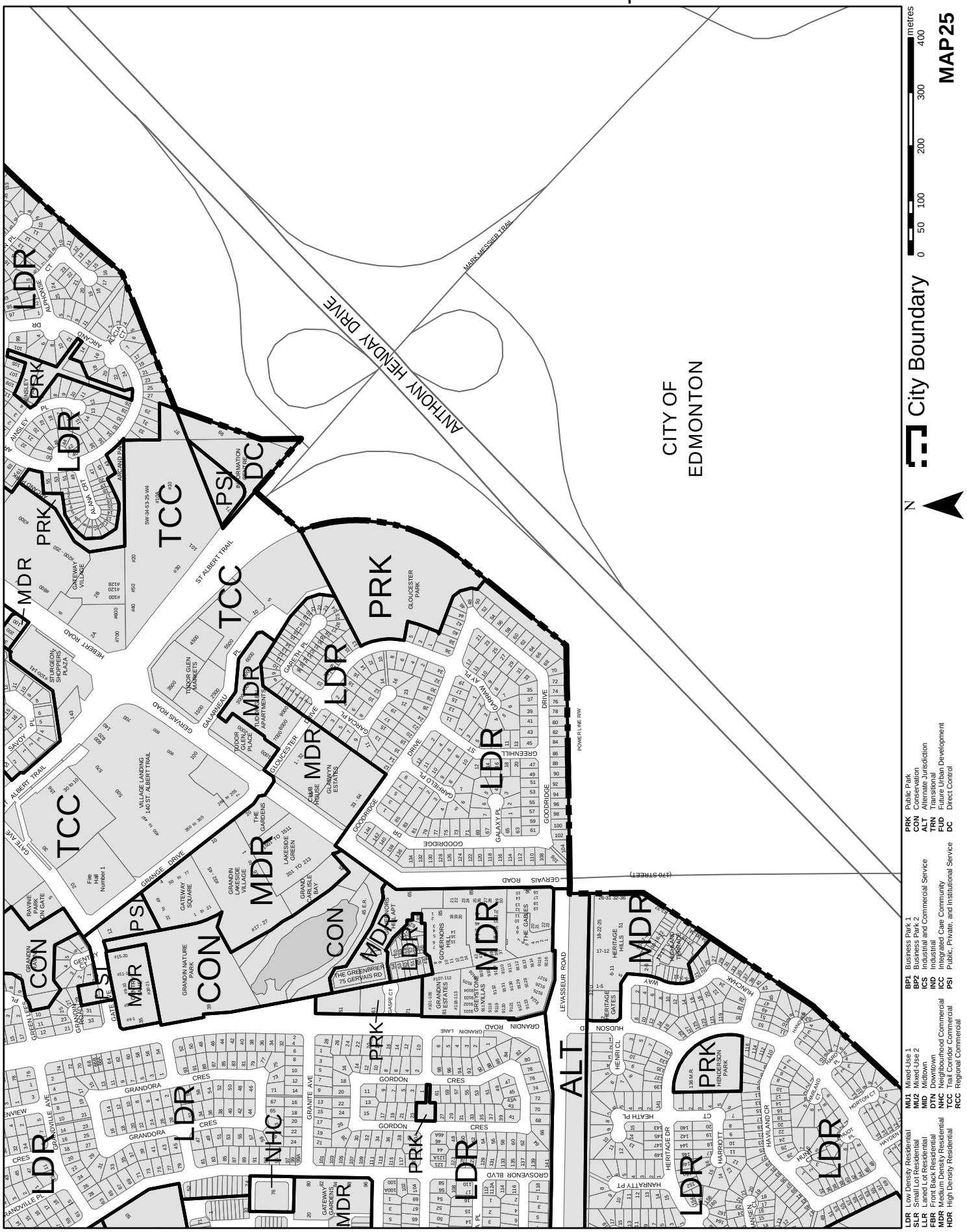
0 50 100 200 300 400 metres

MAP23

Schedule A: Land Use District Map



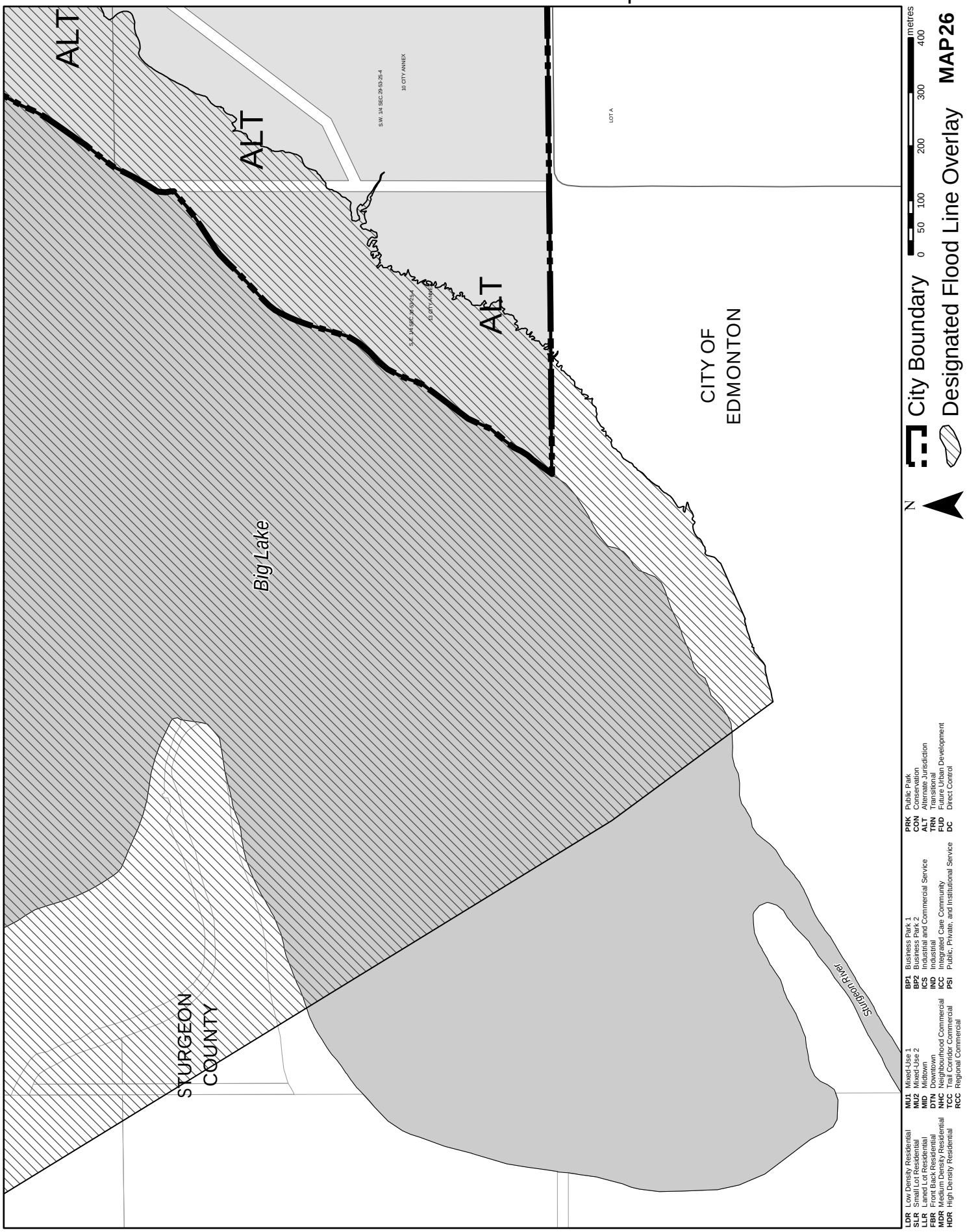
Schedule A: Land Use District Map



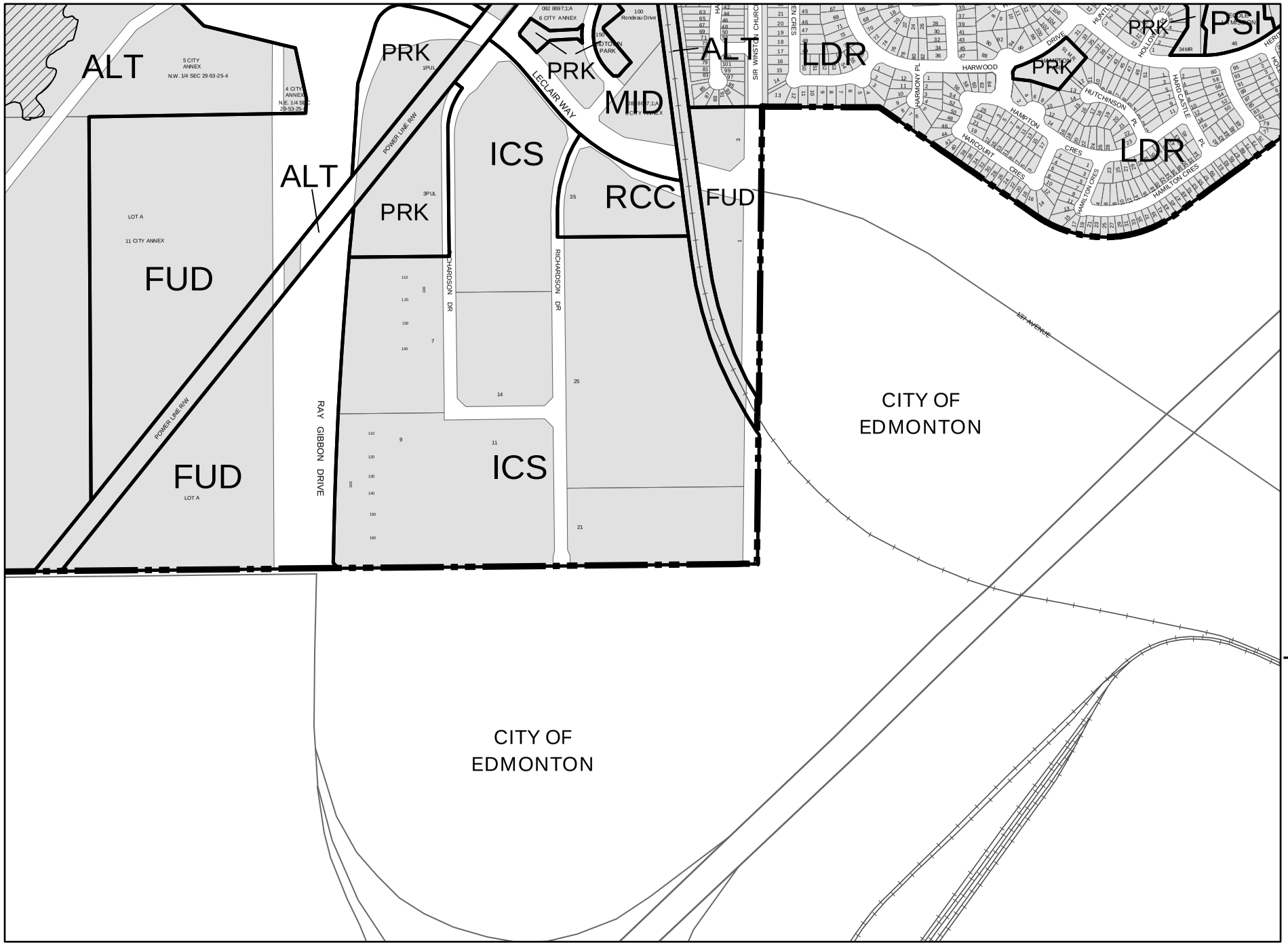
LDR	Low Density Residential	MU1	Mixed-Use 1
SLR	Small Lot Residential	MU2	Mixed-Use 2
LLR	Laned Lot Residential	MID	Midtown
FBR	Front Back Residential	DTN	Downtown
MDR	Medium Density Residential	NHC	Neighbourhood Commercial
HDR	High Density Residential	TCC	Trail Corridor Commercial
		RCC	Regional Commercial

BP1	Business Park 1	PRK	Public Park
BP2	Business Park 2	CON	Conservation
ICS	Industrial and Commercial Service	ALT	Alternate Jurisdiction
IND	Industrial	TRN	Transitional
ICC	Integrated Care Community	FUD	Future Urban Development
PSI	Public, Private, and Institutional Service	DC	Direct Control

Schedule A: Land Use District Map



Schedule A: Land Use District Map



LDR Low Density Residential
SLR Small Lot Residential
LLR Laned Lot Residential
FBR Front Back Residential
MDR Medium Density Residential
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MU1 Mixed-Use 1
MU2 Mixed-Use 2
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BP1 Business Park 1
BP2 Business Park 2
ICS Industrial and Commercial Service
IND Industrial
ICC Integrated Care Community
PSI Public, Private, and Institutional Service

PRK Public Park
CON Conservation
ALT Alternate Jurisdiction
TRN Transitional
FUD Future Urban Development
DC Direct Control

N

City Boundary
Designated Flood Line Overlay

0 50 100 200 300 400 metres

MAP27

Schedule A: Land Use District Map

Schedule B

Major Roadways

Major roadways include:

(1) Bellerose Drive

(2) Boudreau Road

(3) Campbell Road

(4) Corriveau Avenue

(5) Cunningham Road

(6) Dawson Road

(7) Fowler Way

(8) Gate Avenue

(9) Gervais Road

(10) Giroux Road

(11) Grandin Road

(12) Hebert Road

(13) Hogan Road

(14) LeClair Way

(15) Levasseur Road

(16) McKenney Avenue

(17) Meadowview Drive (west of Ray Gibbon Drive)

(18) Neil Ross Road

(19) Perron Street

(20) Poirier Avenue

(21) Range Road 260

(22) Ray Gibbon Drive

(23) Riel Drive (south of Levasseur Road)

(24) Sir Winston Churchill Avenue (north of LeClair Way)

(25) St. Albert Trail

(26) St. Anne Street

(27) Sturgeon Road

(28) Township Road 540A

(29) Veness Road

(30) Villeneuve Road (east of Hogan Road)

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Schedule C

Established Neighbourhood Overlay

C.1 APPLICATION

(1) Schedule C applies to all *lots* within the LDR District within the *Established Neighbourhoods* identified on *Figure 10-4*, for which the following *infill development* is proposed:

(a) New *dwelling (single detached)*, *dwelling (semi-detached)*, or *dwelling (duplex)* on a *lot* within an *Established Neighbourhood*;

(b) Renovations to an existing *dwelling* that result in an increase in height of 1.50 m or more, and/or an increase in *gross floor area* of the house of 25% or more; or

(c) Subdivision or consolidation of existing *lots*.

(2) This schedule does not apply to a *dwelling (townhouse - plex)*.

(3) Notwithstanding the regulations in this schedule, *infill development* shall comply with the following requirements for a *development* in the LDR District:

(a) Permitted Uses and Discretionary Uses;

(b) Floor area;

(c) *Lot area*;

(d) *Lot widths*;

(e) Maximum *lot* size;

(f) Attached *garage* or attached *carport*; and

(g) Side yard *setbacks*.

(4) Notwithstanding the regulations in this schedule, *infill development* shall comply with section 3.65 for *lot depth*.

(5) An infill review must be completed prior to submission of a *Development Permit* application.

C.2 PURPOSE

(1) The purpose of Schedule C is to ensure that, in *Established Neighbourhoods*:

(a) New low-density residential *development*, including *dwelling (single detached), dwelling (duplex)*, or *dwelling (semi-detached)* houses, is compatible with the neighbourhood character and the *streetscape*; and

(b) Significant renovations of existing *dwelling (single detached)* houses, *dwelling (duplexes)*, or *dwelling (semi-detached)* houses are compatible with the neighbourhood character and *streetscape*.

C.3 ADDITIONAL APPLICATION REQUIREMENTS

(1) In addition to the application requirements of sections 2.4 and 2.5, an application for *infill development* must also provide, at the time of *Development Permit* application:

(a) A landscape retention and removal plan;

(b) A *site* servicing plan; and

(c) A *lot grading* and drainage plan.

(2) In addition to the application requirements of sections 2.4 and 2.5, and section (1), the following may be required by the *Development Authority*:

(a) A sun/shadow study; or

(b) Public consultation in accordance with the *Public Participation Standards for Planning and Development Applications.*

C.4 LOT CONSOLIDATION AND SUBDIVISION

(1) Two or more *lots* may be consolidated, or consolidated and re-subdivided, if the new *lots* meet the *lot* dimension requirements.

C.5 LOT COVERAGE

(1) *Lot coverage* must be within 10% of the existing coverage for the low-density *development* on the immediately adjoining *lot* which has the greatest *lot coverage*.

(a) Notwithstanding section (1), the maximum *lot coverage* shall not exceed:

(i) 40% for a dwelling (single detached); and

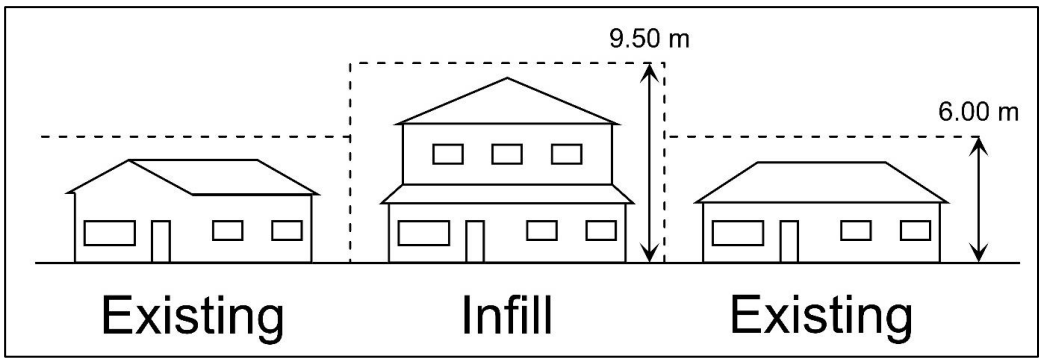
(ii) 47% for a dwelling (semi-detached) or a dwelling (duplex).

C.6 BUILDING HEIGHT

(1) When at least one of the adjoining houses on the *streetscape*, or both *frontages* for a *corner lot*, is less than 6.00 m in height, the maximum building height is 9.50 m, as illustrated in *Figure 10-1*.

(2) The restricted *building envelope* does not apply where adjoining *development* on both sides of the *infill development* are two *storeys* or greater in height.

Figure 10-1: Restricted Building Envelope



C.7 LOTS ADJACENT TO REAR LANES

(1) If a *lot* is adjacent to an accessible rear *lane*, the *driveway* and *garage* (should one be built) must be accessed from the *lane*.

(a) Notwithstanding section (1), the *Development Authority* has the discretion to change this requirement if the *lot's* configuration, location, or topography does not allow for such access.

C.8 LOTS REQUIRING FRONT ACCESS

(1) *Development* must conform to the type of *access* of the majority of *dwellings* along the adjoining *streetscape*. If the majority of *dwellings* have front drives leading to unobtrusive side or rear *garages*, or *carports*, the new *development* must remain consistent with that pattern.

(2) Front access must conform to the following:

(a) The maximum width of a front *driveway*, on a *lot* less than 12.20 m in width, is 5.50 m; and

(b) The maximum width of a front *driveway*, on a *lot* equal to or greater than 12.20 m in width, is 7.50 m.

(3) The maximum width of an attached *garage* that faces a front or a side *public roadway*, excluding a *lane*, is 7.30 m or 35% of the building *façade*, whichever is less.

(4) The maximum projection of an attached *garage* is 3.00 m from the front or side of the *dwelling*, or within 1.00 m of the adjacent *garage* projections, if large front *garages* predominate on the street.

C.9 FRONT YARD SETBACK

(1) The front yard building *setback* for a new *development* will be the average of the front yard building *setbacks* of the two adjoining properties.

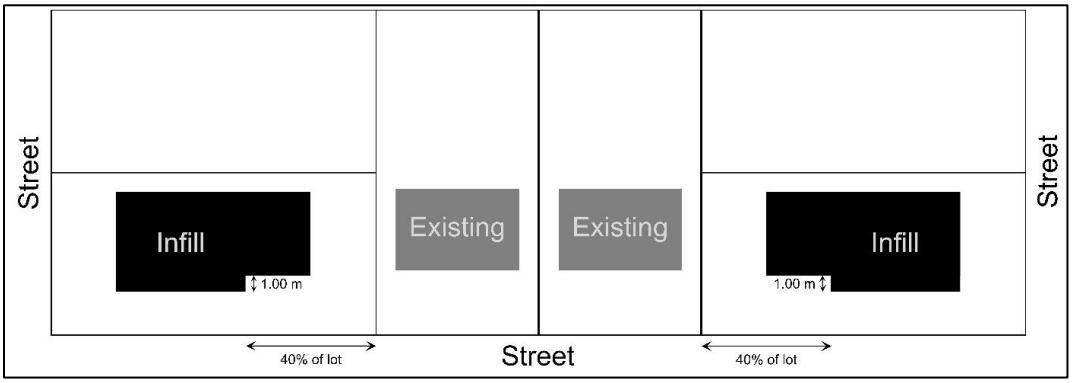
(a) Notwithstanding section (1), if there is a discrepancy of greater than 1.50 m in the *setbacks* of the *building(s)* on the two adjoining *lots*, the *Development Authority* has the discretion to consider the *setbacks* of other houses along the street when determining the required *setback*.

C.10 CORNER LOTS - FLANKING SIDE SETBACKS

(1) Any *development* within the rear 40% of a perpendicular *corner lot* will have a *setback* at least 1.00 m greater than the required side *setback* of the remainder of the *building*, along the flanking side, as illustrated in *Figure 10-2*.

(2) Other *setback* requirements could be at the discretion of the *Development Authority,* based on maintaining the character of the *streetscape*.

Figure 10-2: Staggered Setback



C.11 REAR YARD SETBACK

(1) The rear yard *setback* for a new infill *dwelling*:

(a) Where there is no attached *garage*, shall be a maximum projection of 4.60 m beyond the rear of the adjoining houses, but not closer than 10.00 m to the rear *property line*; or

(b) Where there is an attached *garage*, shall be a maximum projection of 6.10 m beyond the rear of the adjoining houses, but not closer than 6.00 m to the rear *property line*.

(2) The depth of the rear yard of a new infill house must be a minimum of 40% of the depth of the *lot*. In addition, the house must not extend more than 4.60 m beyond the rear of the adjoining houses.

(3) If the *garage* is attached to the house, the depth of the rear yard of a new infill house must be a minimum of 30% of the depth of the *lot*. In addition, the house must not extend more than 6.10 m beyond the rear of the adjoining houses.

C.12 MULTIPLE-LOT DEVELOPMENT

(1) A multiple-lot *development* is when a subdivision has occurred to create new, low-density residential *lots*.

(2) If a multiple-lot *development* is within a regular block, these regulations will be applied as a single calculation to all new subdivided *lots*.

(3) The existing houses on either side of the entire proposed *development* will be used as guidelines for determining height, coverage, access, *setbacks,* and building depth, for a *dwelling (single detached), dwelling (semi-detached)*, or *dwelling (duplex).*

(4) If a multiple-lot *development* is on a corner and perpendicular to the other houses on the block (*Figure 10-3*):

(a) The maximum *lot coverage* for each *lot* is as provided for in the LDR District regulations;

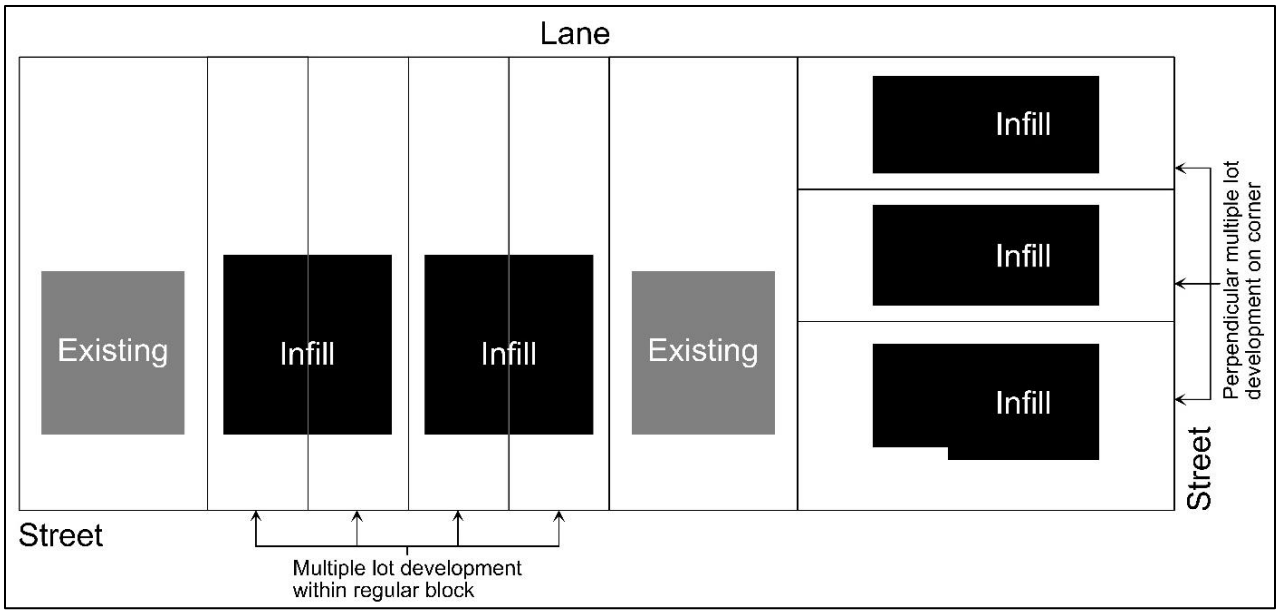
(b) The restricted building envelope (see *Figure 10-1*) applies to all *lots* if the adjoining house to the rear or side of the *lots* is less than 6.00 m;

(c) The front yard *setback* may be determined at the discretion of the *Development Authority*, using the adjoining houses to the rear or side of the *lots*, but shall not be less than 6.00 m;

(d) If the *lots* within the multiple-lot *development* have a mixture of front and rear *lane* access, access requirements and *driveway* locations shall be determined at the discretion of the *Development Authority*; and

(e) Additional requirements to ensure privacy for the adjoining existing *dwelling* to the rear of the new properties may be required, at the discretion of the *Development Authority*.

Figure 10-3: Multiple-Lot Developments

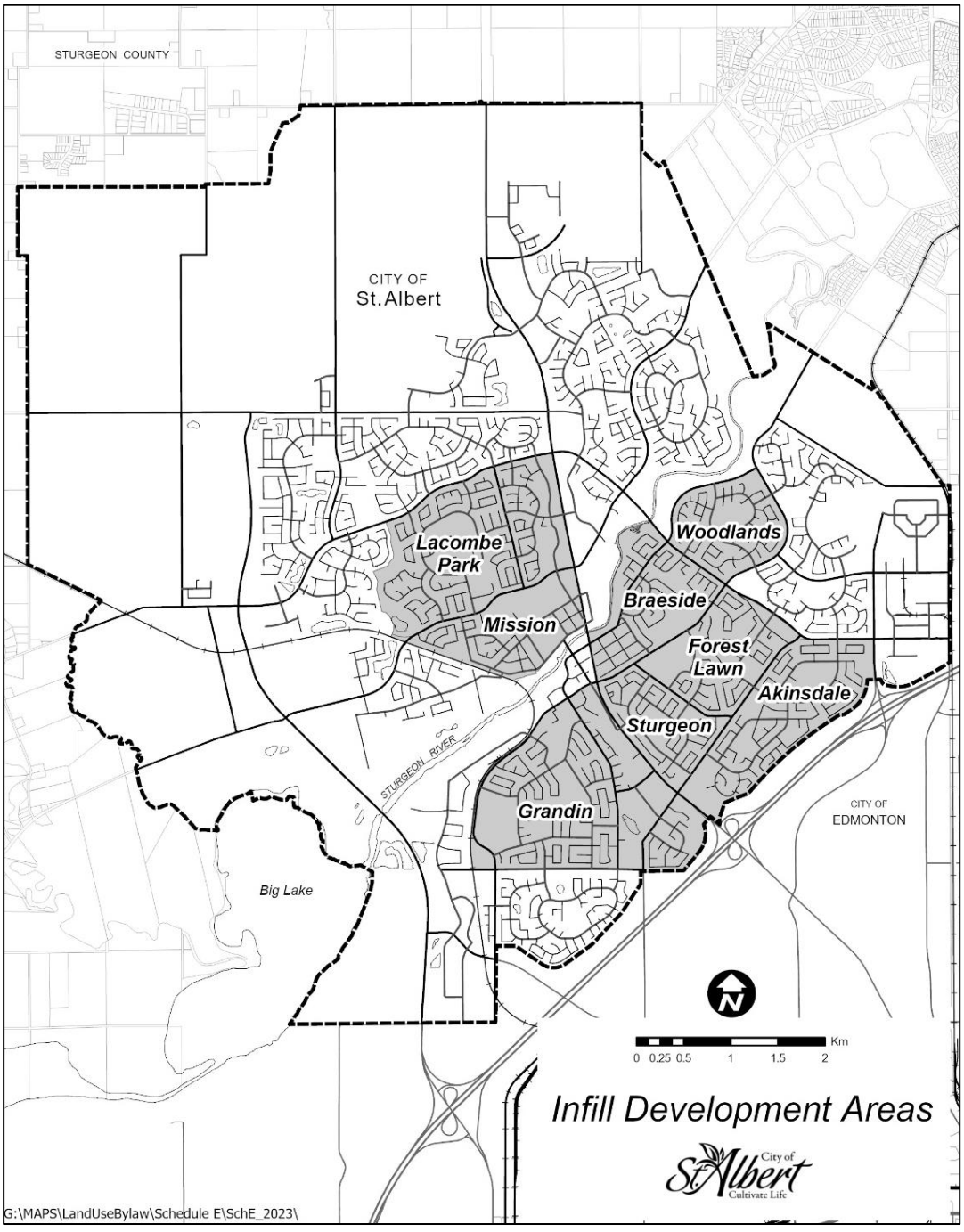


C.13 LANDSCAPING

(1) If there are no existing mature trees on the *site* that can be preserved, *landscaping* shall be provided in accordance with section 3.102 'Trees.'

(2) The *Development Authority,* in considering an application, may impose conditions requiring the retention of trees or additional plantings.

Figure 10-4: Established Neighbourhoods



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Schedule D

Building Heights for Specific Development Areas

Figure 11-1: Building Heights for Redevelopment, Downtown Neighbourhood

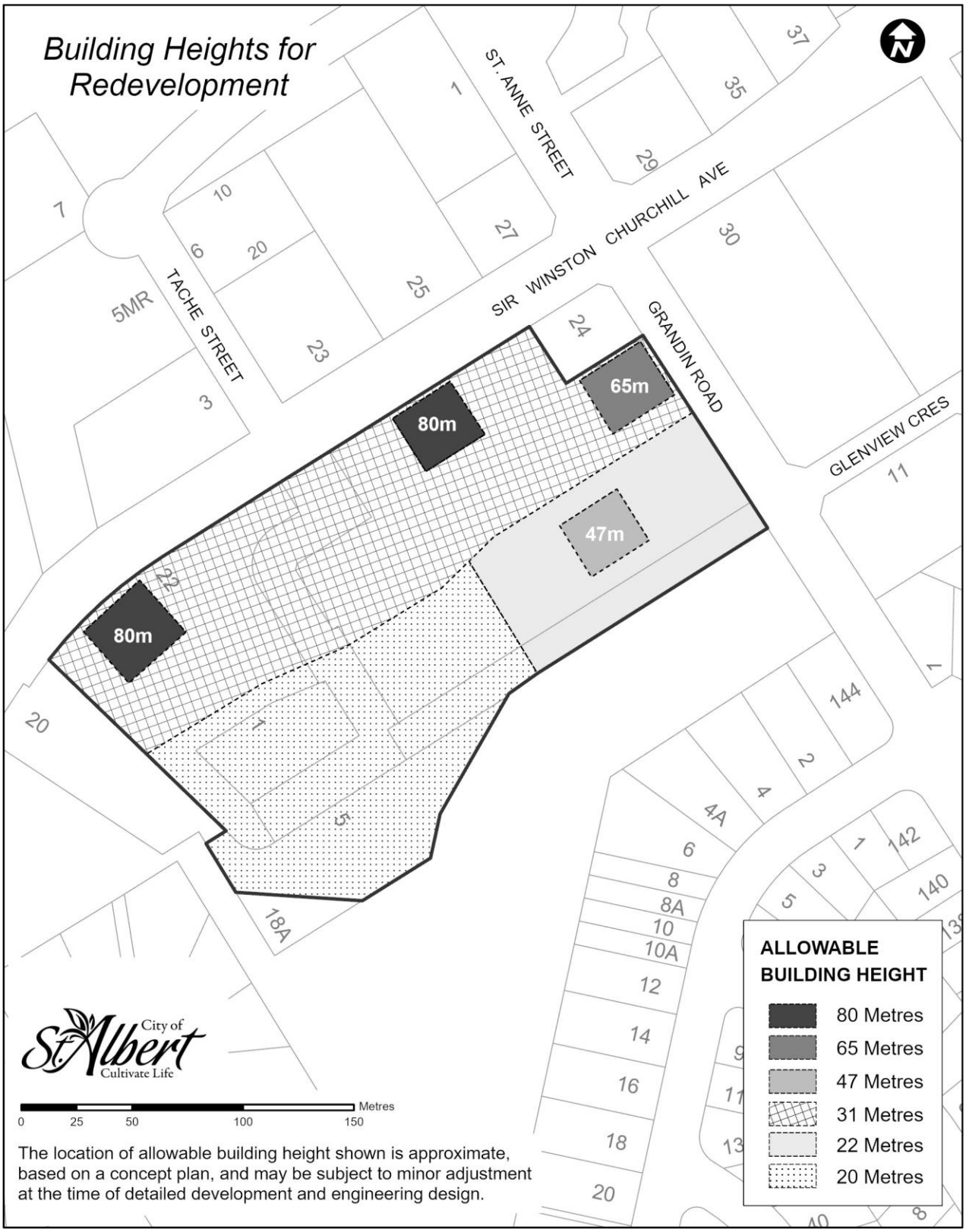


Figure 11-2: Building Heights for Redevelopment, Oakmont Neighbourhood

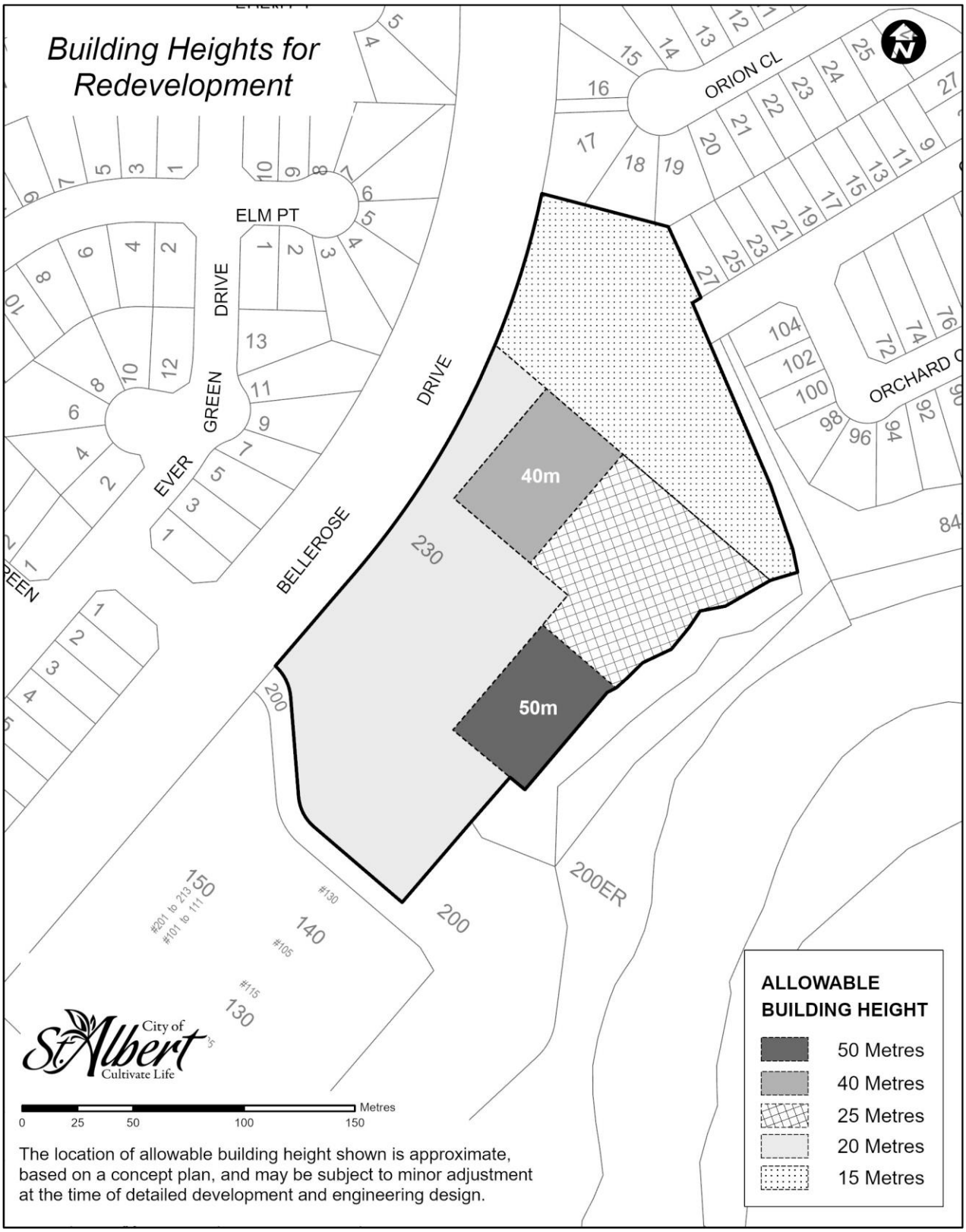
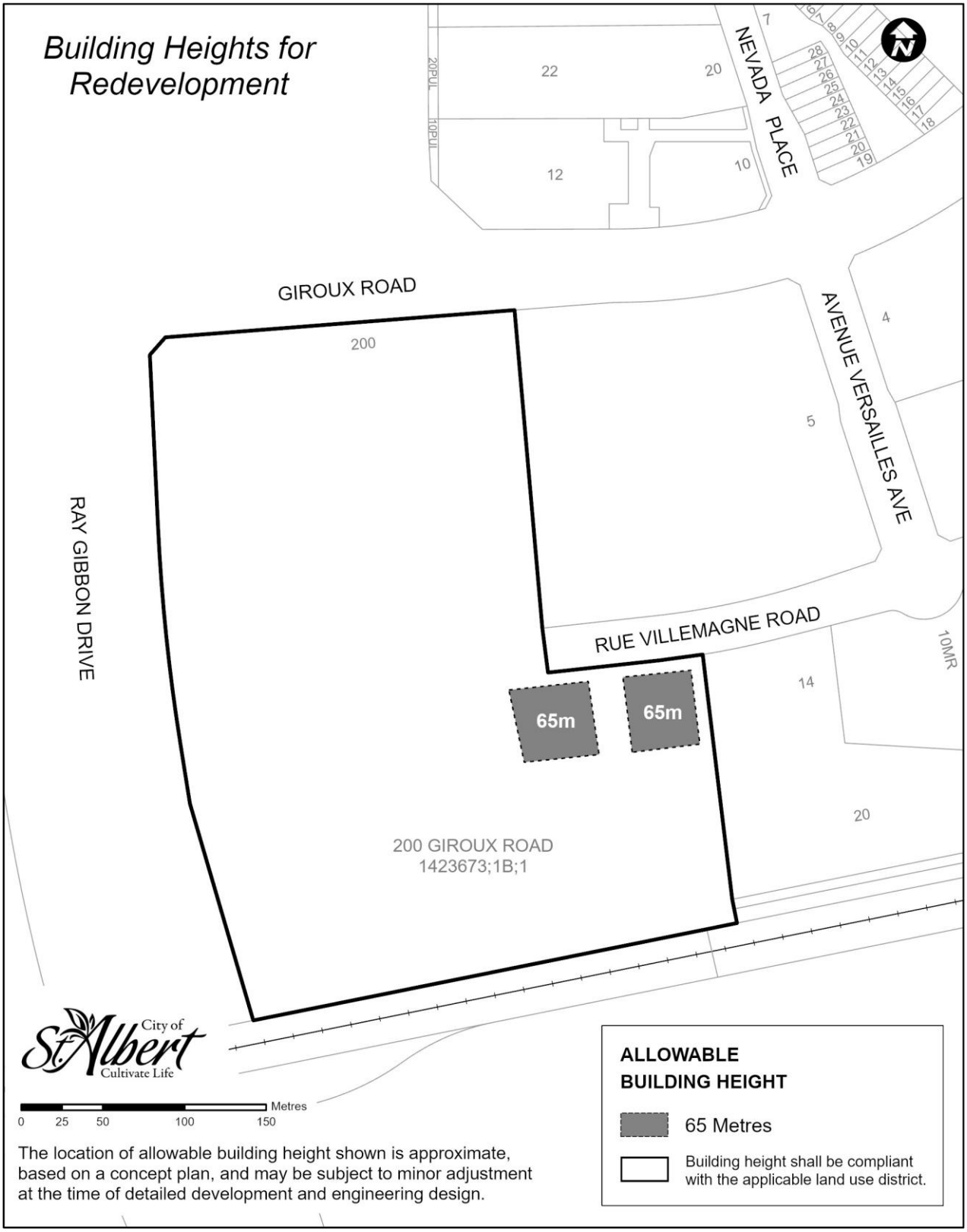


Figure 11-3: Building Heights for Redevelopment, Ville Giroux Neighbourhood



Appendix 1

Land Use District Conversion

Land Use Districts in this Bylaw have been amended from the former *Land Use Bylaw 9/2005* as follows:

Table 12-1: Land Use District Conversion Table

Land Use Bylaw No. 9/2005		Land Use Bylaw No. 18/2024	
R1	Low-Density Residential	LDR	Low-Density Residential
R2	Low-Density Residential	LDR	Low-Density Residential
R3	Medium-Density Residential	MDR	Medium-Density Residential
R3A	Medium-Density Residential	MDR	Medium-Density Residential
R4	High-Density Residential	HDR	High-Density Residential
RX	Residential	SLR	Small-Lot Residential
RXL	Residential Lane	LLR	Laned-Lot Residential
DR	Downtown Residential	DTN	Downtown
MT	Midtown	MID	Midtown
RFB	Residential Front Back	FBR	Front-Back Residential
C1	Neighbourhood Commercial	NHC	Neighbourhood Commercial
C2	General Commercial	NHC	Neighbourhood Commercial
CC	Corridor Commercial	TCC	Trail Corridor Commercial
MC	Mixed Commercial	DTN	Downtown
BW	Boardwalk	DTN	Downtown
CIS	Commercial and Industrial Service	ICS	Industrial and Commercial Service
BP	Business Park	---	District Removed
ICC	Integrated Care Community	ICC	Integrated Care Community
BPT	Business Park Transition	BP2	Business Park 2
RC	Regional Commercial	RCC	Regional Commercial
BP2	Business Park	BP2	Business Park 2
P	Public Park	PRK	Public Park
PS	Public And Private Service	PSI	Public, Private, and Institutional Service
IF	Institutional Facilities	PSI	Public, Private, and Institutional Service
UR	Urban Reserve	FUD	Future Urban Development
DCMU	Direct Control Mixed-Use	MU2	Mixed-Use Level 2

Land Use Bylaw No. 9/2005		Land Use Bylaw No. 18/2024	
DCNUV	Direct Control Northwest Urban Village	---	District Removed
T	Transitional	TRN	Transitional
AJ	Alternate Jurisdiction	ALT	Alternate Jurisdiction
DT	Downtown	DTN	Downtown
---	New	BP1	Business Park 1
---	New	IND	Industrial
---	New	MU1	Mixed-Use Level 1
---	New	CON	Conservation